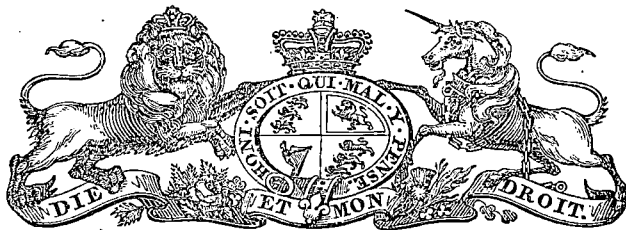


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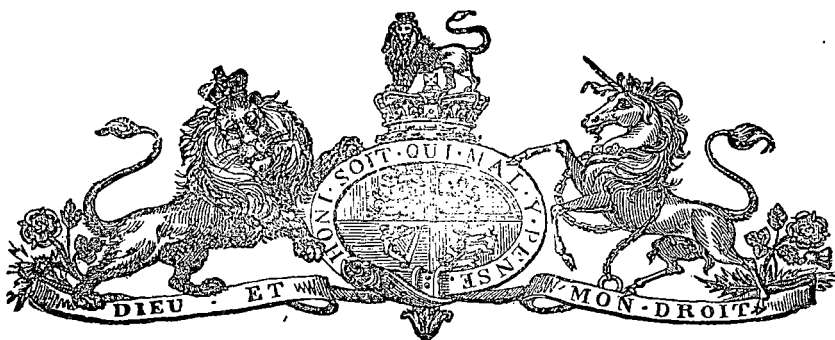
1886.

PARLIAMENT OF TASMANIA.

NEW GUINEA, PROTECTORATE OF:

CORRESPONDENCE.

Laid upon the Table by Dr. Agnew, and ordered by the Legislative Council to be printed, November 16, 1886.



NEW GUINEA:
CORRESPONDENCE RESPECTING THE PROTECTORATE OF.

(1.)

THE PREMIER OF SOUTH AUSTRALIA to THE PREMIER OF QUEENSLAND.

Adelaide, 23rd December, 1885.

SIR,

ADVERTING to the question of the New Guinea Protectorate, I have the honour to inform you that it is not the intention of this Government to continue contributing towards the cost of maintaining such Protectorate after the 30th June next.

This decision having been arrived at, it is deemed only right that the other Colonies contributing towards said Protectorate should have an early intimation thereof.

I have, &c.,

JNO. W. DOWNER.

(2.)

Downing Street,
8th January, 1886.

THE SECRETARY OF STATE FOR THE COLONIES to THE GOVERNOR.

SIR,

I HAVE the honour to enclose, for the information of your Government, a copy of a Commission which The Queen has been pleased to issue to Mr. John Douglas, C.M.G., appointing him to be Her Majesty's Special Commissioner in New Guinea until Her Majesty's pleasure be further signified.

The original Commission will be forwarded to Mr. Douglas to Thursday Island, with a despatch on the subject of his powers, of which I will transmit a copy to you by the next mail.

I have, &c.,

FRED. STANLEY.

[Enclosure in 2.]

NEW GUINEA.

COMMISSION passed under the Royal Sign Manual and Signet, appointing John Douglas, Esquire, C.M.G., to be Her Majesty's Special Commissioner for the Protected Territory in New Guinea until Her Majesty's pleasure be further signified.

VICTORIA R.

Entered 26th December,
1885.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India: To Our Trusty and Well-beloved John Douglas, Esquire, Companion of Our Most Distinguished Order of Saint Michael and Saint George, Greeting.

Whereas We have been pleased to take under Our protection and jurisdiction the southern and south-eastern shores of New Guinea, from the 141st meridian of East longitude eastward as far as East Cape, and thence north-westward as far as the 8th parallel of South latitude in the neighbourhood of Mitre Rock, together with the territory lying south of a line from Mitre Rock proceeding along the said 8th parallel to the 147th degree of East longitude, then in a straight line in a north-westerly direction to the point of intersection of the 6th parallel of South latitude and of the 144th degree of East longitude, and continuing in a west north-westerly direction to the point of intersection of the 5th parallel of South latitude and of the 141st degree of East longitude, together with the Trobriand, Woodlark, D'Entrecasteaux, and Louisiade groups of Islands, and all other Islands lying between the 8th and the 12th parallels of

South latitude, and between the 141st and the 155th degrees of East longitude, and not forming part of the Colony of Queensland: And furthermore including all Islands and Reefs situate in the Gulf of Papua to the northward of the 8th parallel of South latitude.

And whereas We are minded to make provision for the conduct of Our affairs within the said Protectorate.

Appointment of John Douglas, Esq., C.M.G., to be Special Commissioner.

Now know you that We do by this Our Commission under Our Sign Manual and Signet appoint you, the said John Douglas, to be until Our pleasure be further signified Our special Commissioner for the aforesaid Protectorate, and as such Special Commissioner to act in Our name and on Our behalf, and in all respects to represent Our Crown and authority in matters occurring therein, and further to take all such measures, and to do all such matters and things in the said Protectorate as in the interest of Our service you may think expedient, subject to such instructions as you may from time to time receive from Us, or through one of Our Principal Secretaries of State.

To promote religion and civilization, &c.

II. And We do require you, to the utmost of your power, to promote religion and civilization among the native inhabitants of the Protectorate, and you are especially to take care to protect them in their persons and in the free enjoyment of their lands and other possessions, and by all lawful means to prevent and restrain all violence and injustice which may in any manner be practised or attempted against them.

Appointment of Officers.

III. And We do hereby authorise and empower you, as occasion may require, to appoint all such Officers as you may think necessary for Our service in the said Protectorate, if provision shall have been made for their payment; and all such Officers shall hold their offices during Our pleasure.

Appointment of H. H. Romilly, Esq., to act in absence, &c. of John Douglas, Esq.

IV. And We do hereby appoint that, in the event of your death, incapacity, or absence, the powers and authorities hereby conferred shall, until Our further pleasure be signified, become vested in Our Trusty and Well-beloved Hugh Hastings Romilly, Esquire, or if he be absent or for any other reason be unable duly to exercise such powers and authorities, then such person as Our High Commissioner for the Western Pacific, or the person for the time discharging the function of such High Commissioner, shall appoint by an instrument under his hand and seal.

In absence, &c. of John Douglas, Esq., and H. H. Romilly, Esq., High Commissioner of Western Pacific may appoint a person to act.

Officers to aid and assist Special Commissioner.

V. And We do hereby command and require all Our officers and servants, and all other Our loyal subjects in New Guinea and its vicinity, to be aiding and assisting unto you the said John Douglas in execution of this Our Commission, and unto any other person for the time being acting in execution thereof.

Given at Our Court, at Osborne House, Isle of Wight, this twenty-sixth day of December, 1885, in the forty-ninth year of Our reign.

By Her Majesty's Command,

FRED. STANLEY.

(3.)

THE PREMIER OF QUEENSLAND to THE PREMIER OF SOUTH AUSTRALIA.

Brisbane, 9th January, 1886.

SIR

I HAVE the honour to acknowledge the receipt of your letter of the 23rd ultimo, intimating that after the 30th June next it is not the intention of the South Australian Government to continue contributing towards the cost of maintaining the New Guinea Protectorate.

2. I regret to learn that the Colony of South Australia has withdrawn from the concerted action agreed upon at the Convention held in Sydney in November, 1883, and to which this Colony has given effect by a permanent Appropriation Act.

I have, &c.,

S. W. GRIFFITH.

(4.)

THE SECRETARY OF STATE FOR THE COLONIES to THE GOVERNOR.

Downing Street,

9th January, 1886.

SIR,

I HAVE the honour to enclose for your information and for communication to your Government, a copy of a despatch which I have addressed to Mr. Douglas in reference to his position in New Guinea, under the appointment, which, as I informed you in my telegram of the 9th instant, Her Majesty has been pleased to confer upon him temporarily as Special Commissioner in New Guinea and the adjacent Islands over which the Queen's protection and jurisdiction have been proclaimed.

I have already by telegraph instructed the Acting High Commissioner of the Western Pacific to issue and transmit to your care the necessary instrument creating Mr. Douglas a Deputy Commissioner of the Western Pacific. The enclosed despatch explains the necessity for his holding that appointment in the present limited state of British judicial authority in New Guinea and the Islands; and I shall be obliged if you transmit the instrument to Mr. Douglas without loss of time.

I have, &c.,

FRED. STANLEY.

[Enclosure in 4.]

THE SECRETARY OF STATE FOR THE COLONIES to JOHN DOUGLAS, ESQUIRE.

Downing Street,
9th January, 1886.

SIR,

I HAD the honour to enclose in my Despatch General of the 8th instant a Commission under Her Majesty's Sign Manual and Signet, appointing you to be, until the Queen's pleasure is further signified, Her Majesty's Special Commissioner over the whole of British New Guinea and the adjacent Islands. As you are aware, the Protectorate has been largely added to since the late Sir Peter Scratchley's first Commission was issued.

2. Sir Peter Scratchley's despatches showed that he did not fully understand that unless the territory included in the Protectorate becomes British soil by the declaration of Her Majesty's Sovereignty over it, the Queen does not possess, and therefore could not delegate to him, a general power to make laws which will bind persons other than her own subjects. As regards the latter, she may, as you probably are aware, by Order in Council, under "*The Foreign Jurisdiction Acts*," establish Courts and make such other regulations as she thinks necessary for their control.

3. This power she has exercised, in respect to the South Seas, by means of the Western Pacific Orders in Council, and as those orders extend to New Guinea and the adjacent Islands, it was considered unnecessary to issue a fresh Order specially affecting the Protectorate, at any rate until experience of the actual localities should have enabled the Special Commissioner to furnish the Secretary of State with some indication of the points to which attention should specially be directed. In the meanwhile, Sir Peter Scratchley was appointed Deputy Commissioner for the Western Pacific, so as to invest him with judicial authority.

4. This authority is that of the High Commissioner's Court, and is vested in the Deputy Commissioners by sections 19, 20, of the Western Pacific Order of 1877, with, however, the limited power of punishment expressed in section 27. I have caused a similar Commission to be issued to you, and you will thus possess civil and criminal jurisdiction over British subjects; but the Orders do not extend to foreigners, over whom you will have no judicial authority except in such civil matters as they may wish to bring before you. Special provision for their doing so is made by section 145 of the Western Pacific Order in Council of 1877.

5. In addition to this judicial authority, your Commission as Special Commissioner empowers you in all respects to represent the Queen's authority, and to do all such things as in the interest of Her Service you may think expedient. You are therefore at liberty to make such regulations as you think necessary, compliance with which may be made a condition of residence in the Protectorate, *if you are able to enforce them*.

6. It was considered that these powers would meet the requirements of the case on the first arrival of Sir Peter Scratchley, but it was not contemplated that they would be permanent, and, after consulting the Law Officers, Her Majesty's late Ministers decided that the Protectorate should in due time be added to the Queen's Dominions; and I am advised by the Law Officers that this accession of dominion when effected must be regarded under the circumstances as having been acquired by settlement, and not by conquest or cession.

7. The effect of this distinction is that in the latter case Her Majesty might make laws by virtue of Her prerogative, might retain the existing laws of the country or change them at her pleasure, and might authorise you or any other persons to legislate on her behalf in such form and manner as she thinks fit. But in the case of territory acquired by settlement, the settlers carry with them so much of the laws of England as are suitable to their condition; and the power to make fresh laws is not the prerogative right of the Queen. It is unnecessary for me to explain what powers the Queen possesses in such cases beyond that of establishing Courts of Justices, for Parliament has by two statutes declared the manner in which laws are to be made in such countries.

8. The statutes are the Acts 6 and 7 Vic., cap. 13, and 23 and 24 Vic., cap. 121, copies of which are enclosed for your information.

When the Proclamation of Sovereignty is made, Letters Patent will, no doubt, in due course be issued under the second section of the Act, delegating to you and to two or more other persons the power of making all necessary laws within these territories.

I have, &c.,

FRED. A. STANLEY.

(5.)

TELEGRAM FROM THE PREMIER OF QUEENSLAND to THE PREMIERS OF NEW SOUTH WALES,
VICTORIA, SOUTH AUSTRALIA, TASMANIA, AND NEW ZEALAND.

Brisbane, 16th March, 1886.

MR. Douglas Special Commissioner for New Guinea, is here but does not propose to go further south at present unless specially desired. After conferring with him I hope to be able to make a definite proposition with respect to future administration of New Guinea.

S. W. GRIFFITH.

(6.)

TELEGRAM FROM THE PREMIER OF QUEENSLAND *to* THE PREMIERS OF NEW SOUTH WALES, VICTORIA, TASMANIA, NEW ZEALAND, SOUTH AUSTRALIA, AND THE COLONIAL SECRETARY OF WESTERN AUSTRALIA.

Brisbane, 17th March, 1886.

I PRESUME that there is no difficulty about the current year's contribution from New South Wales [Victoria, Tasmania, New Zealand, South Australia, Western Australia] to the New Guinea Protectorate.

S. W. GRIFFITH.

(7.)

TELEGRAM FROM THE PREMIER OF NEW ZEALAND *to* THE PREMIER OF QUEENSLAND.

Wellington, 17th March, 1886.

We think your Colony should administer New Guinea

* * * * *

ROBERT STOUT.

(8.)

TELEGRAM FROM THE ACTING COLONIAL SECRETARY OF WESTERN AUSTRALIA *to* THE PREMIER OF QUEENSLAND.

Perth, 17th March, 1886.

THERE will be no difficulty about the current year's contribution from this Colony to the New Guinea Protectorate.

M. S. SMITH.

(9.)

TELEGRAM FROM THE PREMIER OF VICTORIA *to* THE PREMIER OF QUEENSLAND.

Melbourne, 17th March, 1886.

WE take an annual vote towards New Guinea expenses. Our contribution is now available for current financial year ending 30th June prox.

DUNCAN GILLIES.

(10.)

TELEGRAM FROM THE PREMIER OF SOUTH AUSTRALIA *to* THE PREMIER OF QUEENSLAND.

Adelaide, 17th March, 1886.

CONTRIBUTION available up to 30th June next.

JNO. W. DOWNER.

(11.)

TELEGRAM FROM THE PREMIER OF NEW SOUTH WALES *to* THE PREMIER OF QUEENSLAND.

Sydney, 18th March, 1886.

* * * * *

Will be glad to receive at your convenience definite proposition as to future administration of New Guinea.

P. A. JENNINGS.

(12.)

TELEGRAM FROM THE PREMIER OF TASMANIA *to* THE PREMIER OF QUEENSLAND.

Hobart, 18th March, 1886.

THE amount voted by Parliament towards expense of New Guinea Protectorate, viz. six hundred and thirty-two pounds five shillings for current year, will be payable.

J. W. AGNEW.

(13.)

TELEGRAM FROM THE PREMIER OF NEW SOUTH WALES *to* THE PREMIER OF QUEENSLAND.

Sydney, 19th March, 1886.

REFERRING to your telegram of 17th instant, we propose to place the current year's contributions to the New Guinea Protectorate on the Estimates.

P. A. JENNINGS.

(14.)

TELEGRAM FROM THE PREMIER OF NEW ZEALAND to THE PREMIER OF QUEENSLAND.

Wellington, 19th March, 1886.

We adhere to our memos. of 7th July and 5th September, copies of which will be forwarded.

ROBT. STOUT.

(15.)

THE SECRETARY TO THE PREMIER OF NEW ZEALAND to THE PRIVATE SECRETARY TO THE PREMIER OF QUEENSLAND.

Wellington, 22nd March, 1886.

SIR,

ON the 19th instant the Hon. Mr. Stout wired to the Hon. Mr. Griffith relative to the New Guinea contribution, and referred to memos. of 7th July and 5th September. I find you have the memo. of 7th July, posted here on the 8th, and now enclose copy of the memo. of 5th September, which please submit to Mr. Griffith.

Yours, &c.,

ALEX. WILLIS.

[Enclosure in 15.]

MEMORANDUM FOR HIS EXCELLENCY.

MINISTERS have the honour to return herewith the telegram from the Governor of South Australia, forwarding a telegram from the Secretary of State concerning New Guinea expenses, which his Excellency submitted for their consideration on the 19th of August last.

The conclusion at which Ministers have arrived after again considering the subject, is that they cannot say more than they have already conveyed to His Excellency in their memorandum of the 7th July last, in which they stated their views for submission to His Excellency, Major-General Scratchley, and their willingness to submit to Parliament a resolution to the effect that this Colony should undertake to pay its share of £15,000 on certain conditions.

ROBERT STOUT.

Wellington, 5th September, 1885.

(Memorandum referred to.)

MINISTERS have the honor to state to His Excellency their views regarding New Guinea, for submission to His Excellency Major-General Sir Peter Scratchley. They also suggest that a copy of the memorandum be sent to the Right Honourable the Secretary of State for the Colonies.

2. No definite lines for the administration of the affairs of New Guinea have been laid down in the instruction sent to Sir Peter Scratchley from the Colonial Office; and, without conference with the other colonies, Ministers do not consider that they are in a position to come to any positive decision on the subject.

3. Their opinion is that the annexation of New Guinea is of little direct importance to New Zealand. This colony, however, joined in the contribution up to £15,000 with the other colonies, to show its willingness to aid the Imperial Government in the extension of British interests in the Pacific, and also for the reason that it considered the annexation of New Guinea essential to the interests of Queensland, and that each Australasian Colony should, within defined limits, lend its aid to the other colonies. The contribution has been paid as requested in anticipation of its expenditure.

4. Ministers have now to consider two questions, viz. :—

(a) What should be the future government of the new possession?

(b) What further monetary aid New Zealand should render?

5. In the opinion of Ministers the possession should, for the present, be created a Crown colony. They state "for the present," because they consider its contiguity to Queensland should, at no distant date, make its annexation to that colony a necessity. If, however, this were not desired, then, as a white population becomes settled, there should be granted to it such powers of local self-government as the Australasian Colonies possess.

6. Considering the strong bearing that the new acquisition has on the defences of the colonies generally, Ministers consider that a contribution, not exceeding £15,000 per annum, should for a specified term of three years, be continued. This should not be applied to the cost of a vessel for the use of the Governor. Ministers submit that a vessel of the "Dart" type might be put at the disposition of His Excellency by the Imperial Government, as he will have to continually visit different parts of the coast and the Australian Colonies. At the end of three years the colony might be able to do without further monetary assistance, the use of the vessel above referred to being continued. If, however, it were found that further aid were required, the Imperial Government might be fairly asked to grant assistance, or the Colony of Queensland, aided to some extent by the other colonies, might undertake the whole government and management of the new territory. Ministers, desiring that New Zealand should act in unison with the other colonies, and considering it unfair to Queensland to ask that colony at the present time to undertake the responsibilities of the government of the new possession, are willing to submit to Parliament the following resolutions :—

- (1.) That, in the opinion of this House, the portion of New Guinea annexed to the Empire should, for the present, be created a Crown Colony, with the view of its ultimately being annexed to Queensland, or created a constitutional colony;

- (2.) That aid should be given by the Imperial Government to the new possession by placing at the disposal of the Governor a war vessel for his use ;
- (3.) That, for a term of three years from the first day of June, 1886, this colony will undertake to pay its share of £15,000 a year proportionately to population, on the condition that the other colonies of Australia join in the contribution on the same terms.
- 7. Ministers have named the first day of June, 1886, as it is believed that the money in hand will suffice to that time. If necessary, an earlier date could be substituted.
- 8. Ministers venture to suggest that the Australasian Colonies should be consulted as to the name to be given to the new colony.

ROBERT STOUT.

Wellington, 7th July, 1885.

(16.)

MEMORANDUM BY THE SPECIAL COMMISSIONER FOR THE PROTECTORATE OF NEW GUINEA.

THE untimely death of Sir Peter Scratchley has sadly retarded the progress of negotiations in connection with British New Guinea, and has deprived us of the valuable conclusions he had doubtless arrived at after his residence on the coast of the Protectorate during the months of August, September, October, and November. It is necessary now to commence almost *de novo*. The late Special Commissioner had submitted to the Australian Governments an estimate of the probable expenditure in British New Guinea for the next few years. This was practically accepted both by Her Majesty's Government and by the Governments of the Australasian Colonies as a basis of action. I think that in detail this estimate would admit of considerable amplification, and especially so as regards the administration of Justice, for which apparently no provision was made. Still it is a fair outline of an estimate on which to build, and was evidently accepted as such by Her Majesty's Government, when, on the 14th of August last, the following telegram was sent to the Governor of New Zealand and to the other Governors of the Australian Colonies:—

"Her Majesty's Government willing to proclaim Queen's sovereignty and to contribute to cost of New Guinea if Colonies agree to following arrangement—Colonies to contribute £15,000 per annum and provide any further expenditure they may approve Imperial contribution will be the gift of suitable ship, costing when delivered at New Guinea not less than £18,000. This offer made in full confidence that your Government will as soon as possible obtain from Legislature Act to secure permanent annual proportion. On proclamation of sovereignty Scratchley would have full legislative powers and control over all nationalities."

I am not as yet in possession of the replies which have been addressed to the Secretary of State. I believe, however, that Queensland has intimated that her proportionate quota has been provided for by Act of Parliament. From the other Colonies, I understand that no definite acceptance has been received.

After conferring with Mr. Griffith, the Prime Minister of Queensland, I arrived at the conclusion that he is prepared to take the initiative in the negotiations which it will be necessary to renew.

My duties will shortly place me beyond the operation of telegraphic communication, and indeed outside the area of ordinary correspondence. It will be well, therefore, that I should now endeavour to express my own opinions as to the requirements of the future Government of British New Guinea. I assume, in the first place, that as, among the Australasian Governments, Queensland is the most interested in the proper administration of affairs in British New Guinea, so, to that Government, the chief responsibility will attach in following up the negotiations with Her Majesty's Government. In the absence of more defined powers in their Federal capacity, the Australasian Colonies must still be dealt with separately in this matter. If, however, a substantial agreement could be arrived at between Her Majesty's Government and the Government of Queensland, a considerable advance will have been made towards the solution of the problem. Queensland being primarily responsible, I assume that the contributions in aid from the other Australasian Colonies would be a matter of easy arrangement.

The annexation of New Guinea was first suggested by Queensland. This led up to the proclamation of the Protectorate. It is evident, and Her Majesty's Government have clearly admitted this, that Her Majesty's sovereignty must follow. In order that this may be effected, it will be necessary in the first instance to supply the framework of a Civil List, upon which to build up the structure of an ordered Government. Queensland may, with perfect propriety, and without incurring any serious financial liability, accept the sole responsibility of guaranteeing the whole of the sum required. I assume at once that it may, for such a purpose, be necessary to make an annual appropriation of £20,000 and that this appropriation should be secured for five years. The capital amount thus represented—namely, £100,000—might be secured to Queensland as a first charge on the territorial revenues of British New Guinea. In the meantime a *modus vivendi* would have been established. Queensland would, under these circumstances, very justly claim to be consulted in the framing of the Estimates, and in seeing that the money was appropriated in accordance with such Estimates.

As regards Administration and Legislation, Queensland would also justly claim to shape the general direction of policy, and to define the principles under which the Government of the new State was to be conducted. Just as Her Majesty's Government directs the affairs of the Empire, so the Government of Queensland, acting on behalf of the Australasian Governments, would supervise the Government of New Guinea.

But the Government of New Guinea must, for some years at least, be primitive and paternal, dependent much on personal influence. Native customs must be recognised; native rights must be respected. This, in any agreement made with Her Majesty's Government, should be clearly defined, and should be a fundamental article in the constitution of the new State, where the Queen's Sovereignty is confirmed. There are other provisions which might find a place in the proposed constitution. Mr. Griffith, however, who is so familiar with constitutional law, and with the Queensland code, will have no difficulty in taking security that the wishes of the Queensland Parliament in this respect are enforced.

These leading principles having been defined, and embodied in the proposed constitution for British New Guinea, I do not think that any attempt should be made to exercise any minute control over the administration. Ordinances would be passed by the Governor in Council for British New Guinea, acting under instructions, and within the prescribed limits of the constitution. The ordinances of the Local Council should be subject to the assent of the Government of Queensland, as they certainly would be subject to the assent of Her Majesty; and, if it was thought necessary, they might also be submitted for the approval of the Federal Council. Ample security might thus be obtained that no ordinances would become effective which would come into conflict with the community of Australian interests. With these guarantees the Parliament of Queensland would willingly, I believe, sanction the expenditure proposed, in order to secure a well-ordered Government in British New Guinea. The security would be ample, and would rank as a simple business transaction.

I have thus indicated in brief outline what it seems to me may be done.

I recapitulate the points:—

1. Queensland, on behalf of the Australasian Colonies, to supply a guarantee for expenditure by an annual appropriation, under Act of Parliament, of £20,000.
2. This appropriation to extend over five years; the capital amount of indebtedness thus created to be secured as a first charge against the territorial revenue of the new State.
3. The Constitution, as embodied in the proclamation of Her Majesty's Sovereignty, to contain such a reservation of native rights, and such a recitation of fundamental articles, as may be agreed upon by Her Majesty's Government acting with the Government of Queensland on behalf of the Australasian States.
4. Queensland to be consulted in the framing of estimates as scheduled, and to undertake the audit of expenditure.
5. Queensland further to be consulted in all appointments made under such appropriations, and to have the option of dissenting from any local ordinances.
6. A co-ordinate power of dissent to appertain to Her Majesty's Government as representing Imperial interests.

I have not here referred to a recommendation I have made elsewhere (*vide* report on Thursday Island) as to a re-adjustment of the maritime boundary of Queensland.

The Islands of Torres Straits might, I think, be attached to New Guinea.

The responsibilities connected with them are more likely to be adequately met in that way; and I think that the whole subject may be dealt with when the proposed constitution for British New Guinea is being discussed.

JOHN DOUGLAS.

Brisbane, 24th March, 1886.

[*Enclosure in 16.*]

THE ISLANDS OF THE STRAITS.

(*Extract from Report addressed to the Honourable the Colonial Secretary by the Government Resident, Thursday Island, and referred to in Memo. on New Guinea.*)

THESE might well form the subject of a separate report. They were at one time the resort of questionable characters over whom no authority could be exercised. The inclusion of them within the territorial jurisdiction of Queensland has been beneficial to them in one respect. They are no longer infested by the most predacious kind of beach-combers. They are worthy, however, of much more attention than has hitherto been bestowed on them.

Murray, Darnley, and Stephen are, each of them, lovely islands, possessing many advantages both of soil and climate. They are fertile and healthy. There are other islands also, such as Banks Island and Jervis Island, which are interesting, though not so fertile as the first-named islands. Saibai, also, close to the mainland of New Guinea, though low and swampy, is inhabited by an enterprising tribe who have lately laid aside their savage usages, and promise to be most useful allies in the civilization of their neighbours. The people of Saibai have to a great extent been Christianised. The old skull-hunters are now in a minority, and the young people are most anxious to live by agriculture, or by some respectable and peaceable avocation. The island belongs naturally to New Guinea, and now that the Protectorate has been proclaimed, it ought to be handed over to New Guinea. This, however, would require to be arranged with Her Majesty's Britannic Government, and confirmed by an Act of the Queensland Parliament. Indeed, a readjustment of the present maritime boundary of Queensland in these seas is now rendered desirable. I hardly like to suggest a readjustment which would involve a transfer to New Guinea of all the islands in the Straits, because I know that young States, quite as much as old States, are particularly sensitive as to their territorial possessions.

It might be supposed also that I had some personal interest in the readjustment from the fact that I have been appointed Special Commissioner for New Guinea. Nevertheless, I am convinced that the arrangement would be a good one for all concerned.

The islands are excellent stepping-stones to New Guinea. Most of them are perfectly healthy—New Guinea is not—nor do I think that the Government or the people of Queensland attach any particular importance to the possession of the islands, including even the Prince of Wales Group. They regard them, if I am not mistaken, rather as sources of probable future expenditure than as sources of revenue. It must be admitted, also, that 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 genius of the people of Queensland. It is possible that you may be able to recognise these indications of the order of Providence, and to induce others of our countrymen to accept the higher principles of natural adjustment which rise superior to the temporary expedients of a passing emergency. The territorial definitions of the present are not binding on futurity, if more convenient arrangements for the purposes of government can be made. The union of the different States of Australia, which will gradually be accomplished, points to territorial readjustments in the

interests of the people themselves. I can scarcely doubt that you entertain these views yourself, and that the realisation of them, so far as it is possible in connection with your administration of affairs, is merely a question of time and opportunity. If, therefore, after an examination of the position, you should arrive at the conclusion that the insular dependencies of Queensland in this vicinity could advantageously be transferred to the New Guinea Protectorate, I feel convinced that a considerable advance will then have been made to the settlement and the good government of the new province. It might, indeed, be a condition of the readjustment that the Protectorate should be associated with, and for a time at least be dependent on the Administration of Queensland. Some harmony of action might thus be secured which would prove advantageous to both. The chief interest which Queensland will have in the occupation and civilization of New Guinea must be that which is founded on commercial relationships. The merchants and store-keepers of Townsville, Cooktown, and Thursday Island will buy from the natives whatever marketable commodities they can produce, and there is every reason to believe that this production will not be inconsiderable, when they have learned the value of regular industry. In like manner, our merchants and traders will sell to the natives the numerous articles of commerce which are recognised with us as being the necessities and luxuries of life. The various breeds of animals which have been domesticated here will be domesticated there; and all this, in addition to the probability of mineral discoveries being made, will lead to profitable interchanges, by which the people of Australia, and especially the inhabitants of Northern Queensland, will profit.

I conclude, therefore, that whatever contributes to the civilization of the natives of New Guinea, and to the occupation of it by European settlers having respect to the rights of the natives, will be advantageous both to them and to us.

For these reasons, and for others which might be urged, I am satisfied that the more intimate the relationship of the two countries can be made the more profitable and useful will be the connection. To the enterprising and acclimatised pioneers of Northern Queensland I look chiefly for the material which will be most useful in the early stages of the occupation of New Guinea; the island inhabitants of the Straits may also be made largely to contribute to this end.

My proposition is that the islands of Torres Straits, including the Prince of Wales Group, should be transferred to the New Guinea Protectorate. If this suggestion should be adopted, it will be nothing more than a readjustment of administrative responsibility by which the inhabitants on both sides of the Straits would benefit, and by which their interests in common will be advanced. I feel sure that I shall not appeal to you in vain for a correct estimate of the position; and if you are disposed to deal with it, either in the form with which it presents itself to me, or in any other, I hope that you will, at your early convenience, address Her Majesty's Government on the subject.

I have, &c.,

JOHN DOUGLAS.

(17.)

THE PREMIER OF QUEENSLAND to THE PREMIERS OF NEW ZEALAND, NEW SOUTH WALES, SOUTH AUSTRALIA, TASMANIA, VICTORIA, AND THE COLONIAL SECRETARY OF WESTERN AUSTRALIA.

Brisbane, 30th March, 1886.

SIR,

I HAVE the honour to enclose for the consideration of your Government a Memorandum, in which my colleagues concur, upon the question of the future administration of the affairs of British New Guinea.

In the event of the proposals now made commending themselves to the Governments of the other Colonies, with or without modification, it will be necessary to submit the scheme for the consideration of Her Majesty's Government, when, if it meets with their approval also, the sanction of the Legislature of this colony must be sought for the permanent Appropriation Act which forms an essential part of the proposal.

Having regard to the time that has already elapsed, and to the extreme desirability of bringing the question of the future administration of the territory to some definite issue without further delay, I venture to ask from you the favour of a reply at your earliest convenience, in order that the necessary preliminary negotiations may be completed in time to enable the Government of this Colony to deal with the matter during the ensuing session of Parliament.

In order to facilitate future negotiations and to enable them to be conducted, if necessary, by telegraph, I propose to send a copy of the Memorandum to the Agent-General for Queensland in London.

I have addressed a similar communication to the Governments of each of the other Australasian Colonies.

I have, &c.,

S. W. GRIFFITH.

[Enclosure in 17.]

Brisbane, 30th March, 1886.

MEMORANDUM.

THERE can be no doubt that the present position of affairs with reference to the British Protectorate in New Guinea is eminently unsatisfactory, and, having regard to the time that has elapsed since the proclamation of the Protectorate, and to the action already taken by the German Government with respect to the German territory in that island, some definite proposal seems to be called for on the part of the Australasian colonies.

2. Lord Derby's Despatch of the 9th of May, 1884, after referring to the Resolutions adopted by the Sydney Convention of 1883, proceeded to state that Her Majesty's Government were disposed to think that there should be a High Commissioner or a Deputy Commissioner, with large powers of independent action, stationed in or near the eastern coasts of New Guinea, and that he should be furnished with a steamship and with a staff sufficient to enable him to exercise protection in the name of the Queen over those shores; that the cost of this arrangement could not be accurately estimated; but that if one or more Colonies would secure to Her Majesty's Government the payment of the sum of £15,000 during the year ending June, 1885, they would be prepared to take immediate steps for establishing the High Commissioner's jurisdiction. Very shortly after the receipt of this Despatch the required guarantee was given by all the Colonies, and the Legislature of Queensland passed an Act making permanent appropriation of the proportion to be borne by that Colony.

3. On the 15th of October, 1884, Lord Augustus Loftus was informed by telegram that Her Majesty's Government had decided to assume the Protectorate over a portion of the southern shores of New Guinea and some of the adjacent islands, and shortly afterwards Commodore Erskine was instructed to take, and did take, the necessary steps to give effect to this decision.

In a Circular Despatch of the same date, Lord Derby stated that he hoped very shortly to address to the Governors of the Colonies a further communication in regard to the measures which would have to be taken to render the Protectorate effective.

4. On the 31st of October, 1884, a further telegram was despatched to Lord Augustus Loftus stating that Her Majesty had approved of the appointment of the late General Sir Peter Scratchley as Special Commissioner for the Protectorate; that Her Majesty's Government thought it desirable that the contributing Colonies should appoint members of a Council of Advice in Australia to assist him; that the Admiralty recommended the purchase of a steamer in England for the Commissioner, at an estimated cost of £16,000 or £18,000; and that the £15,000 guarantee would apparently have to be considerably increased; and the Colonies were asked to say whether they would agree to be represented in the proposed Council, and whether they would double their contribution for the purposes indicated.

5. The Colonies, however, deferred any definite expression of opinion upon these proposals until the receipt of further information as to the intention of Her Majesty's Government.

6. Up to this time it had, I believe, been understood by all the Colonies that the undertaking "to defray in proportion to population such share of the cost of giving effect to the Resolutions of the Convention as Her Majesty's Government, having regard to the relative importance of Imperial and Colonial interests, might deem fair and reasonable," had been accepted in the same sense in which it was offered, and that Her Majesty's Government would, upon the guarantee of the Colonies to make such payment as might be asked, undertake to do all that was necessary to give effect to the action determined upon.

It was therefore, I think, a source of some surprise when, upon the receipt of the Circular Despatch of 19th November, 1884, announcing General Scratchley's appointment, and transmitting his instructions, it was discovered incidentally that the Colonies were expected to defray the whole cost of the Protectorate. No information, however, was given on the important subject of the future administration of its government.

7. The Colonies were subsequently informed of an extension of the boundaries of the Protectorate, and of Her Majesty's intention to annex the territory included in it to the British Empire; and on the 14th of August, 1885, Colonel Stanley telegraphed to the Governors of the Colonies, as follows:—

"Her Majesty's Government willing to proclaim Queen's sovereignty and to contribute to cost of New Guinea if Colonies agree to following arrangement. Colonies to contribute £15,000 per annum, and provide any further expenditure they may approve. Imperial contribution will be the gift of suitable ship, costing, delivered at New Guinea, not less than £18,000. This offer made in full confidence that your Government will as soon as possible obtain from Legislature Act to secure permanently annual proportion. On proclamation of sovereignty Scratchley would have full legislative powers and control over all nationalities."

No further information has, up to the present time, been afforded as to the manner in which it is proposed that the Government of the Territory should be administered.

8. With the exception of Queensland, which had already passed an Act for the permanent appropriation of its contribution, none of the Colonies have taken action upon the invitation to do so. The Colony of South Australia has formally withdrawn from the joint guarantee, and I infer that under existing circumstances and in the absence of any more definite and satisfactory proposals from Her Majesty's Government, the other Colonies are not likely to take the action suggested, especially as the telegram which I have just quoted appears to indicate that, with the exception of the first cost of a ship, the Colonies are expected to bear the whole expense of the government, but are to have no voice in its administration. In the absence, however, of a formal and binding guarantee, Her Majesty's Government do not appear disposed to advise Her Majesty to assume Sovereignty over the Protectorate.

It is clear, nevertheless, that until the territory is annexed to the British Dominions no provision can be made for the maintenance of law and order, or indeed for any real government.

9. If the existing state of things in Australasia admitted of the establishment of a Joint Council of Advice such as that suggested in Lord Derby's telegram of the 31st of October, 1884, I should be much disposed to advise the constitution of such a Council, and the appointment of an Administrator of British New Guinea, with instructions to be guided by the advice of the Council. I apprehend, however, that this scheme is, for the present at least, not practicable, and may be left out of consideration. The annexation of British New Guinea to Queensland is also, I apprehend, out of the question. Nor, for many reasons, do I think it desirable.

10. Her Majesty's Law Advisers in Great Britain have, I understand, formally advised that the territory when annexed must be taken to have been acquired by settlement and not by conquest or cession, and that the provisions of the Imperial Acts 6 and 7 Vic., c. 13, and 23 and 24 Vic., c. 121, by which it is provided that in Colonies acquired by settlement powers of legislation may be exercised by the Queen by Order in Council, or by three or more persons within the Colony to whom the Queen has delegated such powers, are consequently applicable.

11. The essential elements of the position appear then to be these: It is necessary that the territory should be annexed to the British Empire, but Her Majesty will not be advised to assume Sovereignty until the Colonies, or some of them, undertake to bear the whole cost of administration, except perhaps some small initial contribution. On the other hand, the Colonies are unwilling to give such an undertaking without a clear understanding as to the future government of the territory, or unless they have a substantial control over the expenditure of the money contributed by them. And such control cannot at present be exercised by them collectively.

12. These considerations seem to point to the conclusion that under existing circumstances one of the Colonies should, on behalf of all, undertake to provide the necessary funds for defraying the expenses of administration, and should be entrusted with the necessary authority to supervise the expenditure and see that the administration is conducted on principles which meet with their general approval.

13. With respect to the probable cost of government, I have reason to believe that a considerable revenue might even now be raised in British New Guinea from import duties, licenses to cut timber, and other similar sources, and that, at any rate, after the first year or two, a sum much less than £15,000 would have to be annually contributed by the guaranteeing Colonies. The expenses of administration need not, I think, be heavy. The untimely and lamented death of Sir Peter Scratchley has deprived us of the advantage of his experience, and of the information gained by him on his visit to the various parts of the Protectorate; but further consideration has led me to the conclusion that the maintenance of a costly steamer, upon which, under his proposals of 1st April, 1885, a very large proportion of the annual contribution of £15,000 would have been expended, is not necessary; and that a good sailing schooner, with a small steamer stationed at or near Torres Straits (which might be also used for the purposes of the Queensland Government at Thursday Island, that Government bearing part of the expense) would be sufficient for immediate requirements. I doubt, also, whether the salary of £2500 for the Administrator is not excessive. Reductions in these items would leave, with the anticipated Revenue, which should be chiefly collected through the Custom House, a considerable margin for the payment of a judicial officer and one or two resident magistrates and other officials. The burden that the Colonies would be called upon to undertake would therefore be light; and would, probably, continually diminish, until in a few years the settlement became self-supporting. It is not improbable, however, that Her Majesty's Government might be willing to make some substantial contribution towards the initial expenses.

14. I apprehend that if one of the Colonies is to be entrusted with the primary responsibility of providing the necessary funds and the functions of supervising their expenditure, the choice would naturally fall upon Queensland, which, from its geographical position, is most conveniently situated for the purpose.

15. The question would then arise, how far should the administration of British New Guinea be subject to the direction of the Government of Queensland? The same objections which would be held to render it expedient to annex the territory to Queensland would probably also be deemed to extend to exclude a complete dependence upon the Government of this Colony. And it is likely that Her Majesty's Government would stipulate for the establishment and maintenance of proper safeguards for the protection of the interests of the native races. In my judgment such a stipulation would be both satisfactory and desirable. Some general rules might also be laid down as to the prohibition of the purchase of land except from the Government, and of trade with the natives in arms, ammunition, explosives, and intoxicants. I have reason to believe that the German Government have agreed to enforce the latter prohibition in their territory in New Guinea.

16. I therefore suggest the following conditions as a basis for the administration of British New Guinea in the immediate future:—

- (1.) That the colony of Queensland should undertake by a permanent Appropriation Act to defray the cost of the administration of the Government to an extent not exceeding £15,000 per annum for a term of, say, *ten* years, subject to the following conditions:—
- (2.) That the other Colonies should undertake (by similar permanent Appropriation Acts, if practicable, or by resolutions of their respective Parliaments) to repay to Queensland, for the time or such shorter period as may be agreed upon, a proportionate part of the amount which Queensland is called upon to pay under her undertaking; each Colony contributing either a fixed proportion of the total of £15,000 or an amount proportionate to its population as estimated on the 31st of December preceding the year of contribution (except in the case of Fiji, whose contributions should be on the basis previously agreed upon) and Queensland herself bearing a proportionate share. (If desired, however, I do not think that Queensland would object to bear a somewhat larger share of the cost than would be payable on the basis of her population. But it should be remembered that the general supervision proposed would entail, indirectly, considerable expense.)
- (3.) That the Imperial Government should be requested to make a reasonable contribution (by way of loan or otherwise) to defray some of the initial capital cost of the necessary Government buildings, &c.; such contribution, if made by way of loan, to be a charge upon and repaid from the revenue of the new Colony when practicable.
- (4.) That for any expenditure of money by Queensland beyond its agreed proportion, Queensland should have a first charge on the Surplus Revenue of the new Colony.
- (5.) That upon the proposed guarantee being given by Queensland, Her Majesty should assume Sovereignty over the Protectorate.
- (6.) That any Administrator of the Government should be appointed, with that title, at a salary to be determined by agreement between Her Majesty's Government and the Government of Queensland, to whom with two or more other persons should be delegated legislative powers under the Acts above cited.
- (7.) That no purchase of land should be allowed to be made by private persons, except from the Government or purchasers from it.
- (8.) That no deportation of natives should be allowed either from one part of the Colony to another, or to places beyond the Colony, except under Ordinances sanctioned by Her Majesty's Imperial Government.

- (9.) That trading with the natives in arms, ammunition, explosives, and intoxicants should be prohibited, except under Ordinances passed with the like sanction.
- (10.) That the foregoing three Articles should be made part of the Constitution of the Colony, preferably by Orders in Council made contemporaneously with the assumption of Sovereignty, or else by Ordinances to be passed immediately afterwards by the Legislative Council under instructions from Her Majesty's Imperial Government; and that standing instructions should be given to the Governor of Queensland and to the Administrator of British New Guinea to observe the conditions of these Articles.
- (11.) That an estimate of probable revenue and proposed expenditure for each year should be submitted by the Administrator to the Governor of Queensland for approval before being submitted to the Legislative Council of British New Guinea.
- (12.) That all accounts or receipts and expenditure should be audited by officers of the Queensland Government.
- (13.) That the Administrator, in the exercise of his legislative and administrative functions, should (subject, of course, to Her Majesty's power of disallowance of proposed laws) be subject to the instructions of the Governor of Queensland.
- (14.) That the Governor of Queensland should be directed to consult his Executive Council upon all matters relating to British New Guinea, and be guided by their advice within the limits of his instructions.
- (15.) That the Government of Queensland should consult the Governments of the other contributing Colonies in all matters other than those of ordinary administration, and report to them all action taken.

17. I infer from the address delivered to the Agents-General by Colonel Stanley on his resignation of the office of Secretary of State for the Colonies, and I have otherwise reason to believe, that a scheme substantially to the foregoing effect would have met with his approval; and I shall be glad if it should, with such modifications as may suggest themselves upon further consideration, commend itself to the Colonies generally, and should prove a practical solution of the present difficulty.

S. W. GRIFFITH.

(18.)

PARAPHRASE OF TELEGRAM FROM THE PREMIER OF QUEENSLAND to THE AGENT-GENERAL FOR QUEENSLAND.

Brisbane, 30th March, 1886.

I HAVE sent to-day to the Australasian Colonies proposals on the subject of the administration of New Guinea. They are substantially the same as suggested by your despatch of 31st December. It is proposed upon the constitution of the colony to exclude by Order in Council from the control of Queensland questions of deportation of natives trade in liquors arms and ammunition and to prohibit the purchase of land except from the Government. Despatch follows by mail.

S. W. GRIFFITH.

(19.)

THE PREMIER OF SOUTH AUSTRALIA to THE PREMIER OF QUEENSLAND.

Adelaide, 5th April, 1886.

SIR,

I HAVE the honour to acknowledge the receipt of your communication bearing date the 30th ultimo, transmitting a memorandum upon the question of the future administration of the affairs of British New Guinea, and, in reply, I beg to state that this Government cannot agree with the memorandum referred to, or be a party to any agreement which will entail further expenditure on this Province.

The discussion and subsequent resolution at the Convention were based on the assumption that the whole of the Island of New Guinea should and would become a possession of the Crown, but the arrangements made afterwards between the Imperial Government and Germany placed the whole question on an entirely different footing.

It was from this point of view that the Legislature of this Province, after much consideration, decided to pay their proportion of the subsidy for the current year, but wholly to decline further responsibility.

I have, &c.,

JNO. W. DOWNER.

(20.)

THE SPECIAL COMMISSIONER FOR THE PROTECTORATE OF NEW GUINEA to THE ADMINISTRATOR OF THE GOVERNMENT OF QUEENSLAND.

Brisbane, 21st April, 1886.

SIR,

ADMIRAL Tryon has invited Mr. Griffith to meet Mr. Gillies and Sir Patrick Jennings at Sydney on the 26th instant in order to discuss a project of Naval Defence for the United Colonies of Australasia. This meeting will also afford an opportunity for the further discussion of the New Guinea question, and it appears to be most desirable that some decision on it should be arrived at which will admit of the whole case being submitted to Her Majesty's Government.

2. I had the honour of addressing Sir Anthony Musgrave in a memorandum on this subject bearing date the 24th March,—since then, Mr. Griffith, on the part of the Government of Queensland, has submitted a memorandum to the Australian Governments, which has summarised the whole position in a manner so explicit that it may be readily grasped in all its bearings.

3. I am anxious, however, to direct the attention of Your Excellency to one or two points in connection with Mr. Griffith's memorandum, and my own, which ought, I think, to be further discussed before a final decision is arrived at.

4. With that suggestion, which is contained in the 12th paragraph of Mr. Griffith's memorandum, I cordially agree. It seems to be most expedient that one of the Australian Colonies should, on behalf of all of them, become responsible for the whole amount required to meet the expenses of administration in British New Guinea; and it appears to be most fitting that Queensland should be the Colony so responsible. I cannot, however, come to the conclusion which Mr. Griffith has arrived at, when he assumes that much less than £15,000 will suffice for the annual contributions to be supplied by the Australasian Governments, if a real attempt is to be made to apply an efficient Administration. I have been enabled, it is true, by the considerable assistance of your Government, to make provisional arrangements for the Service of the Protectorate by the chartering of the schooner "Clara"; and the small steamer which is likely to be stationed in Torres Straits, on the Thursday Island Establishment, will do something to secure supervision in the western portion of the Protectorate. But the coast line of British New Guinea cannot be estimated at less than 1000 miles, without including the outlying islands of the Trobriand, Woodlark, D'Entrecasteaux, and Louisiade Groups.

It seems to me to be essential for the purposes of any efficient supervision over this area that a steam vessel should be at the disposal of the Special Commissioner or the future Administrator. Her Majesty's ships of war no doubt patrol the coast at certain times, and it is possible that this service will be ultimately undertaken by those ships of war which may be maintained at the cost of the Australian States, but I cannot come to the conclusion that the services of a steam vessel at the disposal of the Commissioner can be dispensed with, and I cannot, therefore, regard the expenditure as unnecessary.

5. Nor do I think that the salary of the future Administrator, which has been named at £2500 per annum, is excessive, if he is to be placed on a par in position with the other Australian Governors.

His responsibilities will be great. He ought to be a man of experience, versed in affairs. The demands made upon his judgment will certainly not be less than any made upon Her Majesty's Representatives in Australia, and he will have to perform his duties with the certainty of having to incur considerable risks. If it were intended to station a Police Magistrate or a Resident on some point on the coast, at Bampton Island, Port Moresby, or East Cape, then I think that a salary of £1000 a year might suffice; but I do not understand that this is what is contemplated.

6. So far, then, from the amount of the £15,000 a-year, which has been spoken of, being more than sufficient for the contemplated purposes, I cannot, myself, regard it as sufficient, if Sovereignty is to be proclaimed.

In the Estimates passed by the late Special Commissioner, no provision was made for the Administration of Justice, for the cost of the survey of land—a most essential and primary condition for settlement—nor was any suitable provision made for the payment of a Health Officer or a Medical Superintendent.

7. At the lowest estimate of probable expenditure, on the lines contemplated, I cannot name a sum less than £20,000 per annum, as required for the essentials of a well-ordered Government in British New Guinea, for the first five years. Nor can I venture to anticipate that the revenue, either from dues collected, or from land sold, would, in the first few years, meet the expenditure.

8. It is, nevertheless, most essential that when Sovereignty is proclaimed some stability and continuity should be attached to the Administration. For this reason I regard it as most desirable that the Governments of Australasia, acting in combination with Her Majesty's Government, should advance a specific sum to be expended over a series of years—say five—on an estimate of annual expenditure not exceeding £20,000, the capital sum, thus advanced, being secured on the revenues of New Guinea, when collected.

I regard such an advance as one made on ample security, and in dealing with this matter in the Australian Parliaments it should be treated strictly as an advance covering a liability. I take the liberty of pressing upon Your Excellency's attention the utter futility of causing the future Administration of New Guinea to be made dependent on sums of money to be annually voted by half-a-dozen Parliaments.

9. It seems, certainly, to be most necessary that the conditions on which the constitution of the new Province is to be founded should be specified in the organic instrument under which Her Majesty may be advised to confer jurisdiction, and in this respect I have nothing to add to Mr. Griffith's remarks. These principles, however, having been agreed on, and stamped on the Constitution, I cannot think that there would be much advantage in a detailed control in administration exercised by the Government of Queensland, unless, indeed, it should be proposed to effect a territorial incorporation. This, I apprehend, is not contemplated, and Mr. Griffith has said that, in his opinion, it would not be desirable.

10. It is essential, as Sir Peter Scratchley has remarked in one of his late memoranda, that British New Guinea should become part of the Anglo-Australian political system. For this reason, the principles of its constitution should be in accord with those laid down by the Associated Colonies, or States, of Australasia. Its future legislation, subject as it must be to Her Majesty's assent, might also be submitted for the sanction of the Federal Council, when fully constituted. But I cannot bring myself to think that the estimates of expenditure should be subject to the annual adjustment of the Queensland Executive, or, indeed, of any combination of Australasian Executives. Such subjection might, and probably would, paralyse the action of the New Guinea Executive. At the same time it must be admitted that the Queensland Executive might be of the greatest use as the exponent of the Federal Council. It might, also, materially assist in the Administration of Justice, and in the Auditing of Accounts, so as to secure an expenditure in accordance with the Scheduled Estimates. For the first few years this would be necessary, and I am confident that the Government of Queensland may be depended on to give the aid which, in these respects, the infant-state of New Guinea will so much require. I wish, however, earnestly

to draw the attention of Your Excellency's Government, that financial stability and continuity are of the utmost importance. A Scheduled Estimate should be agreed on. The money thus advanced should be applicable in that form for a period of not less than five years, and the whole amount thus advanced should be secured on the future Revenues of British New Guinea.

Sir Peter Scratchley, I observe, expressed an opinion that it seemed to be doubtful if the country could be made self-supporting. I owe every respect to General Scratchley's conclusions. I am bound to say, however, that I entertain a different opinion. I assume that European settlement will go on hand-in-hand with the gradual attraction of the native races to industrial pursuits. Land will be acquired by the Government from the natives, and will be sold. I have seen, at Thursday Island, how a revenue grows up under conditions not very different from those which prevail in New Guinea. I have some confidence, therefore, in concluding that, under judicious management, a revenue may be obtained for all the essential purposes of government; but I readily admit that, for the first few years, there must be some expenditure in advance, and I have already stated what I think the minimum of that expenditure should be.

11. Allow me, in conclusion, to draw Your Excellency's attention once more to the meeting of the Prime Ministers of New South Wales, Victoria, and Queensland, which, it is expected, will shortly take place in Sydney.

It is, of course, exceedingly desirable that there should be concerted action on the part of the Australian Governments on this question. They are in honour bound to sustain Her Majesty's Government in the future Government of New Guinea, and I regret extremely to observe that the Premier of South Australia has, for the present, notified a discontinuance of payments on account. Form communications, however, which I have had with Lord Carrington's Government in New South Wales, and with Sir Henry Loch's Government in Victoria, I feel confident that no defection may be feared from them, and I anticipate their hearty co-operation with Your Excellency's Government.

12. I assume, for the moment, that the three Colonies I have named would be willing, each of them on behalf of the whole Australian Group, to guarantee an advance of £25,000, being at the rate of £5000 a year each for five years. This would amount to a capital sum of £75,000. On such a sum of money being guaranteed, I cannot doubt that Her Majesty's Government would accept its share of responsibility, and would probably be willing to guarantee a similar amount, by way of advance, to be secured, in like manner, on the accruing revenues. This would provide the Government of New Guinea with the means, and not more than the sufficient means, for an efficient start in life. I assume that a steam vessel must be obtained, and that a small sailing vessel with several whale-boats will be required for the use of the New Guinea Government. Houses, also, will have to be built for the Agents, Native and European, which it will be necessary to domicile on the coast. It may be desirable also to erect several small jetties. Having regard, therefore, to such outlay as this on capital account as well as to the annual expenditure, I do not regard an amount of £150,000 extended over five years, as by any means excessive for the purposes of establishing a rudimentary form of Government, having effect over the wide area which has been added to Her Majesty's Dominions.

13. I will presume to add, that it becomes a duty incumbent on Her Majesty's subjects in Australia to devise the means for giving effect to a project of Government which is of most momentous importance to many hundred thousands of human beings of whom, as yet, we know so little.

14. I confidently anticipate, therefore, that the hearty interest which has hitherto been shown by Your Excellency's Government in this matter will shortly be followed up by some definite proposition to be submitted to Her Majesty's Government, and I shall deem it a favour if Your Excellency will inform me of the nature of the propositions, when an understanding has been arrived at.

I have, &c.,

JOHN DOUGLAS.

(21.)

THE SECRETARY TO THE AGENT-GENERAL FOR QUEENSLAND to THE UNDER COLONIAL SECRETARY OF QUEENSLAND.

London, 7th May, 1886.

SIR,

I HAVE the honour, by direction, to hand you herewith, for the information of the Colonial Secretary, a copy of a letter and its enclosure from the Colonial Office, forwarding a copy of a telegram from the Special Commissioner for New Guinea on the subject of the Colonial contributions towards the expenses of the administration of the New Guinea Protectorate.

I have, &c.,

CHAS. S. DICKEN.

[Enclosure in 21.]

THE COLONIAL OFFICE to THE AGENT-GENERAL FOR QUEENSLAND.

Downing Street,
6th May, 1886.

SIR,

WITH reference to your letter of the 5th ultimo, and to previous correspondence, I am directed by Earl Granville to transmit to you, for your information, a copy of a telegram from the Special Commissioner for New Guinea on the subject of the Colonial contributions towards the expenses of the New Guinea Protectorate.

I am, &c.,

ROBERT G. W. HERBERT.

[Sub-Enclosure to Enclosure in 21.]

TELEGRAM FROM THE SPECIAL COMMISSIONER FOR THE PROTECTORATE, NEW GUINEA, to THE SECRETARY OF STATE FOR THE COLONIES.

Brisbane, 30th April, 1886.

QUEENSLAND jointly with New South Wales Victoria prepared guarantee fifteen thousand annually for five years on account of New Guinea Propose Her Majesty's Government contribute capital sum special requirements of Protectorate Full details by post shortly.

JOHN DOUGLAS.

(22.)

THE PREMIER OF NEW ZEALAND to THE PREMIER OF QUEENSLAND.

Wellington, 17th May, 1886.

SIR,

I HAVE the honour to acknowledge the receipt of your letter of the 30th March last, with memorandum of same date enclosed, concerning New Guinea.

I forward herewith copy of a memorandum I have just addressed to the Governor on the subject, as also a former one, of date 7th July, 1885, which was handed to the late Sir Peter Scratchley when he was here. You will observe that, in the memorandum last mentioned, we referred to New Guinea being governed by Queensland. I may say we did so as openly as we thought it was right to do without feeling sure of your feelings on the subject. It gives us great pleasure to find you are willing to undertake the responsibility. If any representations we can make will be of use in enabling you to obtain your wish, they are heartily at your service.

We will recommend to Parliament to make the same contributions, in case of your taking charge of New Guinea, as are proposed in the memorandum already referred to; but we do not feel that this Colony is justified in going beyond the limit therein stated.

I have, &c.,

ROBERT STOUT.

[Enclosure in 22.]

Memorandum for His Excellency.

MINISTERS have the honour to return to the Governor the letter from the Special Commissioner for British New Guinea which His Excellency referred to them.

2. The additional contributions they promised to make to the cost of annexing New Guinea were to commence on 1st June, 1886, as will be seen by reference to their Memorandum to His Excellency of the 7th July, 1885, which was transmitted to the late Sir Peter Scratchley.

3. Ministers are of opinion that New Guinea should be annexed to and governed by Queensland. They suggested this in the Memorandum referred to; and if New Guinea be incorporated with Queensland, they will recommend Parliament to continue the contribution for the time mentioned in the Memorandum.

ROBERT STOUT.

(23.)

THE PREMIER OF QUEENSLAND to THE PREMIERS OF NEW SOUTH WALES, VICTORIA, SOUTH AUSTRALIA, TASMANIA, NEW ZEALAND, AND THE COLONIAL SECRETARIES OF WESTERN AUSTRALIA AND FIJI.

Brisbane, 20th May, 1886.

SIR,

SINCE addressing to you my letter of 30th March, enclosing a memorandum on the subject of the future administration of the affairs of British New Guinea, I have received a letter from Mr. Downer, the leader of the Government of South Australia, declining, on behalf of the Government of that colony, to be a party to any further agreement for contributing to the cost of the Government of New Guinea. I have not yet received a formal reply from any of the Governments of the other Australasian Colonies.

Being in Sydney on the 27th and 28th of April, for the purpose of conferring with Admiral Tryon, Sir P. A. Jennings, and Mr. Gillies, upon the Admiral's Despatch of 24th December on the subject of the Naval Defences of Australasia, I took the opportunity of also discussing with the Premiers of New South Wales and Victoria the question of New Guinea. The proposals contained in my memorandum of 30th March were fully considered, and, in view of the pressing importance of the matter and the desirability of arriving at a satisfactory conclusion sufficiently early to enable any necessary legislative action to be taken by the Colonies during the session of the present year, it was thought desirable to enter into a provisional agreement between the three Colonies sufficiently definite to allow of a final proposal being made to the Imperial Government by the Government of Queensland without further delay.

The terms agreed to are embodied in the enclosed Memorandum,* in which I trust your Government will concur, and a copy of which I propose to forward at once to His Excellency the Administrator of the Government for transmission to the Secretary of State for the Colonies.

I hope that under the circumstances your Government will not see any objection to this immediate action being taken [which, indeed, the tenor of your telegrams of the 17th and 19th March† led me to think would be fully concurred in by you.‡]

* See No. 24.

† See Nos. 7 and 14.

‡ The portion in brackets was sent to New Zealand only.

You will observe that in the main the proposals contained in my Memorandum of 30th March have been adopted. The basis of population has, however, been departed from in determining the amount of contributions of the respective Colonies (as was indeed inevitable upon the withdrawal of South Australia from the matter), and Queensland has undertaken to bear an equal share with New South Wales and Victoria. I apprehend that the other contributing Colonies will not take exception to this course.

With respect to the amount of contribution to be made by Fiji—which I trust will be still willing to share in the cost of administration—I would suggest that it might be more convenient if, instead of directly basing the amount of contribution upon population, a fixed proportion were named of the whole amount of £15,000 which Queensland may be called upon to pay under Article I. of the Draft Proposals of 28th April, the amount being such as to agree approximately with that which would be payable on the population basis.

I have, &c.,

S. W. GRIFFITH.

(24.)

THE PREMIER OF QUEENSLAND to THE ADMINISTRATOR OF THE GOVERNMENT OF QUEENSLAND.

Brisbane, 20th May, 1886.

SIR,

1. YOUR Excellency is aware that the question of the future administration of British New Guinea has for some time engaged the attention of Her Majesty's Imperial Government as well as of the Governments of the Australasian Colonies. On the 30th March, after much consideration on the part of this Government, I addressed a letter to the Governments of the other Australasian Colonies, of which I enclose a copy for Your Excellency's information.

2. The Government of South Australia replied on the 5th of April, declining to be a party to any further agreement for contributing to the cost of the Government of New Guinea. I have not yet received any formal reply from any of the other Governments.

3. Being in Sydney on the 27th and 28th of April for the special purpose of discussing with Admiral Tryon and the leaders of the Governments of New South Wales and Victoria the proposals of the Admiralty upon the question of the Naval Defences of Australasia, I took the opportunity of discussing with Sir P. A. Jennings and Mr. Gillies the proposals contained in my Memorandum of the 30th March; and I am glad to be able to inform Your Excellency that, after full consideration, these proposals were accepted with some modification. The agreement arrived at between us as representing the three Colonies of New South Wales, Victoria, and Queensland, is embodied in the following Memorandum:—

DRAFT PROPOSALS for the future Administration of British New Guinea agreed to by the Governments of the Colonies of New South Wales, Queensland, and Victoria, at Sydney, on the 28th of April, 1886.

I. The Colony of Queensland to undertake by a permanent Appropriation Act to defray the cost of the Administration of the Government of British New Guinea to an extent not exceeding £15,000 per annum for the term of five years, subject to the following conditions:—

II. The Colonies of New South Wales and Victoria to undertake by similar permanent Appropriation Acts to bear equally with Queensland any amount which the latter Colony may be called upon to pay under Article I., so that each Colony shall be liable for one-third of the whole expenditure to an extent not exceeding £5000.

III. Any contribution made by the Governments of any of the other Australasian Colonies to be applied in reduction of the amount which the Colonies may be called upon to pay under Articles I. and II.

IV. Any revenue raised by the Government of New Guinea to be similarly applied in reduction of the amount which the Colonies may be called upon to pay under Articles I. and II., unless in the event of a larger annual expenditure than £15,000 being agreed to, as provided in Article XVI., in which case the excess is to be provided from the revenue.

V. The Imperial Government to make a reasonable contribution (by way of loan or otherwise) towards the cost of efficiently starting the Government, and the necessary Government buildings, &c.

VI. Upon the proposed guarantee being given by Queensland, Her Majesty to assume Sovereignty over the Protectorate.

VII. An Administrator of the Government to be appointed with that title, to whom, with two or more other persons, legislative powers are to be delegated under the Imperial Acts 6 and 7 Victoriae, c. 13 and 23, and 24 Victoriae, c. 121.

VIII. The Colonies, recognising the necessity for a small Civil List, propose the following as probably sufficient for the first initiation of the Government:—

| | | | | | | | |
|-------------------------|-----|-----|-----|-----|-----|-----|-------|
| Administrator | ... | ... | ... | ... | ... | ... | £1500 |
| Private Secretary | ... | ... | ... | ... | ... | ... | 300 |
| Judicial Officer | ... | ... | ... | ... | ... | ... | 1000 |
| Secretary to Government | ... | ... | ... | ... | ... | ... | 500 |

IX. No purchase of land to be allowed to be made by private persons, except from the Government or purchasers from it.

X. No deportation of natives to be allowed either from one part of the Colony to another, or to places beyond the Colony, except under ordinances reserved for Her Majesty's assent and assented to by Her Majesty.

XI. Trading with the natives in arms, ammunition, explosives, and intoxicants to be prohibited, except under ordinances reserved and assented to in like manner.

XII. No differential duties to be imposed in favour of any of the guaranteeing Colonies, or any other Colony or country.

XIII. The foregoing four Articles to be made part of the Constitution of the Colony; preferably by Orders in Council made contemporaneously with the assumption of Sovereignty, or else by Ordinances

to be passed immediately afterwards under instructions to the Administrator from Her Majesty's Imperial Government. Standing instructions to be given to the Governor of Queensland and to the Administrator of British New Guinea to observe the conditions of these Articles.

XIV. An appeal to lie to the Supreme Court of Queensland, at Brisbane, in all civil cases involving an amount of over £100, and in all criminal cases involving a punishment greater than three months' imprisonment.

XV. An estimate of revenue and expenditure to be submitted by the Administrator to the Governor of Queensland, and approved by him before the passing of any Appropriation Ordinance. The Governor of Queensland to have power to disallow any item of proposed expenditure.

XVI. Any appropriation beyond the amount of £15,000 for any one year to be agreed to by each of the three guaranteeing Colonies.

XVII. All accounts of receipts and expenditure to be audited by officers of the Queensland Government.

XVIII. The Administrator, in the exercise of his legislative and administrative functions, to be subject to the instructions of the Governor of Queensland (subject of course to Her Majesty's power of disallowance of proposed laws.)

XIX. The Governor of Queensland to be directed to consult his Executive Council upon all matters relating to British New Guinea.

XX. The Government of Queensland to consult the Governments of the other contributing Colonies in all matters other than those of ordinary administration, and to report to them all action taken.

XXI. An annual report to be furnished by the Administrator to the Government of Queensland of the proceedings of the Government (Legislative and Administrative), and copies of such report, together with any observations which the Governor of Queensland may think fit to make thereon, to be forwarded to the Secretary of State, and to each of the contributing Colonies.

4. If Her Majesty should be pleased to approve of these proposals, this Government will be prepared at once to ask the Legislature to pass the necessary Act for the permanent appropriation of the agreed sum of £15,000 without waiting for any similar Acts to be passed by the Legislatures of New South Wales and Victoria.

5. This Government wishes, however, that it should be stipulated as between Her Majesty's Government and the Colony of Queensland that if from any cause the agreed contribution should not be paid by New South Wales or Victoria, Queensland should have a first charge upon any surplus revenue of British New Guinea for any amount which she is called upon to pay under her guarantee beyond the agreed proportion of one-third.

6. Your Excellency will observe that the term for which it is proposed that the guarantee should be given is five years. This term was agreed upon after full discussion. I do not think that the other Colonies would be disposed to join in a longer guarantee, and they prefer that the guarantee to be now given by Queensland should be for the same term for which they are willing to contribute. I have no doubt that before the expiration of that period many of the uncertainties now surrounding the matter will be removed, and that there will be no difficulty in entering into such fresh arrangements as circumstances may then show to be most expedient.

7. With respect to the proposed initial contribution from the Imperial Governments, no fixed amount has been asked for. Nor is it likely that a very large amount would be required immediately. It would, however, be necessary to provide buildings of various kinds in different places, and probably also, during the five years, to purchase a steamer and other vessels or boats. It has been suggested that a contribution should be made of the same amount as was made in the case of Fiji—£100,000.

8. I have now the honour to request Your Excellency to be good enough to communicate these proposals to the Secretary of State for Her Majesty's consideration, and I venture to express the hope that they may lead to an early settlement of the question.

I have, &c.,

S. W. GRIFFITH.

(25.)

THE COLONIAL SECRETARY OF FIJI to THE PREMIER OF QUEENSLAND.

Suva, 1st June, 1886.

SIR,

I AM directed by His Excellency the Acting Governor to acknowledge the receipt of your letter of the 30th March, enclosing a memorandum with reference to the question of the future administration of the affairs of British New Guinea.

In reply, I am directed to inform you that His Excellency has read this minute with much interest, and regrets that opportunities of intercommunication are less favourable with Fiji than with the other Federal Colonies.

Touching the main question raised, His Excellency thinks it only necessary to observe that the assumption of full jurisdiction by the Imperial Government over the area of New Guinea included in the British Protectorate, together with the consequent obligations and responsibilities, could alone satisfy the views His Excellency ventures to hold.

But as such an assumption by the Imperial Government appears improbable, or at best a remote contingency, His Excellency is of opinion that the adoption of the proposal contained in your minute would be preferable to permitting the affairs of New Guinea to continue in their present undecided and unsatisfactory state.

Upon these considerations this Government concurs generally with the proposals communicated.

I have, &c.,

WM. MCGREGOR,
Acting Colonial Secretary.

(26.)

THE COLONIAL SECRETARY OF WESTERN AUSTRALIA to THE PREMIER OF QUEENSLAND.

Perth, 24th June, 1886.

SIR,

I HAVE the honour, by direction of His Excellency Governor Sir F. N. Broome, to acknowledge the receipt of your letters dated respectively the 30th March and the 3rd of May last, and in reply I am directed to state that this Government will communicate with Her Majesty's Government before giving a definite reply to the proposals made by you respecting the future administration of New Guinea; but His Excellency does not anticipate that there will, for the present, be any withdrawal of the contribution, namely, £161 16s. 9d., which this Colony is now making towards the annual charge of £15,000, so long as the scheme of administration agreed upon meets with the concurrence of this Government, and so long as the contribution is still required.

I have, &c.,

M. S. SMITH,
Acting Colonial Secretary.

(27.)

THE PREMIER OF TASMANIA to THE PREMIER OF QUEENSLAND.

Premier's Office,
Hobart, 2nd July, 1886.

SIR,

WITH reference to the draft proposals for the future administration of the Government of British New Guinea, as forwarded with your communication of the 3rd May last, I have the honour to inform you that this matter having received the careful consideration of the Government, Ministers are prepared to propose to the ensuing Parliament the appropriation of a similar sum to that contributed by Tasmania during the last two years towards the expenses connected with the Protectorate.

I desire to add that this action is taken, not because Tasmania has any marked interest in New Guinea, but because the Government wish to act in a spirit of loyalty to the cause of Federation.

I have, &c.,

J. W. AGNEW.