

1889.
NEW ZEALAND.

FEDERATION AND ANNEXATION: NEW GUINEA PROTECTORATE

(FURTHER CORRESPONDENCE RELATING TO THE).

[In continuation of A.—3, 1888.]

Presented to both Houses of the General Assembly by Command of His Excellency.

No. 1.

The ADMINISTRATOR of BRITISH NEW GUINEA to the GOVERNOR of NEW ZEALAND.

SIR,—

Government House, New Guinea, 4th September, 1888.

I have the honour to enclose, for your Excellency's information, copy of the first issue of the *Government Gazette* of British New Guinea, from which your Excellency will learn that the Queen's sovereignty was this day proclaimed over British New Guinea, and that on the same day I assumed the administration of the Government of the possession.

His Excellency Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

I have, &c.,
W. MACGREGOR.

Enclosure 1.

PROCLAMATION on behalf of Her Most Gracious Majesty Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India, &c. To all to whom these presents shall come greeting.

IN pursuance of instructions received by me from Her Majesty's Secretary of State for the Colonies, I, William Macgregor, Doctor of Medicine, and Companion of the Most Distinguished Order of St. Michael and St. George, do hereby declare that the territory and islands hitherto known as the Protected Territory of New Guinea—that is to say, 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 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 lying in the Gulf of Papua to the northward of the 8th parallel of south latitude, and which are now under Her Majesty's protection—shall henceforth become and be and do hereby become and are part of the Queen's dominions.

Given under my hand and seal, at Government House, Granville, Port Moresby, this fourth day of September, in the year of our Lord one thousand eight hundred and eighty-eight, and in the fifty-second year of Her Majesty's reign.

By command,

WILLIAM MACGREGOR.

Enclosure 2.

PROCLAMATION by WILLIAM MACGREGOR, Esquire, Doctor of Medicine, Companion of the Most Distinguished Order of St. Michael and St. George, and Administrator of British New Guinea.

WHEREAS, by my Proclamation bearing even date herewith, I did, on behalf of Her Majesty the Queen, declare that the territory and islands therein described should thenceforth form and become

part of Her Majesty's dominions: And whereas Her Majesty has, by Letters Patent passed under the Great Seal of the United Kingdom, bearing date the eighth day of June, one thousand eight hundred and eighty-eight, provided for the government of the said territory and islands, which by the said Proclamation and Letters Patent aforesaid are constituted and erected into a separate possession and Government by the name of British New Guinea: And whereas it is further provided that such Letters Patent shall be read and proclaimed at such place within the possession as the Administrator of the Government thereof shall think fit, and that they shall thereafter be of full force and effect therein: And whereas Her Majesty has been further pleased, by Commission passed under the Royal Sign-manual and Signet, bearing date the ninth day of June, one thousand eight hundred and eighty-eight, to appoint me to be Administrator of the said possession of British New Guinea: Now therefore I, the said William Macgregor, having this day publicly read the said Letters Patent and Commission, do hereby proclaim and publish the same in the words and figures following respectively:—

BRITISH NEW GUINEA.—Letters Patent passed under the Great Seal of the United Kingdom for erecting certain British Territory in New Guinea and the adjacent Islands into a separate Possession, and providing for the Government thereof.—Dated 8th June, 1888.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India: To all to whom these presents shall come, greeting.

Preamble.—Whereas divers of our subjects have heretofore resorted to and settled in divers places within the territory and islands hereunder described, in which there is no civilised Government:

Boundaries.—And whereas the said territory and islands will shortly become our possessions and part of our dominions—that is to say, 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 our Colony of Queensland; and furthermore including all islands and reefs lying in the Gulf of Papua to the northward of the 8th parallel of south latitude: And whereas the said territory and islands will not have been acquired by cession or conquest, and will not be within the jurisdiction of the Legislature of any British possession: And whereas we are minded, as and when the said territory and islands shall become part of our dominions, to erect the same into a separate possession and to provide for the government thereof:

Possession constituted and erected.—Now, therefore, we do, by these our Letters Patent under the Great Seal of our United Kingdom of Great Britain and Ireland, as and when the same shall become part of our dominions, constitute and erect the said territory and islands as above described into a separate possession and Government by the name of British New Guinea.

II. Office of Administrator constituted.—We do hereby order and declare that there shall be in and over British New Guinea aforesaid (which is hereinafter called “the possession”) an officer charged with the duty of administering the Government thereof in our name and on our behalf, and that such officer shall in the first instance be styled the Administrator, and that appointments to the said office shall be made by Commission under our Sign-manual and Signet.

III. Provision for appointment of a Governor or Lieutenant-Governor.—And we do further order and declare that if at any time we shall see fit to appoint a Governor or Lieutenant-Governor to administer the Government of the possession, appointments to such offices shall be made by Commission under our Sign-manual and Signet, and that every Governor and Lieutenant-Governor so appointed shall have and may exercise all the powers and authorities hereby vested in the Administrator.

IV. Administrator's powers and authorities.—We do hereby authorise, empower, and command the Administrator to do and execute all things that belong to his said office according to the tenor of these our Letters Patent and of such Commission as may be issued to him under our Sign-manual and Signet, and according to such Instructions as may from time to time be given to him under our Sign-manual and Signet, or by our Order in our Privy Council, or by us through one of our principal Secretaries of State, and to such laws as are now or shall hereafter be in force in the possession.

V. Administrator's Commission to be published. Oaths to be taken by Administrator. *Imperial Act 31 and 32 Vict., c. 72.*—And we do by these our Letters Patent declare our will and pleasure as follows:—

VI. Every person appointed to fill the office of Administrator shall, with all due solemnity, before entering on any of the duties of his office, cause the Commission appointing him to be Administrator to be read and published within the possession, and he shall then and there take the oath of allegiance, in the form provided by an Act passed in the session holden in the thirty-first and thirty-second years of our reign, intituled, “An Act to amend the Law relating to Promissory Oaths;” and likewise the usual oath for the due execution of the office of Governor or Administrator of one of our colonies, and for the due and impartial administration of justice, which oaths the senior officer in our service then present is hereby required to administer.

VII. *Public Seal*.—The Administrator shall keep and use the Public Seal of the possession for sealing all things whatsoever that shall pass the said Seal; and until a Public Seal shall be provided for the possession the seal of the Administrator shall be used as the Public Seal of the Possession.

VIII. *Executive Council*.—There shall be an Executive Council for the possession, to advise and assist the Administrator, and the said Council shall consist of such persons as we shall direct by any Instructions under our Sign-manual and Signet, and all such persons shall hold their places in the said Council during our pleasure.

IX. *Legislative Council*.—There shall be a Legislative Council of the possession, and the said Council shall consist of the Administrator and such persons, not being less than two at any time, as we shall direct by any Instructions under our Sign-manual and Signet, and all such persons shall hold their places in the said Council during our pleasure.

X. *Recites "British Settlements Act, 1887" (50 and 51 Vict., c. 54). Powers of Legislative Council*.—In pursuance of and without prejudice to the powers vested in us by "The British Settlements Act of 1887," we do hereby delegate to the persons who shall from time to time compose the said Legislative Council full power and authority to establish all such laws and institutions, and to constitute such Courts and officers, and to make such provisions and regulations for the proceedings in such Courts, and for the administration of justice, as may be necessary for the peace, order, and good government of our subjects within the possession or within any territory which may at any time be part of or dependent upon the same. Subject nevertheless to all such conditions, provisions, and limitations as we shall see fit to prescribe from time to time by our Order in our Privy Council, or by this or any other instrument under our said Great Seal, or by the Instructions under our Sign-manual and Signet bearing even date herewith, or by any other Instructions that we may hereafter make or issue under our Sign-manual and Signet.

XI. *Prohibiting the enactment of differential duties*.—The said Legislative Council shall not have power to establish any law whereby duties may be imposed upon the importation into the possession of any article the produce or manufacture of, or imported from, any particular country or place, which shall not be equally imposed on the importation of the like article the produce or manufacture of, or imported from, all other countries and places whatsoever.

XII. *Providing against the purchase of land except through the Government*.—The said Legislative Council is hereby required to establish a law providing that no purchase of land within the possession be allowed to be made by private persons except from the Administrator or other authorised officer of the Government, or from purchasers from him.

XIII. *Restricting the deportation of natives, and trading with natives in arms, explosives, or intoxicants*.—The said Legislative Council is hereby further required to establish laws providing—(1) that no deportation of natives be allowed either from one part of the possession to another or to any place beyond the possession; (2) that no trading with natives be allowed in any fire-arm, ammunition, explosive, intoxicating liquors, or opium, except under such conditions as may be established by order of ourselves in our Privy Council, or by some law of the possession which has been reserved for the signification of our pleasure, and assented to ourselves in our Privy Council.

XIV. *No law to take effect until assented to and published*.—No law established by the said Legislative Council shall take effect unless the Administrator shall have assented thereto on our behalf, and shall have signed the same in token of such assent, nor until the same shall have been published in the possession by his authority.

XV. *Disallowance of laws*.—We do hereby reserve to ourselves, our heirs and successors, full power and authority, and our and their undoubted right, to disallow any such law, and to signify such disallowance through one of our principal Secretaries of State. Every such disallowance shall take effect from the time when the same shall be published by the Administrator in the possession.

XVI. *Administrator and Legislative Council to observe Instructions*.—In the transaction of business and making of laws the Administrator and Legislative Council shall conform to the Instructions from us under our Sign-manual and Signet bearing even date herewith, and to any other Instructions that we may hereafter make or issue under our Sign-manual and Signet.

XVII. *Civil List*.—There shall be payable to us, our heirs and successors, every year, out of the public revenues of the possession, the following sums for the salaries of the several officers hereunder mentioned—that is to say: Administrator, £1,500; Private Secretary, £300; Judicial Officer, £1,000; Secretary to Government, £500.

XVIII. *Administrator empowered to make grants of lands*.—The Administrator, in our name and on our behalf, may make and execute under the Public Seal grants and dispositions of any lands within the possession which may be lawfully granted or disposed of by us, provided that every such grant or disposition be made in conformity with some law in force in the possession.

XIX. *And to appoint Judges and other officers*.—The Administrator may, in our name and on our behalf, constitute and appoint all such Judges, Commissioners, Justices of the Peace, and other necessary officers and ministers as may be lawfully constituted or appointed by us, all of whom, unless otherwise provided by law, shall hold their offices during our pleasure.

XX. *Suspension of officers*.—The Administrator may, upon sufficient cause to him appearing, suspend from the exercise of his office any person holding any office within the possession, whether appointed by virtue of any commission or warrant from us or in our name, or by any other mode of appointment. Every such suspension shall continue and have effect only until our pleasure therein shall be signified to the Administrator. In proceeding to any such suspension the Administrator is strictly to observe the directions in that behalf given to him by any Instructions as aforesaid.

XXI. *Grant of pardons. Remission of fines. Proviso: Banishment prohibited. Exception:*

Political offences.—When any crime has been committed within the possession, or for which the offender may be tried therein, the Administrator may, as he shall see occasion, in our name and on our behalf, grant a pardon to any accomplice in such crime who shall give such information as shall lead to the conviction of the principal offender, or of any one of such offenders if more than one; and, further, may grant to any offender convicted in any Court or before any Judge or other Magistrate within the possession a pardon, either free or subject to lawful conditions, or any remission of the sentence passed on such offender, or any respite of the execution of such sentence, for such period as the Administrator thinks fit, and may remit any fines, penalties, or forfeitures due or accrued to us: Provided always that the Administrator shall in no case, except where the offence has been of a political nature unaccompanied by any other grave crime, make it a condition of any pardon or remission of sentence that the offender shall be banished from or shall absent himself or be removed from the possession.

XXII. *Succession to Government. Senior member of Executive Council. Proviso: Oaths of office.*—Whenever the office of Administrator is vacant, or if the Administrator become incapable or be absent from the possession, except as hereinafter provided, then such person or persons as we may appoint under our Sign-manual and Signet, and in default of any such appointment the senior member of the Executive Council shall during our pleasure administer the Government of the possession, first taking the oaths hereinbefore directed to be taken by the Administrator and in the manner herein prescribed; which being done, we do hereby authorise, empower, and command every such person as aforesaid to do and execute during our pleasure all things that belong to the office of Administrator, according to the tenor of these our Letters Patent, and according to our Instructions as aforesaid and the laws of the possession.

XXIII. *Appointment of deputies to Administrator.*—In the event of the Administrator having occasion, in the interest of our service, at any time to visit any place beyond the limits of the possession, in pursuance of any Instructions from us, or through one of our principal Secretaries of State, or with the approval of the Governor of our Colony of Queensland, and at any time when the Administrator is within the possession, he may by an instrument under the Public Seal of the possession appoint any person or persons to be his deputy or deputies within any part of the possession, and in that capacity to exercise during his pleasure such of the powers hereby vested in the Administrator, except the powers of suspension and pardon, as the Administrator shall think fit to assign to him or them. The appointment of such deputy or deputies shall not affect the exercise by the Administrator himself of any of his powers or authorities. Every such deputy shall, in the discharge of his office, conform to and observe all such instructions as the Administrator shall address to him for his guidance.

XXIV. *Officers and others to obey Administrator.*—And we do hereby require and command all our officers and ministers, civil and military, and all other the inhabitants of the possession, to be obedient, aiding and assisting unto the Administrator and to any person for the time being administering the Government of the possession.

XXV. *Term "Administrator" explained.*—In these our Letters Patent, the term "Administrator" shall mean the person for the time being administering the Government of the possession.

XXVI. *Powers reserved to revoke, alter, or amend the present Letters Patent.*—And we do hereby reserve to ourselves, our heirs and successors, full power and authority from time to time to revoke, alter, or amend these our Letters Patent as to us or them shall seem fit.

XXVII. *Proclamation of Letters Patent.*—And we do direct and enjoin that these our Letters Patent shall be read and proclaimed at such place within the possession as the Administrator shall think fit, and that they shall thenceforth have full force and effect therein.

In witness whereof we have caused these our Letters to be made patent. Witness ourself at Westminster, the eighth day of June, in the fifty-first year of our reign.

By warrant under the Queen's Sign-manual,
MUIR MACKENZIE.

BRITISH NEW GUINEA.—Instructions passed under the Royal Sign-manual and Signet to the Administrator of British New Guinea. (Dated 8th June, 1888.) Victoria R.—Instructions to our Administrator in and over our Possession of British New Guinea, and to any other Officer for the time being administering the Government of our said Possession. Given at our Court at Balmoral, this 8th day of June, 1888, in the Fifty-first Year of our Reign.

Preamble. Recites Letters Patent of even date.—Whereas by certain Letters Patent under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing even date herewith, we have provided, as and when the same shall become part of our dominions, for the erection into a separate possession and Government by the name of British New Guinea of certain territory and islands in and adjacent to New Guinea, and in our said Letters Patent more particularly described: And whereas by our said Letters Patent we have made provision for the office of Administrator (therein and hereinafter called "the Administrator") in and over our said possession of British New Guinea (therein and hereinafter called "the possession"): And whereas by our said Letters Patent we have authorised and commanded the Administrator to do and execute all things that belong to his said office, according to the tenor of our said Letters Patent and of such Commission as may be issued to him under our Sign-manual and Signet, and according to such Instructions as may from time to time be given to him under our Sign-manual and Signet, or by our Order in our Privy Council, or by us through one of our principal Secretaries of State, and to such laws as are or shall hereafter be in force in the possession: And whereas we are minded to issue these our Instructions under our Sign-manual and Signet for the guidance and direction of the Administrator or other officer for the time being administering the Government of the possession:

Now, therefore, we do direct and enjoin, and declare our will and pleasure as follows:—

I. *Terms "Administrator" and "Governor" explained.*—In these our Instructions the term

“the Administrator” shall, unless inconsistent with the context, include every person for the time being administering the Government of the possession, and the term “the Governor” shall, unless inconsistent with the context, include every person for the time being administering the Government of our Colony of Queensland.

II. *Administrator to correspond with and receive instructions from the Governor.*—The Administrator shall correspond with the Governor on all subjects connected with his office, and shall transmit to him all official reports and information touching the same, and shall apply to the Governor for all such instructions as he may require for his guidance in the discharge of his office.

III. *Constitution of Executive Council. Extraordinary members.*—The Executive Council of the possession shall consist of such persons as we may from time to time appoint by any instruction or warrant under our Sign-manual and Signet, or as the Administrator, in pursuance of any instructions from the Governor, may from time to time appoint by any instrument under the Public Seal of the possession. Whenever upon any special occasion the Administrator desires to obtain the advice of any person within the possession touching our affairs therein, he may by an instrument under the Public Seal of the possession summon for such special occasion any such person as an extraordinary member of the Executive Council.

IV. *Precedence.*—The members of the Executive Council shall have seniority and precedence as we may specially assign, and in default thereof according to the priority of their respective appointments, or, if appointed by the same instrument, according to the order in which they are named therein.

V. *Provisional appointment of members. Revocation of provisional appointments.*—In the event of the absence from the possession of any member of the Executive Council, the Administrator may, by an instrument under the Public Seal of the possession, appoint any person to act provisionally as a member of the Council in the room of the member so absent and during his absence. The Administrator shall forthwith report to the Governor every such provisional appointment, and every such appointment may be disallowed by the Governor, or may be revoked by the Administrator by any such instrument as aforesaid.

VI. *Governor to communicate Instructions to Executive Council.*—The Administrator shall communicate these our Instructions to the Executive Council, and likewise all such others, from time to time, as we may direct, or as he shall find convenient for our service to impart to them.

VII. *Executive Council not to proceed to business unless summoned by the Administrator's authority. Quorum. Proviso: Absence of members.*—The Executive Council shall not proceed to the despatch of business unless duly summoned by authority of the Administrator, nor unless two members at the least (exclusive of himself or of the member presiding) be present and assisting throughout the whole of the meetings at which any such business shall be despatched. It shall not be necessary to summon any member who is absent more than ten miles from the place of meeting.

VIII. *Administrator to preside.*—The Administrator shall attend and preside at all meetings of the Executive Council, unless prevented by illness or other grave cause, and in his absence such member as the Administrator may appoint, or in the absence of such member the senior member of the Council actually present, shall preside.

IX. *Minutes of Executive Council to be kept. To be transmitted to Governor twice a year.*—Minutes shall be regularly kept of all the proceedings of the Executive Council; and at each meeting of the Council the minutes of the last preceding meeting shall be read over and confirmed or amended, as the case may require, before proceeding to the despatch of any other business. Twice in each year the Administrator shall forward to the Governor, for transmission to us through one of our principal Secretaries of State, a full and exact copy of the said minutes for the preceding half-year.

X. *Administrator to consult Executive Council. Proviso: Urgent cases.*—In the execution of the powers and authorities granted to the Administrator by our said Letters Patent, he shall in all cases consult with the Executive Council, excepting only in cases which may be of such a nature that in his judgment our service would sustain material prejudice by consulting the Council thereupon, or when the matters to be decided shall be too unimportant to require their advice, or too urgent to admit of their advice being given by the time within which it may be necessary for him to act in respect of any such matters. In all such urgent cases he shall at the earliest practicable period communicate to the Executive Council the measures which he may so have adopted, with the reasons thereof.

XI. *Administrator to propose questions. No member to propose a question, but may record application for so doing.*—The Administrator shall alone be entitled to submit questions to the Executive Council for their advice or decision; but if the Administrator decline to submit any question to the Council when requested in writing by any member so to do, it shall be competent to such member to require that there be recorded upon the minutes his written application, together with the answer returned by the Administrator to the same.

XII. *Administrator may act in opposition to Executive Council. Reporting grounds for so doing. Members may record on minutes their adverse opinions.*—The Administrator may, in the exercise of the powers and authorities granted to him by our said Letters Patent, act in opposition to the advice given to him by the members of the Executive Council if he shall in any case deem it right to do so; but in any such case he shall fully report the matter to the Governor by the first convenient opportunity, with the grounds and reasons of his action. In every such case it shall be competent to any member of the said Council to require that there be recorded at length on the minutes the grounds of any advice or opinion he may give upon the question.

XIII. *Constitution of Legislative Council. Vacation of seats.*—The Legislative Council of the possession shall consist of the Administrator, and of such persons, not being less than two or more than five in number at any one time, as we may from time to time appoint by any instruction or warrant under our Sign-manual and Signet, or as the Administrator, in pursuance of any

instructions from the Governor, may from time to time appoint by any instrument under the Public Seal of the possession. Every member shall vacate his seat at the end of six years from the date of the instrument by which he is appointed, but may be reappointed.

XIV. *Extraordinary members.*—Whenever upon any special occasion the Administrator wishes to obtain the advice of any person within the possession touching any matters about to be brought before the Legislative Council, he may by an instrument under the Public Seal of the possession appoint any such person to be for such occasion an extraordinary member of the Legislative Council.

XV. *Provisional appointments. Provisional appointments to be immediately reported to Governor. Revocation of such appointments.*—If any member of the Legislative Council shall die, or become incapable, or be suspended or removed from his seat in the Council, or be absent from the possession, or be unable through residence at a distance to attend the meetings of the Council, or if he resign by writing under his hand, or if his seat become vacant, the Administrator may, by an instrument under the Public Seal of the possession, appoint in his place a fit person, to be provisionally a member of the said Council. Such person shall forthwith cease to be a member if his appointment is disallowed by us or by the Governor, or if the member in whose place he was appointed shall return to the possession, or shall be released from suspension, or shall be declared by the Administrator capable of again discharging his functions in the said Council. The Administrator shall without delay report to the Governor, for confirmation or disallowance, every provisional appointment of any person as a member of the Legislative Council. Every such person shall hold his place in the Council during our pleasure, and the Administrator may by an instrument under the Public Seal revoke any such appointment.

XVI. *Council may transact business notwithstanding vacancies. Quorum.*—The Legislative Council shall not be disqualified from the transaction of business on account of any vacancies among the members thereof; but the said Council shall not be competent to act in any case unless (including the Administrator or the member presiding) there be present at and throughout the meeting of the Council three members at the least. It shall not be necessary to summon any member who is absent more than ten miles from the place of meeting.

XVII. *Precedence of members.*—The members of the Legislative Council among themselves shall take precedence as we may specially assign, and, in default thereof, according to the priority of their respective appointments, or, if appointed by the same instrument, according to the order in which they are named therein.

XVIII. *Administrator to preside in Council, or in his absence the senior member.*—The Administrator shall attend and preside in the Legislative Council unless prevented by illness or other grave cause, and in his absence that member shall preside who is first in precedence of those present.

XIX. *Questions to be decided by majority. Casting-vote.*—All questions proposed for debate in the Legislative Council shall be decided by the majority of votes, and the Administrator or the member presiding shall have an original vote in common with the other members of the Council, as also a casting-vote if upon any question the votes shall be equal.

XX. *Standing Rules and Orders to be made.*—The Legislative Council may make Standing Rules and Orders for the regulation of their own proceedings; provided such Rules and Orders be not repugnant to our said Letters Patent, or to these our Instructions, or to any other Instructions from us under our Sign-manual and Signet.

XXI. *Questions, &c., for debate.*—It shall be competent for any member of the Legislative Council to propose any question for debate therein; and such question, if seconded by any other member, shall be debated and disposed of according to the Standing Rules and Orders: Provided always that every ordinance, vote, resolution, or question the object or effect of which may be to dispose of or charge any part of our revenue arising within the possession, shall be proposed by the Administrator, unless the proposal of the same shall have been expressly allowed or directed by him.

XXII. *Rules and Regulations under which ordinances are to be enacted. Form of enactment. Ordinances to be numbered and methodically arranged. Different subjects not to be mixed in same ordinance. No clause to be introduced foreign to what title of ordinance imports. Temporary ordinances.*—In the making of laws the Administrator and the Council shall observe as far as practicable the following rules: (1.) All laws shall be styled "ordinances," and the enacting words shall be, "enacted by the Administrator of British New Guinea, with the advice and consent of the Legislative Council thereof." (2.) All ordinances shall be distinguished by titles, and shall be divided into successive clauses or paragraphs, numbered consecutively, and to every such clause there shall be annexed in the margin a short summary of its contents. The ordinances of each year shall be distinguished by consecutive numbers, commencing in each year with the number one. (3.) Each different matter shall be provided for by a different ordinance, without intermixing into one and the same ordinance such things as have no proper relation to each other; and no clause is to be inserted in or annexed to any ordinance which shall be foreign to what the title of such ordinance imports, and no perpetual clause shall be part of any temporary ordinance.

XXIII. *Description of ordinances not to be assented to. Proviso in cases of emergency for immediate operation of an ordinance.*—The Administrator shall not, except in the cases hereunder mentioned, assent in our name to any ordinance of any of the following classes: (1.) Any ordinance for the divorce of persons joined together in holy matrimony. (2.) Any ordinance whereby any grant of land or money, or other donation or gratuity, may be made to himself. (3.) Any ordinance whereby any increase or diminution may be made in the number, salary, or allowances of the public officers. (4.) Any ordinance affecting the currency of the possession or relating to the issue of bank-notes. (5.) Any ordinance establishing any banking association, or amending or altering the constitution, powers, or privileges of any banking association. (6.) Any ordinance imposing differential duties. (7.) Any ordinance the provisions of which shall

appear inconsistent with obligations imposed upon us by treaty. (8.) Any ordinance interfering with the discipline or control of our forces by land or sea. (9.) Any ordinance of an extraordinary nature and importance, whereby our prerogative or the rights and property of our subjects not residing in the possession, or the trade and shipping of our United Kingdom and its dependencies, may be prejudiced. (10.) Any ordinance whereby persons not of European birth or descent may be subjected or made liable to any disabilities or restrictions to which persons of European birth or descent are not also subjected or made liable. (11.) Any ordinance authorising the purchase of land by private persons, except from the Administrator or purchasers from him. (12.) Any ordinance providing for the deportation of natives either from one part of the possession to another, or to places beyond the possession. (13.) Any ordinance providing for the supply of arms, ammunition, intoxicants, or opium to natives. (14.) Any ordinance containing provisions to which our assent has been once refused, or which have been disallowed by us. Unless such ordinance shall contain a clause suspending the operation of such ordinance until the signification of our pleasure thereupon, or unless, when the ordinance comes under one of the classes numbered one to ten inclusive, or fourteen, the Administrator shall have satisfied himself that an urgent necessity exists requiring that such ordinance be brought into immediate operation, in which case he is authorised to assent in our name to such ordinance, unless the same shall be repugnant to the law of England, or inconsistent with any obligations imposed on us by treaty. But he is to transmit to us by the earliest opportunity the ordinance so assented to, together with his reasons for assenting thereto.

XXIV. *Private ordinances.*—No private ordinance shall be passed whereby the property of any private person may be affected in which there is not a saving of the rights of us, our heirs and successors, and of all bodies, politic or corporate, and of all other persons except such as are mentioned in the said ordinance, and those claiming by, from, and under them. The Administrator shall not assent in our name to any private ordinance until proof be made before him in the Executive Council, and recorded in the minutes thereof, that adequate and timely notification, by public advertisement or otherwise, was made of the parties' intention to apply for such ordinance before the same was brought into the Legislative Council; and a certificate under his hand shall be transmitted with and annexed to every such private ordinance, signifying that such notification has been given, and declaring the manner of giving the same.

XXV. *Ordinances to be sent Home duly authenticated.*—When any ordinance shall have been passed in the Legislative Council, the Administrator shall transmit to us, through the Governor, for our final approval, disallowance, or other direction thereupon, a full and exact copy in duplicate of the same, and of the marginal summary thereof, duly authenticated under the Public Seal of the possession, and by his own signature. Such copy shall be accompanied by such explanatory observations as may be required to exhibit the reasons and occasions for passing such ordinance.

XXVI. *Collection of ordinances to be published every year.*—At the earliest practicable period at the commencement of each year the Administrator shall cause a complete collection to be published, for general information, of all ordinances enacted during the preceding year.

XXVII. *Minutes of proceedings to be kept. Minutes to be sent to Governor twice a year.*—Minutes shall be regularly kept of all the proceedings of the Legislative Council; and at each meeting of the Council the minutes of the last preceding meeting shall be read over, and confirmed or amended, as the case may require, before proceeding to the despatch of any other business. Twice in each year the Administrator shall forward to the Governor, for transmission to us through one of our principal Secretaries of State, a full and exact copy of the said minutes for the preceding half-year.

XXVIII. *Estimates of receipts and expenditure.*—The Administrator shall in each year transmit to the Governor, in sufficient time to be examined and returned before the end of the year, an estimate of the public revenue and expenditure of the possession for the following year. The expenditure of each year shall be legalised by an appropriation ordinance, and the Administrator shall not include in such ordinance any item of proposed expenditure which shall have been disallowed by the Governor.

XXIX. *Money grants.*—The Administrator is to take care that no public money whatever, whether it be appropriated to any particular service or not by the ordinance granting the same, be issued and disposed of otherwise than by warrant under his hand.

XXX. *Accounts for audit.*—The Administrator shall at convenient times transmit to the Governor, for audit by officers of the Government of our Colony of Queensland, all accounts of public revenue and expenditure of the possession.

XXXI. *Administrator to promote religion and education.*—The Administrator is to the utmost of his power to promote religion and education among the native inhabitants of the possession; and he is especially to take care to protect them in their persons and in the free enjoyment of their land 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; and he is to adopt and support such measures as may appear to him conducive to their civilisation and as tend to the suppression of barbarous customs among such natives.

XXXII. *Surveys and reservations to be made before waste lands are disposed of. Administrator not to purchase lands.*—Before disposing of any vacant or waste land to us belonging, the Administrator shall, whenever practicable, cause the same to be surveyed, and such reservations to be made thereout as he may think necessary for roads or other public purposes. The Administrator shall not, directly or indirectly, purchase for himself any of such lands without our special permission given through one of our principal Secretaries of State.

XXXIII. *Appointments to be provisional and during pleasure.*—All commissions to be granted by the Administrator to any person or persons for exercising any office or employment shall, unless otherwise provided by law, be granted during pleasure only; and whenever the Administrator shall appoint to any vacant office or employment any person not by us specially directed to be appointed

thereto, he shall at the same time expressly apprise such person that such appointment is to be considered only as temporary and provisional until our allowance or disallowance thereof be signified through the Governor.

XXXIV. *Suspension of officers.*—Before suspending from the exercise of his office any public officer who has been appointed by virtue of any commission or warrant from us or in our name, or whose emoluments exceed £100 a year, the Administrator shall signify to such officer, by a statement in writing, the grounds of the proposed suspension, and shall call upon him to state in writing the grounds upon which he desires to exculpate himself. The Administrator shall lay both statements before the Executive Council, and, having consulted them thereon, shall cause to be recorded on the minutes whether the Council or a majority thereof does or does not assent to the suspension; and if the Administrator thereupon proceed to such suspension he shall transmit both the said statements, together with the minutes of the Executive Council, to the Governor by the earliest opportunity. But if in any case the interests of our service shall appear to the Administrator to demand that a person shall cease to exercise the powers and functions of his office instantly, or before there shall be time to take the proceedings hereinbefore directed, he shall then interdict such person from the exercise of the powers and functions of his office.

XXXV. *Regulation of power of pardon in capital cases. Judge's report to be laid before Executive Council. Administrator to take advice of Executive Council in such cases. May exercise his own judgment. Entering his reasons on the Council Minutes.*—Whenever any offender shall have been condemned to suffer death by the sentence of any Court in the possession, the Administrator shall call upon the Judge who presided at the trial to make to him a written report of the case of such offender, and shall cause such report to be taken into consideration at the first meeting thereafter which may be conveniently held of the Executive Council, and he may cause the said Judge to be specially summoned to attend at such meeting and to produce his notes thereat. The Administrator shall not pardon or reprieve any such offender unless it shall appear to him expedient so to do after receiving the advice of the Executive Council thereon; but in all such cases he is to decide either to extend or to withhold a pardon or reprieve according to his own deliberate judgment, whether the members of the Executive Council concur therein or otherwise, entering, nevertheless, on the minutes of the Executive Council a minute of his reasons at length in case he should decide any such questions in opposition to the judgment of the majority of the members thereof.

XXXVI. *Annual report.*—The Administrator shall forward to the Governor, as soon as may be possible after the close of each year, a full report of his proceedings in the government of the possession, in matters of legislation as well as in administration of public affairs.

XXXVII. *Administrator's absence.*—The Administrator shall not upon any pretence whatever quit the possession, except with the approval of the Governor, without having first obtained leave from us for so doing under our Sign-manual and Signet, or through one of our principal Secretaries of State. V. R.

BRITISH NEW GUINEA.—Commission passed under the Royal Sign-manual and Signet appointing William Macgregor, Esquire, M.D., C.M.G., to be Administrator of British New Guinea. (Dated 9th June, 1888.) [Victoria R.]

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 William Macgregor, Esquire, Doctor of Medicine, Companion of our Most Distinguished Order of Saint Michael and Saint George, Greeting.

Recites Letters Patent creating the separate possession and Government of British New Guinea.

—Whereas by our Letters Patent under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster the 8th day of June, 1888, we have provided, as and when the same shall become part of our dominions, for the erection into a separate possession and Government by the name of British New Guinea of certain territory and islands in and adjacent to New Guinea, and in our said Letters Patent more particularly described: And whereas by our said Letters Patent we have made provision for the office of Administrator in and over our said possession of British New Guinea (therein and hereinafter called "the possession"): And whereas by our said Letters Patent we have authorised and commanded the Administrator to do and execute all things that belong to his said office, according to the tenor of our said Letters Patent, and of such Commission as may be issued to him under our Sign-manual and Signet, and according to such Instructions as may from time to time be given to him under our Sign-manual and Signet, or by our order in our Privy Council, or by us through one of our principal Secretaries of State, and to such laws as are now or shall hereafter be in force in the possession.

Appointment of William Macgregor, Esquire, M.D., C.M.G., to administer the Government.—Now, therefore, we do, by this our Commission under our Sign-manual and Signet, appoint you, the said William Macgregor, to be during our pleasure Administrator of our possession of British New Guinea, with all the powers, rights, privileges, and advantages to the said office belonging or appertaining.

II. *His duties and powers.*—We do hereby authorise, empower, and command you to exercise and perform all and singular the powers and directions contained in our said Letters Patent erecting the British territory in New Guinea and the adjacent islands into a separate possession, and providing for the Government thereof, or in any other Letters Patent adding to, amending, or substituted for the same, according to the Instructions under our Sign-manual and Signet bearing even date with our said Letters Patent, and to such further orders and instructions as aforesaid as you shall receive from us, or as you shall receive from the Governor of our Colony of Queensland for the time being, or from the officer for the time being administering the Government of our said colony.

III. *Officers, &c., to give obedience.*—And we do hereby command all and singular our officers,

ministers, and loving subjects in our said possession, and all others whom it may concern, to take due notice hereof, and to give their ready obedience accordingly.

(Given at our Court at Balmoral, this 9th day of June, 1888, in the fifty-first year of our reign.
By Her Majesty's command,

KNUTSFORD.

Given under my hand and seal, at Government House, Granville, Port Moresby, this fourth day of September, in the year of our Lord one thousand eight hundred and eighty-eight, and in the fifty-second year of Her Majesty's reign.

By command,

WILLIAM MACGREGOR.

No. 2.

[Extract from the *Queensland Government Gazette* of the 11th September, 1888.]

(L.S.) A. MUSGRAVE, Governor.

PROCLAMATION by His Excellency Sir Anthony Musgrave, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief of the Colony of Queensland and its Dependencies.

WHEREAS by an Act passed in the fifty-first year of Her Majesty's reign, intituled "An Act to make Provision for the Indemnification by the Colony of Queensland of Her Majesty's Imperial Government against the Expenses of the Government of British New Guinea," it is amongst other things provided that the said Act shall commence and take effect so soon as Her Majesty shall have assumed sovereignty over the territory aforesaid, and such assumption of sovereignty shall have been proclaimed in the Colony of Queensland: Now, therefore, I, Sir Anthony Musgrave, the Governor aforesaid, do hereby notify and proclaim that on Tuesday last, the fourth instant, the officer appointed by Her Majesty to administer the Government of British New Guinea did, by Proclamation, a copy of which is hereto annexed, declare the territory therein described to be a part of the Queen's dominions.

Given under my hand and seal, at Government House, Brisbane, this eleventh day of September, in the year of our Lord one thousand eight hundred and eighty-eight, and in the fifty-second year of Her Majesty's reign.

By command,

THOMAS McILWRAITH.

GOD SAVE THE QUEEN!

No. 3.

JOHN DOUGLAS, Esq., to the GOVERNOR of NEW ZEALAND.

SIR,—

Brisbane, 12th September, 1888.

Following up your Excellency's telegram of the 23rd August, I have now to acknowledge the receipt of a remittance from the Government of New Zealand of £2,668 18s. 9d. towards the Government of the protectorate.

2. I am happy to say that sovereignty was proclaimed on the 4th September, and that my duties as Special Commissioner are thus terminated.

3. I hope shortly to furnish your Excellency with a final report and a statement of receipts and expenditure.

I have, &c.,

His Excellency Sir William Jervois, G.C.M.G., &c.

JOHN DOUGLAS.

[Approximate Cost of Paper.—Preparation, nil; printing (1,300 copies), £5 18s.]

By Authority: GEORGE DIDSEBURY, Government Printer, Wellington.—1889.

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