

1872.

QUEENSLAND.

LETTERS PATENT APPOINTING THE GOVERNOR OF THE COLONY OF QUEENSLAND  
TO BE GOVERNOR OF ALL ISLANDS WITHIN SIXTY MILES FROM THE COAST  
OF QUEENSLAND, AND AUTHORISING THE ANNEXATION OF THE AFORESAID  
ISLANDS TO THAT COLONY.

(DESPATCH RESPECTING)

Presented to both Houses of Parliament by Command.

THE SECRETARY OF STATE FOR THE COLONIES to HIS EXCELLENCY THE MARQUIS OF NORMANBY.

Queensland.

General.

Downing Street,  
5th June, 1872.

MY LORD,

Her Majesty's Government have had under their consideration your Despatch, No. 99, of the 26th of December last, upon the question of annexing to the Colony of Queensland all Islands within sixty miles of the coast, and have arrived at the conclusion that the reasons advanced for such annexation are sufficient, and that it would be advantageous for the Colony that such Islands should be made part of Queensland, and placed under the control of the Colonial Government.

Her Majesty has, accordingly, been pleased to direct the issue of Letters Patent prepared under the advice of the Law Officers of the Crown, which I have now the honor to transmit to you, and which you will publish in the ordinary manner in the Colony, appointing the Governor of Queensland to be Governor of all the Islands within sixty miles from the coast of that Colony, and authorising the annexation of those Islands to Queensland. I transmit, for your information, copies of two charts which have been prepared by the Admiralty, shewing what Islands are actually included within the sixty miles' limit. 30 May, 1872.

Copies of these Letters Patent and of this Despatch have been sent to the Governor of New South Wales, as one of the Islands (Reine Island) included in the Letters Patent has been already leased out by the Governor of that Colony, under the authority of a Royal Commission of the 22nd of August, 1863. The license for this Island was granted by Sir John Young in 1865, for seven years, to Mr. W. L. Crowther, of Tasmania, by whom it has been transferred to the Anglo-Australian Guano Company. Some enquiry has been made about renewing this license, but I am not able to inform you how far the negotiation for such renewal has proceeded; and I would suggest, therefore, that you should, at an early opportunity, communicate with the Governor of New South Wales upon the subject. The commission of 1863 to Sir John Young, and a late one of 1868, addressed to the Governor of New South Wales for the time being, a copy of which I enclose for your information, included all the islands referred to in the present Letters Patent; you will perceive that the power to deal with them will cease upon their coming within the jurisdiction of the Queensland Government. I trust that the transfer under the Letters Patent will be made without any delay, but in the meanwhile, I think it will be convenient that any negotiation or agreement with respect to any of these islands should be conducted and made by you as Governor of the Islands under these Letters Patent rather than by the Governor of New South Wales under his commission. 10 June, 1868.

I may add that any rent or profit derived from these Islands will form part of Imperial revenue until such annexation has been effected.

I have, &c.,

KIMBERLEY.

Governor The Most Honorable The Marquis of Normanby,

&c.,      &c.,      &c.

QUEENSLAND.

## QUEENSLAND.

(ISLANDS WITHIN SIXTY MILES OF COAST OF COLONY.)

*LETTERS PATENT* passed under the Great Seal appointing the Governor of the Colony of Queensland to be Governor of all Islands within Sixty Miles from the Coast of the said Colony, and authorising the Annexation of the aforesaid Islands to that Colony.

Letters Patent,

Dated 30th May, 1872.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to all to whom these Presents shall come, greeting.

Whereas we did, by certain Letters Patent, under the Great Seal of our United Kingdom, bearing date at Westminster the 6th day of June, 1859, in the twenty-second year of our reign, erect certain territories therein described, together with all and every the adjacent Islands, their members and appurtenances in the Pacific Ocean, into a colony by the name of the Colony of Queensland.

And whereas it is expedient that all the Islands lying and being within 60 miles of the coasts of the said Colony should be annexed to, and form part of, the said Colony of Queensland, if the Legislative Council and Assembly thereof should desire such annexation.

And whereas it is expedient that, until such annexation, the affairs of the said Islands should be administered by a Governor, to be for that purpose appointed by us :

*Appointment of the Governor of Queensland to be Governor of the Islands within sixty miles of coasts of Colony.*

Now know ye, that, in considerations of the premises, We, of our special grace, mere motion, and certain knowledge, have thought fit to constitute and appoint, and by these presents do constitute and appoint, the Governor and Commander-in-Chief for the time being of Our said Colony of Queensland, to be the Governor of the said Islands, and We do hereby vest in him all the powers and authorities which by these presents are given and granted to the Governor for the time being of the said Islands.

*Temporary administration during the Governor's absence.*

And We do hereby further declare Our pleasure to be, that in the event of the death or incapacity of the said Governor and Commander-in-Chief for the said Colony of Queensland, or, in the event of his absenting himself from the said Colony otherwise than for the purpose of visiting the said Islands, then, and in either of these cases, the officer for the time being who may be administering the Government of the said Colony shall be and he is hereby constituted and appointed Governor for the time being of the said Islands.

*Power to make rules, &c.*

And We do hereby further authorise and empower the said Governor of the said Islands to make all such rules and regulations as may lawfully be made by Our authority for the order, peace, and good government of the said Islands, subject nevertheless to any instructions which may from time to time be hereafter given him, under Our sign manual and signet, or through one of Our principal Secretaries of State.

*Power to make leases and grant licenses.—Minerals and guano licenses.*

And We do hereby further authorise and empower the said Governor of the said Islands, so long as he shall be Governor thereof, by any instrument under his hand and seal, to make leases and other dispositions for a term or term of years, of any of the said Islands as aforesaid, or any part or parts thereof, and to issue licenses authorising the person or persons designated therein to take minerals or guano, or other fertilising substances, or other produce from the said Islands, or any of them, and to insert in such leases, dispositions, or licenses, as the case may be, all such reservations by way of rent or royalty, or otherwise, and all such conditions, exceptions, and stipulations as may to him seem advisable: Provided always, that in the execution of the powers hereby conferred on him, he shall conform to such instructions as he may from time to time receive from Us under Our sign manual and signet, or through one of Our principal Secretaries of State.

*Power to revoke or confirm existing leases.*

And We do hereby further authorise and empower the said Governor, as he may deem expedient, under his hand and seal, to confirm any grant, disposition, lease, or license, which may have been made or issued before the date of these presents, to any person or persons in respect of the said Islands, or any of them, or any part thereof, by any Governor of Our Colony of New South Wales, or to accept a surrender of any such grant, disposition, lease, or license, and to make and issue any new disposition, lease, or license to the persons surrendering the same, or their nominees, under the powers and in the manner hereinbefore declared.

*Power to Governor to surrender Islands to Colony of Queensland.*

And We do hereby further declare Our pleasure to be that, if at any time hereafter the Legislative Council and Assembly of the said Colony of Queensland shall, by resolution or otherwise, request the said Governor of the said Islands to transfer the same to the said Colony of Queensland, for the purpose of their being annexed to and forming part of the said Colony, then the said Governor shall, and he is hereby authorised and empowered to transfer to the said Colony the said Islands; and from and after the date of such transfer the said Islands so transferred shall be deemed and taken to be, and shall be, annexed to and form part of the said Colony of Queensland.

*Proclamation of the surrender of the Islands.*

And We further declare Our pleasure to be that the said Governor of the said Islands shall declare by proclamation the said transfer, and from and after the date of such proclamation these presents shall cease and be of none effect, so far as relates to the appointment of a Governor of the said Islands and his powers thereunder, but not further or otherwise, and not so as to affect any instruments, acts, matters, or things made or done by him while such Governor as aforesaid, in pursuance of the powers hereby conferred on him.

*Power*

*Power reserved to Her Majesty to revoke, &c., Letters Patent.*

And We do hereby reserve to Us, 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 meet.

In witness whereof We have caused these Our Letters to be made Patent. Witness Ourselves at Westminster, the Thirtieth day of May, in the Thirty-fifth year of Our reign.

By Warrant under the Queen's Sign Manual.

C. ROMILLY.

*Commission passed under the Great Seal authorising the Governor of New South Wales to make leases and other dispositions of Islands and other places containing guano and other fertilising substances, which may from time to time become the possession of the Crown within certain limits, but which may not be within the jurisdiction of any Colonial Government.*

Letters Patent,

Dated 10th June, 1868.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to Our Trusty and Well-beloved Our Governor and Commander-in-Chief in and over Our Colony of New South Wales, greeting.

Whereas it may happen that guano and other fertilising substances may from time to time be discovered on Islands and other places belonging to Us, Our heirs and successors, being within the limits hereinafter described, but not within the jurisdiction of any Colonial Government; and whereas it is expedient to make provision for the disposal and use of such Islands: Now know you that We have thought fit to authorise, and do hereby authorise and empower you Our Governor or Officer Administering the Government of Our said Colony of New South Wales, by any instrument under your or his hand and seal, to make leases and other dispositions for a term or terms of years of any such Islands as aforesaid, or of any part or parts thereof, and to issue licenses authorising the person or persons designated therein to take guano or other fertilising substances from the said Islands, and to insert therein such conditions and stipulations as may seem to you advisable: Provided that, in the execution of the powers hereby conferred on you, you shall conform to such instructions as you may from time to time receive from Us under Our signet and sign manual, or through one of Our principal Secretaries of State.

And We do further declare that the aforesaid powers shall be exercisable by you with respect to all such Islands as aforesaid situate in that part of the Indian and South Pacific Oceans which is bounded as follows, that is to say:—On the north by the 10th parallel of south latitude, on the east by the 170th meridian of west longitude, on the south by the Antarctic Circle, and on the west by the 75th meridian of east longitude.

In witness whereof We have caused these Our Letters to be made Patent. Witness Ourselves at Westminster, the Tenth day of June, in the Thirty-first year of Our reign.

By Warrant under the Queen's Sign Manual.

(Signed)

C. ROMILLY.

Price 3d.]