

I

OFFICIAL YEAR BOOK

OF THE

COMMONWEALTH OF AUSTRALIA.

CHAPTER I.

DISCOVERY, COLONIZATION AND FEDERATION OF AUSTRALIA.

§ 1. Early Knowledge and Discovery of Australia.

1. **Introduction.**—The following paragraphs contain only a bare outline of the more important facts relating to the early history of Australian discovery. Previous issues of the Year Book contain a summary of these facts in greater detail, but for a more complete account of this subject, together with bibliographical references thereto, the reader should consult Official Year Book No. 1 (pp. 45-51), bearing in mind the knowledge that the account must be modified somewhat in view of later investigations.

2. **Terra Australis.**—It would appear that there was an early Chaldean tradition as to the existence of an Austral land to the south of India, and rumours to that effect found their way in the course of time to Europe. References to this *Terra Australis* are found in the works of Ælianus (A.D. 205-234), Manilius (probably a contemporary of Augustus or Tiberius Caesar), and Ptolemy (A.D. 107-161). Evidence which might warrant the supposition of knowledge of such a land appeared in maps and manuscripts of the Middle Ages and the fourteenth and fifteenth centuries, but there is no evidence definitely connecting this so-called *Terra Australis* with Australia.

Reference by Marco Polo (1254-1324) to a land called Locac, and several indications on maps and globes in the fifteenth and sixteenth centuries have been supposed to relate to Australia, but little weight can now be attached to these suppositions. Cornelius Wytfliet's map of 1597, however, indicates roughly the eastern and western coasts of Australia, as well as the Gulf of Carpentaria, although the oft-quoted passage in his *Descriptionis Ptolemaicæ Augmentum* describing the *Australis Terra* has been considered to have had its origin in the voyages through the Straits of Magellan and the discovery of Tierra del Fuego rather than that of Australia.

3. **Discovery of Australia.**—(i) *The Spaniards.* Disregarding the statement that the Arabs had come to Australia long before the Portuguese, Spaniards or the Dutch, for which there is no evidence, and apart from the possibility that the Portuguese may have discovered part of the Australian coast before 1542, the coastal exploration of Australia began with the Spaniards and the Dutch.

In 1606 the Spaniard Quiros, on reaching the island that has retained the name of Espiritu Santo (the largest island of the New Hebrides group), thought he had discovered the great land of the south, and therefore named the group *La Australia del Espiritu Santo*. After leaving the New Hebrides, Quiros sailed eastward, but Torres, his second-in-command, took a westerly course, and passed through the strait that now bears his name. In all probability he sighted the Australian continent, but no mention of it is made in his records. This voyage marks the close of Spanish activity in the work of discovery in the South Seas.

(ii) *The Dutch.* The Dutch discovered Australia when the Dutch East India Company sent the *Duyfken* from Bantam to explore the islands of New Guinea. During March, 1606 the *Duyfken* coasted along the southern shores of New Guinea, and followed the west coast of Cape York peninsula as far as Cape Keer-Weer (Turn Again).

During the following thirty years there were nine visits of Dutch navigators to Australian waters; by 1636, through their efforts, the coast of Australia from Cape York westward around to the Great Australian Bight had been discovered.

In 1642 Abel Janszoon Tasman set out from Batavia to ascertain the extent of the great southern continent. He named Van Diemen's Land, imagining it to be part of Australia proper, and sailing north-easterly discovered New Zealand and returned to Batavia. In his second voyage in 1644 Tasman visited the northern coast of Australia, sailing round the Gulf of Carpentaria and along the north-west coast as far down as the tropic of Capricorn. This voyage of Tasman's may be said to have ended the period of Dutch discoveries, although there were subsequent visits by the Dutch to Australia (de Vlamingh in 1696 and Van Delft in 1705).

4. *Discoveries by the English.*—In the meantime the English had made their first appearance on the Australian coast in 1688, when the north-westerly shores were visited by William Dampier, as supercargo of the *Cygnets*, a trading vessel whose crew had turned buccaners. In 1699 he again visited Australia, in command of H.M.S. *Roebuck*, and on his return to England published an account in which a description is given of trees, flowers, birds and reptiles observed, and of encounters with natives.

At the end of the seventeenth century it was a question whether Tasmania and New Zealand were parts of Australia, or whether they were separated from it, but themselves formed part of a great Antarctic Continent. Lieutenant James Cook's first voyage, though primarily undertaken for the purpose of observing the transit of Venus from Otaheite, had also for its objective to ascertain whether the unexplored part of the southern hemisphere was only an immense mass of water or contained another continent. In command of H.M.S. *Endeavour*, a barque of 370 tons burden, carrying about 85 persons, and accompanied by Sir Joseph Banks, Dr. Solander the naturalist, Green the astronomer, draughtsmen and servants, Cook, after observing the transit of Venus at Otaheite, turned towards New Zealand, sighting that land on 7th October, 1769 in the neighbourhood of Poverty Bay. Circumnavigating the North and South Islands, he proved that New Zealand was connected neither with the supposed Antarctic Continent nor with Australia, and took formal possession thereof in the name of the British Crown. On 20th April, 1770, at 6 a.m., Cook sighted the Australian mainland at a place he called Point Hicks, naming it after his first-lieutenant, who first saw it. Coasting northwards, Botany Bay was discovered on 29th April, 1770. The *Endeavour* dropped anchor and Cook landed on the same day. Cook sailed along the coast in a northerly direction for nearly 1,300 miles until 11th June, 1770, when the *Endeavour* was seriously damaged by striking a coral reef in the vicinity of Trinity Bay. Repairs occupied nearly two months, and the *Endeavour* then again set her course to the north, sailing through Torres Strait and anchoring in the Downs on 13th July, 1771. In 1772 Cook was put in command of the ships *Resolution* and *Adventure*, with a view to ascertaining whether a great southern continent existed. Having satisfied himself that, even if it did, it lay so far to the south as to be useless for trade and settlement, he returned to England in 1774. Cook's last voyage was undertaken in 1776, and he met his death on 14th February, 1779, by which date practically the whole coast of Australia had been explored. The only remaining discovery of importance was the existence of a channel between Tasmania and Australia. This was made by Flinders and Bass in 1798.

§ 2. The Annexation of Australia.

1. **Annexation of Eastern Part of Australia, 1770.**—Although representatives of the nations mentioned in the previous section landed or claimed to have landed on the shores of Australia on various occasions during the sixteenth and seventeenth centuries, it was not until 23rd August, 1770 that the history of Australia was brought into definite political connexion with Western civilization. It was on that date that Captain Cook took possession “of the whole eastern coast, from latitude 38° to this place, latitude 10½° S., in right of His Majesty King George the Third.” Cook, however, proclaimed British sovereignty over only what are now the eastern parts of New South Wales and Queensland, and formal possession, on behalf of the British Crown, of the whole of the eastern part of the Australian continent and Tasmania was not taken until 26th January, 1788. It was on this last date that Captain Phillip’s commission, first issued to him on 12th October, 1786, and amplified on 2nd April, 1787, was read to the people whom he had brought with him in the “First Fleet.”

A full historical account of the period referred to may be found in the *Historical Records of New South Wales* Vol. 1., parts 1 and 2.

2. **Original Extent of New South Wales.**—The Commission appointed Phillip “Captain-General and Governor-in-Chief in and over our territory called New South Wales, extending from the Northern Cape or extremity of the coast called Cape York, in the latitude of ten degrees thirty-seven minutes south, to the southern extremity of the said territory of New South Wales or South Cape, in the latitude of forty-three degrees thirty-nine minutes south, and of all the country inland westward as far as the one hundred and thirty-fifth degree of east longitude reckoning from the meridian of Greenwich, including all the islands adjacent in the Pacific Ocean within the latitudes aforesaid of ten degrees thirty-seven minutes south and forty-three degrees thirty-nine minutes south.”

Although in November, 1769 Captain Cook had taken possession of the North Island of New Zealand, and in January, 1770 also of the South Island, it is a matter of doubt whether, at the time when Captain Phillip’s commission was drawn up, New Zealand was considered as one of the “islands adjacent in the Pacific Ocean.” The facts that under the Supreme Court Act (Imperial) of 1823 British residents in New Zealand were brought under the jurisdiction of the Court at Sydney, while in 1839 there was a proposal on the part of the British Government to appoint a consul in New Zealand, would leave this an open question, as nothing more than extra-territorial jurisdiction may have been intended. Various hoistings of flags notwithstanding, New Zealand does not appear to have unequivocally become British territory until 1840. In that year, on 29th January, Captain Hobson arrived at the Bay of Islands. On the following day he read the commission, which extended the boundaries of the Colony of New South Wales so as to embrace and comprehend the islands of New Zealand. On 5th February the Treaty of Waitangi, made with the native chiefs, was signed. Finally, on 21st May, British sovereignty over the islands of New Zealand was explicitly proclaimed.

3. **Extension of New South Wales Westward, 1825.**—On 17th February, 1824 Earl Bathurst advised Sir Thomas Brisbane that he had recommended to His Majesty the dispatch of a ship of war to the north-west coast of New Holland for the purpose of taking possession of the coast between the western coast of Bathurst Island and the eastern side of Coburg Peninsula. Captain James J. Gordon Bremer of H.M.S. *Tamar*, who was selected for the purpose, took possession on 20th September, 1824 of the coast from the 135th to the 129th degree of east longitude. On 16th July, 1825 the whole territory between those boundaries was described in Darling’s commission as being within the boundaries of New South Wales, thus increasing its area by 518,134 square miles, and making it, including New Zealand and excluding Tasmania, 2,076,308 square miles, or also excluding New Zealand, 1,972,446 square miles.

4. **Annexation of Western Australia, 1827.**—An expedition under Major Lockyer, sent by Lieutenant-General Sir Ralph Darling, then Governor of New South Wales, to found a settlement at King George III. Sound, sailed from Sydney on 9th November, 1826, landed at the Sound on 26th December following, and on 21st January, 1827 hoisted the British flag. Captain Stirling, in command of H.M.S. *Success*, arrived at Sydney a few weeks after the departure of the expedition to King George's Sound. He obtained the Governor's permission to visit Swan River with a view to seizing a position on the western coast and reporting upon its suitability as a place of settlement. Captain Stirling left Sydney on 17th January, 1827, and on his return in the following April submitted a glowing report on what he described as a "rich and romantic country," urging its occupation for the purpose of settlement. He left for England in July, 1827, continuing his advocacy—notwithstanding much discouragement—with unabated enthusiasm. He was at last successful, the result being mainly due to the formation of an association of prospective settlers having capital at their disposal. He was appointed Lieutenant-Governor and with a party of settlers arrived at Garden Island, near the Swan River, in the ship *Parmelia* in June, 1829. On the 2nd of the preceding month Captain Fremantle, in command of H.M.S. *Challenge*, arrived and hoisted the British flag on the south head of Swan River, again asserting possession of "all that part of New Holland, which is not included within the territory of New South Wales." Thus, before the middle of 1829, the whole territory now known as the Commonwealth of Australia had been constituted a dependency of the United Kingdom.

§ 3. The Creation of the Several Colonies.

1. **New South Wales.**—In Governor Phillip's commission of 1786 the mainland of Australia was divided by the 135th meridian of east longitude into two parts. The earliest colonists believed that the present State of Tasmania was actually joined to the mainland, and it was not till 1798 that the contrary was known. In that year, by sailing through Bass Strait, Flinders and Bass proved that it was an island. The territory of New South Wales, as originally constituted, and of New Zealand, which may be included although Cook's annexation was not properly given effect to until 1840, consisted of 1,584,389 square miles. A further area of 518,134 square miles was added in 1825, when the western boundary was extended to the 129th meridian. The territory was subsequently reduced by the separation of various areas to form the other colonies, and at the time of the establishment of the Commonwealth the area of New South Wales was 310,372 square miles.

2. **Tasmania.**—In 1825 Van Diemen's Land, as Tasmania was then called, was politically separated from New South Wales, being constituted a separate colony on 14th June of that year. The area of the colony was 26,215 square miles.

3. **Western Australia.**—The territory westward of the 129th meridian comprising 975,920 square miles was constituted a colony under the name of Western Australia in June, 1829. It was always distinct and independent of New South Wales, though until 1831 the settlement on King George's Sound remained under the latter jurisdiction.

4. **South Australia.**—On 15th August, 1834 the Act 4 and 5 William IV., cap. 95, was passed, creating South Australia a "province," and towards the end of the year 1836 settlement took place. The first Governor, Captain Hindmarsh, R.N., arrived at Holdfast Bay on 28th December, 1836, and on the same day the new colony was officially proclaimed. The new colony embraced 309,850 square miles of territory, lying south of the 26th parallel of south latitude, and between the 141st and 132nd meridians of east longitude. On 10th December, 1861, by the authority of the Imperial Act 24 and 25 Vic., cap. 44, the western boundary of South Australia was extended to coincide with the eastern boundary of Western Australia, namely, the 129th meridian. The area of the extension was approximately 70,220 square miles. Nearly two years later, on 6th July, 1863, the Northern Territory comprising 523,620 square miles was, by letters patent, brought under the jurisdiction of South Australia, which therefore controlled an area of 903,690 square miles.

5. **New Zealand.**—New Zealand, nominally annexed by Captain Cook and formally declared by proclamation in 1840 as a dependency of New South Wales, was, by letters patent of 16th November of that year, constituted a separate colony under the powers of the Act 3 and 4 Vic., cap. 62, of 7th August, 1840. Proclamation of the separation was made on 3rd May, 1841. The area of the colony was 103,862 square miles.

6. **Victoria.**—In 1851 what was known as the "Port Phillip District" of New South Wales was constituted the colony of Victoria, "bounded on the north and north-west by a straight line drawn from Cape Howe to the nearest source of the River Murray and thence by the course of that river to the eastern boundary of the colony of South Australia." The area of the new colony was 87,884 square miles, and its separate existence took effect from 1st July, 1851, upon the issuing of the writs for the first election of elective members of the Legislative Council.

7. **Queensland.**—The northern squatting districts of Moreton, Darling Downs, Burnett, Wide Bay, Maranoa, Leichhardt and Port Curtis, together with the reputed county of Stanley, were granted an independent administration and formed into a distinct colony under the name of Queensland by letters patent dated 6th June, 1859, although separation from New South Wales was not consummated until 10th December of the same year, upon the assumption of office of the first Governor. The territory comprised in the new colony was so much of the colony of New South Wales as lies northwards of a line commencing on the sea-coast at Point Danger in latitude about 28° 8' south, running westward along the Macpherson and Dividing Ranges and the Dumaresq River to the MacIntyre River, thence downward to the 29th parallel of south latitude, and following that parallel westerly to the 141st meridian of east longitude, which is the eastern boundary of South Australia, together with all the adjacent islands, their members, and appurtenances in the Pacific Ocean. The area of the colony thus constituted was 554,300 square miles. By letters patent dated 13th March, 1861, forwarded by the Colonial Secretary to the Governor of Queensland on 12th April, 1862, the area of Queensland was increased by the annexation of "so much of the colony of New South Wales as lies to the northward of the 26th parallel of south latitude, and between the 141st and 138th meridians of east longitude, together with all and every the adjacent islands, their members, and appurtenances, in the Gulf of Carpentaria." With this addition the area of Queensland became 670,500 square miles.

§ 4. Establishment of the Commonwealth of Australia.

1. **General.**—On 1st January, 1901 the colonies mentioned, with the exception of New Zealand, were federated under the name of the "Commonwealth of Australia," the designation of "Colonies"—except in the case of the Northern Territory, to which the designation "Territory" is applied—being at the same time changed into that of "States." The total area of the Commonwealth of Australia is 2,974,581 square miles. The dates of creation and the areas of its component parts, as determined on the final adjustment of their boundaries, are shown below :—

THE COMMONWEALTH OF AUSTRALIA : AREA, ETC., OF COMPONENT PARTS.

State.	Year of Formation into Separate Colony.	Present Area in Square Miles.	State.	Year of Formation into Separate Colony.	Present Area in Square Miles.
New South Wales(a)	1786	310,372	Tasmania	1825	26,215
Victoria	1851	87,884	Northern Territory	1863	523,620
Queensland	1859	670,500			
South Australia	1834	380,070	Area of the Commonwealth		2,974,581
Western Australia	1829	975,920			

(a) Includes the Australian Capital Territory embracing an area of 911 square miles, and 28 square miles at Jervis Bay. See par. 3 below.

2. **Transfer of the Northern Territory to the Commonwealth.**—On 7th December, 1907 the Commonwealth and the State of South Australia entered into an agreement for the surrender to and acceptance by the Commonwealth of the Northern Territory, subject to approval by the Parliaments of the Commonwealth and the State. This approval was given by the South Australian Parliament under the Northern Territory Surrender Act 1907 (assented to on 14th May, 1908), and by the Commonwealth Parliament under the Northern Territory Acceptance Act 1910 (assented to on 16th November, 1910). The Territory was formally transferred to the Commonwealth on 1st January, 1911, and became the Northern Territory of Australia.

3. **Transfer of the Australian Capital Territory to the Commonwealth.**—On 18th October, 1909 the Commonwealth and the State of New South Wales entered into an agreement for the surrender to and acceptance by the Commonwealth of an area of 911 square miles as the seat of Government of the Commonwealth. In December, 1909 Acts were passed by the Commonwealth and New South Wales Parliaments approving the agreement, and on 5th December, 1910 a proclamation was issued vesting the Territory in the Commonwealth on and from 1st January, 1911. By the Jervis Bay Territory Acceptance Act 1915, an area of 28 square miles at Jervis Bay, surrendered by New South Wales according to an agreement made in 1913, was accepted by the Commonwealth, and was transferred as from 4th September, 1915.

4. **Transfer of British New Guinea or Papua.**—Under the administration of the Commonwealth, but not included in it, is British New Guinea or Papua, finally annexed by the British Government in 1884. This Territory was for a number of years administered by the Queensland Government, but was transferred to the Commonwealth by proclamation on 1st September, 1906, under the authority of the Papua Act (Commonwealth) of 16th November, 1905. The area of Papua is about 90,540 square miles.

5. **Transfer of Norfolk Island.**—Although administered for many years by the Government of New South Wales, this Island was a separate Crown Colony until 1st July, 1914, when it was transferred to the Commonwealth under the authority of the Norfolk Island Act 1913. The Island is situated in latitude $29^{\circ} 3' 30''$ S. longitude $167^{\circ} 57' 5''$ E., and comprises an area of 8,528 acres.

6. **Territory of New Guinea.**—In 1919 it was agreed by the Principal Allied and Associated Powers that a mandate should be conferred on Australia for the government of the former German territories and islands situated in latitude between the Equator and 8° S., and in longitude between 141° E. and $159^{\circ} 25'$ E. The mandate was issued by the League of Nations on 17th December, 1920. The Governor-General of the Commonwealth was authorized to accept the mandate by the New Guinea Act 1920, which also declared the area to be a Territory under the authority of the Commonwealth by the name of the Territory of New Guinea. The Territory comprises about 93,000 square miles, and the administration under the mandate dated from 9th May, 1921. New Guinea is now administered under Trusteeship Agreement with the United Nations, approved 13th December, 1946.

7. **Nauru.**—In 1919 the Governments of the United Kingdom, Australia and New Zealand entered into an agreement to make provision for the exercise of the mandate conferred on the British Empire for the administration of the island of Nauru, and for the mining of the phosphate deposits thereon. The island is situated in latitude $0^{\circ} 32'$ south of the Equator and longitude $166^{\circ} 55'$ east of Greenwich, and comprises about 5,263 acres. The agreement provided that the administration of the island should be vested in an administrator, the first appointment to be made by the Commonwealth Government, and thereafter in such manner as the three Governments decided. The agreement was approved by the Commonwealth Parliament in the Nauru Island Agreement Act 1919, and a supplementary agreement of 30th May, 1923, giving the Government immediately responsible for the administration greater powers of control over the Administrator, was approved in 1932. The administration under the mandate has operated from 17th December, 1920, and so far the administrators have been appointed by the Commonwealth Government. As with the Territory of New Guinea, Nauru is now administered under Trusteeship Agreement with the United Nations.

8. **Territory of Ashmore and Cartier Islands.**—By Imperial Order in Council, dated 23rd July, 1931, Ashmore Islands, known as Middle, East and West Islands, and Cartier Island, situated in the Indian Ocean off the north-west coast of Australia, were placed under the authority of the Commonwealth. The islands were accepted by the Commonwealth in the Ashmore and Cartier Islands Acceptance Act 1933 under the name of the Territory of Ashmore and Cartier Islands and were transferred on 10th May, 1934. The Act authorized the Governor of Western Australia to make ordinances having the force of law in and in relation to the Territory. An amendment to the 1933 Act in July, 1938 annexed the islands to the Northern Territory, whose laws, ordinances and regulations, wherever applicable, thereupon applied.

9. **Australian Antarctic Territory.**—An Imperial Order in Council of 7th February, 1933 placed under Australian authority "all the islands and territories other than Adélie Land which are situated south of the 60th degree of South Latitude and lying between the 160th degree of East Longitude and the 45th degree of East Longitude."

The Order came into force with a proclamation issued by the Governor-General on 24th August, 1936, after the Commonwealth Parliament had passed the Australian Antarctic Territory Acceptance Act on 13th June, 1933. The boundaries of Adélie Land were definitely fixed by a decree of 1st April, 1938 as latitude 60° S., longitude 136° E. and longitude 142° E.

10. **Macquarie Island and Heard and McDonald Islands.**—Macquarie Island, about 1,000 miles south-east of Hobart, has been a dependency of Tasmania since the nineteenth century.

Heard and McDonald Islands, about 2,500 miles south-west of Fremantle were transferred from United Kingdom to Australian control as from 26th December, 1947. The laws of the Australian Capital Territory were declared to be in force in the Territory of Heard and McDonald Islands by the Heard and McDonald Islands Act 1953.

§ 5. The Exploration of Australia.

A fairly complete, though brief, account of the exploration of Australia was given in Official Year Book No. 2 (pp. 20-39), and a summary of the more important facts relating to the subject was embodied in this Chapter in succeeding issues up to and including No. 22.

§ 6. The Constitutions of the States and of the Commonwealth.

1. **General.**—Information regarding the development of the Constitutions of the various Colonies (now States), together with a brief history of the Federal movement in Australia, was embodied in this Chapter in issues of the Official Year Book up to No. 22.

2. **Commonwealth Constitution Act.**—The Commonwealth of Australia Constitution Act, 63 and 64 Vict., Chapter 12, namely: "An Act to constitute the Commonwealth of Australia," as amended by the Constitution Alteration (Senate Elections) 1906, the Constitution Alteration (State Debts) 1909, the Constitution Alteration (State Debts) 1928, and the Constitution Alteration (Social Services) 1946 has been included *in extenso* in previous issues, but is omitted from this issue.

There have been no changes in the Constitution since the previous publication thereof in the Year Book.