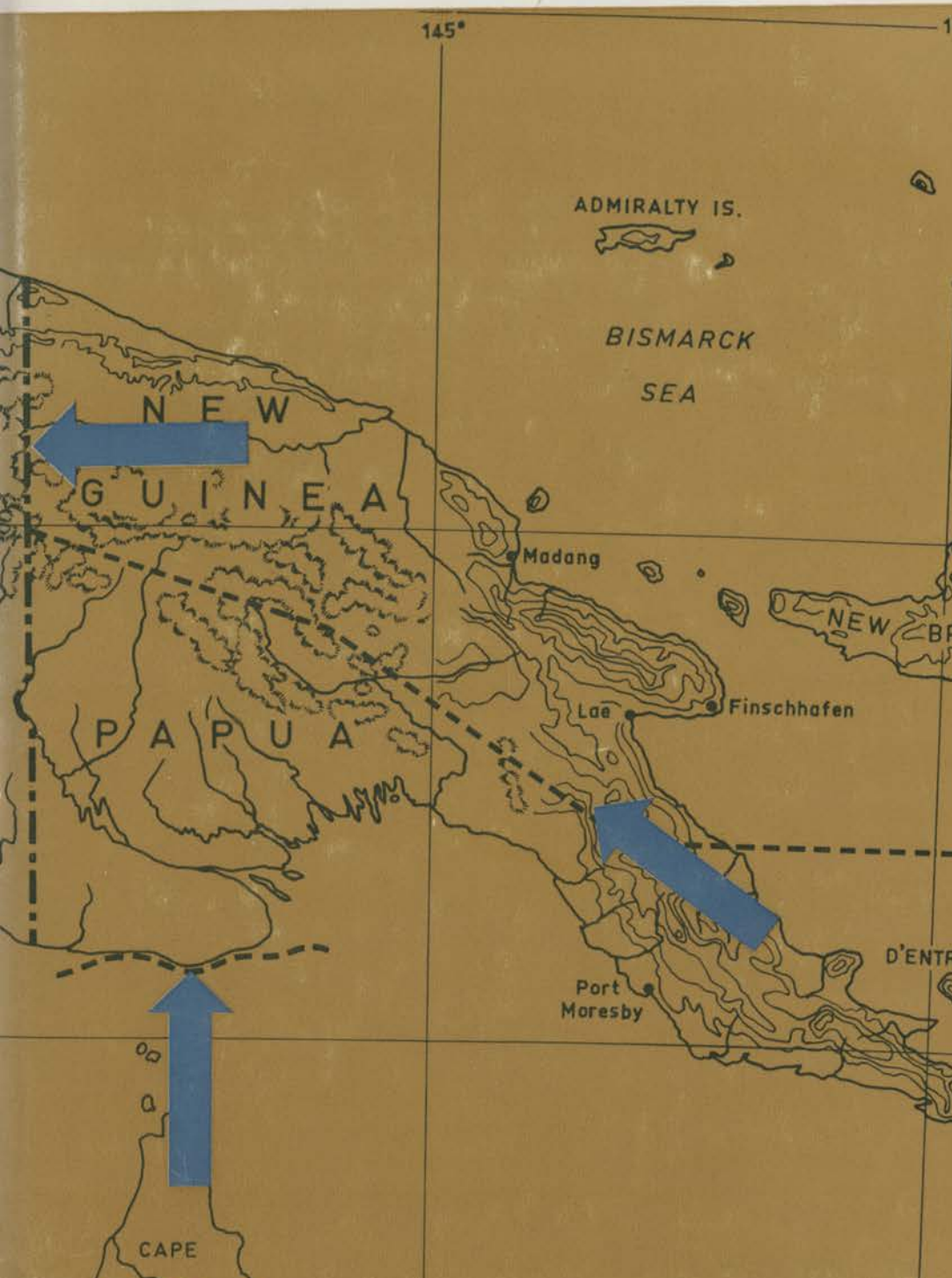


SEARCH FOR NEW GUINEA'S BOUNDARIES

*From Torres Strait
to the Pacific*

Paul W. van der Veur



SEARCH FOR NEW GUINEA'S BOUNDARIES

From Torres Strait to the Pacific

This is the first study of the origin and evolution of the borders that Western powers have imposed upon New Guinea. Making extensive use of diplomatic correspondence, official documents, and Australian and Dutch patrol reports from the end of the nineteenth century up to the 1960s, Dr van der Veur gives the reader an insight into what happens when diplomats and officials of different colonial administrations are faced with periodic crises over invisible boundaries.

In this work the Irian boundary receives the most intensive treatment, but attention is also paid in separate chapters to the peculiar border between Queensland and Papua, and the lines which separate the Trust Territory of New Guinea from Papua and the British Solomons. In his conclusion the author surveys the heritage of absentee boundary-making and general unconcern, and points to several idiosyncracies and unsolved problems.

The text is supported by some excellent maps, while the reader interested in consulting the original documents, most of which have not been published previously, may do so in a companion volume, *Documents and Correspondence on New Guinea's Boundaries*.

Search for New Guinea's Boundaries will be of great interest not only to specialists in international relations and political geography but also to the general reader, for it treats a topic which is gaining in international importance in a scholarly and straightforward manner, often touched with humour.

Jacket design by Robin Wallace-Crabbe

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Paul W. van der Veur was born in Sumatra, and received his education in Indonesia and the United States, where he obtained his Ph.D. from Cornell University. He taught at Yale University and the University of Hawaii before joining the Department of Pacific History, Institute of Advanced Studies, Australian National University.

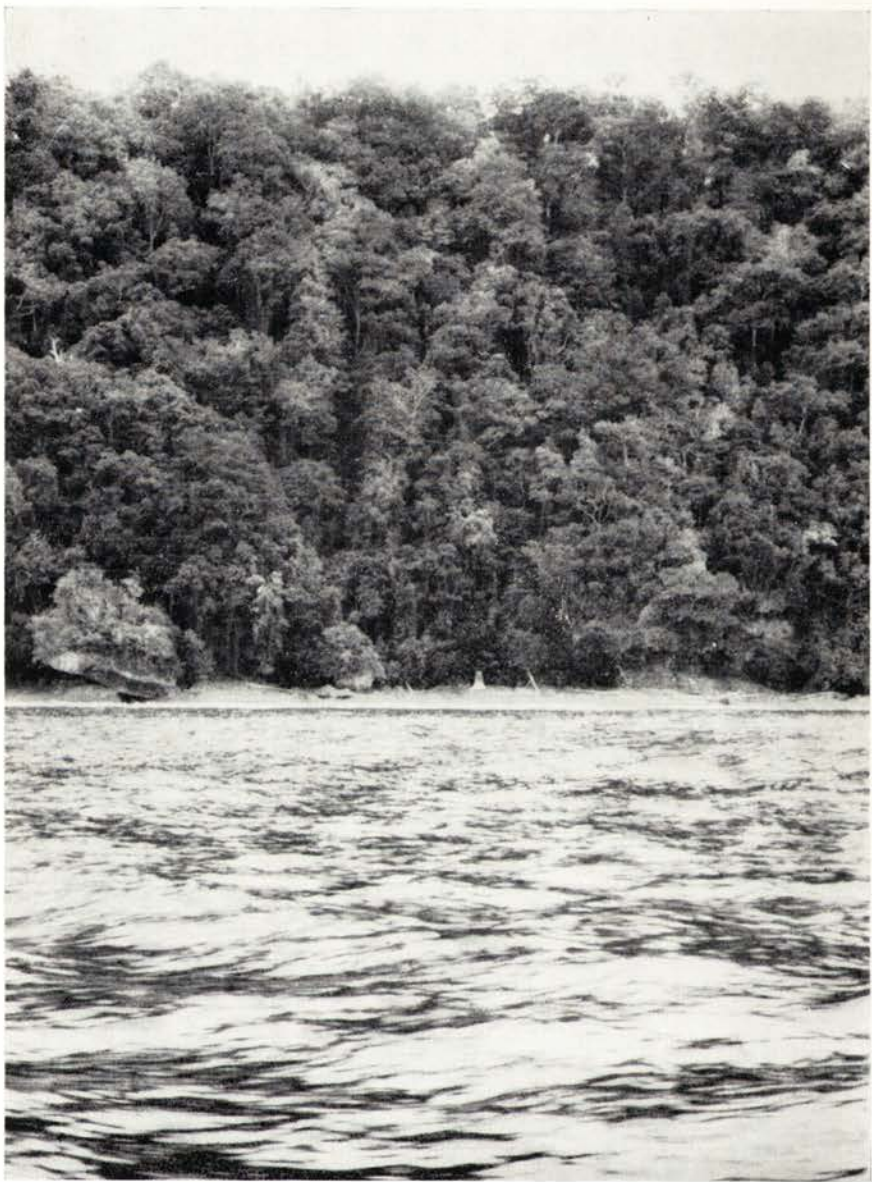
Dr van der Veur has visited both west and east New Guinea on several occasions over the past four years. His writings include articles on the Eurasians of Indonesia, political development in West Irian and Papua-New Guinea, and the boundaries of New Guinea. He was Co-director of the Indonesia Research Project at Yale University which produced the three-volume set *Indonesia* for the Human Relations Area Files (1956), and together with David G. Bettison and Colin A. Hughes edited *The Papua-New Guinea Elections 1964* (1965). He joined the staff of the Northern Illinois University in September 1966 as Professor of Comparative Politics.

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Search for New Guinea's Boundaries



The Wutung obelisk seen from the Pacific Ocean. Here the Irian boundary supposedly begins, but where it goes remains unknown. (Netherlands Topographical Service, Delft.)

Search for New Guinea's Boundaries

From Torres Strait to the Pacific

Paul W. van der Veur

*Department of Pacific History
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Preface

The paucity of published material on the borders of New Guinea and the international significance of the Irian boundary led me to bring together the information I had gathered over the past few years. Ideally, a book of this kind should cover the subject in its total historical and geographical context. The aim of this work is more modest: it intends merely to throw some light on the birth and development of New Guinea's boundaries. With this purpose in mind, after an introductory chapter attention is given to the historical events leading up to the partition of New Guinea among three European powers. In subsequent chapters the development of the boundaries between the various parts of the island is discussed. It is realized that this approach may tend to convey the impression that each particular border is in some way unique. This, however, is not intended and it is hoped that the reader will recognize some of the common underlying themes and problems which are given attention in the introductory and concluding chapters.

It was intended originally to present in a brief appendix those documents which define the borders. It soon appeared desirable to include also the unpublished records of more recent border conferences and relevant correspondence leading up to the actual treaties, exchange of notes, Orders in Council, or (as the case might be) lack of action. In light of this expansion and the fact that the documents may not hold the same interest for the average reader as for the student, they appear in a separate sister volume (*Documents and Correspondence on New Guinea's Boundaries*). Cross-references are made to these documents (abbreviated *D. & C.*) in several places.

Permission to consult and publish post-1914 material was granted by the Departments of External Affairs and Territories in Canberra and the Ministries of Foreign Affairs and Interior at The Hague. The reports of West New Guinea officials (*Memories van Overgave*) were consulted in Hollandia (now Sukarnapura) in 1962 and 1963. Citations from sources not in English are given in translated form. As titles of officials and designations of administrative divisions are not always comparable these have been left in the original. Brief descriptions of their meaning are given in Appendix I.

Although my debt is to many, I would like to single out for particular acknowledgment Mr H. J. Gibbney, formerly with the Commonwealth Archives Office in Canberra, Dr J. Woltring and Miss L. J. Ruys of the Archive Section of the Ministry of Foreign Affairs in The Hague, Mr B. P. Lambert, Director of National Mapping (Canberra), and

Dr J. Cumpston, Historian in the External Affairs Department who patiently assisted in many ways. Thanks are also due to Mr J. N. Jennings and Dr H. C. Brookfield of the Department of Geography of the Australian National University for valuable comments on the original manuscript and to Mrs C. Richmond, former Research Assistant in the Department of Pacific History, whose assistance was available during the early stages of the project. The cartographers in the Department of Geography cheerfully responded to what may have seemed like an unending stream of requests by producing maps which greatly contribute to whatever merit this study may have. Miss I. M. Goodin and Mrs. J. Briggs bore the brunt of the typing, Miss M. Anderson compiled the index, while the final product profited from the care of the staff of the Australian National University Press. The editors of the *Australian Journal of Politics and History* and the *Australian Outlook* granted permission for use of material published in 1964 and 1964-5 respectively. Naturally, I alone am responsible for the data presented.

PAUL W. VAN DER VEUR

Australian National University
January 1966

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Abbreviations

- A.D.E.A.* Australia, Department of External Affairs
A.J.I.L. The American Journal of International Law
A.P.C.A. The Acts of the Parliament of the Commonwealth of Australia
A.R.B.N.G. Annual Report on British New Guinea
A.R.T.N.G. Annual Report of the Territory of New Guinea
A.R.T.P. Annual Report of the Territory of Papua
B.T.L.V.N.I. Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië
B.Y.B.I.L. The British Year Book of International Law
C.A.G. Commonwealth of Australia Gazette
C.A.O. Commonwealth Archives Office (Canberra)
C.P.D. Commonwealth [of Australia] Parliamentary Debates
C.P.P. Commonwealth [of Australia] Parliamentary Papers
C.S.R. Commonwealth [of Australia] Statutory Rules
G.B.B.F.S.P. Great Britain [Foreign Office], British and Foreign State Papers
G.B.S.P. Great Britain [House of Commons], Sessional Papers
G.B.S.R.O. Great Britain, Statutory Rules and Orders
G.J. The Geographical Journal
H.A.D. Territory of Papua and New Guinea, House of Assembly Debates
H.C.T. Hertslet's Commercial Treaties
L.N.P.M.C. League of Nations, Permanent Mandates Commission
L.N.T.S. League of Nations Treaty Series
N.B.H.S.G. Netherlands, Bijlagen tot de Handelingen van de Staten-Generaal
N.H.S.G. Netherlands, Handelingen Staten-Generaal
N.K.V. Netherlands, Koloniaal Verslag (Verslag van het Beheer en den Staat der Oost-Indische Bezittingen, and similar titles, before 1866)
N.K.W. Nachrichten über Kaiser Wilhelms-Land und den Bismarck-Archipel
N.L.E.A. Netherlands, London Embassy Archives
N.M.Bi.Z.A. Netherlands, Ministerie van Binnenlandse Zaken, Archief
N.M.B.Z.A. Netherlands, Ministerie van Buitenlandse Zaken, Archief
N.N.G.M.O. Netherlands New Guinea, Memories van Overgave [Reports by West New Guinea officials on handing over to their successors]
P.I.M. Pacific Islands Monthly

- P.R.* *Patrol Reports of the Territory of Papua and New Guinea*
Q.G.G. *Queensland Government Gazette*
Q.S. *Queensland Statutes*
R.A.N.I. *Regerings-Almanak (after 1883, Regeeringsalmanak) voor
Nederlandsch-Indië*
S.M.H. *Sydney Morning Herald*
S.N.I. *Staatsblad van Nederlandsch-Indië*
S.P.P. *South Pacific Post*
T.G.S. *Transactions of the Grotius Society*
T.I.T.L.V. *Tijdschrift Indische Taal-, Land- en Volkenkunde*
T.K.N.A.G. *Tijdschrift Koninklijk Nederlandsch Aardrijkskundig
Genootschap*
U.N.G.A.O.R. *United Nations General Assembly Official Records*
U.N.T.C.O.R. *United Nations Trusteeship Council Official Records*
U.N.T.S. *United Nations Treaty Series*
V.B.G.K.W. *Verhandelingen van het Bataviaasch Genootschap van
Kunsten en Wetenschappen*

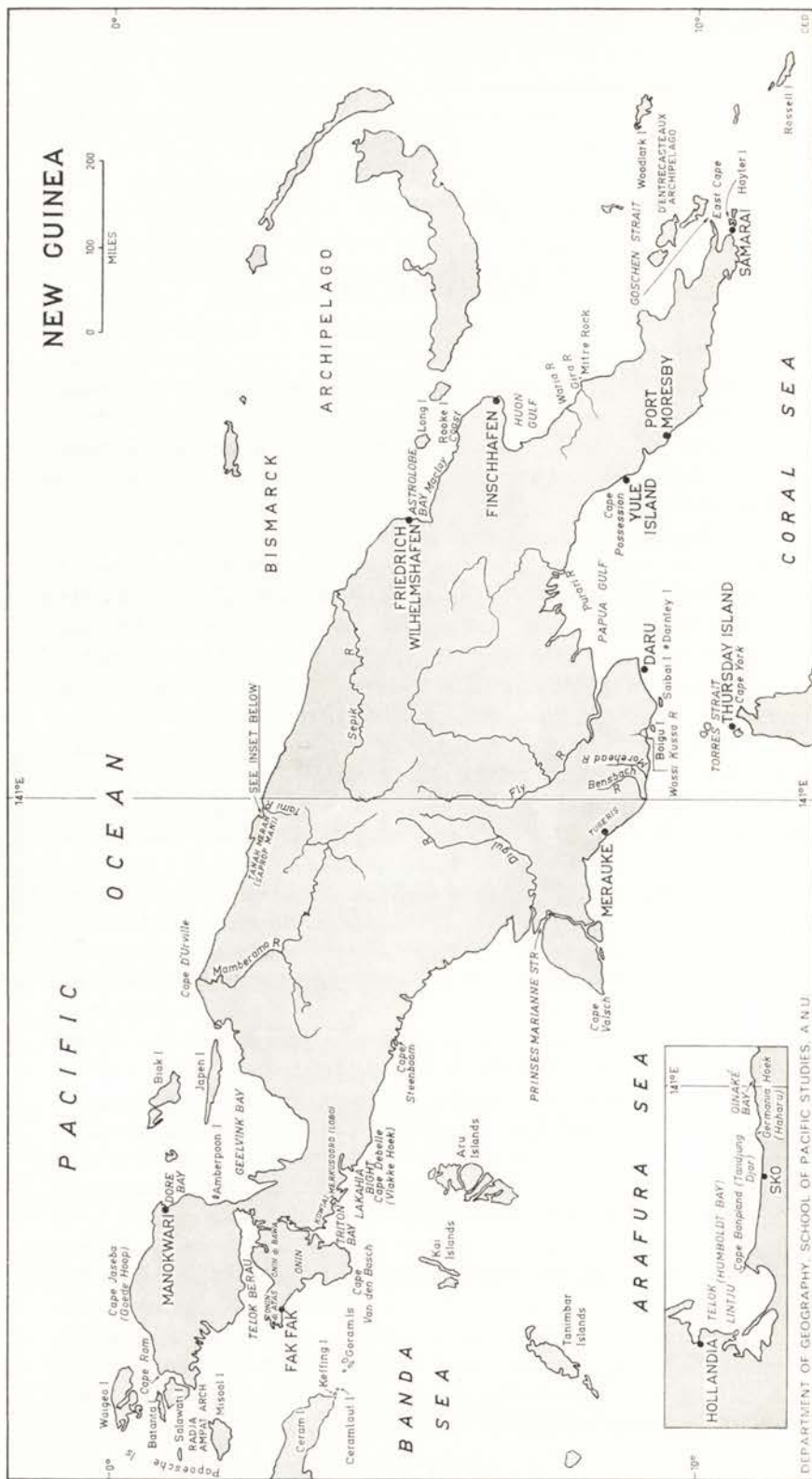
Introduction

Primitive inhabitants, immense swamps, and a deadly climate combined to provide a protective wall around New Guinea which long thwarted intervention and even exploration. Its location in a backwater at the far end of both the Indian and Pacific Oceans meant that such early contacts as were established, mainly by the corsairs and traders of the various islands in the Moluccas, were restricted to small and isolated pockets along the fringe of western New Guinea.

European explorers sometimes sailed along New Guinea's coasts but their occasional acts of annexation were not taken up by their respective governments. Of the European powers, only the Dutch maintained a long, albeit haphazard, interest because of their monopoly of the spice trade in the neighbouring Moluccas. They were satisfied, however, to view New Guinea as a convenient buffer against foreign interests and to recognize the supposed claims of their protectorate of Tidore to some of the coastal islands off the western tip.

British activity off the northern shore of Australia spurred the Dutch into an expedition in 1828. A formal act of annexation claimed for the Dutch Crown the territory from the 141st meridian of East Longitude to the Cape of Good Hope in the north-west. This was followed in 1848 by another (overlapping) claim: a secret decree extended Tidore's rule to all territory between the 141st meridian in the south and Cape Bonpland, east of Humboldt Bay, in the north. Although this decree can be regarded at most to have staked out a provisional claim, the territorial limits of Dutch possession which were eventually accepted were generally identical with this definition.

Australian anxiety over possible European expansion in the south-west Pacific led to annexation of the islands off Cape York Peninsula by Queensland in 1872 and of all the Torres Strait islands in 1879, an abortive attempt to annex New Guinea in 1883, and the assumption of a British Protectorate over the southern shores of New Guinea in 1884. Tripartition of the island was completed with the German flag-raising ceremonies in the Bismarck Archipelago and the north coast of New Guinea in October-December 1884 and the Anglo-German agreements of 1885-6. The colony of British New Guinea became the (Australian) Territory of Papua in 1906 and a mandate over the former German New Guinea was conferred upon His Britannic Majesty for and on behalf of the Commonwealth of Australia in 1920.



Isolated and contented behind their vast continental land mass and New Guinea 'buffer', Australians displayed little interest in the borders of their northern possessions—or, for that matter, in the possessions themselves. Inaccurate descriptions of the western boundary are found in several publications, including official ones, which gloss over or blandly ignore the redefinition of the Anglo-Dutch boundary made in the Convention of 1895.¹ Not that the 'official instruments' themselves which define this boundary are free of serious ambiguities. Furthermore, astronomical border observations taken at various times provided surprises. Of special interest is the astronomical position of the Bensbach River, since the meridian which goes through the middle of the mouth of this stream forms the boundary for over 150 miles until its intersection with the Fly River. By an accident of human geography, however, any discrepancy in the location of the border in this area is of little consequence.

To Australians looking north, Queensland's boundary may not seem unusual; to Papuans looking south, however, it will soon be obvious that the boundary lies (as Sir William MacGregor once put it) 'within less than a bowshot' of the Papuan shore. Within it are not only the off-shore islands of Cape York Peninsula but practically all islands of Torres Strait. Even mangrove-fringed Saibai, within two miles of the Papuan shore, and members of the Talbot group at the mouth of the Wassi Kussa River, within a few hundred yards of Papua, fall under Queensland jurisdiction. It is almost impossible to sail from Daru, just south of the Fly estuary, to the western border of Papua without passing through Queensland waters. Proposals for border revision made in the 1880s and 1890s were stranded in sight of the harbour.

Queensland's territorial jurisdiction did not extend to the waters outside the three-mile limit of its Torres Strait possessions—where most of the valuable sedentary fisheries are found. However, the Australian Continental Shelf Proclamations of 1953 and the Pearl Fisheries Regulations of the same year placed the resources of the whole region within the Queensland maritime boundary line in the Torres Strait under Australian jurisdiction. The same legislation does grant Papua (and the Trust Territory of New Guinea) a sweeping expanse of 'proclaimed waters' in which the search for pearl-shell and other sea treasures falls under their jurisdiction, but most of these waters form part of the Coral Sea, Solomon Sea, and Pacific Ocean with depths ranging between 1500 and 2500 fathoms—prohibitive for exploration and exploitation.

The boundary between Papua and the Trust Territory of New Guinea is a heritage of the Anglo-German past. Considering that the diplomats were mainly concerned with arriving at a fair division and possessed no knowledge of the New Guinea interior, the geometrical boundary lines which they carved through the heart of New Guinea served their purpose remarkably well. Any unsatisfactory aspects have been obscured rather effectively by the fortuitous elimination of the

Germans caused by the post-World War I transfer of German New Guinea to Australia—which has exercised jurisdiction first as a Mandatory Power and then as Administering Authority of the Trust Territory—and by the formation of the administrative union of the two territories in 1949.

Maps can highlight boundary peculiarities and at the same time may initiate misconceptions. The wording of the Queensland Coast Islands Act and the Papua and New Guinea Act stimulated 'cartographical chauvinism', and a solid boundary line was drawn around Papua and New Guinea through thousands of miles of the high seas. This has created the false impression that the Commonwealth government considered these waters part of an 'Australian lake' and subscribed to the same 'archipelago theory' as some of its Asian neighbours.² It led to such official statements as 'The Trust Territory of New Guinea extends from the equator to eight degrees south latitude', while the closest group of rather forlorn atolls under Australian jurisdiction is approximately fifty miles south of the equator.³

This bird's eye view of New Guinea's boundaries exemplifies absentee boundary-making. Partition, however, has had no disastrous consequences for the indigenous inhabitants. In the case of the former Anglo-German boundary the feverish search for gold by intrepid prospectors only led to the discovery of large numbers of people in the Highlands in the early 1930s—well after the elimination of German rule. As for the Irian boundary, population was sparse in the border zone and ignorance of the location of the border forced officials to take a rather nonchalant view of the imaginary line even in those areas where some kind of administrative control had been established. Although the situation had begun to alter by 1963, it was still possible to visit regions where people engaged in shifting cultivation moved across the border in complete ignorance of its existence. This is not to say, however, that New Guinea's boundaries have had no effect. Whenever a particular administration or missionary organization established itself more or less effectively in a frontier region it naturally placed its stamp on the type of village organization, schooling, brand of Christianity, and lingua franca. The boundary, therefore, served as an important cultural barrier. Police Motu became the lingua franca in Papua, *Moluks Maleis* (a Moluccan version of bazaar Malay) in western New Guinea, and various brands of Neo-Melanesian (Pidgin) in the former German New Guinea. A type of Neo-Melanesian, different from that spoken in neighbouring Bougainville, developed in Shortland Island just across the international boundary, and Pidgin English was employed in the Torres Strait islands.

There were other differences as well. With the sale of liquor to natives prohibited in Papua-New Guinea until late 1962, illicit traffic in this commodity flowed into the Australian part from the Torres Strait islands and, in the post-World War II period, from Hollandia. The

plume trade flourished in the Dutch part of New Guinea until the mid-1920s when the Australian example of prohibiting the hunting of birds of paradise was followed. Meanwhile, however, Malay hunters had penetrated the interior and the Sepik District's lonely Vanimo Patrol Post owed its establishment to an attempt to halt the smuggling of birds to Hollandia. Both the erstwhile activities of the Malay hunters and the subsequent attraction of Hollandia, Merauke, and even Mindiptana, as centres of 'civilization' and employment contributed towards the widening of the horizons of the border peoples in the Australian part—and to the spread of bazaar Malay across the boundary into the Sepik and Moejoe-Ninggerum border areas. Similarly, the pearl-shelling industry in the Torres Strait attracted the coastal Papuans of the Western District, notably the Kiwai islanders of the Fly River estuary. Easier access from the west coupled with neglect in the east also led to the peaceful physical penetration of Dutch authority and missionary activity across the Irian boundary. Although the Australian Administration had absorbed these enclaves administratively by the time the Dutch were forced to depart from western New Guinea, the practical results of Dutch activity were not easily undone.

One of the themes running through the following chapters is that New Guinea's boundaries have been thought of too little in the past. But criticism on this count naturally has to be tempered in light of the almost insurmountable obstacles which climate, disease, inhospitable terrain, and the unexplored nature of the country imposed. Added to this is the fact that Australia lost interest in New Guinea the moment she acquired it, that west New Guinea to the Dutch was the last waggon on the train of their vast colonial empire, and that a vast *terra incognita* served as a buffer between Papua and Kaiser Wilhelmsland. The statement of the American geographer Nicholas J. Spykman that boundaries are not only lines of demarcation but also points of contact between 'territorial power structures' is thereby rendered largely inoperative—at least until 1962.⁴

New Guinea Annexations

The Early Period, until 1824

The late Muhammad Yamin might not have been surprised if future demarcators of New Guinea's central boundary stumbled upon remnants of border markers placed there more than 2000 years before by intrepid Indonesian empire builders.¹ Historical evidence for such early Indonesian influence, however, remains scanty. The list of tributaries to Java's Modjopahit empire in the Nāgara-Kĕrtāgama, recorded by the poet Prapañca about 1365 A.D. during the zenith of its rule, does include the names of Wwanin and Seran.² These have been identified with the Onin and Kowiai regions of south-western New Guinea and point to some contemporary familiarity of the Javanese with that part of the island.³ More significant and lasting were the relations of the inhabitants of Ceram and some of the other islands of eastern Indonesia with parts of westernmost New Guinea and its off-shore islands. But limited expansion also took place from the New Guinea side. The Biak hero Goera-bèsi, for example, is supposed to have married the daughter of the Sultan of Tidore and to be the legendary progenitor of the four rulers of the islands off the western tip of New Guinea, known as the Radja Ampat (Four Princes) Archipelago.⁴

The arrival of the first Europeans in east Indonesian waters in the early part of the sixteenth century had little immediate impact on New Guinea's territorial status. Ynigo Ortiz de Retes is credited with taking possession of the island for the Spanish Crown when he landed near the Mamberamo River in 1545.⁵ This annexation (and the one by Torres in 1606) merely had symbolic significance and whatever claim Spain may have had on *Nueva Guinea* by virtue of European discovery was eliminated by the Treaty of Utrecht in 1714.⁶

Dutch explorations along the southern shores of New Guinea in the early seventeenth century went beyond Cape Valsch, but when Dutch explorers reached the shallow and dangerous waters between New Guinea and the Cape York Peninsula—assumed to represent a cul-de-sac rather than a possible passage—they swerved southward into the Gulf of Carpentaria.⁷ A more systematic attempt to establish trade relations was made in the 1670s. But the abortive 'Treaty of Peace and the Rules concerning the Future Trade in Slaves and Massoi' between

Johannes Keyts and the *orang kaya* (leaders) of Keffing (Ceramlaut) and Ony (Onin) merely confirmed the East India Company's belief that only trouble could be gathered from these dismal regions.⁸

The attempt by the Company to safeguard its monopoly of the valuable spice trade in the Moluccas, however, had indirect effects. The Company's grand design was the extirpation of clove and nutmeg trees anywhere outside selected locations, the prevention of other nations—European or Asian—settling or trading in the eastern region, and the control of smuggling and piracy. For this reason it concluded treaties with the potentates of eastern Indonesia and sent punitive and exploratory expeditions to the New Guinea rimland whenever rumours about Spanish or British 'intruders' or reports of excessive smuggling and piracy reached the headquarters in Ambon or Batavia.⁹ The 'Eternal Alliance' of 1660, for example, burdened the Sultans of Batjan, Ternate, and Tidore with the faithful implementation of the Company's design for which they received an annual stipend.¹⁰ These treaties naturally required some definition of the territorial limits of the Sultanates. A cryptic reference to New Guinea is made only under the listing of Tidore's territories where one finds included the 'Papuan islands or all other islands belonging to those'.¹¹ In a letter written in 1671, the ruler of Tidore indicated that 'the Papuan [region]' began 'from the tip of Onin westward along the coast, but that the principal islands consisted of Waigammo, Salawati, Batanta, Mesowal or Misool, Waigioe or Poeloe Wardjoe'.¹² It would appear, however, that the traders and corsairs from Ceram and the neighbouring Ceramlaut islands could make a stronger claim on the Onin peninsula than Tidore; moreover, in most of the Radja Ampat Archipelago Tidore's rule vanished the moment its armed *cora-coras* (prahus) disappeared from the horizon. It is evident from the despatches that the East India Company realized that Tidore's legal claim was 'somewhat chimerical',¹³ but it was satisfied as long as its main purpose—the creation of a spiceless no-man's-land and a natural buffer against foreign intrusions—was accomplished. As a panacea for actual possession of isolated places in the eastern part of the archipelago, the Company also placed signs to indicate that these localities were the Company's property. Here again it was very much aware that '*living possessors are better and stronger witnesses for a continued and immediate possession than dead stones and monuments*'.¹⁴

The gradual disintegration of the Company and the decline of Dutch seapower in the eighteenth century promoted smuggling and piracy, loosened the hold over the east Indonesian protectorates, and brought foreign interests into east Indonesian waters. As Captain Thomas Forrest, who sneaked into New Guinea waters with the *Tartar Galley* in 1774–5, commented:

The Dutch seem to claim a right to all the Molucca islands, more from the forbearance of other European nations, than from any just title. I am not certain whether the islands of Waygiou, Mysol, Batanta and Salwattay, may not also be claimed by them; but I resolved, from Tuan Hadjee's report, and what I had learned of others, to go beyond those islands, as far as the coast of New Guinea, *where surely the Dutch can have no pretensions*.¹⁵

Forrest was the first European explorer (and employee of the British East India Company) to visit the 'land of Dory' (present-day Manokwari) where he found nutmeg trees on neighbouring Manaswary Island and picked 'above one hundred plants' which he intended to carry back to Balambangan, the British East India Company outpost off the tip of north-eastern Borneo.¹⁶

Another British East India Company sponsored trip to New Guinea waters was made in 1791–2 by Captain John McCluer, who, on one of his subsequent trips, hoisted the British flag on tiny Gebe Island (October 1794). Implementation of this annexation was discussed in British India at length but finally abandoned.¹⁷ Yet another quickly forgotten act of annexation occurred during the same period. In the Torres Strait, a brief and unhappy stay by Captains Bampton and Alt on Darnley Island led to a proclamation (July 1793) taking possession of 'this island and the neighbouring ones, and the coast of New Guinea'.¹⁸ McCluer's account of his experiences to a colleague in the Bombay Marine, Lieutenant John Hayes, led to the first European attempt toward effective occupation in New Guinea. So impressed was Hayes with the country and the spices he found when he anchored at Doreh Bay in September 1793 that he had a fort built and proclaimed himself Governor of 'New Albion'. He took possession of the whole northern coast of New Guinea from Waigeo in the west to Rossell Island in the east 'on behalf of the King and Nation of Great Britain'.¹⁹ But Hayes's petition for protection of the colony was rejected by the British East India Company, whose Council concluded that the establishment of a New Guinea settlement 'on the Company's account' would not be justified.²⁰

One further reference to Tidore's territorial holdings in New Guinea appears in the treaty of 1814, signed by Ternate and Tidore. Tidore's rule was said to extend over 'the whole of the Papoa Islands, and the four districts of Mansarij, Karendefur, Ambarpura and Umbarpun'.²¹ One scholar became so impressed with this listing (comparing it with 'the vague ambiguities' of the Treaty of 1660) that he saw an 'almost routine acceptance' of Tidore's sovereignty rights 'over the Papuan islands and large sections of mainland New Guinea'.²² It is hard to share this enthusiasm as the location of the four 'districts' has remained unclear. They may refer merely to some of the old Biak-Numfurese settlements in the Geelvink Bay and the Radja Ampat's Salawati Island.²³

The Western Part, 1824–1875

The Treaty of London signed by Britain and the Netherlands in March 1824 contains no direct reference to New Guinea. A future claim to the island by either of the signatories appears to be left open by implication, subject only to the requirement that any settlement formed should have previous authority from the respective government.²⁴ The Dutch claim on New Guinea, in the meantime, continued its traditional vagueness. The Government Gazette of the Netherlands Indies, for example, described the territory of the Residency of Ternate as including 'the Papuan Islands *Waijges*, *Sallawatti* and *Mijsle* and that part of *Nieuw Guinea* which is under the sovereignty of *Tijdore*'.²⁵ Rumours in early 1826 that the British had established a post on the south coast of New Guinea, east of the Aru Islands, finally brought a clarification.²⁶ Although an on-the-spot investigation quickly disproved British activity in this area, the Governor of the Moluccas (Pieter Merkus) grasped the opportunity to suggest an end to the threat of a British annexation. In his report to Batavia he indicated that as a first safeguard he had demanded and received a statement from the Sultan of Tidore in which this ruler had marked out '*that whole island [of New Guinea] as a Tidorese possession*'.²⁷ Merkus proposed to take possession of New Guinea either by cession from Tidore or, if the right of that ruler to the above-mentioned island were somewhat in doubt, by effective occupation of a point along the coast. Correspondence on the matter reached the Minister of Navy and Colonies in the Netherlands who announced that, after weighing the various factors involved, the King had given approval:

To take possession of the west coast of New Guinea, from the Cape of Good Hope (north coast) to Cape Valsch or further southward; while leaving it to the discretion of the Governor-General to place a small establishment on the coast of New Guinea, if His Excellency considered this absolutely necessary, especially in the interest of the Pacific fisheries.²⁸

Governor Merkus, responsible for the actual launching of the expedition, appointed A. J. van Delden as Government Commissioner and instructed him to proceed to New Guinea on the corvette *Triton* which, together with the schooner *Iris*, had been assigned to duty in New Guinea waters. His main task was to locate a suitable spot for a military post, hoist the Dutch tricolor, and take possession in H.M.'s name of 'N. Guinea and its interior' from the 141st meridian on the south coast to the Cape of Good Hope on the north coast, except that rights of the Sultan of Tidore to a number of districts within this region were not to be usurped. Merkus also suggested that the most suitable location for the establishment of the post appeared to be 'the banks of the [Dourga] river' which had been explored by Lieutenant-Commander D. H. Kolff a couple of years before, but he left the final decision to the Commis-

sioner in case 'a better spot was located'.²⁹ Because the garrison was small, Merkus recommended that preferably the post should not be located in a region frequented by the traders from Ceram and Goram who might fear the loss of their exclusive trade and 'incite the population against the Government's garrison'. Finally, Van Delden was instructed to select a healthy spot.

The expedition left Ambon on 21 April 1828. It included a military garrison consisting of a lieutenant, a doctor, 11 European and 20 Indonesian soldiers with their families (23 women and 21 children) and 10 Javanese convict labourers. Stores for the garrison (including cattle) crowded the decks.³⁰ Sailing via Banda and south of the Aru Islands, the 'Dourga River' was reached after a month. The inland exploration of this waterway proved disappointing as the water failed to lose its salinity and the surrounding country—appropriately described by a later authority as 'one large bowl of pea soup'³¹—was swamp. Abandoning hope of a settlement in this area, the expedition set course in a north-westerly direction. The fruitless search along inhospitable shores does not have to be spelled out. Finally, when they had almost reached the Onin peninsula, a well-sheltered bay was discovered and the small strip of jungle at the foot of a steep mountain which looked to the tired expedition like the promised land was proclaimed fit for settlement.³² Locally known as Lobo, the region was renamed Merkusoord and the Bay of Oeroe Langoeroe became Tritons-baai (Triton Bay). Clearing the jungle and erecting buildings and palisades began on 6 July, and after seven weeks of hard work the great moment arrived (see Plate 1). The Dutch flag was hoisted over 'Fort Du Bus' on 24 August 1828 after solemn possession had been taken, in the name of the King, of

That part of New Guinea and its interior, beginning at the 141st meridian east of Greenwich on the south coast, and from there west, north-west and northward to the Cape of Good Hope, situated on the north coast, except for the rights which the Sultan of Tidore might have on the districts of Mansary, Karongdefer, Ambarssura and Amberpon.³³

The Proclamation of 1828 represents the first official, direct claim of the Netherlands on western New Guinea. It is not clear, however, what it includes. Reference is made to Tidore's rule and its rights over four districts, but (as was noted before) the locale of these is not really known. Even more baffling is the use of the term 'interior' (*en de landen daar binnen liggende*). Presumably, this refers to the coastal strip between the 141st meridian and the Cape of Good Hope. Another interpretation would be a straight line between these two points, but this would imply a boundary running through the Arafura Sea, the Central Highlands, the Geelvink Bay, and New Guinea's 'Bird's Head'. The selection of the 141st meridian may seem somewhat arbitrary (the King's instructions had referred to 'Cape Valsch or further southward');

on the other hand, this was the approximate extent of maritime exploration.³⁴

Van Delden and the other members of the expedition can probably be pardoned for choosing to underplay, in the excitement of the moment, two of Governor Merkus' specific instructions. First, Merkusoor was clearly within the sphere of Ceramese trading activity. The personal account of Lieutenant J. Modera contains references to the seasonal stay of Ceramese traders, the fact that the local population was somewhat familiar with their language, and that some were Muslim. Second, with regard to the salubrity of Merkusoor, Modera recounts that from 11 July to 7 August the weather was consistently damp and chilly with rain falling during the night. Cold winds swooped down from the southwest and 'in the course of eight days there were fifty odd sick aboard and another twenty among the garrison'. Their sickness was referred to as 'hot, long-lasting, swamp fevers'.³⁵ A member of the natural science commission, Salomon Müller, mentions 'Cold and hot fevers, dysentery, and tenacious attacks of rheumatism' from which all suffered from the beginning. These ills were blamed on the 'noxious vapours' rising out of the newly cleared ground, the lack of fresh food, and the uninterrupted hard work rather than on the climate of Merkusoor.³⁶ As the months and years dragged on, the garrison continued to be plagued by the strange illness and attacks by the local population, incited and supported by Ceramese and Goramese traders. The first Dutch attempt at effective occupation of New Guinea was a miserable failure. Evacuation was at last decided upon in late 1835 and carried out in early 1836 with the promise that another post would be established as soon as a healthier location was found.³⁷

New Guinea might have been conveniently forgotten had not an embarrassing British request for a 'statement of the nations, tribes, and chiefs' under Dutch authority focused attention on the unsatisfactory conditions in the Borneo and East Indonesia regions.³⁸ In 1846, A. L. Weddik, who as Governor of Borneo had carried out a survey in that area, was charged with a similar task for the Moluccas and New Guinea.

Weddik's report was submitted in January 1848 and although few of his recommendations proved acceptable at the time, his main conclusion had an important effect on the territorial status of New Guinea.³⁹ This conclusion—reached on the basis of a number of dubious findings and assumptions which possibly had been influenced by news in mid-1846 that Lieutenant Yule had issued an annexation proclamation at the southern shore of Papua—was that Tidore's rule extended over a far wider area than had been assumed before. Not only did it, according to Weddik, cover the entire western rim of New Guinea but the south coast (as far as the 141st meridian), the north coast (as far as Cape Bonpland, east of Humboldt Bay) and the interior, as well.⁴⁰ With regard to the interior boundary from Cape Bonpland in

the north to the 141st meridian in the south a boundary line could be drawn provisionally pending 'a detailed investigation' which would take into consideration 'the geographical features and political institutions of the populations' of the area. If such a survey could not be carried out immediately, an announcement indicating the government's intentions should be made and, in the interim, border posts placed in some parts of the territory, specifically at the northern and southern extremities. Simultaneously, a proclamation should be issued which would give proper expression to Tidore's territorial limits.

Weddik's report produced a mixed reaction. The Dutch government did not favour publicizing its activities nor did it want to issue a proclamation because such action was unnecessary since 'our sovereign rights are not subject to any legitimate doubt[?]'. This statement was followed by the somewhat unusual and contradictory comment that it would be better anyhow if some uncertainty about these rights continued to exist. The suggestion of a border survey in the interior was considered 'admittedly very necessary' but highly impractical. Moreover, little benefit was expected from placing occasional border posts, but the government was willing to put this matter under consideration 'if it could be carried out without great costs'.⁴¹

In spite of the government's unwillingness to go along with most of Weddik's more specific recommendations, it did make his overall finding the basis of a secret decree (30 July 1848) which was to serve as 'a lead in the activities of the authorities concerned'. In that decree it was explained that 'an inaccuracy' had occurred in the previous description of Tidore's territories and stated that Tidore's rule in fact extended 'to meridian 140° 47' east of Greenwich on the north coast'. Tidore's limits, then, ranged:

From Cape Saprop Manch (Cape Bonpland) 140° 47' meridian east of Greenwich on the north coast, along that coast, the Bay of Wandammen (Geelvink Bay) to Cape Kain Kain Beba (Cape of Good Hope) and further west, south and south-east to the by Proclamation of 24 August 1828 provisionally adopted boundary at 141° E.L. on the south coast; including the interior, for so far as this, as a result of subsequent investigations concerning the geographical features of the country and the political institutions of the inhabitants, will appear to belong to Netherlands territory⁴²

This new development created an anomalous situation. There now existed two definitions of the Dutch territorial limits in New Guinea: the official Proclamation of 1828 directly annexing part of New Guinea to the Dutch Crown, and the secret, territorially more extensive, decree of 1848 which used the intermediary of the protectorate of Tidore.

The only immediate practical effect of the decree of 1848 was the expedition of D. J. van den Dungen Gronovius. It was charged with placing markers, which carried the royal coat of arms with the under-script *Nederlandsch-Indië*, in appropriate spots along the New Guinea

coast.⁴³ For the next fifty years this ritual, combined with handing out Dutch flags and appointment of chiefs, became one of the tasks of each subsequent New Guinea expedition.

The promise made at the time of the abandonment of Fort du Bus to find a suitable location for a new settlement continued to be held in abeyance. The inconclusive report of the expedition of 1858 squashed any immediate plans the government may have had.⁴⁴ It decided to leave matters in the hands of its useful 'ally', the Sultan of Tidore, and to regulate his authority along more modern and humane principles.⁴⁵ With the decree of 1848 in secret operation, the definition of Tidore's territorial limits became one of the vaguest in its history:

The territory of the Realm of Tidore and dependencies is considered to be composed of the territories which are in possession of His Highness at present and are considered to belong to his Realm in accordance with the existing and later to be completed description.⁴⁶

The veil of secrecy which hung over Dutch claims to New Guinea was finally lifted in 1865: the *Regerings-Almanak voor Nederlandsch-Indië* described Tidore's territorial limits as extending from Cape Bonpland on the north coast along that coast to the 141st meridian in the south.⁴⁷ Ten years later, an alteration (announced in the *Koloniaal Verslag* for 1875 as an 'improved territorial description') crept in surreptitiously.⁴⁸ The still undefined interior boundary now became a straight line connecting Cape Bonpland with the 141st meridian in the south.⁴⁹ The territory of Tidore then was said to include:

The north-western part of New Guinea bounded in the east by a straight line running from Cape Bonpland (on the east side of Humboldt Bay), 140° 47' East Longitude on the north coast to 140° [sic] East Longitude on the south coast, with the adjacent islands . . .⁵⁰

The increased interest in New Guinea expressed abroad at the end of the 1860s resulted in a series of Dutch expeditions in the 1871–81 period. The first of these appeared to have expansionist overtones as it was charged with the exploration not only of 'that part of New Guinea which belongs to the territory of Tidore' but of 'the whole island'.⁵¹ It, in fact, proceeded from Humboldt Bay as far as the 143° 32' meridian but was then forced to return. Robidé van der Aa, compiler of the reports of the various expeditions, in 1879 urged:

Far-seeing statesmanship suggests that the Government of the Netherlands Indies, with an eye on a not unlikely establishment of the Germans in the eastern part of New Guinea . . . quickly consider whether our present eastern boundary . . . delimits in geographical and ethnographical terms a rounded-off entity or whether it may not be desirable to shift the border to the 145th meridian.⁵²

But Robidé van der Aa's was a lonely voice and the Dutch colonial government appeared satisfied to consider Cape Bonpland its most eastern outpost along the northern shore of New Guinea.

The Eastern Part, 1860-1886

Similarly inhospitable to explorers and further removed from the trade routes of the East, the eastern part of New Guinea continued in even more isolation than its western counterpart. Proclamations by British subjects at Darnley Island and Doreh Bay (both in 1793) which could have affected its territorial status were short-lived and soon forgotten. The Union Jack was raised at Cape Possession (north-west of Yule Island) in 1846 by Lieutenant C. B. Yule of Her Majesty's *Bramble*, who was engaged in an Admiralty survey of the Torres Strait and neighbouring areas.⁵³ But the fate of Yule's proclamation taking possession of this newly discovered part of the country in Her Majesty's name was identical with that of its predecessors.

Interest in this part of New Guinea increased, however, after the 1860s due to Australian participation in the Torres Strait pearling and bêche-de-mer industry, the unsatisfactory conditions of indentured labourers, the increased strategic and commercial significance of the Torres Strait route for steamship navigation, and the growing French and German activities in the south-west Pacific.⁵⁴ Australian interests led to the formation of the New Guinea Company in 1867 and pressure by various persons on the British government for annexation of New Guinea. These were not all Australians. In 1875, for example, the influential Royal Colonial Institute addressed a memorandum to the Earl of Carnarvon suggesting that British authority 'should without delay be extended to the portion of New Guinea lying east of 141 degrees of east longitude up to which the Dutch Government claims possession of the Island'.⁵⁵

The Earl of Carnarvon responded by asking the Admiralty to present him with:

Any information which they may possess as to the title or alleged title of the Dutch to the western portion of New Guinea; the precise boundaries of the territory held to be Dutch; and with any other information bearing upon the suggestion that England should assert the ownership and take possession of the eastern portion of the island.⁵⁶

The Admiralty hydrographer, Captain F. J. Evans, in his memorandum dealing with 'The Discovery and Exploration of the Coasts of New Guinea' apologized for his imperfect sketch of the Dutch claim caused by 'the secrecy and jealousy of the Dutch in relation to their East India Possessions, even to a late period'.⁵⁷ He probably should have apologized for inability to read Dutch as well because he was of the opinion that the Dutch claim was based exclusively on the right of discovery and exploration and failed to mention the Proclamation of 1828 which took possession of the southern and western parts of the island.

In spite of the pressure from various sources, the British government remained lukewarm about annexing New Guinea as an imperial respon-

sibility. It had ignored Captain John Moresby's earlier proclamation (issued on Hayter Island on 24 April 1873) when he, flushed by his discoveries of new islands and ocean passages and convinced that occupation of this area 'by any foreign maritime power . . . would be a standing menace to Queensland', had solemnly taken possession of 'three considerable islands' off the eastern tip of New Guinea (together with various groups of detached islets).⁵⁸ Britain did, however, appoint a High Commissioner for the Western Pacific in 1877 and gradually extended the Queensland boundary across the Torres Strait until it included by 1879 practically all the neighbouring off-shore islands of New Guinea.⁵⁹ These palliatives, however, failed to satisfy. Australian anxiety over the threat of German expansion reached a climax in 1882-3 and precipitated action by Queensland. On 20 March 1883, Henry M. Chester (Resident Magistrate at Thursday Island) was instructed to proceed to Port Moresby. On 4 April he took possession 'of all that portion of New Guinea and the adjacent islands not already in occupation by the Dutch' and read the following proclamation in the presence of about two hundred natives and thirteen Europeans:

I, Henry Majoribanks Chester, resident magistrate at Thursday Island, in the colony of Queensland, acting under instructions from the Government of the said colony, do hereby take possession of all that portion of New Guinea and the islands and islets adjacent thereto, lying between the 141st and 155th meridians of east longitude, in the name and on behalf of Her Most Gracious Majesty Queen Victoria, her heirs, and successors. In token whereof I have hoisted and saluted the British flag at Port Moresby in New Guinea this fourth day of April, in the year of our Lord one thousand eight hundred and eighty-three.

God Save the Queen!⁶⁰

Queensland's action was neither accepted nor appreciated by Britain as is evident in the communication from the Earl of Derby to the Queensland Administrator, Sir Arthur Palmer:

Her Majesty's Government have given their careful consideration to the request of the Government of Queensland . . .

2. They are unable to approve the proceedings of your Government in this matter. It is well understood that the officers of a Colonial Government have no power or authority to act beyond the limits of their Colony, and if this constitutional principle is not carefully observed serious difficulties and complications must arise . . . It is therefore much to be regretted that your advisers should, without apparent necessity, have taken on themselves the exercise of powers which they do not possess.

3. The apprehension entertained in Australia that some foreign Power was about to establish itself on the shores of New Guinea appears to have been altogether indefinite and unfounded, and the inquiries which have been made by Her Majesty's Government have given them the strongest reason for believing that no such step has been contemplated. . . .

4. Her Majesty's Government are, moreover, clearly of opinion that even if the time had arrived for asserting and exercising the Queen's authority and jurisdiction on the shores of the island, or on some portions of them, there would be no necessity or justification for including in these measures the whole of the vast territory to which the proclamation of the Queensland Government purports to apply. . . .⁶¹

By this time, however, Australian opinion was almost solidly in favour of annexation. The Intercolonial Convention, held in Sydney in November and December 1883, expressed strong feelings about New Guinea and the New Hebrides. It was 'emphatically' of the opinion that 'such steps should be immediately taken as will most conveniently and effectively secure the incorporation with the British Empire of so much of New Guinea and the small islands adjacent thereto as is not claimed by the Government of the Netherlands'.⁶² The governments of the various colonies represented at the Convention also undertook:

To submit and recommend to their respective Legislatures, measures of permanent appropriation for defraying, in proportion to population, such share of the cost incurred in giving effect to the foregoing resolutions as Her Majesty's Government, having regard to the relative importance of Imperial and Australasian interests, may deem fair and reasonable.⁶³

Britain was now slowly edging towards establishing some form of protectorate. But, as Zimmermann has recounted, German action was imminent:

Since 1880 German circles have turned their attention to the eastern part of the north coast of New Guinea and its adjacent islands. Decisive action might not have come so soon if the British-Australian colony of Queensland had not simply declared New Guinea and neighbouring islands annexed. Germany woke up to the fact that the whole of German interests in the South Seas could go up in smoke and under the direction of the Secret Commercial Adviser von Hansemann a consortium was formed charged with the acquisition of a South Seas colony.⁶⁴

The Neu-Guinea Compagnie was formed in May 1884 and a scientific expedition under Dr Otto Finsch departed from Sydney for New Guinea on the *Samoa* on 11 September. Finsch's secret instructions were:

Exploration of the unknown or little known coasts of New Britain as well as the north coast of New Guinea to the 141st meridian in order to discover harbours, to establish friendly relations with the natives, and to acquire as much territory as possible.⁶⁵

Meanwhile, the British government had been informed that Germany 'intended to place under the direct protection of the Empire . . . those districts in which German commerce has become predominant, or to which expeditions, whose justification can be denied by no one, were about to be undertaken'.⁶⁶ The British Cabinet met on 9 August and Lord Granville was able to inform the German Ambassador that same day that

The extension of some form of British authority in New Guinea, which will be shortly announced, will only embrace that part of the island which specially interests the Australian Colonies, without prejudice to any territorial questions beyond those limits.⁶⁷

This statement could create the impression that Britain gave Germany *carte blanche* for the acquisition of other parts of New Guinea and, indeed, it was interpreted in this way by the German government.⁶⁸ The British position became firmer, however, during the following weeks. As a result of communications between the Colonial Office and the Foreign Office, the British Chargé d'Affaires in Berlin was instructed to inform the German government that it was now proposed

To proclaim and establish the Queen's prerogative over all the coasts of New Guinea not occupied by the Netherlands Government, except that portion of the north coast comprised between the 145th degree of east longitude and the Eastern Dutch Boundary.

The British Protectorate will also include the small islands immediately adjacent to those portions of the coast over which it is established.

The 145th degree of east longitude has been fixed as the Western British limit on the northern coast, in order that it should embrace the territory owned by the natives on the Maclay Coast, whose claim for British protection has long been under the consideration of Her Majesty's Government, and was one of the principal reasons which determined the Cabinet to advise the Queen to assume the responsibility of establishing a protectorate in New Guinea.

The Maclay Coast extends to the southward as far as Cape King William, where commences that part of the coast extending to the Dutch Southern Boundary which for obvious reasons it is indispensable to bring under British control.⁶⁹

The German government curtly informed Britain that the announcement had come unexpectedly after the previous declarations and that it wished to reserve its position on the subject. In its view 'the delimitation of the areas which interest both sides on that stretch of the [north] coast should be the subject of a friendly understanding by means of a commission'.⁷⁰ This sign of a possible *rapprochement* wilted British determination and the government declared that the proposed British protectorate would be limited to the south coast 'without prejudice to any territorial question beyond these limits'.⁷¹ Britain did move quickly, however, to proclaim a protectorate over this part of New Guinea.

There seems no reason to replay in any detail the comic opera in which H. H. Romilly, British High Commissioner for the Western Pacific, and Commodore J. E. Erskine were the leading stars. Both men received identical instructions.⁷² Romilly (arriving from Cooktown) solemnly proclaimed the Protectorate on 23 October 1884, only to see his proclamation nullified by an indignant Erskine, who (arriving from Hobart via Sydney) was intent on carrying out *his* instructions and who re-

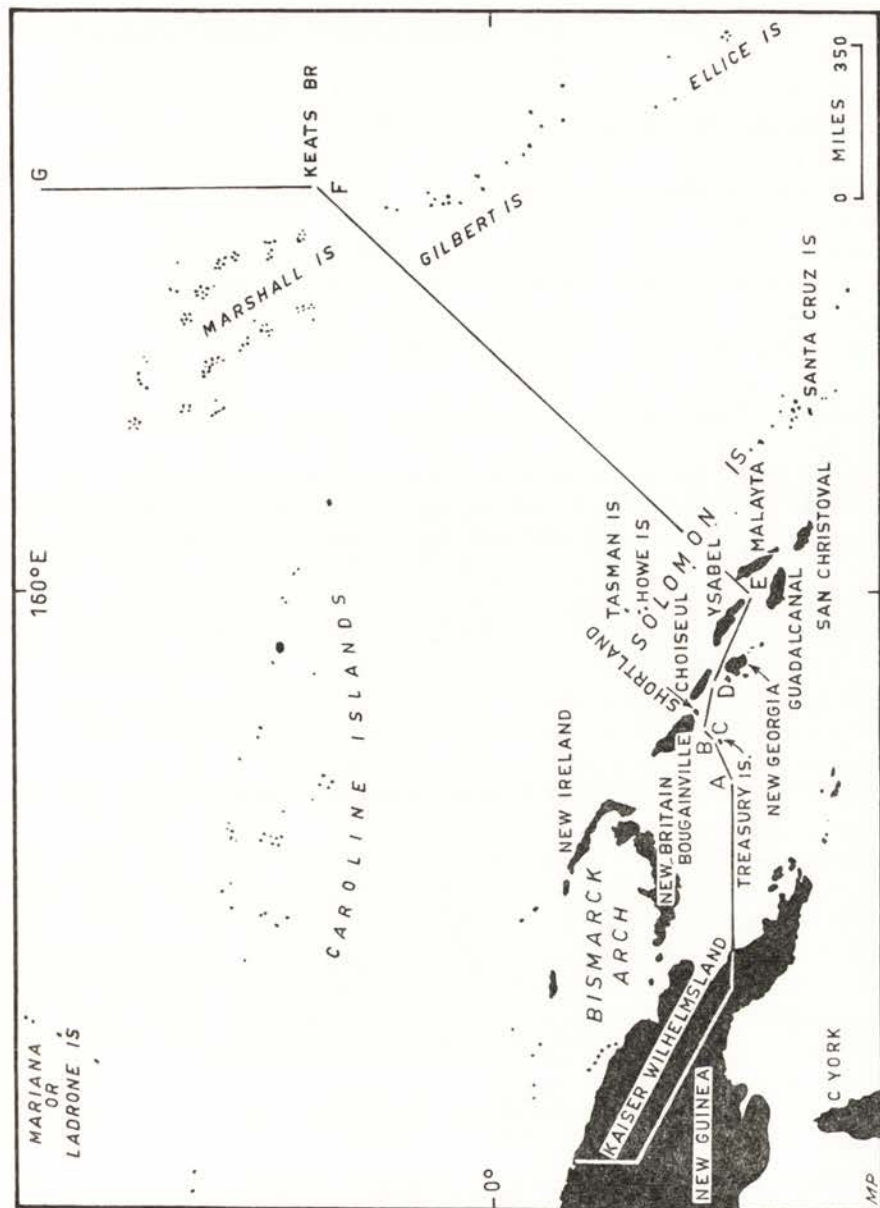
proclaimed the Protectorate 'in as formal and thorough manner as possible' on 6 November.⁷³

It is of interest that the two proclamations could lead to different interpretations regarding the extent of territory claimed. Romilly's nullified proclamation placed 'that part of the island of New Guinea from the Dutch boundary . . . to the East Cape, and also the islands adjacent to it eastward to Kosman Island' under British protection.⁷⁴ The Erskine proclamation was almost absurdly restrictive in claiming 'All that portion of the southern *shores* of New Guinea' from the Dutch boundary to East Cape 'with all islands adjacent thereto south of East Cape to Kosman Island, inclusive, together with the islands in the Goschen Straits'.⁷⁵

Act two of the opera began on 6 December with a slightly different cast. At that time, Erskine, who had returned to Sydney, received instructions to annex the D'Entrecasteaux Archipelago as well. The sentence 'D'Entrecasteaux Group and small islands adjacent' was added to the proclamation of 6 November 1884, giving it the appearance of a forged document.⁷⁶

Following the British decision of 9 August, the German government had wired its Consul-General in Sydney that it had decided 'in Neu-Britannien und an der Nordostküste Neu-Guineas . . . die deutsche Flagge zu hissen'.⁷⁷ Assisted by Dr Finsch, German flag-raising ceremonies took place during October-December on the north coast of New Guinea and the New Guinea islands. The British government was informed officially on 19 December that the German flag had been hoisted 'at three places on the north coast of New Guinea, and at ten places in New Britain, Ireland and Sable Land'.⁷⁸ Britain now acted swiftly. A harried Erskine was instructed to proceed 'with all despatch' to Port Moresby and extend the protectorate over the territory between East Cape and Huon Gulf (up to the point of German annexation), the Louisiade and Woodlark groups, and Long and Rook Islands in the Vitiaz Strait.⁷⁹ Fresh British proclamations and flag-raising ceremonies took place in early 1885, including a ceremony close to Fortification Point (147° 43' East Longitude), near present-day Saidor on the Maclay (Rai) Coast.⁸⁰ Germany officially protested against the British action 'as contrary to the promise of the English Government given to the Imperial Government in official despatches'.⁸¹

As far as mainland New Guinea was concerned, a *modus vivendi* was reached in April 1885. Hereby 'a fair and equal division of the territories'—Germany 'about 67,000 square miles', England 'about 63,000 square miles'—was arrived at 'by means of a conventional line or lines' drawn 'from the coast near Mitre Rock on the 8th parallel of south latitude' to the 147th meridian East Longitude and from there 'in a straight line' north-westerly to the point of intersection of the 6th parallel with the 144th meridian and then again in 'a west-north-westerly



2 The Anglo-German Declaration of 1886

direction' to the intersection of the 5th parallel of South Latitude with the 141st meridian of East Longitude.⁸²

A subsequent agreement, concluded in April 1886, defined British and German spheres of influence in the western Pacific.⁸³ Not only was German authority confirmed over New Britain and New Ireland (the Bismarck Archipelago), but the 'conventional line of demarcation' which was drawn from the New Guinea coast along the 8th parallel of South Latitude swerved south of Shortland Island and south-west of Choiseul and Ysabel before turning north-easterly towards the central Pacific. In spite of the intermittent contact of British and Australian seafarers, traders, whalers, and missionaries with the Solomons, the northern half of this archipelago was placed under German authority (see Fig. 2).

By 1886, then, New Guinea was divided among three European powers by geometrical lines which paid scant attention to geographical features or the particular needs of the inhabitants. The following chapters discuss the boundary between Queensland and the Territory of Papua, the former Anglo-German boundary between Papua and the Trust Territory of New Guinea, and the central dividing line between east and west New Guinea, the Irian boundary.

Papua Irredenta

The Origin of Queensland's Northern Boundary

The New South Wales squatting district of Moreton Bay became the colony of Queensland in 1859. Large in size but small in number of inhabitants (approximately 25,000 people), the colony was preoccupied with safeguarding its boundaries. This concern soon led to insistent demands on the mother country to carry out her 'imperial task' in the south-west Pacific and to engage in territorial expansion.

Letters Patent of 6 June 1859 defined the initial boundaries of the colony. The land boundary was set out in detail; but the description of the maritime one was perfunctory. It stated nebulously that Queensland acquired 'all and every the adjacent Islands, their members and appurtenances, in the Pacific Ocean'.¹ A similarly vague phrase was employed for the Gulf of Carpentaria maritime boundary in 1862 when the Queensland territory was expanded from the 141st to the 138th meridian of East Longitude.² Given the narrow interpretation which was given to these maritime limits it could be argued that New South Wales had never abandoned title to the islands off her former coastline.³ And, indeed, in 1865 the Governor of New South Wales made use of his commission 'to lease certain islands for the purpose of working guano deposits' by issuing a seven-year lease of Raine Island—lying some sixty miles off Queensland's Cape York Peninsula—to a private individual.⁴ This development led the Queensland Governor in December 1871 to request that the Colonial Secretary extend his jurisdiction over all islands within sixty miles of the Queensland coast.⁵ This was granted in the Letters Patent of 30 May 1872 and, following the request of the Queensland Legislature, a proclamation and deed of transfer annexed the islands in August of that same year.⁶

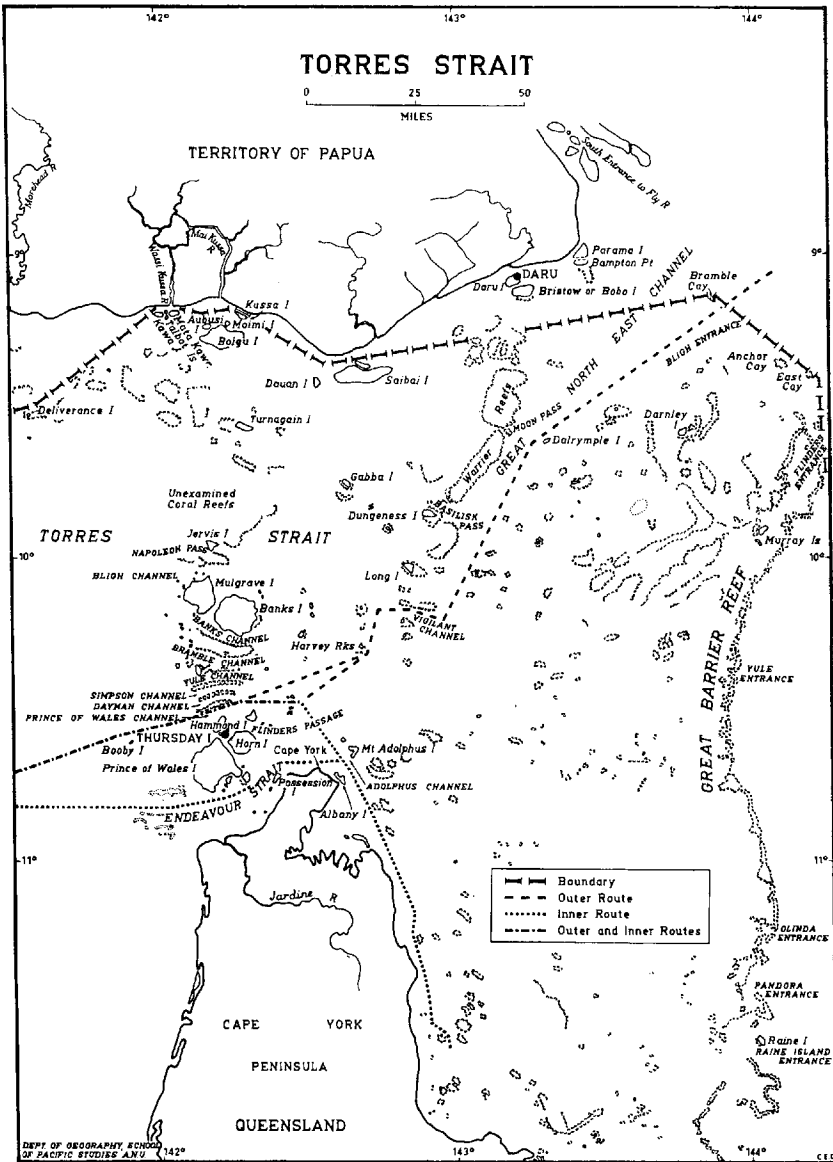
In the north, the new maritime boundary brought all of the major Torres Strait channels and all the islands from Endeavour Strait to the unexamined reefs north of Jervis Island under Queensland jurisdiction. Government buildings were constructed at the new post of Port Kennedy on Thursday Island in 1876 (see Fig. 3). The sixty-mile range, however, did not reach the Warrior Reefs nor such islands as Dalrymple, Darnley, and the Murray group but this hardly affected the strategic command of the Strait. As Captain J. Moresby, who surveyed this area in the early 1870s, put it:

The space of thirty-six miles which lies between Jarvis Island and the low mangrove-covered coast of New Guinea is a mass of coral reefs, and contains no passage for ships, and scarcely any for boats. Thus all the passages by which ships can enter Torres Straits lie between Jarvis Island and Cape York, and are now British waters. These passages are very narrow, under two miles in width; whilst the one most generally taken—the Prince of Wales's Channel, between Hammond Island and the north-west reef—is barely a mile and a half wide. We hold this great highway of the ocean therefore on the best strategic terms. The average depth of water in these channels is only seven or eight fathoms, and a few torpedoes judiciously placed would effectually block up this route to an enemy.⁷

Ironically, the next extension of the Queensland boundary was the direct result of intensified but unsuccessful Australian demands for British annexation of New Guinea. The Colonial Office was not averse to investigating the feasibility of limited occupation of the south-eastern coast of New Guinea, and as early as 25 May 1875 it had requested the Admiralty for information 'bearing upon the suggestion that England should assert the ownership and take possession of the eastern portion of the island'.⁸ This request was soon followed by another in which the Earl of Carnarvon, then Secretary of State for the Colonies, suggested that a survey be made of that part of the New Guinea coast 'more immediately opposite Cape York' as it seemed important that Britain should 'at any moment be in a position to secure the best situation for the formation of a Settlement . . .'.⁹

Before answering these requests, the Admiralty asked the advice of Captain F. J. Evans, the Admiralty hydrographer. Evans thought that the area had been adequately surveyed.¹⁰ He pointed out that navigation between Banks Island and the mainland of New Guinea was practically closed to all but small vessels by innumerable coral reefs and sand banks while the New Guinea seaboard opposite Cape York consisted of an almost unbroken line of mangroves, fringed with a mud bank from a half to one and a half miles from the shore. The off-shore islands of the Talbot group and Saibai were low and swampy. Only Tanan Island (Dauan Island), near Saibai, appeared 'suited for an outpost' and Evans concluded that occupation of that island 'would practically give possession of the mainland of New Guinea immediately opposite to Cape York, and at the narrowest part of Torres Strait'.

The coastal Papuan islands were offered to Queensland in a communication from the Earl of Carnarvon to the Governor of Queensland in early 1877.¹¹ A tracing of the existing and the proposed boundary was prepared by Commander G. P. Heath, the Brisbane portmaster, and forwarded to the Colonial Office and the Admiralty early in 1878 for scrutiny by Captain Evans.¹² Evans stated there could be no objection, as far as Admiralty was concerned, to acquisition by Queensland, as these islands were 'geographically a part of the outer sea-board of Australia . . .'. In recommending the Heath proposal with minor modifications, Evans defined the proposed Queensland maritime boundary as:



3 The Torres Strait

All islands included within a line drawn from Sandy Cape northward to the S.E. limit of Great Barrier reefs, thence following the line of the Great Barrier reefs to their N.E. extremity near the latitude of $9^{\circ} 1/2$ S., thence in a N.W. direction, embracing East, Anchor, and Bramble Cays. From Bramble Cays in a line W. by S. ($S. 79^{\circ} W.$) true, embracing Warrior Reef, Saibai, Juan [sic], and Deliverance Islands, and onwards in the same W. by S. (true) direction to the meridian of 138° East longitude.¹³

Except for the addition to this definition of the Talbot group, Evans's version was incorporated into the Order in Council of 10 October 1878 and the Queensland Coast Islands Act of 1879.¹⁴

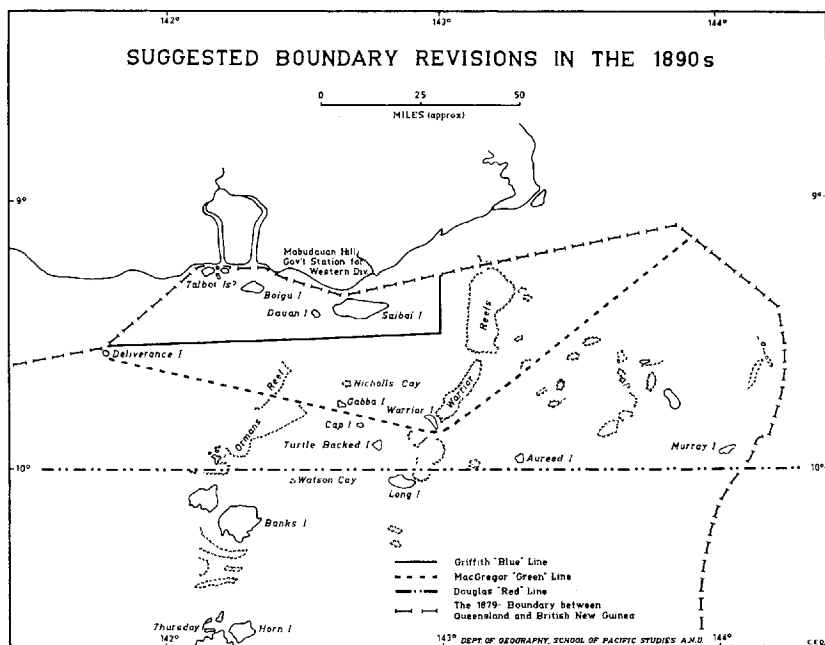
One student of this period quotes approvingly the statement by a Colonial Office official that the coastal New Guinea islands were offered to Queensland 'as a test of the sincerity of the desires of the Australians for annexation [of New Guinea]'.¹⁵ This may be too narrow an interpretation. It was already obvious that the Australian colonists wanted British annexation but without Australian financial contributions. And Queensland authorities saw the boundary extension as an answer to a need for 'real authority to deal with the somewhat doubtful characters' connected with the economically significant pearling industry.¹⁶ It and the new settlement at Thursday Island stood to benefit from exclusive control by Queensland of the Torres Strait islands.¹⁷ Finally, it could well be that British policy-makers hoped that an extension of the boundary to the coast of New Guinea would satisfy colonial moderates and take the wind out of the sails of rabid New Guinea annexationists.

Proposals for Boundary Revision

The northward extension of the Queensland boundary, which passed unopposed in 1879, soon came to be regarded differently. Queensland's Thursday Island magistrate exercised no real authority over the coastal New Guinea islands because of lack of transportation, and it was quickly realized that Queensland laws were entirely inapplicable to this area. The event, however, which radically altered the *status quo* and exposed the anomalous situation was the establishment of a protectorate over the south-eastern coasts of New Guinea in 1884 and their annexation in 1888. Not only did the Queensland acquisition of islands off the New Guinea coast lose its *raison d'être* now that this part of New Guinea was in British hands, but it hampered the administration of the western division of British New Guinea, and deprived it of much-needed sources of employment and revenue.

Proposals for a boundary revision were made by the Honourable John Douglas as resident magistrate of Thursday Island as early as 1885, by Sir Samuel Griffith (Queensland Premier) in 1893, and in the same year by Sir William MacGregor, Administrator for British New Guinea. Serious attention was given to them in the 1890s. The proposals were carefully traced in red, blue, and green on a chart of Torres Strait which was enclosed in official correspondence on the subject (see Fig. 4). Subsequent communications often referred to the 'Red Line', the 'Blue Line', and the 'Green Line'.

Before discussing the Douglas, Griffith, and MacGregor proposals it seems appropriate to state that the native inhabitants of the area not only had no knowledge of the 'paper war' but in all likelihood (as in so many other cases in which European administrations had superimposed their frontiers across the paths of the original inhabitants) were unaware



4 Suggested Torres Strait Border Revisions

of the existence of a Queensland boundary.¹⁸ MacGregor makes this clear in one of his despatches when, commenting on the areas in which his subjects were fishing, he states: 'They of course fish wherever they wish to do so without reference to boundary lines so that they practically suffer from little inconvenience in that matter so long as respect for the boundary line is not enforced'.¹⁹ Even after the inhabitants of Saibai and neighbouring islands knew that they should not cross into Papua and that selling liquor to natives was prohibited, it was not possible to punish them for their acts—unless caught red-handed within Papuan territory. In 1903, Resident Magistrate A. H. Jear reported:

The natives of Saibai are well aware that the Officers of New Guinea cannot interfere with them in their own territory, and treat any warning that may be given them with the greatest indifference and even derision.²⁰

At the same time, the Torres Strait pearling industry exercised a noticeable pull on the labour potential of coastal Papua. Several Kiwai islanders, for example, were employed in the industry and were thus exposed to the 'corrupting' influences of life in the Strait and at Thursday Island.²¹

The Douglas proposal for a boundary revision was first made in a report to the Colonial Secretary in 1885.²² Though his report is verbose and full of clichés, Douglas's central theme is clear: a readjustment of the maritime boundary had been rendered desirable by the establishment

of the protectorate over New Guinea. He doubted whether the people of Queensland attached any particular importance to the possession of the Torres Strait islands, including 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.

Douglas further observed that the 'territorial definitions of the present are not binding on futurity, if more convenient arrangements for the purposes of government can be made', and concluded his argument as follows:

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 re-adjustment 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 in 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.

Douglas's views may have seemed extreme to his contemporaries, but his observations with regard to the changed circumstances prevailing after the establishment of the British protectorate and the difficulty of carrying out Queensland authority and applying its laws did not fail to make an impression. He modified his stand, moreover, in the following years to the extent that he would draw the boundary along the 10th parallel of South Latitude which would retain the Prince of Wales group for Queensland and guarantee exclusive control of the main navigable channels in the western Torres Strait area.

In his visit to Thursday Island and the northern ports in 1892, the Queensland Premier, Sir Samuel Griffith, took the opportunity of visiting the coastal New Guinea islands of Saibai and Dauan. He had known that the situation was absurd but his trip convinced him that it was much more absurd than he had visualized.²³ To correct the anomaly he submitted a rather lengthy memorandum to Sir Henry Norman, the Governor of Queensland.²⁴

In his memorandum, Griffith noted the absence of any real government in the islands along the shore of New Guinea (there is 'a Chief recognized by the Queensland Government, and four natives [who] receive pay at the rate of £1 per annum as policemen') and the inapplicability of Queensland laws 'framed for the government of civilized and not of primitive people'. There also seems to have been no doubt in Griffith's mind that the coastal islanders belonged ethnologically and geographically to New Guinea. The only difficulty envisaged by him in

a territorial transfer was the considerable number of men employed in the Queensland pearl-shell fishery with headquarters at Thursday Island. But this problem could be solved by an ordinance allowing the continuation of their employment. Griffith concluded with the following recommendation:

For the purpose of the rectification of the boundary between Queensland and British New Guinea I would suggest that the dividing line should be so amended as to include within Queensland jurisdiction the Warrior Reefs (which have for some years been largely fished by Queensland vessels) and Turn Again and Deliverance Islands (which are uninhabited), but leaving all the islands to the north of a line skirting the northern limit of those localities within the jurisdiction of British New Guinea. This line of demarcation would include Saibai, Dauan, Boigu, and the rest of the Talbot group within the limits of British New Guinea.

... I have now the honour to request Your Excellency to be good enough to submit the matter for the consideration of the Secretary of State, and of Sir William MacGregor.

Sir William MacGregor was asked by Sir Henry Norman to comment on the Griffith memorandum. He replied that he had long been of the opinion that the present division of jurisdiction was 'anomalous and unfair to the Possession'.²⁵ Geographically, the situation was unsound: 'A look at the map will convince any person that the Queensland territory encroaches unduly on the Possession'. Not only did the boundary come 'within one or two hundred yards' of the Papuan mainland at the Talbot group but it was wellnigh impossible to go west from the government station at Mabudauan (opposite Saibai) without crossing some part of the Queensland jurisdiction. Economically, the existing boundary cut off all the fishing grounds—including the sedentary ones for pearl-shell and *bêche-de-mer*—which by nature should belong to the Possession. This deprived people of a livelihood and unfairly affected the finances of the Possession. And, finally, MacGregor pointed to the people's cultural affinity: 'The inhabitants of Boigu, Dauan, Saibai, and Warrior Isd. have intimate intercourse with the New Guinea tribes, and they obtain much of their food from the Possession They approach each other in customs and have intertraded from time immorial [*sic*].'

MacGregor agreed with Griffith that the people of the coastal islands should be permitted to continue their participation in the Queensland Torres Strait fisheries. But—after a few compliments—he sharply disagreed with the views of the Queensland Premier on the demarcation of the new border:

The line of boundary proposed by Sir Samuel Griffith is not in my opinion a fair one. It is a generous proposal to this extent, that it contemplates the voluntary cession, for no equivalent, of a certain amount of territory now comprised within the boundary of Queensland. And further I would respectfully say that the proposal is one

that is highly creditable to Your Excellency's Government as being made solely out of consideration for the native inhabitants of the islands concerned. What I mean is this, Sir Samuel Griffith's proposal would not restore to the Possession anything at all like what would be a fair share of the Straits fishery. It would give to the Possession a mere fringe of what it would have received had the two colonies been simultaneously created and a fair division of the Straits been made between them. . . . I respectfully submit that the whole of the Warrior Reef north of the Warrior Island should be added to British New Guinea. The boundary I would suggest would go from Bramble Cay to Basilisk Pass on the South side thence to Warrior Island (Tuti), thence to Deliverance Island.

Considerable time elapsed after the Griffith and MacGregor proposals, a delay partly due to the resignation of Griffith from the leadership of the Queensland Liberal Party and his appointment as Chief Justice (in March 1893). But finally, on 31 August 1894, the Queensland Premier, Hugh Nelson, informed the Governor, Sir Henry Norman, that the government recommended a boundary rectification on the basis of the 'Blue Line' which had been suggested by Sir Samuel Griffith.²⁶ A few months later, Lord Ripon informed Sir Henry Norman that his government saw no objection to the proposal and approved it in principle.²⁷

MacGregor expressed great disappointment at the Queensland government's decision. In two communications to the Colonial Office in March and April 1895, he re-emphasized the importance of a share in the fishing grounds of the Torres Strait for the coastal tribes.²⁸ The area north of the 'Green Line' was, in his opinion, the minimum that should be transferred:

It is the smallest that permits of a free passage from east to west without entering the jurisdiction of Queensland. It is the least that could be proposed if regard is had to any distribution of the natural fishing grounds, and it goes no further south than is absolutely necessary to secure for the west coast of the Possession, its geographical, its natural and its only halting places.

Although informed of MacGregor's communications the Queensland government maintained its previous position.²⁹ The British government then issued its Order in Council of 29 June 1896 revising the boundary on the basis of the Griffith proposal—subject to the approval of the Queensland legislature.³⁰

The drawn-out discussions seemed to have come to a close. It was MacGregor, however, who bounced the issue back into the arena and snatched victory—a Pyrrhic one!—out of the hands of his opponents. Following a request by the Secretary of State for the Colonies (made during the preceding year) for further information about the Torres Strait fishing grounds, MacGregor personally visited the area in the early part of 1896. In his masterly despatch of 12 June 1896 to the Governor of Queensland, MacGregor recorded that he had spent nearly a week on

the Torres Strait reefs nearest the boundary line accompanied by some of the leaders of the coastal tribes. While there he had determined the geographical position of some of these points by astronomical observation and triangulation and had entered these data on a chart.³¹ He announced:

The result of a recent examination of it [the fishing grounds] by myself on the ground has been that it has been found that the boundary at present existing or the boundary proposed by the Government of Queensland would, if maintained and insisted upon, inflict a great and unbearable injustice on several of our coast tribes. So clear is this that I entertain no doubt whatever that when the circumstances are known to the Government [of] Queensland they will be willing to modify their proposals. . . . In all probability neither the Government of Queensland nor the Secretary of State for the Colonies knew at the time this boundary line was established that it put a great, perhaps the greater part of the fishing grounds of these tribes on the Queensland side of the line. I wish to say respectfully but clearly and distinctly that these tribes cannot without injustice and oppression be cut off from these fishing grounds any more than they can be deprived of their hereditary garden lands. The reefs yield them crops that never fail.³²

MacGregor requested the establishment of a joint committee to make a final report on the matter in order to arrive at 'a full knowledge of the facts'. He expressed no doubt that the Governor would agree 'in thinking that the Secretary of State should not be asked to finally decide on this question of boundary until the matter of these fishing rights has been thoroughly examined'.

MacGregor's despatch reached the Queensland government just ahead of the 1896 Order in Council from London. Not unnaturally, MacGregor's suggestion of a joint commission (with the Hon. John Douglas on the Queensland side!) did not 'commend itself', but the Queensland government did feel compelled to state that 'in view of the urgent representation made by His Excellency' (Sir William MacGregor), it was 'not intended to proceed further with the matter until after his next visit to Brisbane . . .'.³³

Pending MacGregor's visit to Brisbane, the Queensland Premier, Hugh M. Nelson, conferred with Sir Samuel Griffith and the Hon. John Douglas in October 1896. As a result of this discussion Nelson decided that 'a fair compromise' between the border advocated by MacGregor and that proposed by Queensland would be a line running from a point on the existing boundary south-east from Bramble Cay toward the centre of Warrior Reef's Moon Passage, and from there westerly, eventually passing some three miles south of Turnagain and Deliverance islands.³⁴ MacGregor, realizing that Queensland appeared to attach considerable value to Warrior Island and would not be willing to transfer it to British New Guinea, accepted the latest Queensland proposal as the next best arrangement which would give British New Guinea a

'fairly equitable boundary as regards the fishing grounds of our coast tribes'.³⁵

Subsequent information from persons interested in the pearl-shelling industry that a considerable quantity of shell was obtained near Turnagain and Deliverance islands briefly led Nelson to back down on his proposal to the extent that he suggested Queensland and British New Guinea pass legislation which 'would admit of reciprocal recognition of pearl shelling licenses'. MacGregor, however, indicated that 'in the interests of the Possession' he could not recommend this plan and the suggestion was dropped. Nelson then asked the Queensland Governor to request the Secretary of State for the Colonies to secure the necessary amendment of the Order in Council of 1896 and promised that 'If this can be done sufficiently soon the Government will undertake to submit to Parliament during next Session a Bill consenting to the alteration'.³⁶ The new Order in Council was issued on 19 May 1898 and defined the northern maritime boundary as follows:

The boundary line shall run from a point on the existing boundary three miles S.E. from Bramble Cay by a line bearing S. 55° W. (true) to a point midway between Pearce Cay and Dalrymple Island; thence by the centre of Moon Pass in Warrior Reef and by a line bearing S. 88° W. (true) passing three miles S. of Turnagain and Deliverance Islands (Westerly); thence W. by S. (true) to the meridian of 138° of E. longitude.³⁷

The Order in Council, however, was never submitted for Queensland parliamentary approval. The kindest interpretation one could give to this 'oversight' is that the several Queensland elections and the two referenda on federation left no time for its implementation before the establishment of the Commonwealth of Australia. The polite reminder by the new Lieutenant-Governor of British New Guinea, George R. Le Hunte, in September 1899,³⁸ was not acknowledged by Sir Samuel Griffith (then Lieutenant-Governor of Queensland) until April 1900. The reply merely conveyed the words of Mr Philp (the Premier) that 'the question of introducing a Bill for the purpose [of readjusting the boundary] will receive the full consideration of the Government if time permits between the next meeting of Parliament and the establishment of the Commonwealth of Australia'.³⁹ In September 1901 the Queensland Premier replied to a communication from Le Hunte that the Order in Council of 1898 was issued before the establishment of the Commonwealth, that no measure dealing with the subject had up to the present been passed by the Queensland legislature, and that the Parliament of that state had no power to take action with regard to the Order as this was a question for the consent of the Federal Parliament.⁴⁰ A disappointed Le Hunte noted in his Annual Report that 'the long unfulfilled promise of the Queensland government' had not yet come about and that the matter still stood as 'an inequitable, arbitrary and purely unnecessary injustice to the Possession'.⁴¹

The boundary issue, nevertheless, continued to bubble during the following years. In July 1902, in Federal Parliament, L. E. Groom (Member for Queensland's Darling Downs) asked the Attorney-General to invite the government of Queensland to supply copies of the correspondence which had passed between the Secretary of State for the Colonies and the Queensland government 'with respect to the consent of Queensland to alterations of the boundary of that State' in pursuance of the Order in Council of 1898.⁴² The request was passed on to the Queensland government.

Two events raised fresh hopes for solving the problem in 1903: despatches from New Guinea and a public lecture by Douglas. In enclosing the report of the Resident Magistrate of the Western District, A. H. Jear, in which the evils of the existing situation were once again spelled out, the Administrator of British New Guinea, C. S. Robinson, begged the Governor-General for action:

In view of the present unsatisfactory *modus vivendi* as disclosed in Mr Jear's report, and of the facts in addition that the laws of Queensland are inadequate to cope with the evils, and that the Queensland Government does not appear to be interested in exercising the slightest control over the natives of Saibai, I strongly urge that in the interests of all the natives concerned, and of this Government, that the redemption of the promise of the Queensland Government, albeit that such a promise may have been tentative merely, should be insisted upon.⁴³

The Robinson memorandum was forwarded to the Prime Minister on 5 October 1903.

The Hon. John Douglas (again Government Resident on Thursday Island) added academic brightness to the issue by delivering a paper on the 'Maritime Boundary of Queensland' to members of the Royal Geographical Society of Australasia on 22 December 1903.⁴⁴ As well as sketching the origin of the Queensland boundary and proposals for its revision, Douglas illustrated the unsatisfactory nature of the boundary with examples from his experience as Government Resident. He emphasized the unsuitability of Queensland laws, lack of adequate transportation, and the unsatisfactory nature of authority exercised from Thursday Island. It was impossible, for example, to control the illicit traffic in liquor as 'unprincipled men, both white and coloured' gave or sold the islanders drink and a good deal of liquor was supplied to the New Guinea mainland through Saibai. Douglas was of the opinion that the rectification of the boundary as laid down in the Order in Council of 1898 provided a 'fair and reasonable solution of the question'. He noted, however, that a rather 'formidable lion' stood in the way: under Article 123 of the Commonwealth Constitution no federal action could be taken on the matter of altering state boundaries without the consent of the parliament of the particular state *and* the approval by that state's electors voting on the question in a referendum.

Sir Samuel Griffith (the newly appointed Chief Justice of the High Court of Australia) proposed a vote of thanks to the speaker and added his own view of the subject:

With regard to the boundary, when it was fixed in 1878, it was not unreasonable for Queensland to require to get all she could. She could not get New Guinea, but managed to get as near as possible. We followed round as close as we could get between the islands, and the coast of New Guinea, taking in practically everything. At that time all these parts were equally unknown and unsettled; but later, when New Guinea had what was after all a civilised Government . . . it became extremely absurd that some of the islands should be governed by Queensland . . .⁴⁵

As for the best way to tackle the problem, Griffith suggested that the first thing to do was 'to get the people to understand the facts'. With regard to the referendum he moved that at the next general elections ballot papers on this question should be submitted to the people and remarked that it would give him the greatest pleasure if he had the opportunity with any one concerned to take the necessary steps for this. After being seconded, the motion was carried by acclamation.

The action by the Governor-General in forwarding the despatches from British New Guinea did not lead to immediate results. It was only after a reminder had been sent to the Secretary of the External Affairs Department on 11 November 1904 that Atlee Hunt completed sending the relevant material on the boundary between Queensland and British New Guinea to the Attorney-General's Department for consultation.⁴⁶ Here it was pigeonholed and probably forgotten in the change from the Reid-McLean Ministry to the Deakin Ministry (July 1905). Reminders were sent to the Attorney-General's Department by Atlee Hunt on 30 March, 1 May, 30 May, and 20 June 1906.⁴⁷ By this time, the Governor-General's Office had once more inquired how the matter stood. The advisory opinion of Attorney-General Sir Isaac Isaacs was submitted on 28 June 1906.⁴⁸

Most relevant to the complicated matter of altering state boundaries are sections 111, 123, and 128 of the Commonwealth Constitution.⁴⁹ Sections 123 and 128 both refer to the need of securing the approval of the majority of the electors for any alteration. This requirement had been added to the original draft of these sections following the Premiers' Conference of 1899. Isaacs, however, argued that the result of these amendments was not an absolute prohibition for altering boundaries except with the consent of the electors. Section 111 made no reference to such a requirement, and as both it and section 123 were phrased in positive language (states 'may surrender' territory) it was argued that those sections provided *alternative* methods, independent of each other. Having established this point it was obviously most judicious to proceed on the basis of section 111. Still another hurdle, however, was the ques-

tion of whether the Commonwealth Parliament had the authority to give effect to the Order in Council of 1898 which preceded the establishment of the Commonwealth and whose implementation had been dependent upon approval by the Queensland Parliament. It might be possible to argue that on the basis of the provisions of the Colonial Boundaries Act of 1895 (and Clause 8 of the covering Act of the Commonwealth Constitution) the King in Council had been granted the power (with the consent of the Commonwealth Parliament) to alter the boundaries of the *Commonwealth* (and *ipso facto* those of Queensland) without reference to the electors.⁵⁰ But Sir Isaac concluded that it appeared safer to proceed with one of the following proposals:

A. to request the Imperial government to revoke the Order in Council of 1898 and substitute a new one altering the boundaries of the Commonwealth and then to obtain the approval of the Commonwealth Parliament for the boundary alteration; or

B. to ask the Queensland Parliament to surrender the islands to the Commonwealth, in accordance with section 111, whereupon the Commonwealth would transfer them to the Territory of Papua under the provisions of the Colonial Boundaries Act.

The advice of the Attorney-General was forwarded by Prime Minister Deakin to the Queensland Premier, William Kidston, on 6 August 1906. In his letter, Deakin expressed the hope that the Premier would acquiesce in the transfer of the Papuan islands and, if he did, would indicate which of the alternative courses mentioned by the Attorney-General met with approval.⁵¹ Acknowledging Deakin's letter 'regarding the status of the Islands of Saibai, Boigu, and Dauan', the Queensland Premier curtly replied that 'the question which you [Deakin] have revived concerning them will receive consideration'.⁵²

Once more, in the years 1918-19, a Resident Magistrate of the Western District of Papua revived the sleeping issue.⁵³ The 'suggested incorporation of Saibai &c in the Territory of Papua' was made the subject of a paper for the Executive Council of the Territory in March 1920, but consideration of the item was dropped.⁵⁴ Five years later the Queensland government acted, not to return the islands to Papua but to erase any possible doubts about its legal claim to them. The Letters Patent of 1900, which provided the framework of government for Queensland,⁵⁵ contained no recital of the Letters Patent of 1878—'the foundation of the whole position as to the maritime boundary':

This omission was regarded as of material importance, since it might have been used to base an argument in favour of the repeal of those Letters Patent and the consequent re-establishment of the 60-mile limit.⁵⁶

This was corrected. The Letters Patent of 10 June 1925 specifically include this previous instrument while revoking that of 29 October 1900.⁵⁷

Sedentary Fisheries

One other point—that of sedentary fisheries—deserves brief consideration because of recent developments affecting the Torres Strait area and the Territory of Papua. Australian sedentary fisheries have been regulated under various Acts since 1881. Although a certain degree of confusion existed outside Australia on what constituted Australian waters (compounded by the fact that official maps often showed the Queensland northern boundary as enclosing the whole Torres Strait area)⁵⁸ the intent of the Acts was relatively simple. They were operative on British and foreign vessels within territorial waters and on *British* ships outside territorial waters. In the case of Queensland they applied to adjacent waters outside the territorial jurisdiction within the limits set out for 'islands' in the Letters Patent of 1878 and the Queensland Coast Islands Act of 1879.⁵⁹ The Commonwealth government, in spite of the fact that most of the valuable pearling grounds in the Torres Strait area were outside the three-mile territorial belt and were being fished extensively by Japanese fleets, clung to the view that Commonwealth jurisdiction did not extend 'more than three miles from the coast or islands adjacent thereto'.⁶⁰

Negotiations were conducted with the Japanese government in the post-war period over the rights of each party to the sedentary fishing grounds. These negotiations were broken off abruptly in 1953 when the Commonwealth government grasped the opportunity provided by the recommendations of the International Law Commission to bring sedentary fisheries under the doctrine of the continental shelf which had introduced a new concept whereby the 'proclaiming' state may assume sovereignty over the sea-bed and subsoil of the shallow platforms of contiguous submarine areas to the point where there is a marked increase in slope to a greater depth.⁶¹ The delicate problem of how to protect the pearling grounds was solved by amending the Pearl Fisheries Regulations and intertwining them with the Australian Continental Shelf Proclamations of September 1953. The latter extend Australian sovereignty rights over the sea-bed and subsoil of its contiguous coasts in order to explore and exploit its natural resources.⁶² The Pearl Fisheries Regulations set out areas of 'proclaimed waters' in which it is necessary to apply for a licence 'to search for and obtain pearl shell, trochus, bêche-de-mer or green snail'.⁶³ In combination, these regulations are detrimental to the Territory of Papua. Geographically, Papua's only true continental shelf is the Torres Strait area (shared with Australia), the Gulf of Papua, and a narrow ledge running along the remainder of its shores. The inequity of the Queensland boundary brings all of the Torres Strait continental shelf with its sedentary fisheries under Australian jurisdiction.⁶⁴

The Continental Shelf Proclamations maintain a studied silence on the extent of the continental shelf, but the Pearl Fisheries Act (No. 2) refers to the 100-fathoms bathymetric contour line.⁶⁵ However, the

Pearl Fisheries Regulations apparently paid no heed to bathymetric contour lines when they gave Papua a vast triangle of proclaimed waters in the Coral Sea. From south-east of Bramble Cay (at the north-eastern extremity of the Great Barrier Reef) a 'straight line' is drawn to the intersection of parallel 19° South Latitude with the 155th meridian of East Longitude—some 800 miles east of Townsville and 1000 miles south-east of Samarai. From there the eastern border of the proclaimed waters proceeds northward along the 155th meridian to its intersection with the parallel 8° South Latitude.⁶⁶

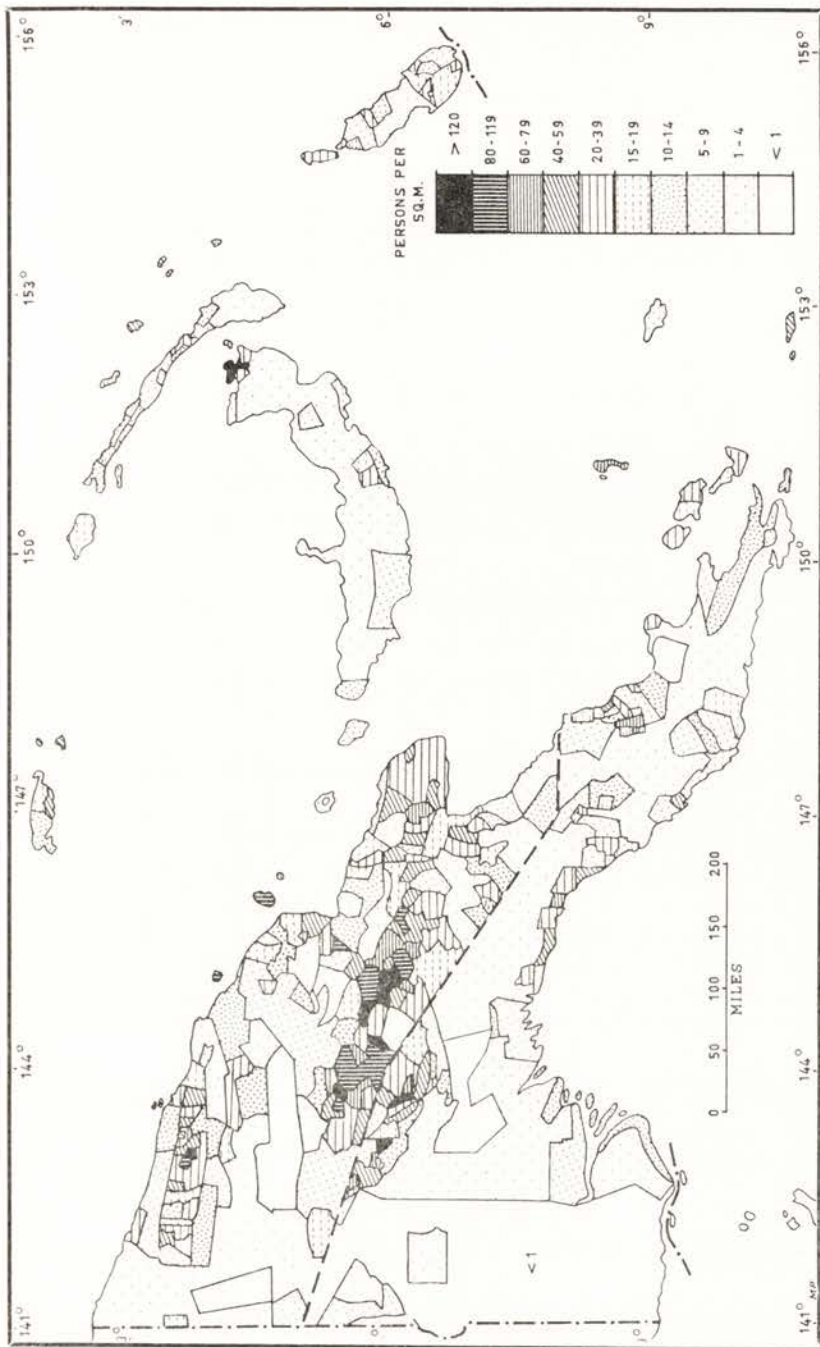
Granting these waters to Papua is meaningless. The average depth of much of the 'proclaimed' area of the Coral Sea is between 1500 and 2500 fathoms—prohibitive for exploration and exploitation. Nor are these depths frequented by pearl-shell, *bêche-de-mer*, trochus, and green snail (presumably the concern of the Pearl Fisheries Regulations), as their natural habitat is restricted to the shallow waters of the continental shelf. As Goldie puts it: 'Claims to submarine areas of greater extent [than 100 fathoms] are open to the suspicion of being nothing more than "cartographical chauvinism".'⁶⁷

The present maritime boundary between Queensland and Papua is an anachronism and contains the seeds of future conflict. An amiable adjustment is still feasible. It is now timely and would prevent a possible 'Papua irredenta'.

The Former Anglo-German Boundary

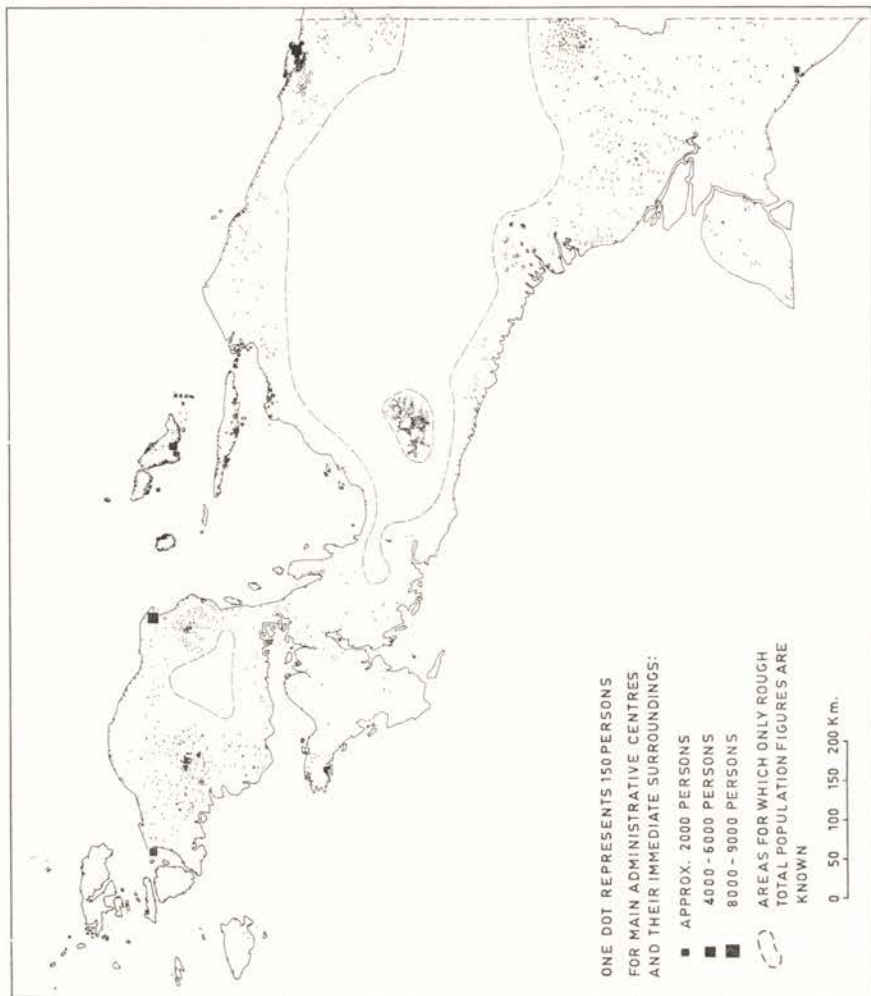
The boundaries of the British and German possessions in New Guinea had been agreed upon in 1885 and 1886.¹ The chief purpose of the New Guinea mainland boundary, as laid down in the Agreement of 1885, was merely to provide a fair and equitable territorial division—with Germany supposedly receiving a slightly larger slice. Actually, the Germans got less because Lord Granville conveniently, although probably unintentionally, underestimated the British share by some 27,000 square miles.² Nor were the absentee boundary makers appalled by the thought that the whole of the rugged New Guinea interior was *terra incognita*: the agreement brazenly asserts that the territorial dividing line 'would nearly approach the water-parting line, or natural boundary'.³ Penetration of the Highlands in the early 1930s destroyed this myth. There is a central cordillera dividing north and south, but rather than a single chain it consists of a complex system of ranges with deep intermontane valleys, several of which lie well to the north of the territorial dividing line. The headwaters of several rivers are on one side of the line, their mouths on the other. The upper tributaries of the Purari, for example, not only come from the Kubor range but even from the Sepik-Wahgi and Ramu-Purari divides—north of Mt Hagen, Minj, and Goroka. This was discovered in 1930–1 by gold prospectors M. J. Leahy and M. I. Dwyer of the Mandated Territory when the river they followed from the Ramu plateau took them, much to their surprise, to the Gulf of Papua.⁴

The intermontane valleys of the Highlands, moreover, were found to be heavily populated. Brookfield notes that about half of Papua-New Guinea's two million people live 'in a restricted and sharply bounded belt astride the sixth parallel south, between the Southern Highlands District and the Huon Peninsula' (see Fig. 5).⁵ A check of the population of Census Divisions along the territorial dividing line indicates the presence of some 210,000 people, and of these 150,000 are found along the 260 miles between the Upper Strickland River in the west and the Kratke Range in the east.⁶ A similar exercise along the 470-mile Irian boundary (see Fig. 6) provides striking contrasts. In spite of the fact that the strip west of the border (because of using the Dutch *Districten*) takes in a far greater area than the average Census Division on the Australian side, the total number of people living in the frontier zone



5 Population Distribution along the Papua-New Guinea Border and the Irian Boundary (Australian side)

6 *Population Distribution along the Irian Boundary (former Netherlands side)*

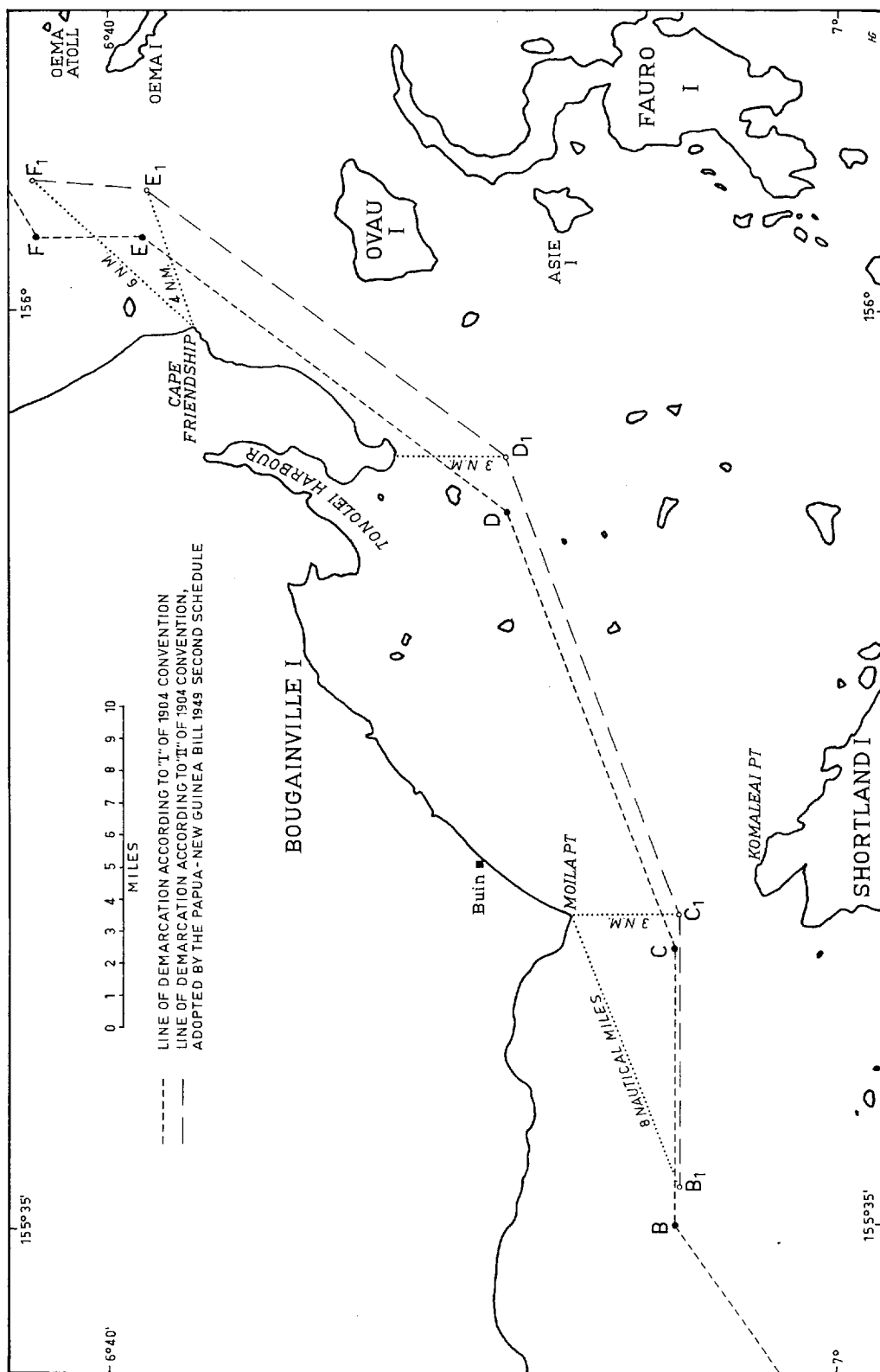


barely reaches 110,000. Furthermore, this number is concentrated predominantly in three small nodes, one of which (the Sentani-Sukarnapura area) lies well west of the border (see Table I, p. 96). However, historical events have dealt kindly with the potential source of conflict posed by the thickly populated Highlands border area. The departure of the Germans removed potential friction from the realm of probability to that of possibility.

The partition of the Solomons was the direct result of German flag-raising ceremonies in 1884. The boundary in these parts, however, soon underwent a rather significant change. Troubles in Samoa led to the Anglo-German Convention of 1899, and under one of its terms the islands of the Solomons east and south-east of Bougainville were ceded to Britain.⁷ A subsequent proclamation established a British protectorate over Choiseul, Ysabel, Shortland and Fauro, the Tasman group, Lord Howe's group (Ontong Java), and Gower.⁸ An Exchange of Notes in March 1904 laid out the new lines of demarcation between the British and German spheres of influence in the western Pacific. One of its stipulations was that the boundary should run south of Komaleai Point—which on present-day maps means that it would cut through the interior of Shortland Island. The riddle is solved by consulting the 1885 and 1904 editions of British Admiralty Chart No. 329 (and German Admiralty Chart No. 100) which site Komaleai Point on the southern tip of Bougainville. Komaleai Point appears on the previously unnamed tip of Shortland Island for the first time on the 1909 edition of the British Admiralty Chart (see Fig. 7).⁹

World War I abruptly ended German rule in the Pacific. Rabaul was occupied by the Australian Expeditionary Force and German military resistance ceased—in 'the whole of the German Possessions in the Pacific Ocean lately administered from Rabaul'—under the terms of capitulation signed 17 September 1914. This definition included, therefore, not only the Bismarck Archipelago and Kaiser Wilhelmsland, but also Nauru, and the Marshall, Caroline, Marianne, and Pelew islands. Nauru was occupied in early November, but in the island groups north of the equator tardy British and Australian action had led to Japanese assistance.¹⁰ A special 'Tropical Force' had been assembled in Australia to relieve the Japanese, but the matter became entangled in Anglo-Japanese relations which led to final instructions from the British government:

December 3rd with reference to your cypher telegram November 25th and to previous telegrams as to occupation of German islands in the Pacific, as Pelew, Marianne, Caroline Islands, and Marshall Islands are at present in military occupation by Japanese who are at our request engaged in policing waters Northern Pacific, we consider it most convenient for strategic reasons to allow them to remain in occupation for the present, leaving whole question of future to be settled at the end of war. We should be glad therefore if the



Australian expedition would confine itself to occupation of German islands *south of the equator*.¹¹

Australia had one comforting thought regarding the German possessions it had occupied: 'There was no reason to doubt that victory would assign the Possessions to the Commonwealth as an economic prize and strategic gain . . .'.¹² Even these expectations, confirmed by subsequent wartime agreements between Britain and Japan, were rudely shattered by the Wilsonian slogans of self-determination and non-annexation. An enraged Australian Prime Minister, W. M. Hughes, eventually had to settle for the next best alternative, a 'C Class' Mandate. As Hughes put it some thirty years later at the discussion of the Papua-New Guinea Bill 1949:

The fight for the New Guinea Mandate was prolonged and bitterly opposed by the distinguished man who was then President of the United States of America. Although President Wilson accepted under protest the idea of Mandates, he was bitterly opposed to the mandate being granted to Australia As I saw it, the full control of New Guinea was vital to the security of Australia. I looked upon New Guinea in the hands of a hostile power as the people in feudal countries regarded the frowning castle of the baron or the prince that overlooked them, and it became perfectly clear to me that it was essential to the safety of this country that we should control New Guinea. The mandate was granted in the end after a prolonged and stormy conference in which, finally, the President of the United States of America was left to himself, and the representatives of all the other nations supported Australia, South Africa and New Zealand.¹³

Both the New Guinea mainland and island boundaries have continued unaltered until the present. This does not mean that their history does not deserve brief attention. The negotiations over a possible correction of the border at the point where it runs awkwardly just to the south of the mouth of the Gira, a river originating in British territory, is discussed first. An account is then given of the diplomatic activity occasioned by British miners working the alluvial gold deposits of the Gira and neighbouring Waria rivers which led to the establishment of an Anglo-German Border Commission in late 1908 to survey the approximately 65-mile strip of territory along the 8th parallel from the shore to the 147th meridian of East Longitude. Finally, the various proposals for the administrative union of Papua and the former German New Guinea are considered, including the present situation.

*From the Gira River Issue to the Anglo-German
Border Commission of 1909*

The almost zealous concern of the British New Guinea Administrator, Sir William MacGregor, with finding proper boundaries had aroused activity in the Torres Strait and on the western border. His visit to the northern shores near the 8th parallel of South Latitude revealed another sore which seemed to require medical attention: the Gira River. The

stream originated well inside British territory, made a small loop across the border some four miles before reaching the ocean, and then crossed the boundary about one mile from the mouth which was situated approximately two-thirds of a mile north of the 8th parallel. Foreseeing future difficulties, MacGregor recommended that:

The middle of the bed of the river be the boundary between the two colonies, from the sea to the most westerly point at which the river last crosses the eighth degree of latitude before entering into British territory. From that point the boundary would proceed along the eighth degree as it does now. The loss or gain of the small portion of useless land thus transferred from one side to the other would be of no importance to either. The navigation of the river should be left free to both countries. . . .¹⁴

The British Foreign Office was eventually asked for its opinion on this minor correction. It recognized the 'inconvenience' and 'possible detriment' to British interests, but observed that the proposal not only necessitated amending the agreements of 1885 and 1886, but also involved a cession of German territory. The Foreign Office argued that the desired result could be achieved just as effectively 'by means of an understanding that the navigation of the River Gira should be free to the merchant flag of both Powers through whose territories it flows'.¹⁵

The German government was presented with the alternative suggestions and consulted with the Neu Guinea Compagnie ('exercising sovereign rights in German New Guinea').¹⁶ The latter favoured the British Foreign Office proposal, but stipulated that, 'in view of the undeveloped state of the region', any agreement on the matter should be provisional in nature. The German Foreign Office communicated this viewpoint to the British and suggested that the desired result could be achieved by means of a simple exchange of notes extending the agreement initially over a period of two years from 1 April 1899. There then followed one of those inexplicable delays. Mr Chamberlain (Colonial Office) had asked Mr Salisbury (Foreign Office) for an opportunity to read the draft of the agreement before it was presented to the German government, and the British Ambassador in Berlin did not receive instructions to proceed with the matter until late October 1899. More than seven years later the Secretary of State for the Colonies rather sheepishly commented: 'No answer to that note appears to have been received from the German Government. The matter has therefore remained in abeyance . . .'.¹⁷

The issue might have remained in abeyance but for other developments. Gold had been discovered in the Northern Division of British New Guinea and miners had gradually worked their way northward to the Gira and Waria rivers. In early 1906, the Administrator of the Territory of Papua, F. R. Barton, noted in a despatch to Prime Minister Deakin:

The bed of this river [the Gira] is known to be rich in gold deposit, and several gold-dredging areas have been surveyed upon it and are open to applicants But a successful applicant might find the difficulties presented by the fact of the river's mouth being in German territory so great as to render operations impracticable.¹⁸

Barton thought it desirable to approach the German government in order to put an end to the difficulty. The Colonial Office now became almost over-eager and apparently attempted to solve all future border problems caused by rivers when it wired the Governor-General in Australia:

As there are some rivers besides Gira and Waria which run from British territory into German, best course would be to suggest to German Government agreement for mutual free navigation of all rivers which beginning in territory of one country end in territory of the other. Do your Ministers agree to this suggestion?¹⁹

Not unnaturally, the Ministers had second thoughts on this matter. They made these quite clear when, in asking the advice of the Administrator in Port Moresby, they added:

Would Fly, Purari, or other important rivers fall within terms of such arrangement[?] If so, it would appear undesirable to give Germans unrestricted right of navigation. If suggested proposal modified by limiting its operation to rivers whose navigable course extends into territories of both countries would that serve your purpose in case of Waria and be otherwise unobjectionable[?] Wire reply immediately.²⁰

Five weeks elapsed before the Administrator gave his 'immediate' reply, but he then firmly suggested restricting the proposal to the Gira and Waria rivers.²¹ The necessary representation was again made to the German government, but the latter was not anxious to be rushed. It indicated that in view of the long period that had elapsed since the last exchange of notes on the subject it needed time to study the matter, especially since it was now proposed to include the Waria River as well. In March 1907, the British Ambassador was informed that the German Foreign Office deemed it essential to consult with the Governor of German New Guinea on the subject.²² Finally, in October 1907, the German government concluded that before the question of the free navigation of the Waria could be considered, it was necessary 'to determine finally the situation of the Treaty frontier in these regions'. It suggested, therefore, that:

Negotiations should be entered into for the despatch of a mixed boundary expedition whose task it would be to determine the position of the 8th degree of South Latitude from the coast to its point of intersection with the 147th degree of East Longitude, and thus to obtain the bases for an adjustment of this portion of the Anglo-German boundary in New Guinea.²³

The German proposal caused another lapse of time. Enthusiasm was not great in Australia. A private note from Atlee Hunt, Secretary of the

Prime Minister's Department, to George Le Hunte (former Lieutenant-Governor of British New Guinea) reveals the position of the Australian government at this time. Hunt's view was that it made little sense to adopt a natural boundary for the comparatively small part that the Waria would serve when it was clearly impossible to mark a natural boundary for the whole border between Papua and New Guinea. He concluded:

My present idea is to try for the Gira as far as the 8th parallel then clear a line along that parallel to the 147th meridian marking it at half mile intervals with substantial stone marks. If we can't get the Gira then mark the line throughout.²⁴

Le Hunte did not entirely agree:

I always agreed with Winter that MacGregor had made too much of the Gira and people got the idea that it was a river of importance hence the rubbish of 'the navigation being free to the vessels of both High Contracting Powers' when you can't get a whaleboat into it except under exceptionally favourable circumstances. But the real trouble does not seem to be about the Gira but the Waria²⁵

In the meantime, comments in Parliament and the press created an atmosphere somewhat foreshadowing the 1963 period when Indonesia had become the new nextdoor neighbour. In Parliament, Dugald Thompson questioned the Prime Minister on the matter:

Has the Prime Minister noticed that efforts are apparently being made by the German Government to vary the boundary between German New Guinea and Papua? Has the Prime Minister given any consideration to the effect of the suggested alteration, and taken steps to preserve the interests of our own territory?²⁶

Two days before (5 May 1908), the *Sydney Morning Herald*, under the heading of 'Papuan Northern Frontier', had commented:

The discussion in Germany, referred to in yesterday's cables relative to the boundary line between German and British territory in New Guinea, is a reminder that the Commonwealth now possesses a frontier. Apparently, too, that frontier is not too well defined, and as undefined frontiers are rich sources of misunderstanding it is well to have the matter properly settled before misunderstanding actually arises. . . .

And on 21 May the same paper reported the occurrence of a border incident:

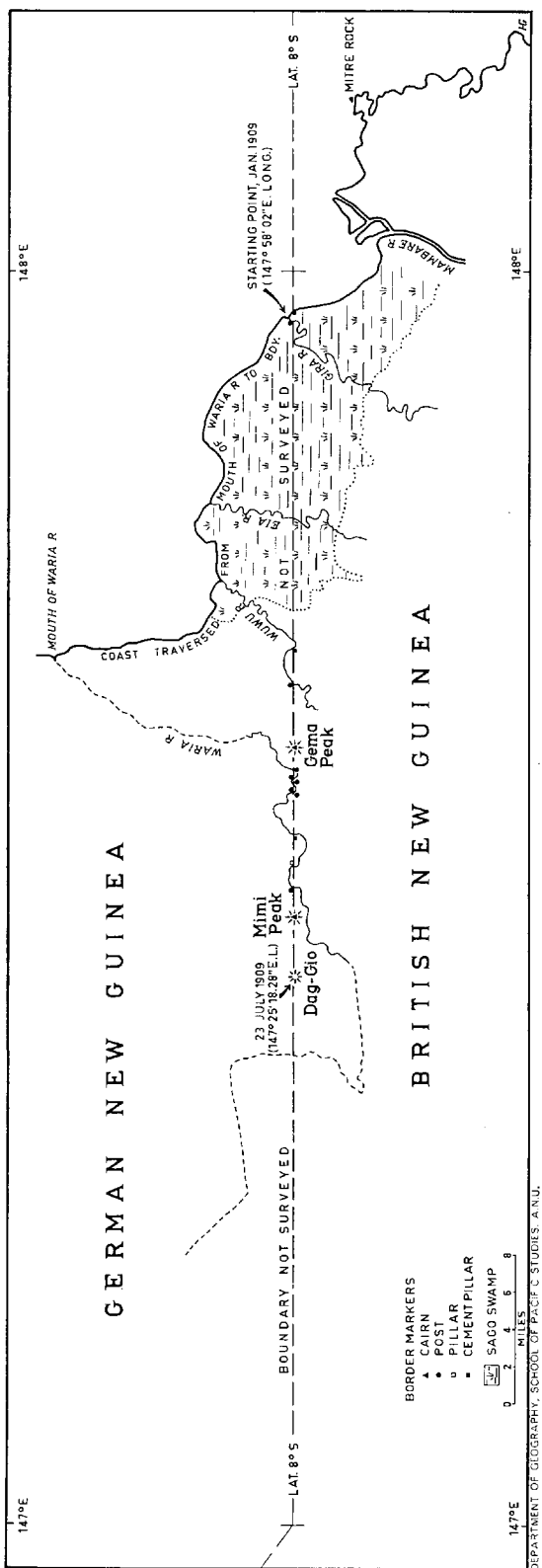
The disquieting news reached Sydney yesterday that serious trouble is brewing in New Guinea in connection with the vexed question of the boundary line separating British from German territory, and the startling statement is made that quite recently the German authorities resorted to drastic action to assert their claim to portions of the disputed area.

The Governor of German New Guinea, Dr. Hahl, arrived a few weeks ago at the Waria River, which connects with the Gira River [*sic*], and established a Customs station at the mouth of the stream. This action, having been taken without the knowledge of the settlers, created a great deal of surprise, and the next step of the German Governor was to despatch a boating party up the river to the disputed territory, where a number of British miners were working. The officials, armed with the authority of the Governor, at once imposed a licence fee of £1 a head on the British miners, on the ground that they were carrying on operations outside the sphere of British influence.

An ounce of action from the opponent sometimes leads to quick results. In this case the Australian Prime Minister requested the Governor-General to inform the Secretary of State for the Colonies that 'Rumours of interference by German patrols with a Village Constable in uniform had reached Australia' and that in view of the probable difficulties the suggestion of the German government for a Mixed Boundary Commission should be agreed to.²⁷

Between August and October 1908 the final steps towards the establishment of a Mixed Boundary Commission were taken. The German government, however, considered the Australian and British suggestions that details be left to the Governors of the two territories both 'inexpedient' and 'not in accordance with custom'. It emphasized that the labours of the Boundary Commissioners were 'to form the basis of a subsequent new delimitation of the boundary in accordance with the natural division of the country' and that this could only be accomplished by means of a treaty between the two home governments.²⁸ In one of its final communications on this subject, the German Foreign Office noted that if the border area were to prove exceedingly rough and the remainder of the favourable season too short to determine the boundary from the coast to the 147th meridian, the leader of the German team was instructed 'to propose to his English colleague first to find the point of intersection of the rivers having their mouths in German territory with the 8th parallel and to mark them provisionally with cement pillars'.²⁹

In early December 1908 Gustavus Sabine, the Chief Government Surveyor of the Territory of Papua, who had been appointed as British Commissioner, left Port Moresby for the border area. He was accompanied by the Resident Magistrate of Samarai, two field and general assistants, twenty members of the Armed Native Constabulary, and twenty native assistants. The party landed south of the Gira River in the latter part of December. The work began after the German cruiser *Kondor* had disembarked the German Commissioner, Captain Oskar Förster, and his staff on 7 January 1909.³⁰ It took far longer and proved more costly than had been anticipated. Both Commissioners suffered from malaria attacks soon after arrival, and although Captain Förster was not evacuated from the area until September he spent most of his time on a stretcher. Most of the actual boundary demarcation, therefore, fell on the British Commissioner and his staff (see Fig. 8).



8 The Border Demarcation of the Anglo-German Commission

The two Commissioners agreed that it was essential to gain some knowledge of the country first, and that the British Commissioner would traverse the coast between the Gira and the Waria in order to determine the mouths of several of the rivers which intersected the 8th parallel. This task was completed by the end of January. The exact location of the intersection of the 8th parallel with the coast was then determined and at this point 'a durable hardwood post' of ulabo wood capped with copper and marked 'Papua' on the south side, 'German New Guinea' on the north side, and 'Lat. 8 0 0' and 'Lon. 147 58 2' on the east and west sides, was placed in position to mark the parallel (see Plate 2). A concrete pillar was also erected close by. A line was then cut through a fringe of jungle and swampy ground covered with sago palms due west to the right bank of the Gira where another post was placed. But across the Gira extensive sago swamps prevented further advance. The British Commission therefore departed to the mouth of the Wuwu further north and followed this river upstream to the approximate intersection with the 8th parallel. After this point had been determined it was marked by a post and concrete pillar. Attempts to trace the boundary line on the ground toward the Gira had to be abandoned as the sago swamps extended across the whole intervening area. The Commission then proceeded in a westerly direction. A prominent ridge was climbed, and after the area had been cleared of scrub and timber a cairn was built on its top (Gema Peak). Some seven miles further on the Waria was encountered, and this river kept the Commission busy over the next half a dozen miles with the placing of border posts and concrete pillars on the spurs between the bends as it cut back and forth across the 8th parallel. The terrain comprised rough granite ranges with deep gorges, broken gullies, and steep spurs, intersected by the Waria and its tributaries. Mimi Peak (2400 feet) was ascended and another cairn erected after the south side of the peak had been cleared (see Plates 3-5).

At this time, Sabine received a despatch from Förster stating: I believe that our two Governments have the intention to find a natural boundary, and therefore I think to take up the course of the Waria River to the 147th meridian. Certainly we have to mark the points of the intersection of the Waria River with the 8th parallel. I would like to propose you [*sic*] divide our work in this manner, that you advance till Pio-Waria and I myself [to] the Upper Waria . . . ³¹

More than six months had elapsed since the Commission's arrival at the mouth of the Gira and it was still only about thirty miles from the coast. Sabine expressed his willingness, therefore, to comply with Förster's proposal and abandoned his meticulous surveying:

Instead of clearing and measuring the line West from Mimi Peak to the 147th meridian, which would mean an additional twelve months work owing to the rugged nature of the country which is covered with dense scrub and timber, your Commissioner decided to determine by triangulation the points where the main natural features cross the

parallel. Several prominent peaks had been located by bearings from different points along the line, which afforded good bases for such work.³²

The trek continued over ridges of 4500 feet and higher whose location was determined by stellar observations and from where the true bearings to prominent peaks were observed. The Waria was crossed thrice some forty miles from the coast and its intersections with the parallel were marked with posts and pillars. Some fifty miles from the coast the foot of the main range was reached and blocked further advance at this point. The Commission therefore followed native tracks along steep ridges in a north-westerly direction which led it toward the gently sloping grasslands of the Waria country some 3000 to 4000 feet above sea level. A renewed attempt was made from here to proceed toward the 147th meridian, coming as close as possible to the 8th parallel. Mountains of over 10,000 feet were climbed. The final camp was made near a peak of over 11,000 feet, some fifty-eight miles from the coast. Although the distance from here to the 147th meridian was a mere eight miles as the crow flies, the goal had to be abandoned. Daily rain and hail made a longer stay impossible as most of the coastal carriers suffered intensely from the cold and were physically unable to proceed any further. The return was begun on 20 September and embarkation from the mouth of the Waria to Port Moresby took place in mid-October. Förster had been evacuated from the interior in early August in a critical condition and died soon after his return to Germany.³³ This placed the German government in the somewhat embarrassing position of having to request all the results of the work of the British Commission.³⁴

The report of the British Boundary Commissioner concludes with the recommendation that the 8th parallel should be maintained as the international boundary since it had now been well defined over many miles, whereas the adoption of the Waria River as a natural boundary 'would be unsatisfactory and indefinite' because its lower course (running through extensive alluvial flats) was subject to frequent changes. Moreover, as alluvial gold was found on either side of the Waria, a river boundary 'would cause considerable inconvenience and trouble, and would make the granting of dredging concessions most difficult'.³⁵ Sabine's final observation was probably the most persuasive one: most of the alluvial gold was in British territory. The reasons for maintaining the existing boundary were set forth in more detail by the Commissioner of Lands, E. Staniforth Smith, and wholly adopted by Lieutenant-Governor Murray.³⁶ In his letter to the Minister of State for External Affairs, Murray concluded that he thought 'it would be a bad bargain' to give up the 8th parallel and adopt the Waria as the boundary 'as it would appear that we should thereby lose the best of the gold...'.³⁷

Germany was informed eventually by the British Foreign Office that the Commonwealth government desired 'that the eighth parallel of South Latitude be retained as the international boundary'.³⁸ Germany did not

hesitate to propose that local authorities 'provisionally respect' the line marked by Sabine as the frontier, but it still considered it desirable that 'within measurable time the boundary parallel should as far as possible be replaced by natural frontiers'.³⁹ Two years later, the Germans—undaunted by Australian indications of favouring the maintenance of the *status quo*—announced that they intended to inspect 'the Sabine line' in order that any objection to the erection of the boundary posts should be lodged in good time.⁴⁰ Ironically, at almost this very moment an Australian Patrol Officer reported that when inspecting the coast at the 8th parallel he had been informed by the local Village Constable that the latter had, on several occasions, moved the boundary peg to positions further inland, owing to the encroachment of the sea.⁴¹ A year later the Resident Magistrate of the Mambare Division, probably unwittingly, touched on the old Gira River issue when he noted that if the mouth of that river were in British territory 'it would give our Gira people an outlet and they could fish on a small portion of the [uninhabited] coast'.⁴² To the next Resident Magistrate, the elimination of German rule in 1914 appeared to present a good opportunity to consider the question of a more equitable rectification of the boundary of Papua, which would be in the interests of the Gira people.⁴³ As the boundary remained unaltered it seems that more important issues occupied the Papuan Administration during the following four decades.

The German surveying and exploratory activity, however, ended in a blaze of glory. While in charge of the 1914 expedition, Captain Hermann Detzner not only checked the work of the Anglo-German Boundary Commission, but claimed to have proceeded from the intersection of the 147th meridian and the 8th parallel along the boundary in a north-westerly direction. Trekking through the wild Kukukuku country he probably proceeded as far as 145° East Longitude.⁴⁴ But for the intervention of World War I (and the end of German rule) it seems likely that his discoveries would have moved penetration of the thickly-populated Highlands valleys forward by fifteen to twenty years.⁴⁵

The elimination of the Germans did not mean that no rivalry existed between the administrations of Papua and the former German territory or that the boundary did not have its effect on exploratory expeditions. The perilous crossing of the unexplored country between the Strickland and Purari rivers by J. G. Hides and L. James O'Malley (Patrol Officers of the Papuan Administration), for example, could have been launched with greater ease and safety from the Australian Mandated Territory.⁴⁶

Prospecting at the Lakekamu goldfields had led the Papuan Administration to establish Nepa Patrol Post at the Tiveri watershed, near the border with German New Guinea, in 1909. With the rapid petering out of the gold rush, Nepa languished.⁴⁷ The fabulous find at Edie Creek in the Wau-Bulolo area in 1926 brought gold prospecting to the front of attention in the Mandated Territory. With many of the small claims

worked out prospectors began to wander out into the great central mountains. This initiated government activity and finally brought about the discovery of the Highlands valleys in the early 1930s.⁴⁸ Mining tenements near the south-eastern corner of the border caused some minor surveying activity in 1933–4. The boundary was surveyed and marked from the intersection of parallel 8° South Latitude and meridian 147° East Longitude in a north-westerly direction over a distance of 27.5 kilometres.⁴⁹ The survey was discontinued at this point 'as there was no further mining activity in close proximity to the boundary'.⁵⁰ When, in the Permanent Mandates Commission, Count de Penha Garcia expressed the view that it was, nevertheless, of value to delimit the frontier as rapidly as possible, the Australian representative (Major O. C. W. Fuhrman) responded that the survey had reached the limits of the friendly districts and that from there on 'it would be in dangerous country'. Count de Penha Garcia dryly remarked that he 'hoped the territory would soon be safe enough to complete the work'.⁵¹

The Issue of Administrative Union

The question of whether Papua and the former German possessions in New Guinea should have a combined administration cropped up on a number of occasions before World War II. Although administrative union was achieved in the wake of the Pacific War, the United Nations continued to insist that 'the separate identity' of the Trust Territory be maintained. Recent international developments and the changed course of Australian policy have quieted criticism in the United Nations as it is realized that it will be the more populous and economically more viable Trust Territory which will wag the Papuan part of the union. This does not mean, however, that the issue does not deserve attention. In boundary matters there can be little justification for brushing aside 'lines on the map' with the comment that the present situation seems to exclude the possibility of trouble. This is especially true when we are dealing with an emergent nation in which the voice of the inhabitants has only recently become audible and their personal involvement in major policy decisions has been nil.

The Pre-World War II Period. The military occupation of the German possessions in New Guinea in September 1914 raised the question of the desirability of a unified administration with Papua. Such a scheme was supported vigorously—and understandably so—by the Lieutenant-Governor of Papua, J. H. P. Murray.⁵² The Labor government was of the opinion, however, that such a move looked too much like annexation, was not in line with Britain's wishes at the time (at whose request the Australian government had occupied the German possessions), and was distasteful to several Labor members. It was also deemed inadvisable to change institutions and systems of government during the period of the 'military interregnum'. Finally, Murray's 'native policy' in Papua appealed little to those who were intent on conserving

'a valuable prize of war, and the pattern of economic activities in which the native was an asset'.⁵³

The issue of territorial amalgamation was revived immediately after the war when it became tied to the problem of dealing with the German assets in New Guinea, and a Royal Commission was appointed on 12 August 1919.⁵⁴ The strong views of Lieutenant-Governor Murray (chairman) on the matter of union were well known while those of the other two members (Atlee Hunt, Secretary of the Department of Home and Territories, and W. H. Lucas, manager of the Burns Philp trading concern) were identified with the European interests in the territory. Murray's arguments in favour of union—greater economy and efficiency and a better compliance with the policy *vis-à-vis* the native people—impressed the Australian Prime Minister less than the short-term and somewhat emotional arguments of Hunt and Lucas (representing the view of the 'majority') that a separate administration was demanded by the need to deal with the remaining German traders, merchants, and missionaries.⁵⁵ The question of whether the Mandate permitted a combination of the two territories was dealt with only in an off-hand manner. The majority held that such a step would prevent the presentation of an adequate report to the League of Nations, while Murray argued that any of the Mandate's conditions and provisions could be carried out just as easily under an amalgamated as under separate administrations.⁵⁶

The possibility of merger was not raised again until 1932 when a proposal for a common public service was aired. In answer to a question in the House of Representatives as to whether it was the intention of the government, with a view to effecting economy, to co-ordinate the administrations of Papua and the Mandated Territory, Prime Minister Lyons responded that consideration was being given to this matter by the Minister in charge of the administration of those areas.⁵⁷ At this time, however, Lieutenant-Governor J. H. P. Murray had reversed his stand. He argued that time had created vested interests within each of the two administrations which would create friction if amalgamation was envisioned.⁵⁸ The proposal was revived in late 1938 and led to the appointment of another commission—composed of F. W. Eggleston (chairman), H. L. Murray (representative for Papua), and H. O. Townsend (representative for New Guinea)—charged with surveying the possibility of a combined administration and recommending a proper capital site either for the combined administration (if this was what the Commission recommended) or for the Mandated Territory.⁵⁹

This Commission begins its report with the not very profound observation that if the two territories had been acquired at the same time and under similar titles it would have been 'highly improbable' that they would have been divided into separate units. Given their separate colonial existence, however, different paths had been pursued resulting in different laws, administrative methods, and conditions.

Noting that political unions rarely come into being unless some overwhelming, urgent need exists, or a substantial body of public opinion demands it, the Commission indicated that chief support for a close union came from those who stressed the defence aspect, but that the weight of evidence received was 'definitely against'. A number of missionary organizations and the managers of such big financial concerns as Burns Philp, W. R. Carpenter, and the Bulolo Gold Dredging Company had declined, however, to express an opinion on the subject. The Commission further admitted, with admirable frankness, that its use of the term 'public opinion' applied only to the opinion of the European community:

We were very much concerned as to whether we should endeavour to obtain the evidence of the natives on the terms of reference, but we were informed by many authorities, including missionaries, that on a subject of this kind native opinion did not exist and it would be impossible to elicit any views from them. Two members of the Committee who have lived and worked for many years in the area agree with this view. The fact that the natives are unable to form an opinion places a heavy responsibility on the Government to safeguard their interests, to promote policy which those interests demand, and to prevent measures which would be contrary to them.⁶⁰

In the opinion of the Commission it might still have been possible to recommend a combined administration had it not been for two other considerations which decisively tipped the scales against union. The first was that the financial position of the Mandated Territory was 'definitely superior' to that of Papua. Revenues and expenditures were practically in balance in the former while Papua, even with an infinitely smaller and cheaper development program, was dependent on a Commonwealth grant amounting to about 22 per cent of her budget. The second consideration dealt with the Territory's position under the Mandate. The Commission unanimously held that regardless of whether closer union was valid or not there should be 'no pooling of resources', or any subsidy from the Mandated Territory to Papua. Under these circumstances, a combined administration seemed 'impracticable and of little value to either'. Action of a unilateral character which would be misunderstood or which could be misrepresented as a repudiation of the Mandate or as annexation also seemed undesirable.⁶¹

Unanimous in its views that a combined administration offered very little advantage, the Commission differed as to whether amalgamation conflicted with 'the letter and spirit of the Mandate'. Consideration of the 'abstract legal position' could have been avoided as the issue had already been decided on other grounds, but the majority (Eggleston and Townsend) felt obligated to look at it in some detail. It noted that 'the circumstances of the two territories may change and that other cases may arise in which a combined administration of adjacent territories is absolutely essential in the interests of a mandated territory'. In the opinion of the majority, the right to set up a joint administration with a fusion

of executive powers and common laws was embodied in Article 2 of the New Guinea Mandate:

The Mandatory shall have full power of administration and legislation over the territory subject to the present mandate as an integral portion of the Commonwealth of Australia and may apply the laws of the Commonwealth of Australia to the territory, subject to such local modifications as circumstances may require.⁶²

Taking hold of the term 'integral portion of the Commonwealth of Australia' with legal tenacity, the majority argued that these words clearly conveyed 'a unit in which the parts work as merged in the whole for administrative and legislative purposes'. It further found nothing in any general words of the Covenant or the Mandate, or in the nature of the relationship established by it between the Mandatory and the territory which limited the explicit and unambiguous terms in which that authority had been granted. But even the majority felt compelled to agree that this only applied to administration and legislation and that these powers as far as the Mandated Territory were concerned were tied to the specific restrictions in the Mandate and in addition did not involve any change in the international status of the mandated territory.

H. L. Murray dissented. He maintained that not only would it be impracticable for the Commonwealth government to set up a combined administration by unilateral action, but that this would be true even if the approval of the Permanent Mandates Commission and the Council of the League could be obtained. The basic principles of the Mandate simply presented 'insuperable difficulties':

If there were to be one Government, one Legislative Council, one Public Service and a common capital for the two territories, I am convinced that it would require considerable ingenuity to argue successfully that such a scheme did not 'involve the creation of a political or constitutional union, with the effect of destroying or endangering for the future the existence of the mandated territory as a distinct entity in international law'.⁶³

Murray regarded the different ultimate objective as far as the future of the native people was concerned to be an additional obstacle:

Papua should be 'regarded as being on the road to closer and more intimate relationship with the Commonwealth constitutional organization' (Mr. Justice Evatt), while the administration of New Guinea should be carried on with a view to the progressive movement towards independence. The ultimate aims of the Commonwealth in these two territories should be, and no doubt are, fundamentally different. . . .

It is the basic principle of 'trusteeship' as set out in Article 22 of the Covenant (on which the Mandates were framed) that is the obstacle. . . . To remove the obstacle it would be necessary to change the whole character of the Mandate. 'Trustee-ship' and 'Tutelage' (to a stage where the people can stand alone, i.e. to independence) are the essence of the Mandate system.⁶⁴

Murray's strong argument against amalgamation was weakly and somewhat haphazardly countered by the majority:

All that it means is that at the time when the inhabitants of New Guinea are fit for independence, the Commonwealth must be prepared to give it to them. There should be no particular difficulty about this; divisions of States into separate units are rather more common than unions.⁶⁵

But with regard to the doctrine of 'eventual emancipation' of the people of the Mandated Territory and the 'Greater Australia' view with regard to Papua, it showed considerable wisdom:

To say that Australia must train the inhabitants of the mandate territory to prepare for independence and the inhabitants of Papua for incorporation into the Commonwealth does not seem quite just to the latter. It seems to us that unless the training of the natives of Papua is restricted by British [*sic*] nationalistic influences *they will be ready for self-government at the same time as those of New Guinea, and that if independence is given to one it cannot be denied to the other.* The methods of the Papuan Administration are, if anything, more favourable to the development of the natives' individuality than those of New Guinea.⁶⁶

The Pacific War and Subsequent Events. The issue of a combined administration was solved by blood and iron. The outbreak of the Pacific War followed by the Japanese invasion of New Guinea in early 1942 meant that the two territories had to be dealt with as a single strategic area; such functions of civil administration as were necessary and possible were carried out by a military organization known as ANGAU (Australian New Guinea Administrative Unit).⁶⁷ Civil administration was restored in October 1945, but the Papua-New Guinea Provisional Administration Act, passed shortly before, continued the combined administration for the time being. The wartime and immediate post-war experiences which had necessitated joint control were now used as arguments to demonstrate its efficiency and continued need. The Australian government decided that it was essential to include in the Trusteeship Agreement (submitted to the United Nations in 1946) Article 5 which specifically covered the question of administrative union.⁶⁸

It is agreed that the Administering Authority, in the exercise of its powers under article 4, shall be at liberty to bring the Territory into a customs, fiscal or administrative union or federation with other dependent territories under its jurisdiction or control, and to establish common services between the Territory and any or all of these territories, if, in its opinion, it would be in the interests of the Territory and not inconsistent with the basic objectives of the Trusteeship System to do so.⁶⁹

During the lengthy discussion of the Agreement, the Australian representative gave definite assurance that any action taken to implement administrative union under Article 5 'would not involve the loss by New

Guinea of its identity as a separate territory administered under the provisions of the International Trusteeship System'. The decision to transform the provisional administration into a permanent one was made in November 1947. The Trusteeship Council was informed that this step was taken in pursuance of Article 5 because such an administrative union would be 'in the interests of the peoples of the Territory and New Guinea and will greatly assist in carrying out the objectives of the Trusteeship System'.⁷⁰ No reference was made to the views of the indigenous people—presumably they were still as ignorant on these matters as they had been deemed to be at the time of the Eggleston Commission. Enclosed with the lengthy statement submitted by the Australian representative on 3 July 1948, in answer to questions raised concerning the proposed administrative union, was a copy of the Papua-New Guinea Bill 1948.⁷¹ This Bill had been introduced into Parliament shortly before but no action had been taken pending discussion in the Trusteeship Council.

The Trusteeship Council carefully examined the report of the administration of New Guinea and the proposed legislation. It considered the establishment of an administrative union 'a highly important problem of serious consequence'. In so far as it was partly juridical in nature it could only be resolved by recourse to the appropriate juridical body, the International Court of Justice. This did not mean, however, that there were no practical implications. The Council was convinced that 'an administrative union must remain strictly administrative in scope, and that its operation must not have the effect of creating any conditions which will obstruct the separate development of the Trust Territory' as a distinct entity in political, economic, social, and educational advancement.⁷² The Council was, moreover, not entirely convinced that the proposed union might not go so far as to compromise the preservation of the separate identity of the Trust Territory and it indicated that it was 'firmly determined that the proposed union must not lead to a union of a closer permanent nature with still greater implications'. With regard to the specific clauses of the Papua-New Guinea Bill, it expressed special concern about sections 11 and 73. The former permitted the Governor-General by proclamation to define provinces within the Territory by such names and with such boundaries as were specified in the proclamation;⁷³ the latter intended to introduce a single tariff system.

To meet the Trusteeship Council's objections, the Administering Authority introduced a number of amendments. Clause 8 of the Papua-New Guinea Bill 1949 stipulates that 'the status of the Territory of Papua as a Possession of the Crown and the identity and status of the Territory of New Guinea as a Trust Territory shall continue to be maintained'. It deletes altogether the original Clauses 11 and 73 and in Clause 36.4 (new) allots the Trust Territory inhabitants a proportional assignment of representatives in the Legislative Council.⁷⁴

Dissatisfaction in the United Nations with the formation of unions by Administering Authorities had led, in the meantime, to General Assembly resolution 224 (III) of 18 November 1948 which requested the Trusteeship Council

To undertake an investigation of customs, fiscal and administrative unions and common services between Trust Territories and adjacent territories under the sovereignty or control of the Administrative Authority; to recommend such safeguards as it might deem necessary to preserve the distinct political status of Trust Territories and to enable the Council to exercise its supervisory functions.⁷⁵

In its resolution 326 (IV) of 15 November 1949, the General Assembly further recommended that the Trusteeship Council in its investigations should pay particular attention to the desirability of establishing a separate judicial organization in each Trust Territory and a separate legislative body with increasing powers and with headquarters within the Trust Territory.⁷⁶ The Trusteeship Council completed its investigations by mid-1950 and at that time decided to establish a Standing Committee on Administrative Unions which would 'regularly examine the operation of administrative unions and report to the Council at each session on any union in which a Trust Territory under review participates'.⁷⁷

The Standing Committee has continued over the years to pay attention to the 'safeguards' provided in its resolution 293 (VII) of 1950—particularly to the furnishing of separate financial, statistical, and other data relating to Trust Territories; the access of visiting missions to all information on administrative unions; the maintenance of separate boundaries; and the individual status and separate identity of Trust Territories. The report of the Standing Committee of 7 June 1960, for example, noted with regard to New Guinea that:

During the year under review, no changes were made in any legislation affecting or defining the legal status of the Territory, no new districts were created, nor did any of the district boundaries extend into the Territory of Papua or *vice versa*.⁷⁸

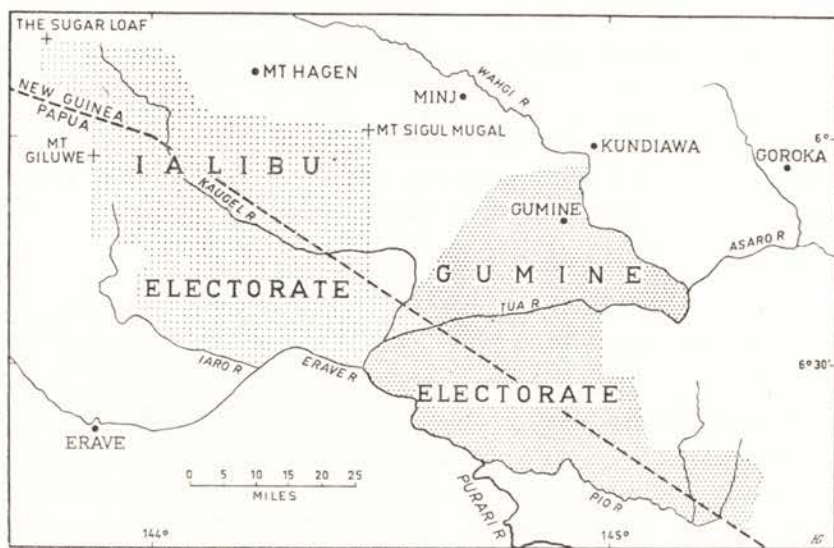
In the meantime, the component parts of the 'administrative union' of Papua-New Guinea had drifted closer and closer together, bearing out H. L. Murray's analysis of 1939 that a combined administration would by necessity 'involve the creation of a political or constitutional union'. Electoral legislation for a House of Assembly eventually granted suffrage to all adults of Papua and New Guinea and divided the country into forty-four 'Open' electorates chiefly on the basis of population. There were two important developments which explain the unopposed train of events leading to closer union.

First, concern within the United Nations about administrative unions had subsided sharply since the adoption of Resolution 1514 (XV), The United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples.⁷⁹ Adopted without opposing votes (and only

nine abstentions, of which Australia was one) on 14 December 1960, it in effect placed the peoples of non-self-governing areas and those of Trust Territories in the same speedboat toward self-determination and independence. Second—bearing out one of the *caveats* of the majority of the Eggleston Commission of 1939—the Australian view on the future of Papua has changed. One of the clearest expressions of it was the statement of Sir James Plimsoll, Permanent Representative to the United Nations, in the Plenary Meeting of the General Assembly:

In our Australian Territories, New Guinea and Papua, the Australian Government is continuing actively and as rapidly as possible to pursue the task of bringing them to self-government and self-determination. . . . Our objectives in both Territories are identical—self-determination and a recognition of the right of the people to choose their own form of government and their own associations.⁸⁰

What are the implications of these developments with regard to the administrative boundary between Papua and New Guinea? One can hardly disagree with Rowley when he comments that the border which a decade before had considerable international importance has become 'almost meaningless' now that Papua is to go the way of the Trust Territory.⁸¹ The minimal *international* significance of the boundary does not mean that its existence has become *politically* insignificant. Dislike for Papuan *evolués* runs strong in the Highlands, and District boundaries which themselves represent a degree of parochial loyalty continue to adhere to the imaginary line. Moreover, the political future of Papua-New Guinea is still to be determined by its people. It would seem unwise, for example, to permit cords to get tangled in such a way that future leaders of Papua-New Guinea might face unnecessary problems if they wished to consider the desirability of a federal union. It comes as a surprise, therefore, to find that the boundaries of two Highlands electorates, Gumine and Ialibu, straddle the administrative boundary between Papua and the Trust Territory, placing hundreds of square miles and tens of thousands of people on each side of the 'paper border' (see Fig. 9).⁸² It may no longer be significant that juridically this could be a serious violation of the letter and spirit of the Trusteeship Agreement. More important at this stage are the practical implications. *Qua* citizenship, Ialibu and Gumine electors on the New Guinea side of the border are 'Australian Protected Persons'; those on the Papuan side are 'British Subjects' and (at least in theory) 'Australian Citizens'. In terms of District boundaries the situation is chaotic. Those parts of Ialibu and Gumine on the New Guinea side fall administratively under the Western and Eastern Highlands Districts while those on the Papuan side are in the Southern Highlands and Gulf Districts. The electoral boundaries which were created are likely to be more in line with the geographical features and habitat of the people than the line on the map, and the Administration is to be complimented for its willingness to free itself from obvious absurdities. The correct procedure, however, would have



9 The Ialibu and Gumine Electorates

been to propose and bring about an official adjustment of the 'paper boundary', rather than to couple complementary parts across the border together in a shotgun marriage. This might not have been as easy as it sounds; it is, indeed, simpler to follow the nonchalant approach.

The Solomon Islands Boundary

The Anglo-German Declaration of 1886 had halved the Solomon horse; under the convention of 1899 Germany parted with all but the head—Buka and Bougainville.⁸³ This dissection was not accepted without comment. The well-known Solomon Islands missionary, Dr George Brown, for example, saw the islands as a single group and warned not to put asunder 'Whom God hath joined'.⁸⁴ The banishment of the Germans from the Pacific in 1914 presented another opportunity to reassemble the body. Fletcher, writing in 1916, indicates that the amalgamation of the British Solomons with the other parts of New Guinea was 'being discussed quietly' in Australia but that the difficulties were recognized to be great.⁸⁵ Part of the problem was expense, as is clear from one of his earlier comments:

Great Britain may yet say to Australia: 'Very well, take over the Solomons and do what you like with them within the limits of Imperial traditions and fair play—but you must pay.' To this the reply undoubtedly would be that it must be a matter for consideration, but that British administration in the past has left a great deal to be done. Why should not Great Britain bear some share of the expense?⁸⁶

The possibility of having to live with the native policy of Lieutenant-Governor Murray of Papua appears to have been sufficiently real and

frightening to some white planters of the British Solomons that they forwarded a petition against the annexation of the group to Australia to the Secretary of State for the Colonies. The Royal Commission of 1919, charged with inquiring into various matters connected with the former German possessions, did not ignore the relations with the Solomons. The majority report indicates that, if it should be decided to transfer the control of the British Solomons to the Commonwealth, a separate administration should be retained and that in such a case the islands 'would easily and naturally find their place' in the relationship between the Commonwealth, the Territory of Papua, and the Mandated Territory.⁸⁷ Lieutenant-Governor Murray in his minority report advised that, in the event of transfer, the Solomons should 'form part of the amalgamated Territory', and he foresaw no difficulty in that case because 'they are already British'.⁸⁸

No further published material on the subject of merger has come to the author's notice. It seems unlikely, however, that the subject did not receive some official attention, especially in the post-World War II period when the British empire began to disengage itself at an accelerated rate from colonial dependencies. In 1960, Sir Charles Jeffries, a former Deputy Under-Secretary of the Colonial Office, in discussing the transfer of power stated with regard to the Pacific:

In the Pacific Ocean there are the Fiji Islands, the British Solomon Islands, the Gilbert and Ellice Islands, Tonga and many smaller groups and islands. . . . Is there material here for one or more federal states on the Caribbean model? Does the ultimate future of the islands lie in closer association with Australia or New Zealand, rather than with distant Britain? These are questions which rise in the mind, but no answer is apparent now.⁸⁹

The fact that no answer was apparent with regard to the Solomons may not have been due to the absence of British thinking on the matter nor to the possible reluctance of the Commonwealth of Australia to be saddled with another string of 'truly undeveloped' coconut-producing islands. Rather it seems possible that the dilemma was caused by fear of a cession of a British High Commissioner's territory in the Pacific to a neighbouring Commonwealth country setting a precedent which would make it hard to resist similar cessions in other parts of the world under almost identical circumstances. Be that as it may, it is clear that, since the late 1950s, the internal development of the British Solomons has been stepped up. A Legislative Council was established in 1960 and a British White Paper of 1963 signified an important step towards responsible government with the suggestion that eight Members of the Council, which was to be reconstituted, should be elected.⁹⁰ Indigenous politicians may well have begun to realize that they are big fish in the Solomon pond but that the small population of their islands would entitle them to only a few minnows in Port Moresby's House of Assembly. Apart from these possible internal developments, it is clear that changed inter-

national circumstances along the far western rim of the Pacific warn against future plans for a Malaysia-type federation at this late stage. At the same time the future state of Papua-New Guinea should be aware of the possible attraction which a self-governing Solomon Islands could exercise on populous Bougainville with its lone member in the Papua-New Guinea House of Assembly.

The Irian Boundary

The Dutch claim to New Guinea had been somewhat precariously and haphazardly defined in several documents: the Proclamation of 1828, the secret decree of 1848, and definitions of the territorial limits of the Protectorate of Tidore in the semi-official *Gouvernementsalmanak*.¹ In conjunction these documents could be interpreted as indicating that the Netherlands laid claim to the western part of New Guinea from the 141st meridian of East Longitude in the south to Cape Bonpland at 140° 47' East Longitude in the north. The Anglo-German Arrangement of 1885 bisected the eastern part of the island. With regard to the Dutch claim, it was significant that the joint land boundary ended in the west at the point of intersection of the 5th parallel of South Latitude with the 141st meridian East Longitude.² The British had consistently referred to the 141st meridian as the boundary of the Netherlands possession; Germany, at least indirectly, seemed to take a similar view. A more precise indication of the German position can be derived from the *Schutzbrief* [Letter of Protection] to the Neu Guinea Compagnie in which Germany confirmed its sovereignty over island and coastal New Guinea and defined that part of the mainland which did not come under British or Netherlands sovereignty:

This region . . . extends along the north coast of the island from the 141st degree of East Longitude (of Greenwich) to the point in the neighbourhood of Mitre Rock where the 8th degree of South Latitude intersects the coast . . . [and from there into the interior eventually coming to] the intersection of the 5th degree of South Latitude and the 141st degree of East Longitude and from there northward along this line of longitude until it once more reaches the sea.³

Pleasing as the acceptance of the 141st meridian as the boundary may have been to the Netherlands, it did not conform entirely to the Netherlands claim. Looked at from the most southern point of the border, a gradually widening, needle-like sliver about 470 miles long was left as 'no man's land', that is not claimed by any European power.⁴ Later, the Netherlands quietly adopted the 141st meridian as the 'proper' boundary throughout the width of New Guinea but the definition in the *Regeeringsalmanak* continued to refer to Cape Bonpland as the north-eastern extremity of Tidore's territorial limits until 1897. In the re-definition at that time, a blunder was made in terminating the description

of the boundary (begun in the south) at 'the point of intersection of the borders of the Netherlands, British and German possessions'—leaving the 165-mile stretch from there to the north coast unclaimed. The oversight was not rectified until 1902.⁵

In the ensuing pages attention will be paid first to the pre-World War II problems and activities in the southern and northern sectors. It was during this period that the boundary was defined in an Anglo-Dutch Convention and an Australian-Dutch Exchange of Notes. The labours of the German-Netherlands Border Commission of 1910 failed to have any positive results, but nevertheless threw light on the difficulty of the tasks of a border commission and the complexities it faced in the field. Both in the south and the north minor border issues led to diplomatic exchanges, but the suggested survey of the boundary was never conducted. A discussion of three selected 'trouble spots' leads to an account of the diplomatic exchanges between the Netherlands and Australia in the post-World War II period. The chapter concludes with a discussion of the post-1962 situation, when Indonesia emerged as a next-door neighbour.

The Tugeri and the Border Revision of 1895

Frequent correspondence between the British and the Dutch and the Convention of 1895 which modified the southern boundary, were prompted by a tribe known as the Marind which inhabited the swampy lowlands of coastal New Guinea near the Digul and Maro rivers.⁶ Described as 'active, powerful, daring, enterprising spirits',⁷ the Marinds used to break the monotony of life with head-hunting raids on neighbouring tribes carried out with large canoes at the end of the dry season. Taking advantage of the changing monsoon winds the Marinds would visit the distant but favourite area of the Morehead and Wassi Kussa rivers—the legendary dwelling place of their ancestors. Naturally, the Marinds were unaware that they possessed the status of Netherlands subjects or that the heads they collected after 1884 from across that imaginary line (the 141st meridian) belonged to Her Majesty's British subjects.

Reports about 'piratical tribes', known to the British as the Tugeri, were first made by the Resident Magistrate of Thursday Island in 1888, but no detailed account was available until Sir William MacGregor, then Administrator of British New Guinea, became interested in bringing the western part of his domain under administrative control. In a despatch of March 1890, MacGregor noted the depopulation and desolation of the country between Saibai Island and the western boundary and although expressing regret that the Tugeri were not British subjects (for they were the kind of men 'from among whom a police force, teachers, &c., could be procured'), he was firmly of the opinion that their raids would have to be put to an end by some means and as promptly as

possible.⁸ After spending considerable time later in the year investigating fresh rumours of a Tugeri invasion, MacGregor again noted the necessity for ending the raids of 'these marauders'.⁹ Never doubting that they were Netherlands subjects he suggested that the Dutch government should be approached and, if this was out of the question or brought no results, a British post should be established near the western boundary. MacGregor assumed that in the circumstances the Queensland government might well be interested in contributing toward the cost of the post as it was as much required for the protection of some of the Queensland islanders as for any in British New Guinea. Queensland, however, expressed little interest in the proposal.

Representations to the Netherlands government proved equally discouraging. The Dutch Premier assured the British Envoy that investigations would be carried out and that the Queen's government had no intention of shirking the responsibilities incumbent upon it as sovereign of the western part of New Guinea. But MacGregor's view that the culprits were Netherlands subjects was brushed aside with the comment that his report contained 'conjecture rather than proof'.¹⁰ The Netherlands claimed ignorance about the habitat of the Tugeri but, from the evidence available, surmised that this tribe held no fixed habitat and were in fact nomads. It reasoned that if a simple expedition was sufficient to stop the tribe's activities, as MacGregor seemed to imply, then it could be carried out equally well by the administration of British New Guinea.

MacGregor was unwilling to forget either the Tugeri or the reply of the Netherlands government. In early 1892 he engaged in another expedition to repel a rumoured invasion and bitterly complained about the drain on his time and the meagre financial resources of the territory. Appreciative that the Netherlands did not want to evade its sovereign duties, he deemed the time ripe to call upon the Netherlands government 'to make good the above friendly and courteous declaration' and to exercise at once 'the sovereign rights they do not intend to withdraw from'.¹¹ The fact that Dutch sovereignty was totally unknown and totally unexercised had the effect of 'putting the Tugeri country into a condition of political mortmain, and of shielding these marauders from the punishment which would otherwise have surely overtaken them before now'. In MacGregor's view, the Netherlands Queen should be requested either to take 'effective steps to restrain the Tugeri tribes . . . by establishing a Government Station or Mission' or, if the Netherlands did not care to do this, then ('out of regard for the welfare of the tribes in question, and in consideration for a friendly neighbour') it should fix the boundary line at such a place as would allow the government of British New Guinea to establish a station among the Tugeri. The latter suggestion led MacGregor to recommend the appointment of a joint commission to define 'a geographical or working boundary between the British and Dutch portions of the island' and to settle the question of

indemnification of the Tugeri victims. With regard to the establishment of a working boundary, MacGregor made the following comments:

A few miles, or two or three score of miles, near the boundary, can be of no consequence to either Government, as I believe anyone competent to express an opinion on the point will, on examination, pronounce the country in question unsuitable for European occupation. . . . At present the boundary is the 141° of east longitude. I need hardly say that it is impossible for me, or for any of my officers, to determine exactly when we reach the 141° of east longitude. I would therefore respectfully suggest that if the questions arising out of this Tugeri matter can be satisfactorily settled without the appointment of a joint commission, that a British and Dutch ship of the respective Royal Navies, with specially qualified officers, should meet and lay down the boundary; but I would venture to advise that the boundary so laid down should not so much have reference to the 141° as to the practical and working convenience of the two Colonial Governments; for it can be a matter of no importance to either of two such great Colonial powers whether the boundary post is a few miles east or west of a meridian that traverses an area of mangrove swamp.¹²

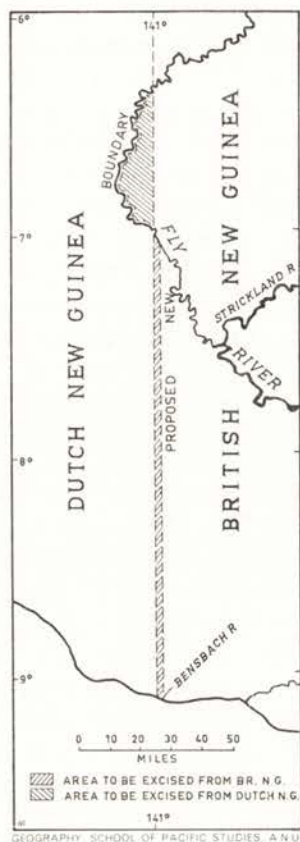
Acrimonious, even if diplomatically phrased, correspondence about the domicile of the Tugeri continued, with the Dutch refusing to be impressed with the admittedly scanty evidence provided by MacGregor. In early 1893, however, the Netherlands Premier and Foreign Minister announced that a border post had been established at 'Silaraka' (Selerika) with a *Posthouder* in charge, an adequate police force, and necessary provisions.¹³ He added, not without some sarcasm, that the visiting Resident of Ternate had been very well received by the local populace which did not appear to be addicted to piracy as they possessed only few arms and canoes which were scarcely suitable for keeping at sea. Little did the Premier know that Selerika had been under constant attack since the departure of the Dutch warship that brought the personnel of the post and had already been ignominiously abandoned.¹⁴

The Dutch had not been convinced of either the necessity or utility of a boundary rectification, but they offered no objection to the despatch of a vessel to the south coast of New Guinea to exchange on-the-spot views with the British authorities.¹⁵ Arrangements were made, therefore, for the Resident of Ternate, J. Bensbach, to meet MacGregor at Thursday Island in the latter part of February 1893.¹⁶ From there the two men, accompanied by a small staff, proceeded on MacGregor's *Merrie England* and the Dutch ships *De Zeemeeuw* and *Java* to the New Guinea border area. The ships anchored in shallow waters several miles off-shore and about three miles west of the boundary where the Dutch had previously discovered a small creek. A survey of this area, however, by steam launch failed to reveal a suitable landing spot. So the shore line was followed in an easterly direction until one came unexpectedly to another stream. There, a small area of 'high ground' was located where, with some ingenuity, the Dutch astronomical observer

Lieutenant R. Posthumus Meyjes placed his instruments so that they would not sink away in the sloshy ground. A time determination was taken from position of the sun and related to the last observation on Thursday Island (more than two days earlier) and the following night astronomical observations were carried out which could be used for a latitude determination. The result indicated that the observations were taken at $141^{\circ} 01' 47.9''$ East Longitude with a probable error of about $7.4''$ which meant, according to the theory of probability, that the longitude of the determined point could be up to 220 metres wrong in either direction. With considerable foresight—as astronomical observations carried out more than sixty years later proved—Posthumus Meyjes added: 'In reality this error may well be larger.'¹⁷

It would have been possible to return along the shore line and determine the position of the 141st meridian. Bensbach and MacGregor, however, agreed that the newly discovered river (which at MacGregor's suggestion was christened the Bensbach) clearly formed the most natural boundary in the region and that the mouth of a river would be more easily understood as a dividing line by the local inhabitants than a marked mangrove stump. The proposed boundary would then be the meridian of the middle of the mouth of the Bensbach River. This would enlarge the Dutch territory by a strip of land approximately three kilometres in width and extending from the said mouth to the intersection with the Anglo-German border at 5° South Latitude.¹⁸ But MacGregor had one other suggestion up his sleeve. Having made an expedition to the Fly River in the past he suggested that it would be advantageous to make a minor correction at the middle course of this river as well. This also would mean that the total territory to be exchanged would be approximately equal in size (280 square miles). The Fly River proposal was persuasively argued:

It is also very desirable that the small loop of territory east of the Fly should be made British territory. The day will undoubtedly come when the gold-seeker, and perhaps others, will proceed to the upper tributaries of the Fly. And if this takes place before the boundary is rectified there, awkward complications will arise. Two large tribes live on the piece of Dutch territory that lies east of the Fly, one at least of which is of an aggressive tendency towards travellers. When ascending and descending that part of the river, and when threatened by one of these tribes, I feel my hands half tied in dealing with them, as our traverse of the river put them on Netherlands territory. . . . The Dutch Government would before long be called upon to control its subjects there—a matter involving great trouble and expense, and probably raising other vexatious questions, as the Dutch Government could reach them only through British territory. To make the Fly River the boundary there, so that the Dutch should possess no land east of the Fly, would relieve them of an awkward and troublesome responsibility, and would put it into the power of the Government of the Possession to control the river in spite of any of the tribes living on it.¹⁹

10 *The Bensbach-MacGregor Proposal*

Bensbach and MacGregor then agreed to make the following recommendations for modifying the southern boundary:

Beginning on the south coast of New Guinea, at the middle of the mouth of the Bensbach River, which is about latitude 9 degrees 7 minutes 35 seconds south and longitude 141 degrees 1 minute 48 seconds east; proceeding thence northwards on the same longitude until the line meets the Fly River, about 7 degrees south; thence following the Fly River until it reaches the 141st degree east longitude—about latitude 6 degrees 20 minutes south; thence along the 141st degree of east longitude to the point where the British, Dutch, and German boundaries meet on the 5th degree of south latitude.²⁰

Two maps accompanied MacGregor's despatch. The first one (see Fig. 10) shows the position of the existing and the proposed boundary and the territories to be exchanged by the two colonial powers; the second map traces the coastline of the region immediately adjoining the Bensbach River.

MacGregor's proposal received quick approval from the British Secretary of State for the Colonies²¹ but it was only after the Netherlands

Foreign Minister, J. Röell, had written to the British Envoy at The Hague, Sir Horace Rumbold, in April 1894, that MacGregor's despatch was communicated by the Colonial Office to the Foreign Office.²² Soon afterwards, Rumbold submitted a memorandum suggesting that the proposed boundary revision be carried out through an Exchange of Notes. Such a procedure, however, was not deemed feasible by the Netherlands government. It argued that a change of boundaries constitutionally required a formal treaty, approved by the States-General.²³ Whether this was the case remains an open question. In the light of the ambiguous position of the boundary, the Netherlands may well have concluded that the proposed revision provided an excellent opportunity to achieve a signed agreement whose binding force could not be doubted.²⁴

With the communication expressing the need for a formal arrangement, Röell included a draft treaty based on the Bensbach-MacGregor proposal.²⁵ One minor query raised by Röell concerned the exact position of the Bensbach River: the observations of Posthumus Meyjes referred to the meridian of $141^{\circ} 01' 47.9''$ East Longitude, while the proposal used $141^{\circ} 01' 48''$. The matter was referred to MacGregor who pointed out that as the middle of the mouth of the Bensbach was proposed as the boundary it was not necessary to 'profess to define its exact Geodetic position' and that it would be absurd to attach any value to the tenth part of a second of longitude especially as it was based on time from Thursday Island two or three days earlier.²⁶ In MacGregor's opinion, the Netherlands could insert any figures it wished as long as the word 'about' was used and the figures were within 30 seconds of those given in his despatch of March 1893. In February 1895, the British Envoy informed the Dutch Foreign Office that the terms of the proposed convention had been approved by his government. The text of the Convention (drawn up in Dutch and English) was agreed upon on 16 May, briefly discussed in the States-General in late June-early July, and articles of ratification were exchanged on 20 July 1895. The first four articles define the boundary; the fifth deals with the 'free navigation' on the Fly River:

ARTICLE I

The boundary between the British and Netherland possessions in New Guinea starts from the southern coast of the said island at the middle of the mouth of the Bensbach River, situated at about $141^{\circ} 1' 47.9''$ of east longitude (meridian of Greenwich).

ARTICLE II

The boundary proceeds to the north, following the meridian which passes through the said mouth, up to the point where the meridian meets the Fly River.

ARTICLE III

From that point the waterway ('Thalweg') of the Fly River forms the boundary up to the 141st degree of east longitude.

ARTICLE IV

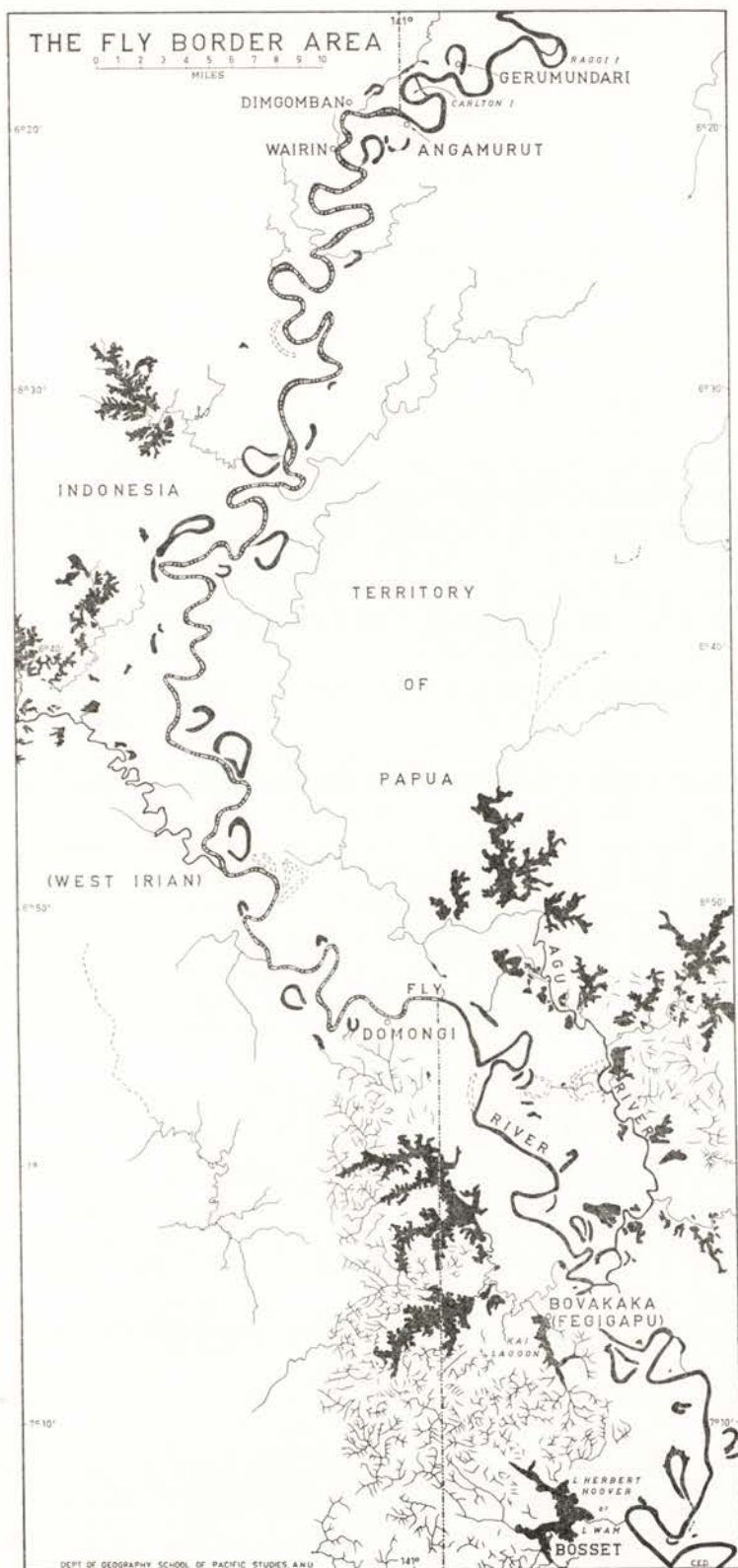
The 141st degree of east longitude after this forms the boundary up to the point of intersection of the boundaries of the British, Netherlands, and German possessions.

ARTICLE V

Navigation on the Fly River is free for the subjects of both Contracting Powers, excepting as regards the carriage of warlike stores, and no duty shall be imposed on other goods conveyed by that river.²⁷

A number of comments must be made about the treaty. First, the wording of Article III contains a dangerous ambiguity. The Bensbach-MacGregor proposal had carefully entered the approximate latitudes at the southern and northern points of the Fly River bulge. These designations of latitude were omitted in the draft treaty prepared by the Netherlands Foreign Office and they did not reappear in the final treaty. This might have been inconsequential if the Fly River did not meander back and forth across the 141st meridian at least twice, and probably more often. A literal interpretation of the wording of the treaty, then, would preserve the *status quo ante* along the Fly River bulge, but cede to the Netherlands the strip of territory between the 141st and 141° 01' 47.9" meridians. Subsequent practice did not follow this interpretation nor was it supported by the Bensbach-MacGregor recommendations, by the exchange in the Netherlands Parliament,²⁸ or by the maps which accompany both MacGregor's report and the contents of the treaty in the Netherlands parliamentary record. Nevertheless, the fact remains that the *text* of the treaty is unsatisfactory and that a certain amount of confusion persists.²⁹

Second, the wisdom of selecting 'natural' boundaries at the Bensbach and the Fly rivers may be questioned. The literature on boundary demarcation is full of warnings about the 'troublesome nature' of such boundaries, to the effect that 'their disadvantages usually outweigh their advantages' and that they should be 'avoided wherever possible'.³⁰ It appears that this matter was not given the serious consideration it deserved. The definition of 'natural' boundaries, for example, is stated in vague terms. Article I states that the boundary starts from the southern coast 'at the middle of the mouth of the Bensbach River'. But what is meant by 'middle'? A 'median line'? Is it to be measured at low or at high tide? During the dry season or wet season? Article III makes the waterway (*Thalweg*) of the Fly River the boundary. The use of this term has been interpreted in various ways and a tighter specification such as 'the deepest continuous channel' would have been helpful. Not only were the specifications vague but important considerations were ignored. Islands in rivers, for example, have caused trouble in other countries with river boundaries but no mention is made of any ruling regarding them in the case of the Fly River. Most important, perhaps, is the possibility of a change in the course of the river. It may not be stretching the point unduly to say that this stream shifts its course by the



11 The Fly River Border Area

minute. A look at the map (Fig. 11) indicates its meandering nature and quickly reveals the numerous oxbows. Disputes à la Rio Grande (which have troubled U.S.-Mexican relations for over a century) may not occur at the Fly River due to the nature of the terrain and the paucity of population, but future demarcation commissioners will still be faced with deciding the most sensible interpretation of a point on which the treaty is silent.³¹

Finally, the Bensbach-MacGregor recommendations made no reference to the 'free navigation' clause contained in Article V. MacGregor had proposed that *the British* should have free access to the upper tributaries of the Fly River, but the suggestion that the subjects of *both* states should have access appears for the first time in the draft treaty forwarded by Röell to Rumbold.³² Oddly, this important article has received scant attention. Wichmann, in discussing the Convention of 1895, gives the first four articles *verbatim* but refers to Article V only in an off-hand fashion.³³ A recent publication by an Indonesian scholar does the same.³⁴ The British Order in Council of 1896 (passed so that the laws of British New Guinea would extend to the newly acquired territory of the Fly River bulge) introduced the various articles of the Convention with the comment 'the following articles were, amongst others, agreed to', and then lists the first four articles.³⁵ Considering the purpose of the Order in Council there may have been little or no reason to include Article V. However, to Australian officials relying on this document as the authoritative version of the treaty, the free navigation clause may well have remained unknown until recently. Then it may have appeared as a fluke, but such a view is not sustained by the record. An analysis of the exchange in the Netherlands Parliament indicates that a question was raised in Parliamentary Committee as to whether it might not be important to have the Fly River flowing partly through Netherlands territory.³⁶ The written answer of Röell and J. Bergsma, the Minister of Colonies, emphasizes the significance attached to this clause:

The undersigned . . . cannot see what particular interest the Netherlands could conceivably possess in continuing to have a part of the Fly River run wholly through Netherlands territory. Of far more importance than the strip of land which will be ceded is, with a view to the future, the free navigation on the whole of the Fly River which is guaranteed to the Netherlands by the treaty.³⁷

Nor was the matter of free navigation unusual during this period. In the case of the Gira River which straddled the Anglo-German boundary, MacGregor was willing to settle for the suggestion of the Colonial Office to make the Gira free to the merchant flag of both nations 'if it is understood that merchant flag in this sense would cover armed Constabulary, Government Officers, miners, etc.' And he continued:

It may be mentioned that in arranging our Western boundary with the Government of the Queen of the Netherlands a concession was

made to the Dutch Government in respect of the Fly River, of the nature of the alternative course now suggested by Lord Salisbury in respect of the Gira.³⁸

Nor can the argument be advanced that no reference was ever made by the Dutch to this particular clause. In 1909 the Resident wrote from Merauke to Vice-Consul Joseph Mitchell at Port Kennedy (Thursday Island):

I think that the best way for exploring our mutual Fly River boundaries will be a visit along that river in our civil Government steamer, being no opposition against it following the mutual treaty.³⁹

When MacGregor made his initial suggestion for a revision of the boundary to counteract the Tugeri raids he added, rather significantly:

To lay down such a boundary, and to erect a pole at the spot agreed upon would be useless, and of no practical value, unless each Government is prepared to undertake in good faith that it will use all reasonable means to prevent its subjects from making hostile incursions on the neighbouring friendly state.⁴⁰

This prognosis proved correct for within a year of the signing of the treaty MacGregor had to meet a large array of Tugeri with force. Although he regretted 'the loss of life and the great material damage inflicted on this fine people', MacGregor expressed the hope that 'the greater it is now, the less the probability of their return here in the future'.⁴¹ Tugeri losses would have been even more serious had it not been that one of those mysterious taboos of the white man had cast its protective cover over the escapees dashing ashore at Matakawa Island. Comments MacGregor:

It was desirable to make some prisoners and there was an opportunity of doing so here, as fifty or sixty men, all without their arms, were driven ashore there. But Matakawa is unnaturally in the jurisdiction of Queensland, inside of which I had no authority to make prisoners. They were therefore not followed up in pursuit, and the captured man was allowed to go.⁴²

MacGregor's action was not appreciated by the Queensland Governor, who commented to the Colonial Office:

This would appear to be an over-scrupulous regard to frontier considerations anywhere within the confines of the Empire, but particularly so in view of the close connection between Queensland and British New Guinea and of their having almost identical interests.⁴³

Although MacGregor's 'scruples' were probably sincere it is pertinent to note that at this very time he was preparing his final case for a revision of the Queensland boundary.⁴⁴

In spite of MacGregor's success in repelling the invaders, reports of another Tugeri incursion reached British authorities in 1899 and again in 1900.⁴⁵ Diplomatic correspondence became lively and a memorandum

of the Colonial Office to the Foreign Office noted that 'the danger to British New Guinea' still existed and urged the Foreign Office to press the Netherlands to punish the marauders, return the captives who were taken, and give compensation for the losses which had been inflicted. It concluded by stating:

Mr. Chamberlain also thinks that it would be well to renew the representations made to the Netherlands Government in 1891 as to the necessity for taking effective measures to prevent a repetition of such raids, and to fulfil their international obligations to impose respect for the British frontier on the tribes subject to the Queen of the Netherlands.⁴⁶

The British Envoy at The Hague, Henry Howard, recounting the history of the Tugeri issue in a memorandum to the Netherlands Foreign Office, emphasized the urgent necessity to take effective measures to prevent a recurrence of such raids and 'to impose respect for the British frontier'.⁴⁷ But the results were once more discouraging. Although regretting the loss of life caused by the Tugeri raids, the Netherlands seemed to return to its 1891 position. It still maintained that the domicile of the Tugeri was a totally unknown factor and that Lieutenant-Governor G. R. Le Hunte's assertion that the Tugeri had returned to their own country in Netherlands territory was not supported by any evidence.⁴⁸ In spite of its view, the Netherlands had requested the Governor-General to instruct the Assistant Resident in New Guinea (stationed at the newly established post at Fak-Fak on the Onin peninsula) to investigate the matter and consult with the British authorities.⁴⁹

A conference between Le Hunte and the Netherlands New Guinea official, J. A. Kroesen, took place at Thursday Island in the latter part of October 1900 and Kroesen agreed to a joint expedition with the Resident Magistrate of the Western Division to the Morehead River area. Good fortune finally smiled on the British cause as fresh evidence of Tugeri acts of decapitation were found on the spot. Kroesen readily admitted that the captured canoes and arms were peculiar to the inhabitants to the west of the Bensbach River.⁵⁰ With the 'guilt' of the Tugeri established and publicly admitted, the Netherlands finally took quick action. The payment of an indemnity of £150 to the remaining relatives of the victims of the latest Tugeri raid was agreed upon (see Fig. 12).⁵¹ The southern part of Netherlands New Guinea was placed under *rechtstreeks bestuur* (direct administration)—the Sultan of Tidore 'agreeing' to cession for the sum of fl. 6000 per annum—and a post and military garrison were established at Merauke in February 1902, headed by Kroesen as Assistant Resident.⁵² Although another border raid by the Tugeri was reported in 1903, these fierce tribesmen were gradually forced to become loyal and peace-abiding subjects.⁵³

The word 'Tugeri' long continued to strike fear in the hearts of the coastal inhabitants of the Western District and rumours about a Tugeri invasion cropped up every now and then. As late as 1927 the electrifying



Nederlandsche Handel-Maatschappij

Batavia, 22 June 1901

£50/-

On demand of this SECOND of Exchange (First unpaid) pay

to the order of the Lieutenant Governor of British

New Guinea

One hundred and fifty Pounds sterling

Local Currency value received.

To the Ugiem
Bank of Liverpool &c
Brisbane

De Factorij der
Nederlandsche Handel-Maatschappij

Done

news reached the Resident Magistrate of the Western District that 'the TUGERI had arrived from Dutch New Guinea in ten canoes and captured the village [of Mabadauan]', and a letter from the native mission teacher at Masingara begged the government 'to go down and rescue the Samoan Teacher' stationed at Mabadauan. Upon arrival four native inhabitants stated that they saw the canoes, but the Samoan mission teacher, startled at all the sudden attention, was of the opinion that what they saw was either a log or a nipa palm floating by with the tide.⁵⁴ A major 'invasion' of Tugeri tribesmen did not recur until mid-1963 when several hundred crossed the border to evade Indonesian rule and a number of them were permitted to settle in the still depopulated area near the mouth of the Morehead River.

The Dutch-German Border Commission (1910)

The nebulous international status of the New Guinea boundary led the Netherlands to favour an agreement with Germany, similar to that which it had concluded with Britain in the Convention of 1895. Initial feelers had been put out as early as September 1895, but there was no official approach until seven years later. An *aide-mémoire* to the German Foreign Office of October 1902 noted that the 141st meridian formed the boundary between the Netherlands and German possessions in New Guinea and stressed the importance of replacing that line 'with a visible and as far as possible natural delimitation that would be easily recognizable in the terrain'.⁵⁵ It also made clear that the main purpose of a joint expedition would be to investigate the extent to which the establishment of such a 'working boundary' could be applied to the physical features of the terrain.

The Netherlands request met with a cool reception. The German government informed the Netherlands Legation that all its colonial officials and officers who might be used for this purpose were engaged in urgent boundary survey work in Africa and would not be available for the next few years; that an expedition through the practically unexplored terrain of New Guinea required considerable effort and could not be carried out without careful preparation; that the necessary funds would have to be requested from the Legislature; that there were no European settlements in the border zone and that there had been no border troubles; and, finally, that a determination of the intersection of the 141st meridian with the north coast had become unnecessary because astronomical observations had been carried out by Dr Friedrich Hayn (in 1896) at Angriffs-Hafen (Vanimo). For all these reasons, the imperial government failed to see the need for a speedy start—a regulation of the border could best be reserved until a future time 'with no prejudice to the interests of the parties concerned'.⁵⁶

The Netherlands was silenced but unconvinced and when the Imperial Navy's survey vessel *Planet* was assigned to the waters of the Bismarck Archipelago in early 1906 it seemed to offer another opportunity to

discuss the need for a survey of the New Guinea boundary. The Netherlands memorandum startled the Germans—the 1902 request having been forgotten.⁵⁷ But, having overcome their surprise, the Germans responded with objections almost identical with those of 1902. In addition to pointing out that the *Planet* was on a purely hydrographical and meteorological mission and its scientific personnel in no way prepared to perform on land, the German Foreign Secretary painstakingly explained to the Dutch that the only practical way to demarcate a boundary in the tropics was by placing cement pillars at astronomically fixed spots at frequent intervals. He concluded, therefore, that it was 'More opportune to postpone the demarcation until the need for the final establishment of the frontier is clearly proven by the mutual economic interests of the two colonies'.⁵⁸ As this was exactly the kind of situation the Netherlands hoped to avoid it was quick to point out that the German note had mentioned nothing but problems; problems, moreover, which had little to do with the actual Dutch proposal: 'The Queen's government desired and still desires a search for a "working boundary", a natural frontier.' With all regard to the objections raised, the Netherlands therefore continued to hope that a favourable occasion would present itself shortly to initiate the necessary explorations to examine 'whether or not it would be possible to discover and to agree upon a *natural boundary line*'.⁵⁹

Two years later the persistent Dutch again took the initiative. Referring to reports that a Mixed Boundary Commission was to survey the Anglo-German border they expressed the desire ('mentioned several times before') to replace the purely geographical boundary line between German and Netherlands New Guinea by a working boundary or natural frontier, and hoped that the same German Commissioners who served on the Anglo-German Commission could conveniently be employed for this task.⁶⁰ Although the German government noted that the latter suggestion unfortunately was not feasible, as the sole German Commissioner had been instructed to return to Germany immediately after the completion of his mission which was only to take 'a few months', it indicated that the colonial administration had expressed its willingness to request the necessary funds 'to organize an expedition intended to regularize the boundary in question'.⁶¹

Following a German suggestion, preliminary discussions between officials of the respective Colonial Offices, Professor L. Schulze (who was to be designated as the leader of the German Commission), and Dr A. Wichmann (Professor at the University of Utrecht) were held at The Hague on 21–22 September 1909. It was agreed that

The purpose of the border survey will be the making of reconnaissance journeys in the Netherlands-German border area of New Guinea at the 141st meridian east of Greenwich and the mapping of the explored terrain in such a way that it will permit the indication of *a natural boundary* between the territories of the two powers.⁶²

Despite initial agreements on a number of items, the two parties developed quite divergent viewpoints on working procedures. The Germans, for example, strongly objected to the idea of a joint expedition; they preferred that the two teams work side by side, but independent of each other.⁶³ Lack of sufficient funds was another important consideration for the Germans. As the imperial government did not anticipate *Reichstag* support for another border survey in distant New Guinea 'under the present difficult financial circumstances', it had decided to give the survey 'a scientific character' by appointing Professor Schulze as head.⁶⁴ Dutch circles expressed some concern that this might alter the character of the Commission and relegate its real purpose—the speedy determination of the natural boundary—to the background.⁶⁵

When the two Commissions met in Batavia (Djakarta) in March 1910 before their joint departure to the border area, their composition was an additional indication of the different approach adopted by the two governments. Not only was the Dutch Commission far stronger in both the number and qualifications of its staff, but its equipment was more elaborate and of superior quality. Moreover, two of the Dutch members were already in the field on a preliminary border reconnaissance. At a conference of the leaders (21–24 March), it became clear that the Germans favoured a rapid thrust inland with astronomical observations and schematic terrain sketches only at opportune and desirable locations.⁶⁶ The reaching of the 5th parallel—the point of intersection of the Anglo-German-Dutch borders—was considered 'decisive both for the direction and tempo' of the German expedition. The Dutch, convinced that the 5th parallel could not be reached in the available time, were unwilling to abandon what to them was the main purpose—the thorough exploration of the frontier and the mapping of those parts which seemed suitable for the establishment of a natural boundary. To accomplish this they were willing to trade length for width, especially since they viewed the northern border sector as more significant. On this point, too, the Germans disagreed. They expected the future development of the country to come more quickly in the Sepik border area than in the rugged northern part.⁶⁷

A compromise was worked out whereby the Dutch Commission was divided into two. One team was to travel with the Germans, the other to follow closely but attempt to adhere to the original Dutch plan. The Germans agreed to drop the 5th parallel as their main goal and were also willing to determine the main points along the route in such a manner that they were the most useful for locating and mapping a natural border.⁶⁸ They admitted that the finished project should as far as possible form a completed job; the Dutch agreed that in penetrating inland, one should at least reach the Sepik River.

Further compromises proved necessary in the field. Captain F. J. P. Sachse and Lieutenant A. F. H. Dalhuisen, the two Dutch members who had just returned from the preliminary border reconnaissance, stressed

the inhospitable nature of the terrain, the absence of local guides and carriers, and the inability of the country to provide sustenance even for the carriers, who had to be recruited from the coast or elsewhere in the archipelago.⁶⁹ Impressed with these difficulties, the leaders of the respective Commissions requested their governments to permit them to employ the Sepik River on behalf of the border survey after having penetrated southward as far as possible from Humboldt Bay. The Sepik had been explored in 1886 up to $141^{\circ} 53'$ East Longitude, at which point its generally east-west course flowed in a north-westerly direction.⁷⁰ As it was assumed that the Sepik rose in the 'border mountains' of northern New Guinea, the Commission's plan seemed a sensible one.⁷¹

There is no need to provide a detailed account of subsequent activities except to note that in the absence of such modern facilities as aerial photography and supplies dropped from the air, the task of the Boundary Commission was wellnigh impossible within the limited time available.⁷² The plight of the teams in the Bewani Mountains (about latitude $3^{\circ} 10'$ south) highlights the situation. Here, struggling through a labyrinth of hills intersected by mountain streams flowing in all possible directions, the Commission picked a stream—assumed to be a tributary of the Sepik—which flowed in a south-south-westerly direction and looked promising as a natural boundary. However, at about $3^{\circ} 14'$ South Latitude this river changed course to a south-westerly direction which became more westerly the further one progressed. On 12 July scarcity of provisions forced the Dutch team to turn around—the stream's name since that time being known as the Keerom [Turnaround] River—and in consultation with the Germans it was agreed to return to Humboldt Bay and link up the work in the Bewani Mountains with that to be carried out in the Sepik border area.

In early September 1910 a joint Dutch-German force—the staff of the Boundary Commission, military personnel and police, carriers, and about ninety Dyak and Ternatese rowers (specially recruited for the purpose by the Dutch)—entered the Sepik River. Three large steam vessels quickly took the expedition some 300 kilometres upstream; there everyone embarked on the smaller vessels—two small steam vessels, two steam sloops, two sloops, five *orembaais* (Ambonese proas), and seven Dyak proas. The westerly course of the Sepik, which had become north-westerly after passing the 142nd meridian, briefly followed a western direction but then turned south-westerly. The actual border reconnaissance was resumed after reaching Haupt-Biwak, at the mouth of a Sepik tributary, the October River, some 13 kilometres east of the 141st meridian. Exploration of this river was abandoned when it continued in a north-westerly rather than in a northerly direction. From Haupt-Biwak the main body of the expedition then journeyed up the Sepik in proas. Contrary to expectations the Sepik not only turned southerly—straddling the boundary line—but south-easterly toward the central cordillera's Victor Emanuel range. At this point the Dutch Com-

mission decided to return a short distance to explore a western tributary of the Sepik while the German team climbed a nearby peak to gain a bird's eye view of the surrounding terrain. Soon afterwards the arrival of the north-west monsoon made a return to civilization imperative.

As no one was able to gain any panorama of the surrounding country except from locations in the Bewani Mountains in the north and the foothills of the Central Highlands range in the south, it was assumed that the whole area between the Keerom and the upper course of the Sepik was 'one extensive, gently sloping plain' bordered in the north by the Bewani Mountains and in the south by the Central Highlands range.⁷³ This conclusion was, however, erroneous. The border region south of the Keerom River becomes rugged limestone terrain east of Jaffi, where the headwaters of several Sepik tributaries rise. If the Commission had entered this area it would also have discovered a population far more numerous than anywhere else in its border journeys.⁷⁴ It seems ironic that if the Boundary Commission had explored the Horden, a Sepik tributary downstream from the October River, it would have come to within a couple of miles of its previous exploits in the Bewani Mountains.

An extract of the report of the Dutch Boundary Commission was published in 1912.⁷⁵ Professor Schulze's report was not completed until much later, the Netherlands government receiving copies in mid-1914.⁷⁶ Most of the information contained in these reports is geographical and anthropological and includes several maps and numerous illustrations of land and people. The work of the Commission and its 960-kilometre trek up the Sepik River, therefore, contributed greatly to the limited knowledge of this part of New Guinea. Neither of the two reports contains recommendations with regard to the adoption of a natural boundary. Schulze expressed the view, in another publication, that the upper course of the Sepik might have merit as a natural boundary in spite of the need to compensate Germany elsewhere along the border, but this could only be determined after a review of all the material [*Bearbeitung des gesamten Materials*].⁷⁷

In addition to the published record, however, the Dutch Commission submitted a secret report to the Governor-General in which it provided an account of its activities and procedure and gave a description of the people, the terrain (including a geological analysis by Dr P. F. Hubrecht), and the economic interests which would be affected by a border alteration.⁷⁸ The main item in the trade category was the shooting of birds—the bird of paradise in particular—in the hinterland of Hollandia. The activity of bird hunters from Hollandia in the sparsely populated region east of the Tami River had convinced the inhabitants of such settlements as Mosso, Njao, Sekotiau, and Krissi (which in the opinion of the Commission were clearly in German territory) that they were under Netherlands suzerainty.⁷⁹

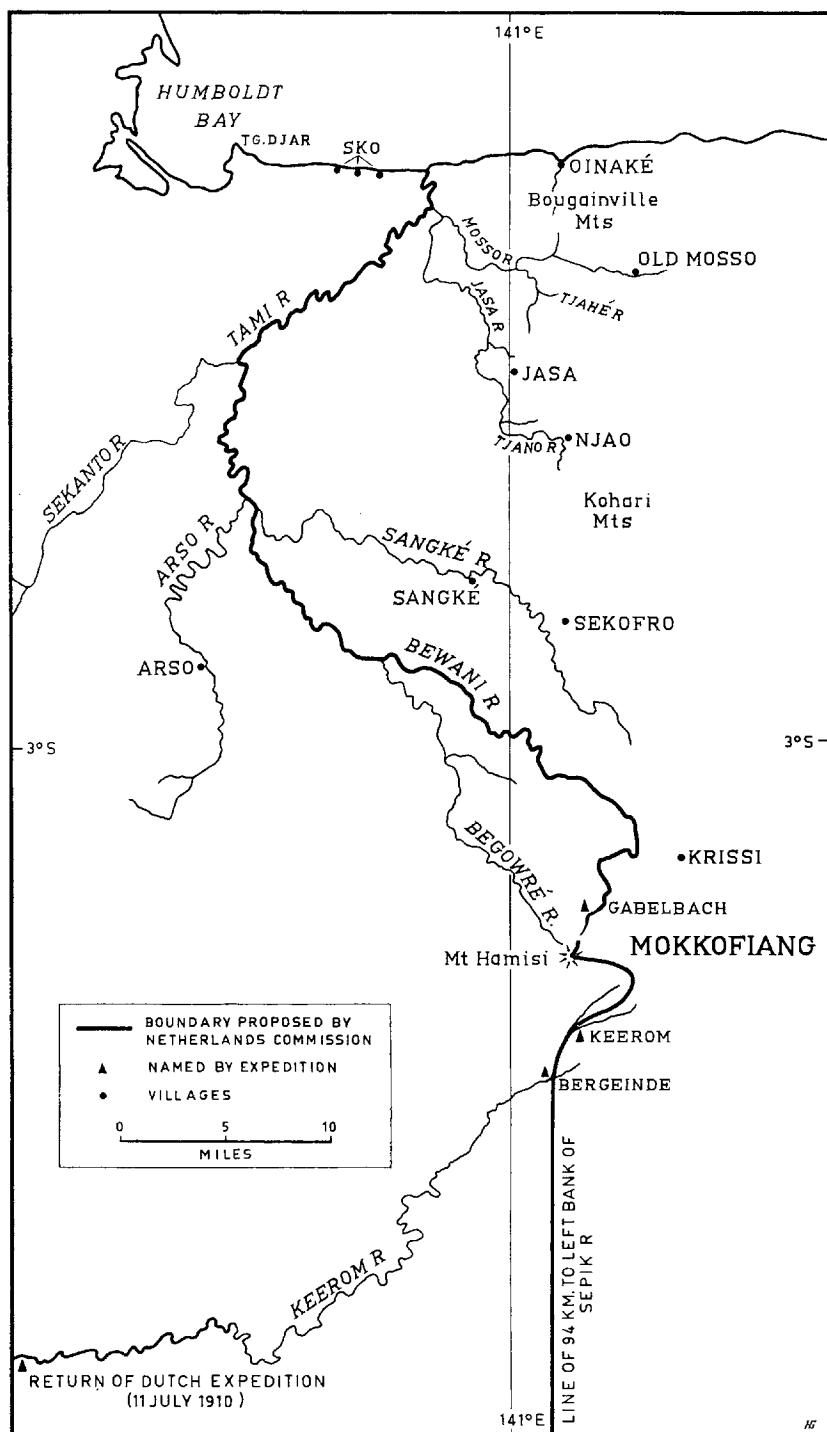
With regard to the establishment of a natural boundary, the Commission took several factors into account. It was impressed, for example, with the suitability of the Bay of Oinaké (Wutung) as a natural boundary at the coast, but discarded this possibility because the Bougainville Mountains effectively blocked the path to the south.⁸⁰ It proposed eventually that the most reasonable boundary and the one most easily understood by the native inhabitants was a line that would follow the right bank of the Tami from the shore to the confluence of the Arso and Bewani, and from there along the right bank of the Bewani to its source about a mile from Mt Hamisi (see Fig. 13). From there the boundary was to wind its way along the ridges of the Mokokfiang complex, across the water divide, to the confluence of the two branches of the Keerom River; then along this river to a narrow gorge, Bergeinde [Mountain-end], from which point 'a straight line of 94 kilometres in a direction N. 174° E.' (through the part unexplored by the Commission) was to be drawn to a point formed by the right bank of the October River and the left bank of the Sepik. It would then follow the Sepik in a south-western and southern direction and continue to follow it south-easterly to 141° 08' 35" East Longitude and 4° 41' 42" South Latitude, whereupon it was to go along a tributary as far as 4° 47' South Latitude. From there 'a straight line' would be drawn to the intersection of the 5th parallel South Latitude and the 141st meridian of East Longitude.

The Commission observed that the German government could raise objections to this proposal on the ground that it had to cede too much territory. But the Commission believed that the Netherlands could counter this view by noting that the territory ceded by the Netherlands east of the Tami River was, because of the bird hunting, of more value than 'the worthless terrain' lost by Germany. However, if one wanted to concede to possible German complaints, this could be achieved by shifting the starting point of the straight line at Bergeinde south-westerly along the Keerom River. One can only speculate as to whether the discovery of some of the northern tributaries of the Sepik such as the Horden and Green River might have led the Commission to continue the natural boundary along one of these streams in preference to the straight line proposed in this region.

From a practical viewpoint the work of the Dutch-German Boundary Commission was wasted. That this may have been due to tardiness and the subsequent elimination of the German partner from the scene provides an important parallel with the 1962 situation. The thoughtful proposals of the Dutch Boundary Commission seemed to deserve a better fate, and it may well be that they will receive more attention in the post-1962 period.

The Northern Border between two World Wars

The northern border area was rescued from oblivion in 1920. Correspondence between the Netherlands government and colonial authorities



DEPARTMENT OF GEOGRAPHY, SCHOOL OF PACIFIC STUDIES, A.N.U.

13 The Dutch Boundary Commission's Recommendations for a Natural Boundary

in Indonesia was initiated by reports hinting at 'the presumed presence of oil' east of the Tami River.⁸¹ The newly appointed Resident of West New Guinea, C. Lulofs, happened to have been in Australia shortly before and had conferred informally with Lieutenant-Governor Hubert Murray and Atlee Hunt, then Secretary for the Home and Territories Department, in Melbourne. Neither of these two men seemed aware of the past efforts of the Dutch-German Border Commission but they had heard of the possible presence of oil in the northern part of New Guinea. Queries by Lulofs on the merits of establishing a natural boundary received a mixed response. Governor Murray saw no need for a change and considered 'the existing situation still sufficient for a long time to come'. But Atlee Hunt, recalling the difficulties which had arisen along the border of Papua and former German New Guinea at the time of the gold and copper discoveries, took the view that a boundary on natural features had considerable merit.⁸²

Lulofs's recommendations to the Governor-General in Batavia were that Australia should be approached concerning a natural boundary in the future. He recalled information in previous patrol reports and the secret report of the Dutch Boundary Commission dealing with the Dutch 'sphere of influence' east of the Tami River and he confirmed that this influence had continued. Demarcation of a natural boundary, therefore, should try to bring this region within the Dutch boundary line. Lulofs agreed with his government's suggestion, however, that, first of all, the Minister of Colonies should be asked the precise nature of the border question, as the authorities in Batavia seemed uncertain as to whether or not any action had resulted from the border exploration of 1910. He also argued that it would be best to let the matter rest until more information was available upon which to judge the importance of possible oil reserves.⁸³ In the absence of any further reports of the presence of oil, the northern border sector reassumed its state of quiescence. In fact, more so. For no longer did the seasonal shots of bird of paradise hunters resound in the region east of the Tami River. Comments Ernst Mayr:

Whole towns subsisted on the plume trade. Hollandia was a town of 700 in 1923. In addition to Malay hunters and their Papuan companions, there were Chinese, Arab, and Dutch traders. The prohibition of hunting in 1924 brought about a slump, and when I visited the region in 1928, Hollandia was a regular ghost town of only 30 or 40 people . . .⁸⁴

At the same time, Vanimo Patrol Post (established to prevent the smuggling of plumes from the Australian side) lost its *raison d'être*. It was some forty years before it regained its former lustre when, for very different reasons, it was elevated to the headquarters of a newly created District.

The Seko Episode. Within a few years, however, the northern border region became the site of a situation which, in spite of its potentially

serious implications, was quite farcical. It centred around the Seko (Sěko, Skou), a small tribe of fewer than four hundred people inhabiting the villages of Skou Jambe, Skou Mabo, and Skou Sae between Cape Djuar (Bonpland) and the mouth of the Tami River. In customs, language, and dress—limited for the males at that time to a pear-shaped dried calabash—they were very similar to the people of Wutung (known to the Dutch as Oinaké) and neighbouring hamlets in the Mandated Territory.⁸⁵ Isolated from the mainstream of Christian missionary activity in Humboldt Bay, the Sekos still treasured their *karawari* houses (comparable to the *haus tamberan* of the Sepik) and the sacral flutes and drums which were never to be touched by outsiders and were not to be seen by women and children.⁸⁶ 'Modernist' thinking, however, had begun to penetrate and some young iconoclasts no longer accepted the *karawari* cult and were anxious to expose its secrets. While attending celebrations in honour of the Queen's birthday in Hollandia, Seko leaders were told by the Indonesian *Bestuursassistent* that he would visit the Seko villages, inspect the *karawari* houses, and expose their wherewithal. The Seko males decided to forestall this calamity by either going bush or fleeing to their *confrères* at Wutung.⁸⁷

News of the Seko escape into Australian territory infuriated Hollandia *Gezaghebber*, N. Halie, and he requested that the Australian official in Vanimo refuse to receive the fugitives. Although he was assured that 'steps would be taken' to return the Sekos, little actually happened.⁸⁸ When (some six months later) the Australian District Officer from Aitape visited Wutung and talked with a deputation of Sekos, he told them that he could not yet decide their fate, but that if in the meantime they would get all their followers out of the bush he would permit them to build a new village east of the Tami River. It must be pointed out here that the District Officer was under the impression that the international border was at the Tami. This erroneous view had developed because the people of Wutung had land rights and *sac sac* (sago) gardens in the uninhabited swamplands lying between the Tami River and Wutung. The Sekos quickly constructed a new village at the designated location. *Gezaghebber* Halie was indignant; he wanted the Sekos back in their original villages rather than in an area difficult to administer. A Dutch patrol destroyed the new village along with the spears, bows and arrows, and food which were found.⁸⁹

Another incident further complicated the situation. Almost simultaneous with the destruction of 'New Seko', an Australian patrol had set forth from Wutung by canoe and foot to investigate the alleged shooting of birds of paradise by a German west of Wutung. When Native Police Constable Wana and his five policemen arrived at the Tami River they met the returning Dutch patrol consisting of an armed Indonesian *Bestuursassistent*, some assistants, a native evangelist, and a couple of 'modernist' Sekos. Apprehensive, the Dutch patrol jumped in a canoe and crossed the Tami. Wana, who was angry with the three natives and

the black mission teacher for coming into 'our Territory', followed in hot pursuit. An argument developed on the west bank of the river and, after being threatened, Wana slapped one of the Dutch patrol men and told the patrol to await the arrival of his boss. Just then Patrol Officer J. R. Rigby's canoe appeared and Rigby was soon engaged (according to the District Officer's report) in 'a friendly discussion' with the members of the Dutch patrol. Rigby's main concern was to find the boundary. The initial reply of one of the Dutch police was not encouraging: he thought that the boundary was at Leitire, several miles east of Vanimo. After Rigby had shown the policeman the boundary on his map, however, it was agreed that the boundary was as marked on the map. Constable Wana, in the meantime, had seized from the Dutch party a Seko by the name of Lati because he 'wanted to find out what the trouble was about'. Fugitives from 'New Seko' were soon milling around and asked Rigby to place them under British protection. Convinced that the situation was 'delicate', Rigby, and the whole Australian party including Lati and the Seko fugitives, 'withdrew to Wutung with all convenient speed'.⁹⁰

The Seko fugitives took Lati to Tongpua, *luluai* of Wutung, with the request that he adjudicate Lati's violation of native custom in revealing the secrets of the *karawari* cult. Tongpua decided that Lati was guilty and that he should obey native customs. Patrol Officer Rigby subsequently advised the Sekos to build another village east of the Tami. The ensuing events happened quickly. The life span of 'New Seko No. 2' was as brief as that of its predecessor and within ten days most Sekos were once again on the Wutung doorstep. A party of six Wutunggers, headed by the medical *tultul* 'wearing his hat',⁹¹ set out to investigate the fate of two missing villagers—captured with some Sekos at 'New Seko No. 2'. Met by a Dutch patrol near the Tami River the party was informed that they were on Dutch territory and was asked what it was doing there without a pass. The reply that no pass was necessary was deemed unsatisfactory and the party was imprisoned—but not before it had been taken back along the road to Wutung and shown, about two miles west of that village, an erected painted board, with the comment that it was 'the new boundary mark'. Laxity of the guard permitted the Wutunggers to escape in a few days.

When informed of these latest developments the Acting District Officer from Aitape, J. I. Merrylees, proceeded to Wutung, where he found the inhabitants in an aggressive mood. They were keen to fight the Dutch police and begged the District Officer to drive the Dutch back over the Tami.⁹² The chief interest Merrylees had was in the report of 'the new border' and he proceeded to inspect it. The Dutch native guard fled while the District Officer was changing into full uniform (some 500 yards from the post) and, after waiting in vain for the guard's return, Merrylees hoisted the Australian flag about ten yards east of the Dutch wooden mark.

Merrylees considered the latest Dutch action and the report brought back by the men of the Wutung party that 'the Malay boss boy' had told them that the Dutch intended 'to advance the border to Yako [east of Wutung] if the present advance was not disputed', most peculiar. He suspected that a former resident of the Mandated Territory, the German W. Stüber, might be behind the move as he had previously applied for a re-entry permit to the Territory to search for gum and prospect for gold. Merrylees reasoned that there was gold at the Tami and that Stüber wanted the border at a convenient distance from his claim in Dutch territory. Merrylees foresaw 'a long vista of international complication' over conflicting mineral claims and he concluded that an immediate survey of the 141st meridian was highly desirable. Upon his return to Aitape he sent a coded radiogram to the Government Secretary at Rabaul detailing the latest developments. The quick response read:

Required you personally investigate fullstop Be particularly careful as Schultze Jena's map shows Wutung Two point one miles east of boundary fullstop Germania Cape three point six miles west of boundary [and] east bank of Tami River Three point eight miles west of boundary fullstop Copy of this map which is regarded as best present authority being forwarded you next mail.⁹³

Toward the end of April an angry letter (dated 12 April) arrived from Hollandia asserting that a Papuan policeman in Australian service by the name of Unai (this was Wana) had threatened an Indonesian *Bestuursassistent* with a gun on Dutch territory near the Tami River; this same Unai had pursued and caught this official on Dutch territory west of the Tami; Unai also had caught, maltreated, and taken to Wutung a Dutch subject by the name of Lati; and, finally, an Australian functionary and Australian policeman had incited the Sekos on Dutch territory west of the Tami to refuse allegiance to the Dutch government and to follow the Australian government. It also stated that because of the above, the *Gezaghebber* had been 'forced to shut the border', that a strong patrol would be maintained, and that its commander had strict orders to arrest all visitors from the Mandated Territory as intruders. The letter concluded with the statement that the line of the border on the road between the Tami River and Wutung had been marked and that a border post with Dutch colours had been erected.⁹⁴

In a subsequent communication Halie expressed a desire for an interview with the District Officer from Aitape about the whole affair. No diplomatic niceties or formalities were lost in the correspondence. Merrylees's response, for example, stated: 'The date mentioned is inconvenient to me but I will be at Vanimo, weather permitting, on 22nd May and will then be prepared to listen to any views you may care to advance'.

The conference between Merrylees and Halie took place at Vanimo on the scheduled date (22 May 1928) with most of the discussion and argument centering around the charges made in the letter from Hollandia

of 12 April.⁹⁵ Merrylees also questioned the change of boundary, noting that 'it had always been assumed, for the purposes of convenience that the international boundary was at Tami River, an unmistakable geographical mark'. Assuming the new boundary mark to be correct, Merrylees asked how Halie intended to mark it at points distant from the Wutung-Tami road. To this Halie had no answer, merely indicating that the new border approximated the location of the 141st meridian and 'that he was prepared to allow the remainder of the border to be undefined'.

Merrylees replied to the accusation that Police Constable Wana had slapped a member of the Dutch patrol that it was merely 'a matter as between native and native'. Nor does his reply regarding the Seko Lati appear very satisfactory. He argued that nothing was known about Lati by either the Patrol Officer or the police and that the adjudication of Lati's case by the *luluai* of Wutung was a matter which had nothing whatever to do with the Territory's officials.

Concerning the main issue—the return of the Sekos—Merrylees indicated that the matter had been referred to higher authorities and that he was awaiting instructions. Soon afterwards (in June 1928), following instructions from the Administrator in Rabaul, the Sekos were returned to Dutch territory.⁹⁶ The spirit of the international conference among local officials is well summarized by Merrylees:

Throughout the whole of the conversation, unofficial and official, the tone was friendly. Both sides spoke freely, often bluntly, but the feeling was good; the bluntness was necessary, as Mr. Halie was unable to follow intricate speech in English.⁹⁷

Halie provides us, in all likelihood unintentionally, with the most appropriate comment on the Seko affair when (in referring his successors to the extensive file on the subject) he expressed the hope that they would be able 'to draw strength and courage from it and at the same time learn how not to deal with the problem'.⁹⁸

The Seko episode had a little tail as far as Australia was concerned. At the height of confusion in June 1928, the Australian Administrator, General Evan Wisdom, had requested the Home and Territories Department in Canberra to facilitate a visit to Hollandia in mid-August, so that he could go into the whole question on the spot. After being approached on the matter, the Dutch expressed their readiness to meet the Administrator, indicating that the Governor of the Moluccas and the Resident of Ternate would be in Hollandia to meet him. A last-hour request by General Wisdom for a postponement of the meeting until 1 September proved inconvenient to the Dutch (the previous day being the Queen's birthday, Dutch officials were expected to be 'at their stations'), and a mid-September date did not suit the Administrator. The promise of a meeting in 1929 did not materialize.

Apart from the fact that border issues tend to recede rapidly into the

background once a particular matter has been solved, there was another reason for Australians losing interest. The suggestion by Merrylees for a determination of the 141st meridian had been taken seriously and in late August 1928 a survey team headed by Surveyor A. G. Harrison landed at Wutung. Not only did the team engage in astronomical observations, but it placed monuments at Wutung and near Njao Nemo (south of the Bougainville Mountains at the Tami tributary, the Mosso) and cleared a broad groove due south of the Wutung cairn to the south side of the first ridge of the Bougainville Mountains, a distance of some 8.6 kilometres.⁹⁹ Two facts stand out in this Australian effort: first, its unilateral nature; second, its secrecy. The latter may well be related to the fact that the location of the 141st meridian turned out to be much further east than anticipated: copper sheets on the cairn at Wutung bear the inscription: Lat. 2° 35' 48.28" South and Long. 141° 00' 13.005" East and the statement: 'DUTCH BOUNDARY IS 400 METRES WEST'.

In light of the fact that a scrutiny of the Annual Report for 1928 fails to reveal any reference to the trouble with the Seko tribe or to the astronomical observations of Surveyor Harrison and the placing of border markers, two points add a somewhat ironic touch to the whole situation.¹ First, District Officer Merrylees concluded his interview with Halie with the warning that the League of Nations had a keen interest in all Mandated Territories and that Australia, therefore, was obliged to exercise the utmost care in dealing with complaints regarding the border.² Second, in reply to observations made by members of the Permanent Mandates Commission during the examination of the Annual Report for 1927-8, it was stated that there had been 'no serious troubles' in which the Administration of the Territory had been involved which had not been specifically mentioned in the annual reports for the years in which they occurred.³

The Australian-Dutch Exchange of Notes of 1936. By 1930, the Netherlands survey vessel *Tydeman*, charged with the hydrographical survey of the New Guinea coast, had worked its way eastward to the Humboldt Bay area. This time it was the Dutch who made a discovery. Observations at Germania Point, at the mouth of the Tami River, revealed that its location was 1' 16.3" (or about 2357 metres) less westerly than had been accepted on the basis of the old findings of Dr Hayn and the survey vessel *Möwe*.⁴ This meant that the boundary along the 141st meridian should undergo a rather significant easterly shift. As confirmation of the exact position of the meridian would involve entering Australian territory, the colonial government requested the Netherlands in December 1932 to take up the matter with the Commonwealth of Australia through diplomatic channels. In mid-1933 the Netherlands instructed its Envoy in London to inform the Australian government of the latest information about the position of the boundary, to request permission for a Netherlands survey team to enter Australian territory, and to invite the Commonwealth to join the Netherlands in

placing a border marker at the appropriate location. The Netherlands Envoy was instructed also to express the desirability of defining the correct location of the boundary in a formal Exchange of Notes and to make the point 'without entering into an argument' and 'in off-hand manner' that the 141st meridian 'as is known' was the boundary between the territories of the two powers.⁵

In view of the discussions at the Imperial Conferences in 1926 and 1930 the Netherlands was in doubt about the proper and most flexible diplomatic channel. Eventually, the issue was raised directly with S. M. Bruce, High Commissioner for Australia in London:

The Netherland Government deem it most desirable that the exact situation of the 141° E.L. meridian which, as you are aware, forms the boundary between Dutch New Guinea and the mandated territory of that island, should be re-examined and demarcated in all its details. The geographical situation of this meridian has changed in the course of time

[This was followed by a detailed account of the way in which the observations of the *Tydemann* had been determined.]

In these circumstances the Netherland Government think it most desirable that the details of the boundary following the corrected 141st meridian should be fixed by means of an exchange of written documents between the two Governments.⁶

The Dutch Envoy emphasized that a speedy answer would be appreciated in order to take advantage of the presence of the survey vessel *Willebrord Snellius* in New Guinea waters in August. The Australian High Commissioner wired his government and, when approval was received, officers of the Dutch vessel and the Staff Surveyor of the Mandated Territory, A. A. Chauncy, met at the border in the latter part of August 1933. After Chauncy had checked the observations of Surveyor A. G. Harrison, carried out in 1928, Dutch officers on board the *Willebrord Snellius* ascertained (in the presence of Chauncy) the position of the 141st meridian by triangulation from the astronomically determined point at Cape Suadja (west side of Humboldt Bay).⁷ The two rival observations left a (rather excessive) gap of some 398 metres between them.⁸ Following common practice in such matters it was then decided to halve the difference. When this exact spot proved unsuitable for a monument it was agreed 'for practical purposes' to select a site some 31 metres *west* of the mean position.⁹ The border monument at Wutung is an obelisk 2.7 metres in height, located some 168 metres *east* of the 141st meridian according to Dutch observations, but some 230 metres *west* of that meridian according to Australian ones. It also is some 2525 metres east of the previously accepted position of the boundary (see frontispiece).

More than three years elapsed between the erection of this monument and the formal Exchange of Notes between Australia and the Netherlands. One cause of the delay was that Australian authorities were

anxious to know about what had passed between Germany and the Netherlands with regard to boundary matters. The only information received from K. Officer, External Affairs Liaison Officer in London, was a reference to the *Peace Handbook* which cited the Anglo-German Arrangement of 1885 (which ended the frontier of the two powers in the west at the point of intersection of the 5th parallel of South Latitude and the 141st meridian of East Longitude) and noted that the Netherlands-German boundary 'was never the subject of a treaty'.¹⁰ News from Administrator T. Griffiths in Rabaul was even less helpful as 'the only German file' on the subject was an article by H. Wichmann on the German-Netherlands Boundary Commission in 'Dr. A. Pererman's [*sic*] *Geographical Journal* 1911'.¹¹

A more significant cause of delay was probably that the declaration which had been signed by the surveyors on 2 September 1933 was open to interpretation. It could, on the one hand, be read as an indication that the newly determined point would be substituted for the 141st meridian as the boundary for all time. On the other hand, it could merely mean that the monument marked the boundary for the time being. A communication received from the Netherlands government on 30 January 1934 indicated it assumed the 141st meridian 'traverses the North Coast of the island at the point where the monument referred to in the declaration has been erected and that it continues to run through the island from that point'.¹²

Consultations continued on the Australian side involving not only a number of Commonwealth Departments and K. Officer at the Liaison Office in London, but also the British Foreign Office, Dominion Office, Admiralty, and War Office. Mr Officer reported that the technical advice which was given referred to the above-mentioned dual interpretation, to the fact that a single point could not define a line on the ground, that the inscription on the monument ('141° E.L. Gr.') (see Plate 6) was incorrect, and that any agreement should preferably contain a statement to the effect that the position of the monument was accepted 'without prejudice to any future determination of the arc of the 141st meridian of East Longitude'.¹³ The Commonwealth government was willing to include a reference regarding the question of marking another point on the boundary (adding, however, that it had 'no intention of doing this work at the present time') but firmly indicated that the line which ran true north and true south through the middle of the monument should be substituted for the meridian as the boundary for all time.¹⁴

In March 1935, High Commissioner Bruce finally conveyed his government's agreement with the Dutch letter of January 1934. But now the Netherlands stalled, and when it eventually concurred with the proposed text, more than a year later, it did so with the provision that a number of alterations be made.¹⁵ Two in paragraph 2 were minor, but those in paragraph 3 (dealing with the determination of the boundary) were more significant. In the first part of paragraph 3, the Netherlands wanted to insert, after 'the boundary between Netherlands New Guinea

and the territory of New Guinea administered under mandate by His Majesty's Government in the Commonwealth of Australia' (for 'purposes of clarification'), the words 'the 141st meridian of East Longitude'; in the last part of the paragraph the Netherlands preferred ('in order to avoid also in the future all uncertainty about the exact course of the 141st meridian') that in the sentence, 'this line shall continue to be the boundary whether or not the said monument is in fact situated somewhat to the East or West of the 141st meridian of East Longitude', everything after the word 'boundary' be deleted and replaced by 'between the two countries'. The amended version of paragraph 3 of the draft would then simply read:

3. I now have the honour to inform you that the Netherlands Government propose that the boundary between Netherlands New Guinea and the territory of New Guinea administered under mandate by His Majesty's Government of the Commonwealth of Australia, the 141th [*sic*] Meridian of East Longitude, shall henceforth be deemed to be a line running true North and true South from the middle point of the said monument, and that this line shall continue to be the boundary between the two countries.

The British Dominions Office advised the Australian Liaison Officer that the technical departments consulted felt that the suggested amendments might leave the way open for future difficulties of the kind which the note was designed to avoid. They stated that since the amended paragraph 3 deemed the 141st meridian to be a line running true north and true south through the middle point of the monument, it was desirable that it should be made clear that this assumption was only for the purposes of delimitating the boundary. It was almost certainly incorrect to identify one with the other as it was probable that the line through the middle point of the monument would not on further investigation prove to be the 141st meridian. The suggestion advanced was to reject the Netherlands amendment proposed for the last part of the paragraph and adopt the addition in the first part only if the parenthetical clause 'and that for the purposes of this document' was included.¹⁶ This compromise proved acceptable to the Netherlands and the Exchange of Notes took place on 14 September 1936. The exchange recalled that the Dutch government on 22 July 1933 had considered it 'most desirable' that the exact location of the 141st meridian of East Longitude be re-examined and demarcated, and its position fixed by means of an Exchange of Notes. After referring in paragraph 2 to the placing of the monument at the border and the Declaration of 2 September 1933, the exchange stated in paragraph 3—which at this stage bore evidence of considerable tampering and impresses by its lack of clarity and internal consistency:

I now have the honour to inform you that His Majesty's Government in the Commonwealth of Australia propose that the boundary between Netherlands New Guinea and the territory of New Guinea

administered under mandate by His Majesty's Government in the Commonwealth of Australia shall continue to be the 141st Meridian of East Longitude, and that for the purposes of this document, such Meridian shall be deemed to be a line running true North and true South from the middle point of the said monument, and that this line shall continue to be the boundary whether or not subsequent surveys should indicate that the said monument is in fact situated somewhat to the East or West of the 141st Meridian of East Longitude.

Following this statement about the *de facto* location of the boundary, the respective governments proposed that the responsibility and maintenance of the border monument should be shared equally and that it should be periodically inspected jointly by representatives of the two governments. It concluded with the delightfully vague phrase that on the occasion of 'some such joint inspection' the position of the monument in relation to the permanent features of the surrounding country should be ascertained and recorded and a second monument erected 'in order to establish on the ground the general alignment of the boundary'.¹⁷

In the Permanent Mandates Commission, Count de Penha Garcia in referring to the delimitation of the New Guinea boundary observed that 'One frontier stone . . . could not determine the frontier but was only the starting point'. He inquired whether the second stone referred to in the exchange of notes had been placed in position and whether it was proposed to trace the entire boundary line. When the Australian representative, Major O. C. W. Fuhrman, stated that he had no information other than that contained in the report, the Count requested that information regarding the second stone be included in the next report to the League of Nations.¹⁸ The Annual Reports for 1936-7 and 1937-8 read: 'a joint inspection has not yet been made'.¹⁹

The Boundary in the Field

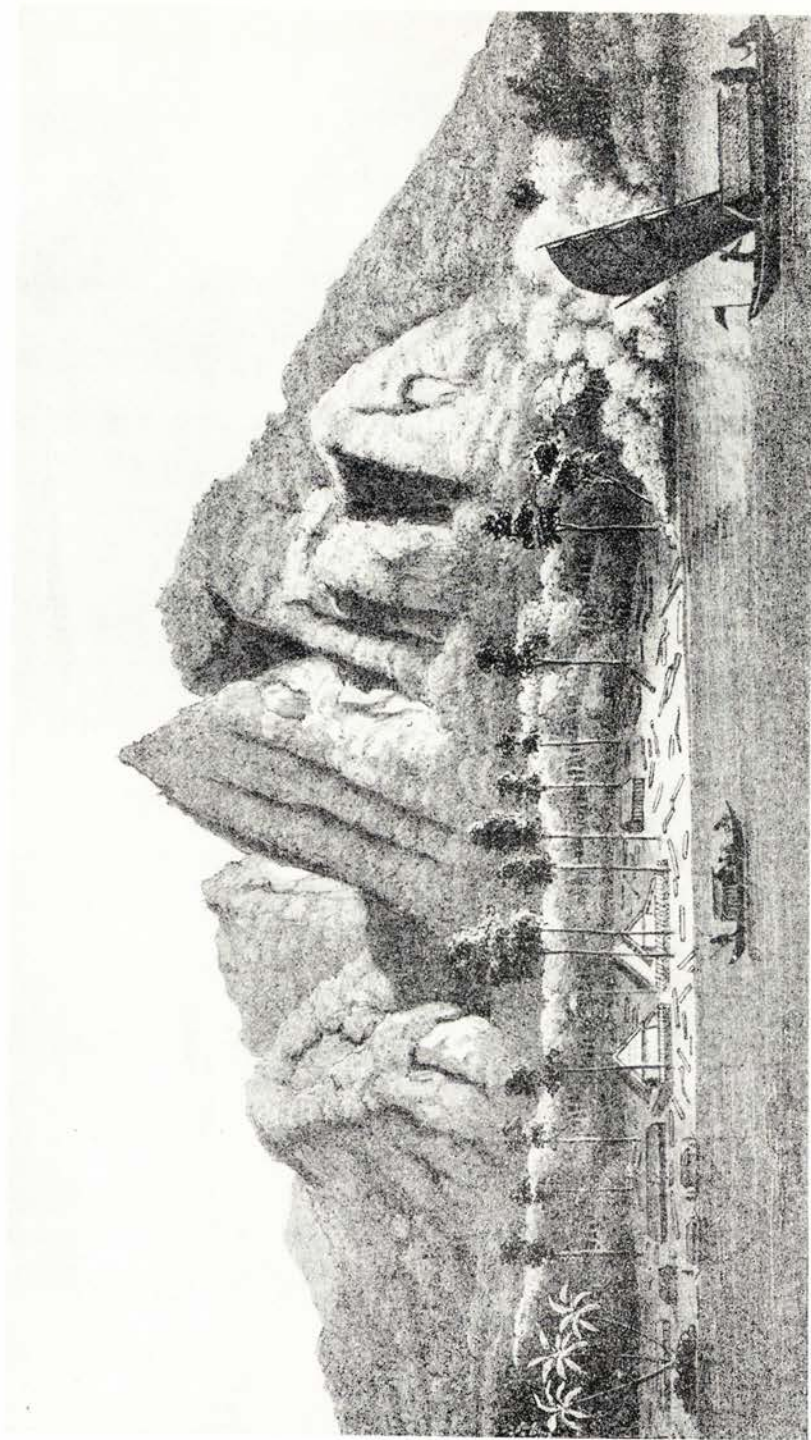
By the beginning of World War II, the Australian-Dutch border in New Guinea had been determined at two points: on the shores of the Pacific Ocean where the Wutung monument established the *de facto* location of the 141st meridian, and—some 470 miles to the south at the shores of the Arafura Sea—where observations on the right bank of the Bensbach River had placed 'the middle of the mouth' of that stream at 'about 141° 01' 47.9" East Longitude'. No surveys had been made, however, to delineate the boundary on the ground. Even the awkward situation that a boundary *line* can hardly be determined by one boundary *point* was not corrected until late 1962 when an Australian-Dutch survey team placed monuments at the intersection of the mouth of 'the Bensbach meridian' and the Fly River (near Domongi) and at the most northerly intersection of the 141st meridian and the Fly River (near Angamarut). It is pertinent to consider the physical and human environment which a boundary line would cross—should it eventually be demarcated.²⁰

Following the Bensbach meridian northward, one traverses savannah country subject to seasonal inundation until one crosses the Wanggoe

River. From there until the intersection with the Fly River the terrain is swampy, covered by rainforest, and intersected by numerous little streams and a couple of lagoons. Here one of the rare border tracks links Weam in the Bensbach Census Division with Sota (Satar) along a stretch of open forest country. North of the meandering Fly River the border terrain is at first similar to that south of the Fly, but gradually it becomes more hilly and then changes to rugged mountains in the Ninggerum region. Several border tracks link villages along the Moejoe and Upper Birim rivers with those west of the Alice River.

North of Ninggerum a solitary track runs just east of the border along mountain ridges, through creekbeds, and across desolate limestone ranges, to Kwirok just west of the boundary on the Kauwol River which has its source in north-west Papua. The Star Mountain complex is overwhelming in its sheer ruggedness. A jumble of mountain ridges reaching heights of over 10,000 feet presents an almost solid barrier to further advance. South of the main divide most of the streams near the border run south-west toward the Digul; north of the main divide, the drainage pattern is reversed with many of the streams being tributaries of the Sepik. This river is forded at about $4^{\circ} 35'$ South Latitude (see Fig. 14) with the boundary cutting through the floodplain of the Sepik and August rivers until it again crosses the Sepik—no less than four times²¹—to continue through swamps and across smaller rivers to the limestone region near Jaffi. Here, and slightly further north in the Waris area, several border tracks connect a sizable number of villages. Crossing the Keerom River, the boundary traverses the ridges of the Bewani Mountains and the swampy lowlands of the river of the same name, the Kohari hills, the swamps of the Mossi (a tributary of the Tami River in the west), and the Bougainville Mountains, from which it descends steeply to Wutung on the Pacific Ocean.

New Guinea's central dividing line, so attractively sketched on the map by absentee border-makers, in reality cuts across immense physical barriers. The earlier discussion of the Anglo-German and Dutch-German Boundary Commissions indicated some of the tasks faced by such commissions, the personal hazards and financial costs involved, and the time-consuming and often unsatisfactory achievements. Under modern conditions these tasks are simpler and can be carried out more efficiently and accurately. Costly aerial photography of the border zone (completed in 1963) now provides maps which give an overall regional view and the best available approximation of the border region. Radio and helicopter now link survey teams with the outside world and assist with supplies, while more refined instruments permit more accurate observations. Even under modern conditions, however, the demarcation of a boundary here is a major undertaking. Access to most of the border zone continues to be by foot or by canoe. The helicopter is of invaluable assistance, but its continued employment is curtailed and made hazardous by heavy rainfall and the high altitudes in the massive central part.



1 The construction of Fort Du Bus in 1828, with Mt Lamentjiri in the background. (Reproduced from S. Müller, *Reizen en Onderzoekingen in den Indischen Archipel*, Vol. I, Amsterdam, 1857.)



2 Post erected by the Anglo-German Border Commission in 1909 at the intersection of the 8th parallel of South Latitude and the shore near Mitre Rock. (Commonwealth Archives.)



3 Anglo-German border markers at one of the numerous river intersections with the 'straight line' boundary, 1909. (Commonwealth Archives.)



4 Members of the Anglo-German Border Commission taking star observations, 1909. (Commonwealth Archives.)



5 The mountainous interior criss-crossed by the Waria River that confronted the British members of the Border Commission in 1909. (Commonwealth Archives.)



- 6 *Inscription on the Wutung obelisk, 1933. (Reproduced from J. Luymes's article in T.K.N.A.G., 2nd series, Vol. LI, 1934.)*



- 7 *The Domongi East monument at the intersection of the 'Bensbach meridian, new' and the Fly River, 1962. White-painted logs help identify the location of the monument from the air. (Division of National Mapping, Department of National Development.)*

Generally overcast skies have seriously hampered and delayed aerial photography during the day and the taking of astrofixes at night. Other obstacles might occur. The period which the joint Australian-Dutch survey team (charged with the placing of monuments at the Fly River in 1962) was in the field, for example, was extended because of the rarity of sand and gravel in the whole Fly River region.²²

The Irian boundary has meant little in the past. Most of the area near the frontier was not under administrative control and, if it was, the occasional visit of a patrol from one side or the other hardly affected the daily lives of the people. Movement of peoples across the frontier continued and caused little concern unless headhunting raids were on such a scale as to cause indignation in distant District offices. The occasional stroll into neighbouring territory by patrols was reported with nonchalance:

If I have mapped my route correctly I am now in D.N.G. [Dutch New Guinea] in the vicinity of a place mapped as TAKIOE. The people do not know of a place called TAKIOE.²³

And Constable Duna, in charge of the lonely Tonda Police Post at the Upper Morehead River, seemed to receive praise from his Australian boss when he decided to break the monotony of life with a visit to Merauke:

L[ance] C[orporal] Duna has done excellent work in the West during the past few months, and has thoroughly justified the confidence I placed in him Some time ago, he and the police under him, and under the guidance of a Tugeri man who visited Tonda with a Dutchman . . . some months ago, proceeded overland to Marauke, where, though their visit surprised the Dutch officials, they were treated with great kindness, remaining there a week during which Duna reports that he saw the Dutchman who visited Tonda who, he says, is an official Duna further reports that he visited some Tugeri villages en route to and from Marauke, and that the people were surprised at the appearance of our police, exclaiming 'Oh, English he come'.²⁴

The Dutch apparently took a somewhat dimmer view of the matter because a few months later (February 1918) Constable Sangatari reported to the Resident Magistrate of the Western Division that after Duna's visit the Dutch set a strict watch at night so that they would be prepared should the English soldiers and police come. This caused the Resident Magistrate to add: 'Is this significant of political feeling between Holland and Great Britain?'²⁵

Joint efforts in the border region were infrequent and most often limited. One such effort involved a search for E. D. Bell and F. Drechsler (Drexler), two bird of paradise hunters of Australian nationality.²⁶ In this case there seems to have been some official satisfaction in proving that the two men had lost their heads on the other side of the boundary.

A clear realization of what strict enforcement of the border would mean to the people and the limitation of one's own position was evident at times. During his daring patrol to the Birim River and the foothills of the Star Mountains in 1922, Assistant Resident Magistrate Leo Austen found evidence of considerable influence from the west which had resulted from visits by bird of paradise hunters from the Moejoe area. When Austen's native informant said 'Suppose Malay no come where we catch iron axe, our own axe of stone is no good', Austen's first comment was that he should tell the villagers that when the Malay bird of paradise hunters came again the villagers should 'come quick and tell me and if I get down there before the Malays went I would give them an axe instead'. Austen's other comments, however, were of a more sober nature:

I cannot at present make them any promises as my instructions are too indefinite as to whether the camp [at Wukpit on the Alice River] is to be continued permanently. If it is not, then I say, we should not stop the birdhunters from coming here and providing these natives with their only means of making large gardens and obtaining a plentiful supply of bananas etc.²⁷

Even these accounts from the relatively recent past can be considerably updated. Patrols still visit areas which have been only infrequently visited. As far as the Star Mountains are concerned, a Dutch exploration party only entered this region in 1959; efforts on the Australian side to erase the white spot on the map resulted in a number of major patrols into this area in the 1961-3 period. During one of these the Patrol Officer informed the newly contacted people of the reason for the patrol, including information about the significance of land boundaries and the position of the international border. The place was put firmly under Australian Administration with the preparation of a helicopter pad, the taking of a census, and the appointment of a *luluai*. But on the next day—after some further exploration and enjoying a clearer vista of the surrounding terrain—it was evident that the Patrol Officer's map (based on the most recent aerial photography) had certain limitations: the big border stream which at first had not been located was now discovered concealed in the undergrowth. The local inhabitants were informed that they did not belong to Australia after all and the *luluai* had to part with his badge in return for a sheath knife. The discomfort of the Patrol Officer was obvious, but his mistake was one that could have been made by others who may not have had the fortitude to admit and correct the error. It was in this border area that the Patrol Officer was told the following story by one of the leading men. It admirably expresses the view of the border people:

'Our ancestral beginning was at the headwaters of the Iugum River. A man and his sister migrated from there and travelled to the Taknip River. The woman married, and so did the man. Many children arose. The people increased. Later, there was a division, and part of the

group went to the Nim River, whilst the other part stayed here.' He went on to say that as people on the Nim River finished eating out a garden, they returned to the Taknip, and gardened there, and when that garden was eaten out, they went back again to the Nim. This was in accordance with the legend The tultul said it was their custom, and they would not abandon it. He further said that at the time of the next census, the organisation of the people might be different, with some Arimin people of the Taknip being at the Nim River, and some Arimin people of the Nim River being at the Taknip. There was no land boundary between the people on the Nim and the people on the Taknip. It was one land, belonging to the Arimin group.²⁸

The above account may have given the impression that the boundary creates havoc with established human relationships. Here, however, nature provided a helpful hand. The pronounced absence of people in the frontier zone is probably one of its most significant features. In the Star Mountain complex (along both sides of the border), small isolated hamlets have been located, but those numbering more than a handful of houses are rare indeed. One can sympathize with the Australian Patrol Officer who exclaimed:

No great sense of personal achievement is forthcoming from simply crossing one mountain barrier after another. Some 300 people contacted in 3 months of patrolling is not soul-satisfying.²⁹

Most of these people, moreover, had been found in the Kauwol valley—south of the actual Star Mountain range. The belief that several Star Mountain villages existed was refuted by the 1963 patrol into the Trust Territory's Atbalmin Census Division which found no more than 2000 people in an area of over 600 square miles.³⁰

An analysis of the number of people elsewhere along the frontier can be made by using the rough population data which are available for the administrative units in this area.³¹ Although the Census Divisions on the Australian side and the administrative units on the former Dutch side (known as *Districten*) take in more than a mere border strip, this only emphasizes the sparsity of population (see Table I and Figs. 5 and 6). East of the border, the Census Divisions from the Bensbach River to the Star Mountains include some 16,600 square miles, but their combined population numbers less than one person per square mile. West of the boundary, Merauke and Moeting have about 14,000 people while Mindiptana, Woropko, and the Sibil exploratory area have a combined population of almost 24,000. North of the central divide the administrative units on the former Dutch side contain approximately 34,000 inhabitants, the Australian counterpart about 18,000. Population, albeit exceedingly sparse on the western side, still is twice as numerous as on the Australian side. The biggest difference is the presence of three sizable administrative centres (Merauke, Mindiptana, and Hollandia) in close proximity to the border. It should further be noted that the population of the Moejoe area, west of the Alice River,

TABLE I POPULATION ALONG THE IRIAN FRONTIER 1960

<i>Border Census Divisions of Papua and New Guinea</i>		<i>Border Districten of West New Guinea*</i>	
	<i>Approx. area (sq. miles)</i>	<i>Pop.</i>	<i>Pop.</i>
Bensbach	1,928	616	5,911
Upper Morehead	3,640	1,276	2,137
Middle Fly	4,284	1,056	6,071
Lake Murray	1,287	1,165	6,679
Moian	1,748	1,051	11,063
Oktedi	300	1,220	1,670
Awin South	288	1,529	4,250
Awin North	852	2,345	
West Awin	248	2,060	
Ninggirem [Ninggerum]	448	2,469	
Northern	1,590	1,500	
Total South of Central Divide	16,613	16,287	37,781
Atbalmin	628	2,000	4,843†
August River	1,209	3,059	4,102†
Green River Local	135	1,039	1,638†
Iuri	146	1,066	253
Nai/Faringi	260	1,421	9,802
Dera	160	999	2,562
Amanab Local	290	2,706	14,462
Walna/Sowanda	100	865	
Imonda Local	280	1,626	
Pagei	428	477	
Kilimeri	476	1,752	
Vanimo West Coast	436	1,254	
Total North of Central Divide	4,548	18,264	37,662†
GRAND TOTAL	21,161	34,551	75,443†

(See notes on facing page)

surpasses that of the whole of the Papuan border region.

There is irony in the fact that while the greater part of West New Guinea had not yet been brought under administrative control, it was Dutch penetration which made itself felt in the frontier zone. The reason was mainly fortuitous—the location of Hollandia and Merauke and the physical features of the terrain which made an inland thrust from these centres feasible.

In the absence of a clearly defined border and a vacuum of authority in the east, there was a natural tendency to spill over into areas which might well lie toward the east of the 'paper' boundary. There the Dutch Administration established peace and order; missionaries brought a new religion and its medium, mission schools; the lingua franca became bazaar Malay; and labourers were recruited to various centres in the western part of the island. Even where Dutch activity did not trespass across the border, the attraction of 'the bright lights' of Hollandia, Merauke, or even Mindiptana, was not unlike that of the Torres Strait pearling industry for the Kiwai islanders of the Fly estuary. In 1904 Acting Administrator C. S. Robinson could write somewhat scornfully to the Governor-General in Australia that Dutch methods of dealing with the 'natives' were 'quite foreign to British ideas'.³² In the 1950s it was the *Masta* concept prevailing among Australians which compared unfavourably with the freer atmosphere prevailing west of the border; a freedom which extended not only to drinking beer but into other fields as well.

In the following section three frontier areas have been selected for closer observation. All have been minor 'problem areas' in terms of border relations in the relatively recent past and could conceivably become so again in the future. They are the Moejoe and Ninggerum region west of the Alice River; the Waris-Jaffi area south and south-east of the Keerom River; and the Wam Lagoon, north-east of Merauke and west of the Fly River.

The Moejoe and Ninggerum Area. The region west of the boundary from the Fly River bulge to the southern range of the Star Mountains forms the Moejoe *Onderafdeling* with an estimated population (in 1961) of 26,500.³³ Its hub is Mindiptana, a little town which by 1962 could boast reasonably good communication with the sea, a road to

* Approx. area not available.

† The population figures for Waris and Jaffi include some 45 villages across the international border with a population of about 2600 in the case of Waris and some 11 villages with a population of about 860 in the case of Jaffi (see subsequent discussion under Waris and Jaffi). Following Australian activity in June 1962 these areas were placed under Australian control—the former Nai, Iuri and West Wombasi Census Divisions being altered into 12 new Census Divisions. The population for this area appears, therefore, in *both* columns.

‡ This includes the village of Skotiaho (or Sekotiau) with a population of 35, which was placed under Australian control after 1961.

Woropko further north along the Kao River, an airstrip, an agricultural information centre (which served the ambitious people's rubber planting scheme in the Moejoe area), and a road under construction to Tanah Merah on the Digul River.

The first superficial contact with the area was made by Dutch military exploration patrols in the 1909–13 period. Since that time the region has been frequented by bird of paradise hunters who occasionally have taken young Moejoes in their employment back to the wider world at Merauke.³⁴ More intensive contact dates from 1927, when the newly established camp for Indonesian political internees at Tanah Merah created a demand for Moejoe labourers, led to increased administrative activity and, subsequently, enabled the Catholic missionary organization at Merauke to found a station at Ninati, almost fifty miles north-east of Tanah Merah—and only about three miles from the Papuan border. Missionary activity proved highly successful. In 1955 at least 9000 of the 12,000 Moejoes were said to be Christian. Thirty-four subsidized missionary schools and fifteen unsubsidized ones flourished in Moejoe villages; another four unsubsidized schools were in operation among the Ninggerum people to the north.³⁵

Possessed of considerable drive, Moejoe males also flocked out in great numbers to Merauke, Sorong, Hollandia—and some even to Port Moresby. Due to the pre-war attempt to force people to settle into villages, Moejoe settlements were found on the Australian side of the border where the people between the Alice River and the boundary, known to the Australian Administration as the Oktedis, were closely related in language and customs.³⁶ When it is further noted that land and water communications were well developed in this whole frontier region it must be obvious that the concept of a boundary line was meaningless to the Moejoes, Ninggerums, and Oktedis and that movement in both directions was constant.

Australian patrols under Leo Austen had penetrated the Upper Alice and eastern Ninggerum country in 1922 and 1924. A Police Post had been founded at Wukpit on the Alice River just north of the 6th parallel of South Latitude in the early 1920s, but it was abandoned after a couple of years. Austen's patrol report of November 1924 did not augur well for the establishment of permanent authority in the north-western corner of Papua:

The people are happy, and they are not headhunters, and I firmly believe from what [native informant] Atug told me that they are not cannibals. They certainly are not warriors, therefore they must live in harmony with their neighbours. I can see no possible reason whatsoever why a Government station should ever be placed in these parts, now that it has been explored, and its mysteries known.³⁷

Given the above situation it is understandable that the area between the boundary and the Alice River and to the east of the Birim River gradually became a Dutch 'sphere of influence'.

An Australian police camp was eventually set up at Lake Murray, between the Fly and Strickland rivers, in 1947 and in May 1948 Patrol Officer E. G. Hicks reported a major border violation: Dutch native police had made a 'payback' attack on Apai village in the Kiunga area, killing several villagers and taking others back to Mindiptana. In reporting the event to the Department of External Territories, the Administrator noted that although affrays involving loss of life were unavoidable in this semi-controlled area there appeared to be little justification for the Dutch native police to cross the border in a punitive raid; no effort, moreover, had been made to contact the officers of the Administration either before or after the raid. The Administrator also took the opportunity to raise the matter of an exact definition of the boundary which would undoubtedly be of great assistance to the officials of both territories. The incident eventually reached the Department of External Affairs which raised a strong protest, almost a year and a half after the event, with the Netherlands Legation in Canberra. Deploring especially the unilateral nature of the punishment and the lack of consultation at any stage, the note asked for a thorough investigation of the affair, punishment of the persons responsible, and adequate compensation of the victims. Apart from acknowledging the note (and subsequent reminders) there was no Dutch response—more trying matters were apparently holding the attention of Dutch policymakers. Australian pressure during 1950 and early 1951 seemed inadvisable in light of the tension about the status of West New Guinea (West Irian). When this tension had simmered down somewhat and the Netherlands adopted a firm attitude concerning its continued presence in New Guinea, the Australian government preferred not to press the old case again at the foreign affairs level. It was, therefore, suggested to the Department of Territories, in July 1951, that the best way (if it was still interested in pursuing the matter) to solve the issue would be through informal channels between the two administrations in New Guinea.⁸⁸

A *modus vivendi* with regard to the border in the Moejoe-Ninggerum area was reached at the local level in September 1954.⁸⁹ Pending a final border survey Kiunga Patrol Officer J. C. Baker and the head of the Boven Digoel *Onderafdeling*, C. H. Stefels, agreed that twelve villages (Iongoromgo, Irinkwi, Amare, Biripkim, Kumgin, Aman, Ambaga, Namango, Woran, Timin, Kweman, and Geremundari) were to be administered by the Australian Administration while seven villages (Koromgin, Iendam, Kabomdam, Ingembit, Opka, Wairin, and Dingomban) whose position was deemed to be slightly doubtful were to remain under Dutch control. (For the location of these villages see Figs. 15 and 16.) The Ingembit Agreement recognized that people on both sides of the border were closely related and that 'short visits' were permissible; longer ones, however, were to be strongly discouraged. Movement of villages or parts of villages across the boundary were to be prevented; should they occur the people involved should be returned

to their original domicile. Recruitment of labourers across the border was not to be permitted and the search for employment across the frontier was to be prevented 'as far as possible'. The Agreement concluded with the statement:

Leading natives from the villages concerned were present at the conference, and the decisions reached, together with the reasons for these decisions, were clearly explained to them.⁴⁰

The Moejoe-Ninggerum border villages again were among the topics discussed when A. Champion, District Commisisoner of the Western District of Papua, visited Merauke in June 1956. In recording his discussion with Champion, Resident A. Boendermaker reported:

Here too, the ultimate survey of the boundary by the Mixed Boundary Commission will be decisive with the understanding that, when a village is found to be located on the wrong side of the border, an effort will be made to move the village to the territory to which since 1934 it has been considered to belong. The development of the villages on both sides of the border diverges more markedly as the Administration exercises influence over a longer period; those on this side of the border use Malay as lingua franca, [those] on the other, Motu. The village organization, too, has become different. One just cannot confront these simple people once again with another change of Administration. The border villages generally have their *doesoens* [gardens] on both sides of the boundary so that such a move [of villages] will not involve too great a burden.⁴¹

Both the Ingembit Agreement and the discussions at Merauke seem to adopt a sensible and sympathetic approach to a touchy problem. However, the establishment of the Mixed Boundary Commission anticipated in 1956 never came about. Belatedly, in the closing months of 1962 and in May 1963 the Australian Administration took astronomical observations and placed pillars and cairns at Ingembit, Opka, Koromgin, Woran, and Kweman (Koiman). Both Ingembit and Opka (although they remained under Dutch control under the Ingembit Agreement) were found to be slightly east of the 141st meridian. A comparison of the 1955 map of *Controleur* J. W. Schoorl (Fig. 15) with its 1963 Australian counterpart (Fig. 16) shows significant variations.⁴² The bend of the Alice River and everything west of it is more than five miles toward the east on the Australian map. An additional peculiarity is the identification of Ninati. Schoorl places it on the west bank of the confluence of the Moejoe and Ewen rivers; the Australian map locates it about a mile from the Ewen River and where Schoorl has the Moejoe River there is a track instead. Obviously the last word has not yet been spoken with regard to the Moejoe-Ninggerum border area.

The Waris and Jaffi Enclaves. Rumours of a fierce tribe 'as numerous as blades of grass' in the interior in the 'Waris Mountains', circulated in Hollandia as early as the 1920s.⁴³ Credit for penetrating the Waris area in mid-1937 goes to W. C. J. Stüber, a 60-year-old trader from former German New Guinea, then recently appointed *Bestuursassistent* in the

Dutch Administration.⁴⁴ The Waris and related tribes were found to be living between 3° 12' and 3° 20' South Latitude, within a triangle formed partly by the Keerom and Bapi rivers. Slightly further southward, tributaries of the Keerom gave relatively easy access to other populated areas.

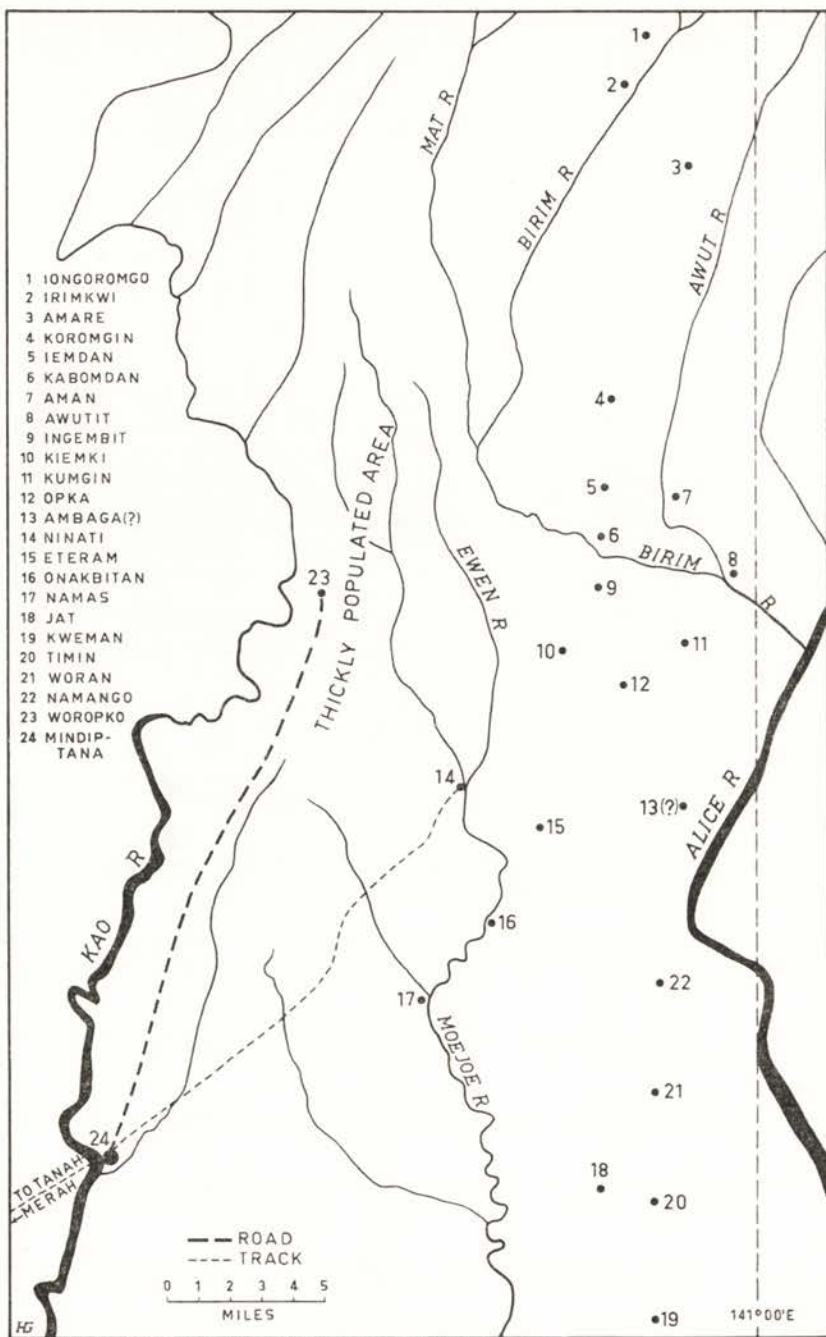
Contacts with these regions became more intensive in the post-war period. Posts were established at Waris, at the upper course of the Keerom, and further south at Jaffi, Senggi, and Oebroeb. All of these posts with the exception of Jaffi were eventually supplied with airstrips, and Dutch administrative control and influence gradually expanded from these centres. Catholic missionary activity also spread, bringing a network of schools.

Although it was realized that the posts at Waris and Jaffi and the missionary station at Amgotro were probably located close to the 141st meridian, it proved impracticable to halt eastward activity at a line not marked on the ground: several tracks linked the closely related people living further to the east with those in the west and no Australian administrative control was exercised in the border area. The only two Australian stations near the border at this time were at Vanimo on the Pacific Ocean and at Green River, near the Sepik.

Dutch officials in Hollandia mentioned the anomalous situation to visiting Australian colleagues as early as 1951. Administrator Colonel J. K. Murray was sufficiently seized with the importance of the problem to urge his superiors in Canberra to include the border zone north of the Sepik in the plans for the aerial photography of the border—restricted at that time to the stretch between the mouth of the Bensbach and the Fly River.⁴⁵ But even the limited plans for the southern zone faced indefinite postponement and it was no wonder that the Waris region sank back into oblivion. It became a topic of discussion, however, in June 1956 between the Resident of Hollandia and the District Commissioner of the Sepik. A record of the discussion indicates that the Dutch were more concerned about the possible implications of the matter than the Australians. District Commissioner Sydney Elliott Smith fully agreed with the need for a combined patrol into the border area and the desirability of an Australian border post, but he saw little hope for immediate action:

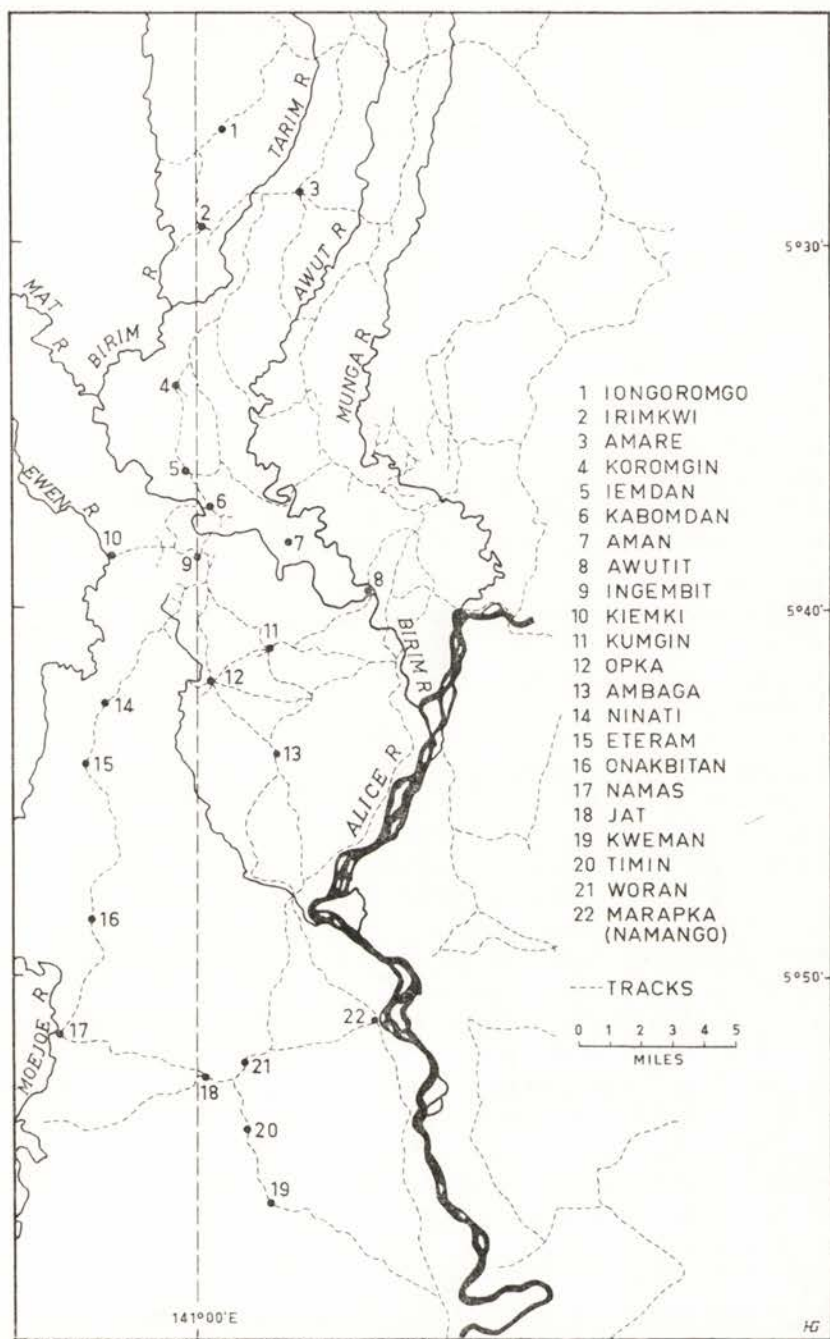
According to Mr. Elliott [Smith] no provisions can be made by the Australian government at present with regard to this territory for which reason Mr. Elliott would appreciate the present situation, in which the Dutch authorities are in control of this area to be perpetuated, until the boundary line has been definitely established by a boundary commission.⁴⁶

Dutch astronomical observations were taken at the patrol post at Jaffi in 1956, placing it at 140° 54' 14" East Longitude. Observations at Waris—taken in December 1961—placed the location of this Dutch patrol post at 140° 59' 56" East Longitude, less than 150 yards west



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15 A Dutch View of the Moejoe Border Area



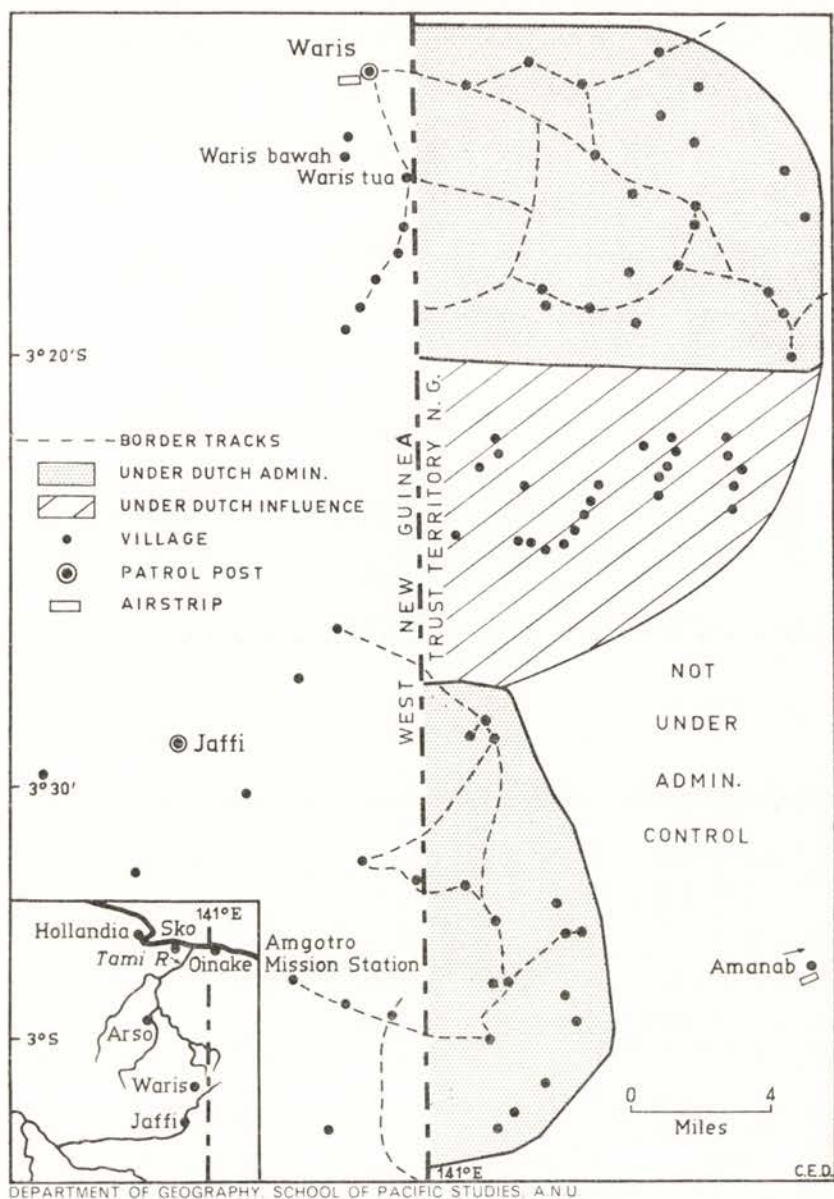
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16 A Recent (Australian) View of the Moejoe Border Area

of the boundary. The *Waris enclave*, territory administered by the Dutch east of the border, included the Olonend, Wainda, and Walsa tribal groups with fifteen villages and 1662 people (see Fig. 17). The *Jaffi enclave* took in the Pera (or Dera) tribe in ten villages with 866 people. Between these two enclaves was a third one in which Dutch influence was strong. This area was inhabited by the small Waina, Soeanda, Oemeda, and Poenda tribes living in four main clusters of some thirty villages with a registered population of 938. The total Dutch enclave, then, extended between 3° 12' and 3° 40' South Latitude, penetrating at its widest point some twelve miles inside Australian territory and including some fifty-five villages with 3500 people.⁴⁷ All of the villages were included in the census data for the Keerom *Onderafdeling*, most of the villages had uniformed village heads with the title of *korano* and a Dutch flag, while six subsidized and seven unsubsidized mission schools operated in the Waris-Jaffi enclaves. Further north one other tiny settlement, the village of Skotiaho (or Sekotiau) at the Bewani River, also was administered as part of the Arso District of the Keerom *Onderafdeling*.⁴⁸ It is not surprising that the Annual Report of the Trust Territory of New Guinea made no mention of this awkward situation. It seems far less legitimate, however, that the map included in this report marks the whole border area north of the Sepik River as under 'full' (Australian?) control.⁴⁹

Belated Australian action was taken when the conflict over the disputed status of West New Guinea approached its climax.⁵⁰ But the solution of the problem, which was considered 'administrative', not political, was left to authorities in the Territory. J. K. McCarthy, Director of Native Affairs of the Territory of Papua and New Guinea, visited Hollandia in early April 1962. His approach to the border problem was one of sympathetic understanding and it was quickly agreed that a joint patrol would be sent to the border region with the task of informing the inhabitants of the possibility of a change in Administration and discussing with them the possible implications of such a change.⁵¹ By the time the patrol went into the field in June 1962, however, the Dutch acceptance of the proposal of United States mediator Ellsworth Bunker for a solution of the Irian conflict meant a sharp change in the Australian approach. Assistant District Officer A. M. Bottrill now persuaded *Controleur* J. J. Lind that an immediate 'take-over' was in order. In over half of the villages visited by the joint patrol, Australian flag-raising ceremonies took place and pictures of Queen Elizabeth were placed in schools or other appropriate buildings.⁵²

A Dutch reaction to this type of solution was immediate. Questions were raised by members of the New Guinea Council in Hollandia⁵³ and by F. H. van de Wetering in the Netherlands parliament. The written answer by Secretary of State for New Guinea Affairs, Th. H. Bot, to the questions by Van de Wetering partly lifted the veil of secrecy and cloud of confusion.⁵⁴ Bot noted that recently completed astronomical observa-



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17 The Waris and Jaffi Enclaves

tions in this part of the border zone had determined that some thirty villages were located east of the international boundary. Refuting the idea of 'border corrections' he emphasized that the change was a matter of 'regularization of the administration' based on the principle of 'one's own administration within one's own territory'. But Bot's statement that in carrying out this regularization the wishes of the local people would be taken into consideration as much as possible drew an angry retort from a Catholic missionary in the Jaffi area. Noting that the joint Dutch-Australian patrol had used 'surprise, coercion and threats' he recounted with sorrow the questions put to him by villagers: 'Kita binatangkah, jang bisa dipaksa seberang?'—Are we then animals that we can be forced in this way?⁵⁵

Confusing public statements were made on the Australian side. A report from Port Moresby simultaneously contained a statement by the Administrator, Sir Donald Cleland, that he did not know anything about the transfer of 'two villages' and a comment by J. K. McCarthy that an Australian patrol had been sent to the southern [*sic*] portion of the boundary to confirm authority over a few thousand Papuans on the Australian side who 'for convenience sake' had been under Dutch Administration.⁵⁶ The Secretary for the Department of Territories, C. R. Lambert, was subsequently quoted as saying that new surveys had shown Waris and Jaffi 'just east of the border' and that only 'a handful of people' were involved.⁵⁷ An External Affairs spokesman was then quoted as having denied that any arrangement had been reached with the Netherlands for the handing-over to Australia of the two frontier villages of Waris and Jaffi, but that border demarcation was in progress and that when this was completed it could show 'that one or more villages which are located on one side of the border are in fact on the other side'. At this stage it was not possible to say whether this was so in the case of Waris and Jaffi or not.⁵⁸ In a sarcastically-titled editorial (14 June 1962), 'Self-Determination A La Hollandaïs', the editor of the *Indonesian Herald* had added in the meantime a new and equally misinformed international flavour. The reported Dutch handover of the two villages of Waris and Jaffi to the Australian government was dubbed arbitrary, intolerable, 'nothing but robbery in daylight', and a 'Dutch trap'. The official publication *Indonesia 1962* continued the fallacy of the transfer of two small towns and saw it as an indication of the emptiness of Dutch statements on the matter of self-determination.⁵⁹

Between December 1962 and February 1963, the Australian Administration took astronomical observations and placed border markers at two localities in the Waris and Jaffi area (at Sengk, just south of Jaffi, and at Menggau in the former Jaffi enclave), and at Sekotiau at the Bewani River. It reorganized the Sepik District's border Census Divisions, merging former Nai, Iuri, and West Wombasi with the 'new territories' into twelve new Census Divisions. A new patrol post was also established at Imonda in the former Waris enclave.

The Wam Lagoon and Bosset. The Boazi or Gab-Gab were a small nomadic tribe inhabiting the lowlands and lagoon country between the Upper Bian and Fly rivers.⁶⁰ The various clans of this tribe, living on both sides of the boundary, used to intersperse friendly visits to their neighbours with intertribal feuds and occasional headhunting raids. Outside interference began to disrupt this life in the late 1920s. Not only were there occasional Dutch or Australian patrols but Catholic missionary activity was extending from Boepoel on the Upper Merauke River. A headhunting raid on Dutch territory in August 1930 by people living in the Wam Lagoon region provoked punitive action by the Dutch. A number of culprits were killed while a half dozen others were taken to Merauke to serve jail sentences for their headhunting activities.⁶¹

The first Australian reference to the raid was by C. F. W. Zimmer in January 1931.⁶² The story told to Resident Magistrate R. A. Woodward during his patrol to the Middle Fly and Lake Murray region in May 1933 provides only slightly more detail, but was bound to draw more attention.⁶³ First, the men who had returned from their jail sentence in Merauke had brought a message from the Dutch side to the effect that an officer would shortly visit the village and that a rest house was to be made for him to camp in. (This newly constructed house had been noticed by Woodward during his visit to Nawa, a small settlement at the south-eastern extremity of Wam Lagoon.) Second, Nawa was 'but 2 miles West of the Fly and therefore well this side of the Territorial boundary'.

An official complaint about the 'Fly River frontier incident' was lodged by Australia with the authorities in Batavia through the intermediary of the British Consul-General. The Dutch reply was accommodating.⁶⁴ The colonial authorities frankly admitted the 1930 retaliatory raid but pointed out that the location of Wam Lagoon *vis-à-vis* the border was such that only astronomical observations could determine in whose territory it was located. Pending such observations, however, the Dutch had no objection 'to provisionally regarding Wam as belonging to Australia so long as the contrary does not appear from astronomical observation'. Authorities in Merauke, therefore, had been instructed to discontinue concern with Wam, and the Mission had been asked to do the same.

In the field, this satisfactory result for Australian authorities proved illusory. When, for example, the pioneer Dutch missionary J. Verschueren persuaded a couple of Boazi clans to abandon their nomadic existence in early 1934 the two spots selected for settlement—in complete unawareness of their proximity to the boundary—were located at the south-western tip of the Wam Lagoon and the northern part of the Kai Lagoon. Here, in Bosset and Bofagaga respectively, the people built 'simple family homes of the type which also has been introduced elsewhere by the [Dutch] Administration' and each village re-

ceived 'a school with a separate [boarding] house for the bigger boys and girls who went to school'.⁶⁵ A patrol by Woodward in April 1934 confirmed the existence of 'Vosit' (Bosset) and it drew his praise for the evenly spaced houses on either side of a central street and the elaborateness of its new school building 'replete with forms, desks, black-board, slates, etc.'⁶⁶ According to Woodward the local inhabitants called the missionary teacher 'Guru' but he was not sure whether this was his name, 'or a term used by the natives meaning "teacher"'—thereby revealing considerable ignorance of rather elementary Malay. The continuing confusion about Bosset is revealed in one of Woodward's comments:

According to our maps the village of vosit being on the Western side of WAM Lagoon, is in Dutch territory, although the natives are obviously British subjects.

Even if it is conceded that Bosset villagers were 'British subjects' it is important to note that it was the Catholic Mission at Merauke which carried out the *mission civilisatrice*.

Australia's attention was not drawn to the Wam Lagoon again until 1939. At that time Island Exploration Company Ltd., a firm prospecting for oil, was active in the Western District of Papua. In the course of its work a visit was paid to Wam Lagoon and the traverse which was made at the western extremity placed the point of observation at 141° 04' 20" East Longitude and 7° 13' 48" South Latitude.⁶⁷ This located the entire lagoon in Australian territory but the company's chief geologist noted that Bosset, on the south shore of the lagoon, was regarded by its inhabitants as part of Netherlands New Guinea and administered as such.

The Netherlands reaction to the renewed uncertainty in the border lagoon country is expressed in a letter of 6 September 1939 from the Netherlands Envoy in London to the Australian High Commissioner. It is significant in that it recommends a plan of action which, if implemented, would have been an important step forward towards the task of defining and demarcating the boundary:

The Netherland Government suggest that the Southern point of intersection of the meridian of 141° 1' 47, 9" East Longitude with the River Fly and the Northern point of intersection of the 'thalweg' with the 141° East Longitude be determined astronomically and fixed with the aid of a concrete landmark. . . .

Weather in October being stated to be most favourable for these operations, an early reply would be greatly appreciated.⁶⁸

Compared with the immediate response to the request of the Netherlands in 1933 to define the northern part of the boundary at Wutung, the Australian reaction this time was disappointingly slow. Lieutenant-Governor Murray of Papua was first asked for his opinion in a letter dated 26 October 1939. In his response of 14 November, Murray informed his superiors in Canberra that he had no officer who could be

sent to co-operate in the determination of the boundary and he suggested, therefore, that the question might be allowed to stand over until after the end of the war. After a further lapse of time both governments agreed to defer the matter until the return of 'more settled conditions'.⁶⁹

The establishment of the Australian patrol post at Lake Murray in early 1947 led to renewed trouble in the lagoon frontier region.⁷⁰ The *Controleur* of Merauke, C. W. Wolff, reported that an Australian patrol visited Bosset in June 1947.⁷¹ On that occasion, villagers had been assembled and 'censused' and were then told that Bosset was located in Australian territory, that the village head would be appointed 'kepala kampong Australia' [Australian village head], and that the patrol would return later in the year with textiles and medicine and visit the neighbouring villages of Bofagaga and Gamamiet. Dutch action followed:

As a result of these reports the *Bestuursassistent* was requested to patrol the Gab-Gab territory, to take along a substantial amount of textiles as 'contact article' and to report on the matter. The area was patrolled from 2 to 12 August, but no Australian was encountered. The situation was satisfactory.

However, a few weeks later Bosset was again visited by an Australian patrol and villagers were told that both Bosset and Bofagaga would soon be placed under Australian administration. Gamamiet villagers meanwhile had been instructed to abandon their settlement and move to Australian territory. Following another visit to Bosset in November, this time by personnel of the Australasian Petroleum Company, *Controleur* Wolff sent his assistant to Bosset accompanied by the Chief Inspector of Police and ten policemen. In the same report, Wolff noted that the main cause of confusion over Bosset was that on Dutch maps the international boundary went through the middle of the Wam Lagoon (thereby putting Bosset in Netherlands territory), but that recent Australian maps had the whole of the lagoon east of the boundary.⁷²

An Australian's view of the matter is given by Patrol Officer E. G. Hicks who visited Bosset in March 1948:

One could not help but be favourably impressed by the sight of such an orderly, well planned and remarkably clean village. . . . The difference between these people and those of the Lake Murray area is very considerable. Their education for many years past has been undertaken by the Catholic Mission with its headquarters at BOEPOEL on the MERAUKE River in Dutch Southern New Guinea, and the degree of enlightenment and sophistication which has been achieved in a community so far removed from the centres of 'civilization' is truly remarkable. . . . Many of the adults of this village are able to converse freely with the Malay teacher in the latter's own language, due no doubt to the fact that the majority have worked at MERAUKE on 'Heerendiensten', statutory forced service to the Dutch authorities, at some time or other.

The traditional pubic-shell covering is very little in evidence nowadays, being observed only on one or two of the very old men of the village. Amongst the younger men shorts or long trousers, mostly of

military origin, are the popular dress while the women wear the full waisted, neatly trimmed and in some cases, coloured skirts of fine sago leaf. The Dutch appointed Village Constable wears a full uniform of matching long trousers and safari jacket of field gray, the jacket bearing an embroidered insignia and a small Dutch flag on the lapels. Boots and Dutch type hat complete the rig.⁷³

The confusing situation in the Wam Lagoon area came under consideration once again in September 1948 when Administrator J. K. Murray drew Canberra's attention to the matter by forwarding the patrol report of Hicks. Noting that the original Dutch instruction to cease being concerned with the area had not been followed in the field by local government and missionary personnel, Murray suggested that discussions be held with the Dutch about the need to define the boundary in the vicinity of the Wam Lagoon.⁷⁴ His recommendation was acted upon in November 1948, but the only effect it appears to have had on the Dutch authorities was an instruction to the *Controleur* of Merauke to cease patrolling the Wam Lagoon region.⁷⁵ In the absence of any missionary or education activity on the Australian side, Dutch Catholic missionary concern for their flock in the border lagoon country continued. Visits by Australian patrols confirmed the above development. But it was also noted that villagers expressed increasing concern over their uncertain status:

The Dutch appointed Village Constable and the Members of the Village Council asked whether any decision had yet been reached with regard to the territorial status of the village, but I was obliged to tell them that the matter was apparently still receiving the consideration of the authorities.⁷⁶

Administrator Murray then renewed his earlier suggestion that the territorial status of the lagoon and of Bosset be determined. Preferring even a tentative arrangement to the uncertainty, Murray suggested that some arrangements could possibly be made for the provisional fixing of the boundary in this region by consultation on the spot between representatives of the two New Guinea Administrations.⁷⁷ The Netherlands was approached in this vein on 14 September 1949, but confirmation that the Wam Lagoon and Bosset were now regarded as falling within the Territory of Papua was requested. The Netherlands indicated (on 14 March 1950) that, in line with its 1933 decision, it did not object to provisionally regarding the Wam Lagoon as Australian territory, but it still held the request regarding Bosset—rather contradictory in light of its geographical position—'under consideration'. Likewise, the suggestion to have the boundary determined provisionally at certain spots by local officials remained under consideration. The Netherlands agreed with the need to survey the southern border sector but was of the opinion that such a survey could only be carried out successfully if it employed maps based on aerial photography and if a number of astronomical points were fixed on these maps.⁷⁸ Although the fate of the last proposal will be

discussed in the next section, suffice it here to say that nothing new developed on the Bosset front. Discussions on the administrative level of the two New Guinea Administrations took place in 1954 and 1956. The Ingembit Conference of 1954 dealt with villages in the Moejoe-Kiunga frontier; the discussions at Merauke in June 1956 between the Resident of Merauke, A. Boendermaker, and his colleague from the Western District of Papua, A. Champion, were concerned with Bosset in particular:

It was agreed, in anticipation of the determination of the border by a Mixed Netherlands-Australian Commission, to determine the position of Bosset by astronomical observations. These will be carried out by Mr. VAN DER WEIDEN of the Land Registry Office. If these observations are in our [i.e. Dutch] favour, Mr. CHAMPION will instruct the Assistant District Officer at Lake Murray to discontinue his concern with Bosset; if the results are the other way it will be proposed by me [Boendermaker] to withdraw the subsidy to the school, the inspection from the Department of Education will no longer concern itself with the school, and the rain-gauge [placed in Bosset by the Netherlands New Guinea meteorological bureau] will be removed.⁷⁹

Although the astronomical observations conducted by F.L.T. van der Weiden soon afterwards placed Bosset at 141° 05' 08.42" East Longitude and 7° 14' 19.35" South Latitude—well within Australian territory—the Netherlands made clear that this result continued to be provisional and would in no way prejudice the results of the future delimitation of the boundary. Meanwhile, Bosset's socio-cultural orientation continued to be towards the Netherlands territory, while Dutch maps, and even the map printed during the United Nations Temporary Executive Authority period, continued to place the boundary through the middle of the Wam Lagoon.

From Splendid Unconcern to Mad Scramble, 1949–1963

Analysis and description of the 1949–63 events presents obvious problems. There is a paucity of published material and the story is intricate. There is also the policy question of whether or not the contested status of West New Guinea (*Irian Barat*) should have stimulated Australian authorities to place a high priority on marking the boundary.

The Australian-Dutch exchanges during 1949–50 led to an expression of willingness by the Netherlands to co-operate in a boundary survey, but the point was made that such a task could be successful only if it employed aerial photography. Initially, it had been hoped that the extensive aerial coverage of New Guinea by the United States Air Force during World War II would be of major assistance. However, this was not the case: most of this photography was concentrated on the actual war theatre along the northern coasts of the island. Tri-metrogon photographs had been taken of large parts of New Guinea but coverage of the boundary was incomplete. Wartime photography, moreover, was not up to survey standards and missed ground control, and the available maps

were insufficiently accurate and on far too small a scale to be of practical value in boundary demarcation.⁸⁰ The most valuable contribution was the Australasian Petroleum Company's Air Survey of 1938-40. The company's topographical sheets were based on aerial photography and had used astronomically determined control points. Unfortunately they only covered the border zone from the north coast to about 3° 20' South Latitude (about 54 miles) and south of the Star Mountains between latitudes 5° 20' and 6° south. No adequate material, therefore, was available from the Fly River to the mouth of the Bensbach—the section most urgently desired at the time. If a new program of air photography was needed for most of the boundary, it seemed reasonable to cover the lot. Such a task could be carried out by the R.A.A.F., which in Squadron 87 possessed a small Photo Reconnaissance Unit.

The government body charged with recommending (through the Minister for the Interior) the co-ordination of the activities and requirements of the various Commonwealth Departments with regard to mapping and ground and air surveys was the Commonwealth Survey Committee.⁸¹ It was to this Committee that the Department of Territories took the proposal for the aerial photography of the border which was introduced with the comment that both the Department of Territories and that of External Affairs considered a survey of the border 'an urgent proposition on political and administrative grounds'.⁸² Despite strong reservations of several members to the effect that a project of this magnitude would have serious repercussions on mapping projects within Australia, especially in light of the announced intention of the Air Force to scale down the number of survey flights, the Committee did recommend (in Resolution No. 68) that the R.A.A.F. be requested to undertake on a first priority basis, a run of tri-metrogon photography along the border between the southern coastline of Papua and the Fly River.

When informed of the Committee's recommendation, the Administrator, Colonel Murray, expressed concern and gave reasons why aerial photography of the northern border sector was equally urgent.⁸³ It is unfortunate that this information was not available at the time the proposal was introduced. However, it would not necessarily have swayed the Committee or overcome the R.A.A.F.'s lack of enthusiasm for aerial photography in an area which was known as one of the most difficult in the world for this kind of work.⁸⁴

Following the recommendations of the Commonwealth Survey Committee consultations were resumed with the Netherlands, which was not opposed to the Australian proposal but desired more information on a number of points and specifically wished to reserve its right to appoint observers on the border survey flights. During the delay which followed another decision froze the project: the conflict between Indonesia and the Netherlands over the status of the western part of the island had reached boiling point in late 1951 and the advice received from External Affairs was that it was an 'inopportune' time to proceed with the border

survey.⁸⁵ In retrospect, it is easy to question and criticize this advice. It seems that it might have been possible to proceed with the proposed aerial photography project while adhering to the spirit of the suggestion as far as direct negotiations with the Netherlands were concerned. Certainly it could have been argued that implementation of that part of the boundary survey would not have been prejudicial to either partner in the West New Guinea/West Irian dispute.

The aerial photography project did not receive the go-ahead until late 1952, following statements in the Netherlands Parliament whereby the Netherlands confirmed its *de facto* and *de jure* sovereignty over western New Guinea and flatly rejected any tampering with it.⁸⁶ The R.A.A.F.'s Photo Unit arrived in the Territory in January 1953 ready to tackle both the border project and a number of other tasks assigned to it.⁸⁷ However, work on the border was delayed because negotiations with the Netherlands had been suspended in late 1951. When adverse weather conditions followed the delay, the Unit returned to its base in Australia in May 1953 without having begun the border project. At this time the Air Force, because of retrenchment in defence expenditure, decided to disband the Photo Reconnaissance Squadron unless an annual sum of £162,000 was provided to guarantee its existence. In spite of urgent requests of the Commonwealth Survey Committee, Cabinet—probably unaware of the special need for the photography of the border—decided against approving the required sum. Desperate efforts to save the Unit's life continued. At its meeting of 14 September 1953 the Commonwealth Survey Committee (in Resolution No. 78), for example, expressed regret that the high priority work on the border could not be undertaken, but the official decision reached was that the matter should be deferred indefinitely.⁸⁸

Negotiations with the Netherlands were next resumed in early 1955. The Australian *Aide Mémoire* of 5 January 1955 proposed resumption of the aerial photography program (now to be carried out by a commercial air survey company under contract) and establishment of a Border Commission, as it was considered important that the boundary line should be precisely defined to facilitate administration in the border zone. The Netherlands response of late November 1955 agreed with the great importance attached to proceeding rapidly with a precise demarcation. With regard to the aerial photography program it was suggested that K.L.M.-Aerocarito N.V., a company with wide experience and familiarity of New Guinea, be given the contract.⁸⁹ If this suggestion proved unacceptable the task could possibly be divided between a Dutch company (doing the northern part) and an Australian one (doing the southern part). A complete silence followed while the Netherlands suggestion was 'studied' by various Commonwealth Departments and the Administrator in Port Moresby. Occasional correspondence followed dealing with such matters as a comparison of costs between K.L.M.-Aerocarito and other companies and a more precise definition of the

territory to be covered by Dutch and Australian air survey companies. Agreement between the two governments on this matter was reached in April 1958—more than three years after the initial proposal. Negotiations with the private companies took additional time. The contract with the Australian firm, Adastral Airways, for example, is believed not to have been concluded until early 1960. In the field, bad weather and other circumstances further delayed the job, and at the end of 1961 the aerial photography of the whole border had been only partly completed. Due to 'tasks of a more urgent character' in 1962, K.L.M.-Aerocarato's contribution was halted and never again resumed.⁹⁰

Meanwhile some activity had occurred on other fronts. In New Guinea the 'provisional agreement' at Ingembit in September 1954 was the result of a previous understanding between J. van Baal (Governor of Netherlands New Guinea) and Sir Donald Cleland (Administrator of Papua and New Guinea) that the location of certain border villages north of the Fly River bulge should be decided on the spot by the respective District Officers. Sir Donald was known to take a dim view of subsequent suggestions by the Dutch at the diplomatic level for the establishment of a Border Commission. He deemed the setting up of formal border machinery premature in view of the general isolation of the border, the difficult terrain, and the stage of development of the native people. During Sir Donald's visit to Hollandia in March 1956, it was agreed that there should be 'complete liaison, exchange of visits, and information' between the officials of border districts. Within four months, the District Commissioners of the Sepik and Western Districts had conferred with their Dutch colleagues in Hollandia and Merauke respectively.⁹¹ In July 1957 the Resident of Merauke visited Daru.

During this period there was also some surveying activity—the result of which seemed to create more problems than it solved. The Dutch carried out observations at Jaffi and at the mouth of the Bensbach River, erecting pillars to identify the exact spots. It was not surprising that the results at the Bensbach differed from those of Posthumus Meyjes taken in 1893, but the magnitude of the difference— $141^{\circ} 01' 03.5''$ East Longitude compared with the by now familiar $141^{\circ} 01' 47.9''$ —was of special significance because the line running through the middle of the mouth of the Bensbach formed the boundary until its intersection with the Fly River.⁹² Furthermore, a Dutch astronomical station was established at Wutung in September 1958 on the exact spot where Surveyor A. G. Harrison had placed his cairn just over thirty years before. The Joint Declaration of 2 September 1933 leading to the 'adopted' position of the 141st meridian was based on an adjustment between Harrison's determinations and those achieved by triangulation from Cape Suadja, Humboldt Bay. This meant that the 'adopted' figure for the Harrison cairn became $141^{\circ} 00' 20.42''$ East Longitude compared with $141^{\circ} 00' 13''$ by observation.⁹³ The Dutch observation of 1958 came much closer to Harrison's findings: $141^{\circ} 00' 10.2''$ East

Longitude.⁹⁴ This raised the awkward point that the adopted position of the 141st meridian could in fact be as much as 10 seconds (about 333 yards) further west than it should be on the basis of the latest astronomical observations. Australian activity followed in 1958–9. Chief Surveyor M. G. Whish-Wilson observed and placed ‘monuments’ (drums filled with cement sunk into the ground with a silver-painted beacon erected over the top) at the Bensbach (November 1958) and the northern and southern intersections of the respective meridians with the Fly River (September–October 1959). With the need for an astrofix at Wanggoe, approximately half-way between the coast and the Fly River, eliminated because of the availability of a Dutch astrofix at Erambo, a string of astrofixes now existed from the Bensbach to the northern intersection of the Fly River. Unfortunately this encouraging progress on the ground was not continued. A single Dutch astrofix was determined for Waris in December 1961 and Australian activity was not resumed until December 1962.

The establishment of the joint Border Commission also stagnated. Members were eventually appointed in mid-1959, but no date was set for the first meeting. Once again dilly-dallying proved fatal, for in early 1960 the Head of the Land Registry Office in Hollandia—one of the Dutch members of the Commission—resigned suddenly and no replacement arrived until early 1961. The scheduled attendance of B. P. Lambert, Director of National Mapping (Commonwealth Department of National Development) at the Twelfth General Assembly of the International Union of Geodesy and Geophysics in Helsinki (25 July–6 August 1960) offered a partial solution to this problem. It was arranged that a preliminary meeting would be held at Delft, Netherlands, between Lambert, Ir. L. van Zuylen (member of the Border Commission), and other members of the Netherlands Topographical Service some time in August.

The Delft Conference of 23 August 1960—bringing together a small body of experts—achieved much in one morning. It agreed that the most practical way of determining the boundary was to adopt the following plan of campaign:

1. *a.* Determine and mark the intersection of the Fly River with the 141st meridian at about 6° 20' South Latitude;
b. Accept a ‘great circle line’ passing through this new mark and the Wutung monument at the north coast;
2. *a.* Have the Australian connecting survey between the astronomically determined points of Van der Weiden and Whish-Wilson at the mouth of the Bensbach checked by Netherlands authorities and reach agreement thereon; measure bearing and distance from the Netherlands astronomical station to the centre of the mouth of the Bensbach River and accept the longitude value so obtained as the southern point of the boundary, irrespective of any future change in the course of the Bensbach;

- b. Determine and mark the intersection of the Fly River with the agreed upon longitudinal value accepted for the middle of the mouth of the Bensbach at about $6^{\circ} 55'$ South Latitude;
- c. Accept a 'great circle line' passing through this mark and the centre of the mouth of the Bensbach;
3. Have a joint Australian-Netherlands survey team determine and mark the points on the banks of the Fly River;
4. Have all marked points connected by accurate surveys to an appropriate number of local and well-established 'recovery marks' of a permanent nature.⁹⁵

The Conference agreed that it was desirable for administrative purposes to make a 'reasonably accurate but economical determination of the actual location of the straight position' of the border and that this could be accomplished best by 'photogrammetric aerial triangulation'. Marking of the border on photographs 'should always be considered an approximation'. The meeting set a realistic time-table for the above-mentioned tasks and recommended that the Technical Border Commission meet in November of that year (1960) or, if this was impossible, in February 1961.

In actual fact, the Commission was not convened until November 1961, the main obstacles which delayed it being Administrator Sir Donald Cleland and Governor P. J. Platteel. Sir Donald suggested that his Chief Surveyor attend the proposed Conference after his return from leave; Governor Platteel had been without a Chief of the Land Registry Office for over a year, and for this (and other extraneous reasons) declined temporarily to assign the newly arrived Ir. C. Roggeveen to any tasks not directly related to his duties. When the Technical Commission (composed of R. G. Matheson and H. A. Johnson as Australian members and Ir. Roggeveen as the sole Dutch member) was convened in Port Moresby on 7-8 November 1961, it did little more than sanction the plan of campaign of the Delft Conference, putting the various agreements into specific recommendations. Minor new developments included the recommendation—still subject to Dutch checking—that the accepted longitude value for the 'Bensbach meridian' be $141^{\circ} 01' 07''$ east. With regard to the Fly River section of the boundary, it was recommended that due to the shifting course of the Fly, the future Border Commission pay

Special attention as to whether the Waterway ('Thalweg') shall be adopted at some specified date of photography as a firm boundary independent of any future change in the rivers course, or whether the Waterway shall be adopted as it occurs from time to time.⁹⁶

The conference also recommended that the surveying staff of both countries have free access at all times to the various boundary and control marks. Finally, work on the border survey was to produce uniform sheets on a scale of 1:100,000 extending five minutes of longitude along each side of the boundary.

Preparations for the joint determination of the Fly River points began in January 1962 and Ir. Roggeveen, accompanied by a surveyor and assistant surveyor (both Papuans), departed from Hollandia for Port Moresby at the end of June 1962. A detailed, albeit rambling, account by Roggeveen of the subsequent expedition to the Fly River with Australian Senior Surveyor O. G. G. Dent has been published.⁹⁷ Suffice it here to note that observations carried out on the spot were in basic agreement with those conducted by Whish-Wilson in September–October 1959. Monuments were placed (on both banks of the river) at the northern intersection of the Fly River and the 141st meridian (near Angamarut) on 13–14 August and at the intersection of the ‘new Bensbach meridian’ and the Fly River some three miles downstream from Domongi on 17–18 August 1962 (see Plate 7). The Declarations drawn up at Angamarut and Domongi at the time were authenticated at Daru on 23 August by F. A. Bensted, the District Commissioner.⁹⁸ Confirmation of the new position of the mouth of the Bensbach River on the basis of available air photographs was made by Roggeveen (somewhat belatedly) in a Declaration of 13 September 1962.⁹⁹

A preliminary set of maps of the frontier zone, based on aerial photography, made between 1939 and 1961 and rather incomplete in certain sections, was made available by the Commonwealth Division of National Mapping in April 1963. This was followed by a second edition in October 1964 based on 1960–3 aerial photography.¹ Meanwhile, Australian astrofixes had been taken and markers placed in rapid succession at Ingembit and Opka (in the Moejoe-Ninggerum area) in October and at Sekotiau (at the Bewani River, a tributary of the Tami) in December 1962; at Sengk (Pulboa Tua), Menggau, and Koromgin (in the former Waris-Jaffi enclave region) in February, and at Irimkwi, Kabomdan, Woran, and Kweman (Moejoe-Ninggerum) in May 1963 (see Table II and Fig. 18). At that juncture it would have been possible to proceed to a final delimitation of the boundary with the erstwhile Dutch partner.

Post-1962 Developments

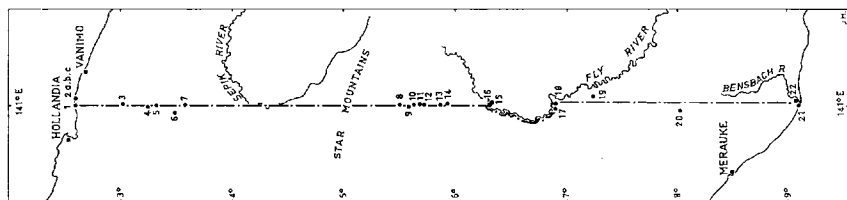
Boundary-making requires a great deal of continuity. This is likely to be broken when one of the original partners is replaced—as was the case when Indonesia assumed official control over the former territory of Netherlands New Guinea on 1 May 1963. Discussions between Indonesian Foreign Minister Dr Subandrio and Australian External Affairs Minister Sir Garfield Barwick at Djakarta in September 1963 indicated a new start. Dr Subandrio concurred, pending a resumption of the boundary survey, that Australian surveyors would place ‘temporary markers on Australian territory—on tracks and pathways crossing the border—indicating the approximate position of the border’.² Although this may not appear to be a matter requiring the consent of the Indonesian Foreign Minister, it was perhaps a wise precaution given the

TABLE II AUSTRALIAN AND NETHERLANDS ASTRONOMICAL (BORDER) STATIONS, 1933-63

Station	J = Joint; A = Australian; N = Netherlands		Date establ.	Marking of Station
	Long. (E. of Gr.)			
1 Wutung	141° ('adopted')	Sept. 1933	(J)	Cement obelisk
2a Wutung 'east'	141° 00' 13"	Oct. 1928	(A)	Cairn
2b Wutung 'east'	141° 00' 10.2"	Sept. 1958	(N)	Astr. Station 18
2c Wutung 'east'	141° 00' 09.15"	Nov. 1962	(A)	—
3 Sekotiau	141° 00' 54.96"	Dec. 1962	(A)	Cement mark
4 Waris	140° 59' 56"	Dec. 1961	(N)	Pillar
5 Sengk (Pulboa Tua)	140° 59' 59.43"	Feb. 1963	(A)	Cement mark
6 Jaffi	140° 54' 14"	1956	(N)	Pillar
7 Menggau	141° 00' 30.69"	Feb. 1963	(A)	Cement mark
8 Irimkwi	141° 00' 08.25"	May 1963	(A)	Cement mark
9 Koromgin	140° 59' 24"	May 1963	(A)	Cartridge in cement block
10 Kabomdan	141° 00' 15.5"	May 1963	(A)	Cement mark
11 Ingembit	141° 00' 07.65"	Oct. 1962	(A)	Pillar
12 Opka	141° 00' 17.775"	Oct. 1962	(A)	Cairn over cement peg
13 Woran	141° 01' 21"	May 1963	(A)	Cartridge in cement block
14 Kweman	141° 01' 57.75"	May 1963	(A)	Cartridge in cement block
15 Angamarut	141° 00' 18.7"	Sept. 1959	(A)	Drum filled with cement
16 Angamarut*	141°	Aug. 1962	(J)	Concrete obelisk
17 Domongi	140° 59' 05.46"	Oct. 1959	(A)	Drum filled with cement
18 Domongit†	141° 01' 07"	Aug. 1962	(J)	Concrete obelisk
19 Bosset	141° 05' 08.42"	July 1956	(N)	Pillar
20 Erambo	140° 58' 44.48"	Feb. 1956	(N)	Concrete base
21 Bensbach†	141° 01' 03.68"	Dec. 1956	(N)	Pillar
22 Bensbach§	141° 01' 21.78"	Nov. 1958	(A)	Drum filled with cement

* The obelisk was placed on the south bank, a drum filled with cement on the north bank.

† 'About three miles downstream of Domongi': the obelisk was placed on the north bank, a drum filled with cement on the south bank. ‡ At the right bank. § At the right bank but half a mile upstream.



uncertain location of the boundary. The marker-placement was rudely interfered with in November 1963 when the Australian survey party found one of their markers, which had been placed some six miles to the west of the Bensbach River near Satar, removed. When the party proceeded to replace the marker it was intercepted by an Indonesian patrol at gunpoint and escorted back to the Bensbach River with the comment 'There is your boundary'.³ News of the incident shook Canberra officials, and the newly-appointed Minister for Territories, the Hon. C. E. Barnes, announced the immediate suspension of all surveying activities along the border pending clarification. Tension subsided when it became clear that the incident was due to ignorance and misinformation. Dr Subandrio publicly admitted a 'break-down of Djakarta's administrative contacts with the area'⁴ and soothing statements followed. On a visit to Australia in late February 1964, Australia's Ambassador to Indonesia, Mr K. C. O. Shann, declared that there would be no further New Guinea border disputes between Australia and Indonesia, that previous differences were due to 'a misunderstanding' and that 'we will soon attain a permanent demarcation in New Guinea'.⁵

Following subsequent exchanges of views between Dr Subandrio and Mr Hasluck in Djakarta on 5 June 1964, Australia's Minister for External Affairs declared that 'a very ready understanding' had been reached on the matter and that the two governments could now proceed with arrangements for the marking of the border on the ground.⁶ A Technical Conference was convened in Djakarta on 31 July 1964 with discussions extending to 4 August. Mapping and survey experts on the Australian side included B. P. Lambert, Director of National Mapping, and R. G. Matheson and J. C. Macartney, Surveyor-General and Senior Surveyor respectively of the Papua-New Guinea Administration. The Indonesian delegation was headed by the Director of Army Topography, Brigadier-General Soerjosoemarno. A priceless gift presented to the Indonesian delegation may have contributed to the pleasant atmosphere. It was a set of the border maps based on aerial photography which had just been completed.

The technical experts agreed on a series of recommendations (to be submitted for approval to their respective governments) which covered both the overall program which should be adopted and early measures to implement this program. Specifically, they agreed:

That a joint Indonesian/Australian reconnaissance team should visit the border as soon as practicable to prepare the way for subsequent concurrent astronomical surveys by both countries. Correlation of the results of these surveys would clear the way for the permanent marking of the border.⁷

An Australian newspaper reported:

The External Affairs Department is reported to be pleased at the outcome of the talks at which no legal or political difficulties cropped

up. This is taken as an indication that there is no conflict with Indonesia about the border or about the need for marking it.⁸

One must assume that External Affairs is misquoted. Legal and political aspects would hardly be within the competence of a Technical Commission. Moreover, satisfaction about the achievements of the conference should be tempered. By not disagreeing with anything, but merely suggesting the need for a new survey of the border in some fifteen locations, the Indonesian delegation in fact relegated all previously accomplished work to the scrapheap, leaving its government completely free to bring up legal and political difficulties at a future stage. A careful reading of the joint statement also suggests the long road ahead which was to involve three separate, progressively more complicated and expensive steps. The conference's use of the subjective term 'as soon as practicable', instead of a firm date for the initiation of stage one, seems unfortunate. Although Hasluck stated in mid-September 1964 that the work 'will be put in train in due course',⁹ the Indonesian government revealed no evidence of any activity while studying the recommendations of the Commission.

'The extraordinary delay by Indonesian authorities' to act on the recommendations of the Technical Conference was the topic of an editorial in the *South Pacific Post* some seven months later. Seeing the delay as 'yet another exasperating example of the irresponsibility of that country [i.e. Indonesia] towards its international obligations', the editorial noted that the terms agreed upon were so explicit 'that virtually since that time Territory surveyors have been on stand-by'.¹⁰ In May 1965 an apparently embarrassed Indonesian Embassy official sounded an encouraging note by declaring that arrangements for the joint border survey were being held up by the wet season, but would be implemented 'when the rainy season ended about June'.¹¹ In late September 1965 Hasluck repeated that the government had been in discussion with the Indonesian government and that the Indonesians had agreed to take part with Australian survey teams in the marking of the border on the ground and the checking of the existing markers. He continued: 'We expect that the first action along these lines will take place round about November or December of this year and that the actual survey on the ground will commence early in 1966'.¹² In commenting on the recommendations of the Technical Commission in the early part of 1965, this author wrote (somewhat pessimistically):

With 'practicability' depending on climatic conditions of various types, and with prestige and emotion likely to play a larger role than before, the actual demarcation of the border still seems a long way off.¹³

There seems no reason to alter this opinion.

In the above discussion attention has been paid strictly to the boundary. It seems pertinent to conclude with a few comments concerning condi-

tions that have resulted from political changes in the western part of the island. The main theme is contained in Sir Garfield Barwick's statement, made shortly after the 15 August Agreement between the Netherlands and Indonesia: 'As a result of the agreement of the parties, we are to have for the first time a common land frontier, that between East and West New Guinea, with a people of Asia'.¹⁴ This fact, and especially the way in which it came about, shocked Australians; it also catapulted the boundary issue from its traditionally low priority to the front among the concerns and worries of the Australian External Affairs Department.

In adjusting to the new situation a conscious effort was made on the Australian side to understand and appreciate the new neighbour, and approach all problems 'in a spirit of continuing co-operation'.¹⁵ The acquisition of West Irian was made more palatable by the thought—shared and stressed by a number of Australian academics—that Indonesia now had no further territorial claims or ambitions and therefore would settle down to solve its mounting economic problems. It was during this period that J. A. C. Mackie wrote: 'Border frictions [along the Irian boundary] might arise, but there is less reason why they should than on the Indonesian-North Borneo border'.¹⁶ In light of the history of incidents and problems which occurred and existed even during the placid preceding period, Mackie's statement appears unrealistic. Border incidents have naturally occurred along the Irian boundary over the past few years. Most, however, have been minor (or were consciously considered such, at least publicly). The incident mentioned previously about the border pegs west of the Bensbach River being moved falls in this category, as does the dropping of supplies by an Indonesian plane on Pagei (in the Sepik border area) instead of on the intended neighbouring strip west of the boundary. The reported 'arrest' of the *luluai* of Sekotiau by an Indonesian armed force and the threats to the other inhabitants of this tiny hamlet in June 1965 were found 'completely false' upon closer investigation.¹⁷ Although the *luluai* admitted that he had visited Sukarnapura, he had done so of his own free will at the invitation of an Indonesian official. He also admitted that one of the reasons for his visit was to discuss with Indonesian officials the future siting of his village.¹⁸ The earliest incident occurred at Weam in the Western District in July 1963. It was caused by an exodus of Papuans from West Irian and subsequent attempts by an Indonesian patrol to persuade the fugitives to return to Indonesian territory. The official Australian comments on that occasion typify the Australian policy at the time and the somewhat patronizing attitude adopted towards the Australian public:

The Department of External Affairs tonight would not comment on the border incident.

A spokesman for the Department of Territories said it must be remembered that the border between West Irian and Papua-New Guinea was very flexible. He said a group of Indonesian officials,

not soldiers, as earlier reported, had crossed the border and tried to persuade these Papuans from West Irian to return to their village. When the Papuans had refused, the Indonesian officials had not been upset but had had a friendly discussion with the Australian patrol in the area. The department did not, on available information, regard the incident as serious.¹⁹

The problem of refugees suffered both from the clamp of secrecy and an attempt to provoke Indonesia as little as possible.²⁰ Shortly after the 15 August Agreement (and well before an actual problem arose), Sir Garfield Barwick had stated the Australian position on this matter:

If any requests are received under the heading of political asylum, they will be entertained and decided on their particular merits from a very high humanitarian point of view in accordance with traditional British principles.²¹

The snag in Sir Garfield's statement is what sort of requests by fugitives from across the border are deemed *bona fide* requests for political asylum. As early as 1906, John Bassett Moore in his standard work on international law opened his discussion of this subject with: 'No legal term in common use is perhaps so lacking in uniformity and accuracy of definition as the "right of asylum".'²² The statement in Article 14 of the Universal Declaration of Human Rights that 'Everyone has the right to seek and enjoy in other countries asylum from persecution' may appear unequivocal to laymen, but has been described as 'an ambiguous play of words' and a compromise formula 'artificial to the point of flippancy'.²³ It grants individuals the right to seek asylum but cannot guarantee that seeking this right will be successful because the authority to grant it remains safely embedded with the 'sovereign State'.

Obligations were assumed by Australia as a signatory of the Convention relating to the Status of Refugees.²⁴ But the definition of 'refugee', as adopted in July 1951 in Article 1 A (2), is limited by the opening statement. A refugee is any person who:

As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country. . . .²⁵

Taking advantage, moreover, of the choice provided in Article 1 B (1) of the Convention between applying the above definition to 'Europe' or to 'Europe or elsewhere', Australia declared that for the purpose of its obligations under this Convention, the words 'events occurring before 1 January 1951' should be understood to mean 'events occurring in Europe before 1 January 1951'.²⁶ Even Sir Garfield's statement then is deceptive in so far as it would mislead most people not familiar with the subject. With regard to the fugitives who crossed the border at Weam

in July 1963 it was possible to dodge the refugee issue by not considering those involved as refugees but as persons who possessed land on both sides of the boundary and held no fixed abode. For practically all others who have crossed the border later the cards were stacked against their being allowed to remain. Not only was their fate in the hands of officials who possessed little or no knowledge of developments within West Irian and who were unable to communicate with the persons involved other than through interpreters, but the instructions of these officials were to send back anyone who was unable to give *prima facie* evidence of his life being endangered. At the higher level this policy was rationalized by reference to the fact that the 15 August Agreement guaranteed the human liberties of the inhabitants of West Irian; by pointing out—somewhat inconsistently—that an ‘open border’ policy would result in an impossible situation because of the likelihood of a massive influx of people; and by explaining that the motive of those who crossed the border was merely that ‘the grass looked greener on our side’. Neither of the first two (possibly unconscious) rationalizations stands up very well under closer scrutiny; with regard to the last point, the occupational status of several of those requesting permission to settle in Australian New Guinea (teachers, policemen, skilled labourers, etc.) would indicate that political rather than other motives were decisive.

In spite of official secrecy, rumours about the Australian policy *vis-à-vis* the refugees soon spread and caused increasing concern among Papuan and New Guinean *evolués*. The issue finally came into the open when the House of Assembly Member from the Upper Sepik Electorate, Wegra Kenu, attacked the policy and expressed grave concern for the fate of those who had been turned back.²⁷ A flurry of comments followed in the *South Pacific Post*, including a thoughtful letter to the editor from an indigenous resident of Vanimo.²⁸ Wegra Kenu repeated his plea on the floor of the House of Assembly in May 1965, suggesting that the refugee problem should be referred to the United Nations,²⁹ and in August 1965 the Leader of the Elected Members, John D. Guise, warned: ‘This is not a cause to be forgotten’.³⁰ While employment of the equation, no legal compulsion plus possible Indonesian reaction minus high humanitarian principles, had left the Australian government with quite a favourable balance, it became more and more clear in the second part of 1965 that the reaction of Papuans and New Guineans on the matter was beginning to be felt. The refugee issue is bound to remain a matter of considerable concern in years to come.

Other problems affect Australia’s side of the New Guinea frontier. There is a serious lack of economic potential. Some of the administrative neglect in the past is being rapidly corrected with the establishment of several patrol posts in the border area and an increasing number of schools, including those at the secondary level. Defence measures, too, are leading to a build-up in certain areas. But this is all with no noticeable improvement in the economic position, and since most of the area

has been written off as far as economic development is concerned there is bound to be future discontent.

Rumours always move about in New Guinea. They are now rife in the border zone, and are not being countered by the Administration, which has retained an astonishing reluctance to publish the facts. In some instances this reticence has been due to its own lack of information, but some is due to an ingrained bureaucratic fear of divulging information and a paternalistic interpretation of the capacity of the 'natives' to understand. The time has come, however, to approach the various problems associated with the Irian boundary in a clear and open fashion, involving as much as possible in the discussions and decisions those people who in the not too distant future will be the inheritors of Australia's accomplishments—and failures.

6

Epilogue

The preceding chapters have traced the history of New Guinea's boundaries. In the beginning there was darkness, and even Modjopahit's brilliance of a later period was a mere glimmer on the horizon. The Dutch East India Company maintained some contacts with a tiny part of the westernmost rim of the giant island. Haphazard as these were, they contributed to laying the foundations for a future claim. British activity off the north-west coast of Australia in the 1820s spurred the Dutch into an expedition. The Proclamation of 1828 claimed the greater part of the island's western half as a Netherlands possession and Fort Du Bus became the first Dutch attempt at effective occupation—painful and short-lived though it was. The decree of 1848 extended Dutch pretensions, under the cover of its Tidore Protectorate, and they ranged from the 141st meridian of East Longitude in the south to Cape Bonpland, near Humboldt Bay, in the north.

Rising concern in the Australian colonies over the threat of French and German expansion in the western Pacific led to increased pressure on the British to live up to their 'imperial responsibilities'. The Queensland boundary was extended across the Torres Strait to the shallow waters of coastal New Guinea in 1879, but the initial British reluctance to 'protect' the eastern half of the island provided Germany with an opportunity to make its entry on the New Guinea stage. Tripartition was accomplished in 1885.

Carving the bird of paradise was a European act. Ignorant about all except its colourful feathers, the powers concerned thought only in terms of neat portions, not about the anatomy of the bird. In defining boundaries in other inaccessible parts of the world 'compulsory ignorance' had led to adoption of 'the worst of all possible expedients—the straight line'.¹ With minor exceptions this was the case in New Guinea. In 1848 the Dutch were still reluctant to advance a claim to the unknown interior. The line they drew was at most provisional, dependent upon investigation of the geographical features of the country and the political institutions of the inhabitants. The scramble for colonies in the 1880s ended this sensible and restrained approach. Topographically, this situation foreshadowed the need for costly demarcations if ever the need arose to have the boundaries properly drawn and the parties involved stuck to the absurdity of the original agreements. In terms of human

relationships the artificial lines were likely to play havoc with tribal and linguistic patterns. The effect of a similar situation along the Kenya-Tanganyika border was reported by the Hilton Young Commission of 1929:

The boundary cuts this people [the Masai tribe] in two with no more concern for their ideas or for the justice or convenience of their administration than the scythe has for a blade of grass.²

Geography, however, prevented the Irian boundary from creating serious injustices to the border peoples. Along most of its 470 miles the terrain is such that the scythe receives plenty of wear but meets few blades of grass. The only small clumps are in the Waris-Jaffi and Moejoe-Ninggerum border areas, just to the north of the Sepik and Fly rivers respectively.

No such fortuitous geographical circumstances, however, operate along the border between Papua and the former German New Guinea. The Anglo-German compromise of 1885 brought about 'a fair and equal division of the territories' whereby equality in size apparently was equated with fairness (and one must assume that the underestimation of their share by the British by some 27,000 square miles was unintentional). With a recklessness approaching that of a non-professional gambler, the negotiators further stated that the 'conventional line' which they drew through the heart of New Guinea would nearly approach the water-parting line, or natural boundary. In actual fact—as the penetration of the Highlands almost half a century later revealed—there is no correlation between the territorial and the natural boundary and tens of thousands of people have their habitat in close proximity to the geometrical line of division. To Australia's good fortune the elimination of German authority sharply reduced the boundary's international significance and prevented the border peoples from becoming pawns in a likely clash of interests.

Over the last eighty years New Guinea's boundaries have generally received little attention. The main exceptions may be briefly noted. In the 1890s, MacGregor's vigorous objections to the incursions of the Tugeri into British New Guinea directly contributed to the adoption of the Convention of 1895 which redefined the southern sector of the Irian boundary. Indirectly, his caustic comments about Dutch sovereignty being 'totally unknown and totally unexercised' resulted in the establishment of a Dutch post at Merauke and greater administrative concern on the part of the Netherlands with its colonial stepchild. MacGregor's efforts to modify the 'injurious' Queensland boundary were notably successful and turned Pyrrhic only because of what amounted to a breach of faith by the Queensland government. Dutch diplomatic activity in the years 1902-9 was mainly motivated by Netherlands concern over the undefined nature of the common frontier with German New Guinea. Although crowned by the actual establish-

ment of a Border Commission in 1910, the labours of this body did not result in any joint consideration of possible modifications of the astronomical boundary. The thoughtful recommendations of the Dutch members of the Commission gathered dust therefore, although adoption of its suggestions would have gone a long way to ease the work of future surveyors.

The Anglo-German Commission of 1909 owed its existence to the discovery of gold and activities of miners in the immediate proximity of the border at the Gira and Waria rivers. Part of the boundary between the shore and the 147th meridian of East Longitude was surveyed and some twenty miles were marked. Mining activities once more contributed to further surveying in the 1933–4 period when a border stretch of about twenty-seven miles was surveyed from the intersection of the 147th meridian east and the 8th parallel south in a north-westerly direction. Finally, in more recent years, Administrator Colonel Murray harped on the need for local boundary surveys and was the first to draw Australia's attention to the existence of possible Dutch enclaves north of the Sepik River and to support aerial photography of the Irian border. On the other hand, his well-meant suggestion for a provisional determination of the boundary in specific trouble spots was in a way self-defeating. These palliatives concealed and postponed the need for a major operation and were to leave the patient in continued uncertainty.

The record of surveying and marking New Guinea's boundaries is a dismal one. This is even true when compared, for example, with British activities in Africa where, of the total length of British frontiers of some 16,000 to 17,000 miles, over 10,000 miles had been surveyed and about 6000 miles marked on the ground as early as 1909.³ To highlight the inertia in New Guinea boundary affairs it seems useful to focus briefly on the Irian boundary during 1948–60, because by that time one would expect it to have received belated attention. General knowledge of the frontier even then, however, remained slight and Australia expressed little awareness of the eddies which whirled under the outwardly placid waters surrounding West New Guinea (*Irian Barat*). A select few who were anxious to tackle the task of a boundary survey were not in policy-making positions. To spend more than the customary minimal sum of money on New Guinea was a novel development; to allocate it to a boundary survey involving a major task of aerial photography seemed extravagant. Such an act, moreover, would cut into the limited funds available for similar photographic/mapping projects within Australia which appeared more urgent and practical. Even if it was conceded that occasional incidents occurred in the frontier zone they probably could be solved most appropriately by officials on the spot in a calm atmosphere, devoid of fear and suspicion on either side. A general feeling of timelessness in Territorial affairs also contributed to the inertia. Local political developments within Australian New Guinea were viewed in terms of generations. The presence of the Dutch looked reasonably

assured (especially in the 1953–60 period) and it seemed possible that Indonesia's 'Irian complex' could gradually work itself out as that country became more and more preoccupied with its internal political and economic predicaments. Nonchalance reached extreme proportions in the case of the Waris-Jaffi enclaves. Here an area well over 100 square miles, inhabited by several thousand people located within Australian territorial jurisdiction, was administered and evangelized by the Dutch with the connivance of the Australian authorities who claimed inability to make administrative provisions for the area at the time. The territory and its people were only 'reclaimed' in mid-1962 when Indonesian control seemed imminent.

A resolution of boundary problems in colonial territories involves bureaucratic obstacles. Considerable delay may occur while correspondence finds its way from the field to colonial capitals, from there to overseas colonial departments, and eventually to foreign affairs departments or embassies. In Australia's case, Papua-New Guinea matters were further complicated because the Department of Territories—mainly by default but also by its own insistence—played a major role in the whole process. There were excellent reasons for this in the pre-World War II period—the small size of the External Affairs Department being a main one.⁴ This situation, however, was not an unmixed blessing in the 1950s. Sheltered from an appreciation of the revolutionary developments in neighbouring countries, the Department of Territories missed that sense of urgency which an External Affairs Department, if keyed to these developments, might have possessed.⁵ One further gains the impression that whatever activity and efforts were spent by Australians on this issue remained below the ministerial level and rarely seemed to percolate upward. Although this reflects the nature of the decision-making process, it also confirms the unimportance attached to the boundary issue by the government as a whole. Furthermore, the position of the responsible Minister as a junior Minister outside the Cabinet may have created difficulties for him in persuading his colleagues.

Given the minimal interest in New Guinea it is perhaps not surprising that no man of standing made the completion of a survey of New Guinea's boundaries his aim and ambition. Or maybe Australia just did not possess a Sir David Gill, Director of the Cape Observatory, who pursued his dream of surveying the African 'arc of meridian' not only with relentless determination, but also with an ability to interest prominent public figures in his ideas.⁶ Even in his case, however, lack of interest together with red tape were not the only obstacles. Some twenty years after Gill's death, the Director of the Geodetic Branch of the Survey of India commented on a paper on 'The East African Arc of Meridian':

It is positively heartbreaking that these things which are so difficult to organize, and for which it is so difficult to acquire the necessary local knowledge, should be carried to the point almost of completion

and then abandoned on the ground of finance. It is complete madness —no other word could describe it.⁷

In the case of New Guinea both lack of finance and the difficulty of attracting qualified personnel curtailed even those activities which were considered vital. Weighing such factors as cost and taking away the few qualified surveyors (when available) from their 'regular' work against need and utility, a boundary survey was almost always on the losing end. The red thread which runs through all of the correspondence can be traced from 1848 when Weddik's suggestion for a survey of the unknown interior was (not unreasonably at the time) brushed aside by the Dutch colonial government with the comment 'admittedly very necessary' but highly impractical. The erection of border monuments at the northern and southern ends of the boundary was considered to be of little benefit but the colonial authorities were willing to keep the matter under consideration 'if it could be carried out without great costs'.

Administrator Musgrave's suggestion in 1903 for the stationing of an officer at the Anglo-German border caused Atlee Hunt, Secretary of the Australian External Affairs Department, to comment that this could not be recommended 'principally on the ground of expense and the absence of proof' that there was any immediate necessity for the creation of such an officer. And three years later, Von Tschirschky, Secretary of the German Foreign Office, answered Dutch requests for a Commission to explore the possibilities of establishing a natural boundary between Netherlands and German New Guinea with the statement that it seemed 'more opportune to postpone the demarcation until the need for the permanent establishment of the frontier had been convincingly proven by the mutual economic interests of the two colonies'. British Boundary Commissioner Gustavus Sabine in 1909 had to keep requesting more funds (£1000 at a time), and aroused the ire of the Treasury by his continual requests.

The flurry of activity along the Papua-New Guinea border in the mid-thirties was short-lived. The members of the Permanent Mandates Commission were told that the reason was that there was no further mining activity in close proximity to the boundary, that the survey was not of an urgent nature, and would be continued as opportunity offered, when instruments on order had been received, and when survey and patrol staff were available. The Dutch suggestion of 1939 for the placing of markers at the northern and southern intersections of the Fly River and the respective astronomical boundaries received the response from Lieutenant-Governor Murray that he had no officer to participate in this task and that the matter should be permitted to be postponed until after the war. The 1951 proposal for the aerial photography of the Irian boundary was curtailed by the Australian Commonwealth Survey Committee on the ground that such a major project would adversely affect mapping projects in Australia. When two years later the sum of

£162,000 could have saved the life of the R.A.A.F.'s Photo Reconnaissance Unit—to the benefit not only of the Irian boundary mapping project but several other tasks in Papua-New Guinea and Australia as well—no approval for such a sum came forth. And in 1960 Netherlands New Guinea's Governor P. J. Platteel questioned the expense of a boundary survey on grounds of need and utility.

If the European powers which controlled New Guinea left little of lasting benefit in terms of border surveying activity, what heritage did they leave in the actual boundaries and documents which define them? To answer these questions let us turn briefly to the boundary between Queensland and Papua, the one between Papua and New Guinea, and the Irian boundary.

The boundary between Papua and Queensland was defined in 1878 and laid down in an Order in Council the following year. Unable to interest Britain in proclaiming a protectorate over New Guinea, Queensland had grabbed as much as she could and had gone as closely as possible between the islands and the coast of New Guinea, 'taking in practically everything'. This was understandable, if not very reasonable. However, the proclamation of a British protectorate over the south-eastern shores of New Guinea in 1884 and the annexation of 1888 removed the reasons which had led to the Queensland boundary extension. A series of British New Guinea administrators, Queensland governors and premiers, and Colonial Office officials all favoured some sort of revision in order to adjust the anomalous situation. All their efforts came to naught.

In terms of population and economic resources the coastal islands are of little benefit to either partner. The sparse population has become oriented to Australia and would be loath to be deprived of the manifold benefits which this association has entailed. They may well prefer departure to Australia above association with Papua-New Guinea.⁸ This does not, however, detract from the need for a boundary revision whose propriety is even more evident now than it was in the past from a political and international law viewpoint. Sir William MacGregor observed in 1893 that in a number of places the Queensland boundary was 'within less than a bowshot' of the New Guinea coast. This is an incongruity. Coastal Papuans, unfamiliar with Western concepts of territorial sovereignty or with Van Bijnkershoek's dictum that sovereignty ends where the power of arms ends—*terrae potestas finitur ubi finitur armorum vis*—were unable to appreciate the significance of MacGregor's statement. There has been no international disagreement, however, about the fact that the *minimal* delimitation of territorial waters should be a three-mile belt.⁹ It cannot be disputed that a median line such as may be drawn between the Papuan shore and the islands under Queensland jurisdiction has been an accepted procedure in drawing territorial boundaries in lakes, bays, and between islands belonging to different states. Nevertheless, the boundary which faces the Territory of Papua is unique in that

an inter-territorial (and in the future probably an interstate) boundary parallels the sea-shore for over sixty miles.

The boundary with Queensland excludes from Papuan jurisdiction not only off-shore islands but also waters that were the traditional fishing grounds of the coastal tribes. This situation, combined with the effects of the recent pearl fisheries regulations and the Australian continental shelf proclamations, deprives the territory of part of its potential resources. It could be argued that Queensland now holds title to the Torres Strait and off-shore New Guinea islands by prescription—adverse holding over a long period. But with a friendly administration in New Guinea, Queensland's government has been willing to reconsider the boundary and suggest revisions more equitable to the Territory within the short period of Papuan recorded history. These revisions even emerged in an official British Order in Council. One might argue, therefore, that Queensland's present title is *mala fide* in origin. The matter of prescription could hardly be raised with regard to the recent Australian proclamations affecting the sea-bed and the subsoil underlying the waters close to the Papuan shore. Whatever the legality of the case, increasing political awareness among the indigenous leaders of the Territory of Papua may well give the matter a different perspective. As Fenwick put it:

Long-continued possession by a powerful state seemed no ground of title to subject peoples whose silent acquiescence in their dispossession had been due chiefly to the fear of contesting the will of a stronger power.¹⁰

MacGregor's 'Blue Line' and the border revision as laid out in the never implemented Order in Council of 1898 still seem reasonable suggestions. Looked at from Australia's strategic interests, the adoption of a boundary correction along these lines would retain for the Commonwealth the complete command of the Torres Strait. It safeguards the navigation of the Inner Route inside the Great Barrier Reef from Brisbane through the Adolphus Channel and from there either through the Prince of Wales Channel or Endeavour Strait. It also retains Australia's exclusive control of the Outer Route from Bligh Entrance (south of Bramble Cay) through the Great North-East Channel to the Prince of Wales Channel (see Fig. 3).¹¹ In spite of the constitutional hurdles it is judicious to reopen the boundary matter and seek a fair and speedy decision before national-minded Papuans see it as an unfair heritage of a colonial past and a 'Papua irredenta'.

The mainland border between Papua and late German New Guinea is the result of the 'bartering of territory in foreign offices'. The Anglo-German Arrangement of 1885 defines it in a series of geometrical lines, beginning at the coast near Mitre Rock on parallel 8° South Latitude through the mountainous interior to meridian 141° East Longitude which it then follows to the Pacific Ocean. Little of this boundary has been surveyed or marked and it is impossible to find it in the field. The

statement that the lines thus drawn 'nearly approach the water-parting line, or natural boundary' is almost identical with the one defining the boundary between Alaska and British Columbia where the border was to follow 'the crest of the mountains which extend in a direction parallel to the coast'. Closer observation of the Alaska-British Columbia border failed to discover any parallel chain: the whole country was mountainous and 'the skyline, as seen from the sea . . . did not correspond with any well-marked line of peaks'.¹²

Internationally, the present need for a marked boundary between Papua and the Trust Territory may be considered slight. This happy fact is due not only to the ousting of the Germans from what once was Kaiser Wilhelmsland, and to the post-World War II establishment of the administrative union between the territories concerned, but also to the fact that since the Declaration on the Granting of Independence to Colonial Countries and Peoples the distinction between Trust Territories and Non-Self-Governing Territories has practically disappeared. However, the matter does continue to have practical implications. District boundaries conform to the dividing line—thereby orienting Highlanders along it to different administrative centres. The creation of two Electorates which straddle the territorial boundary may be more expressive of geographical realities than the paper border, but it is also indicative of the slapdash approach to the whole boundary matter. The constituents of these Electorates are administratively under Districts which are on opposite sides of the border. The existing division between Papuans and New Guineans expresses itself in a number of ways. The clearest is juridical in that the former are British subjects while the latter are Australian Protected Persons. The administrative union of Papua-New Guinea may well survive the departure of the Australian steward, but its fate will be in the hands of Papuans and New Guineans. Even in the case of a federal union, moreover, it would seem desirable to know where the one state ends and the other begins.

The Anglo-German partition of the Solomons originally placed Shortland Island, Choiseul, and Ysabel (present-day Santa Isabel) under German authority. Following the Convention of 1899 and the Exchange of Notes of 1904, the boundary line no longer dipped south-east before reaching Shortland Island, but continued in a general north-easterly direction west of the Bougainville Strait. The official documents create some confusion. The reference to the location of Komoleai Point is an example. The two alternative methods which the Exchange of Notes of 1904 suggested for drawing the boundary south of Bougainville also permit minor variations in the maritime boundary line, depending upon whether one uses points that are intersections of meridians and parallels or known features along the coast.

The possibility of ending the division of the Solomons has been raised on a number of occasions in the past. Certainly a strong case could have been made in the immediate post-World War I period for

either bringing Bougainville and Buka into the British Solomons or for merging the latter into the Australian Mandated Territory of New Guinea. Whatever chance of success proposals of this kind may have had at the time, it seems unlikely that opportunity will knock again.

With regard to the Irian boundary, the Australian Minister of External Affairs, Mr Paul Hasluck, recently stated:

The border between the Territory of New Guinea and Papua, under Australian administration, and the territory now under Indonesian administration is quite clear. There are international instruments which describe the border in exact terms and these international instruments are accepted by all governments concerned.¹³

Jones, in his standard work on boundary-making (p. 66), warns, however, that a 'discussion of delimitation must stress the many mistakes that have been made. Rarely has a treaty been free from them'. Would the Irian boundary prove the exception, or was Hasluck's statement for public consumption?¹⁴ The answer is not hard to give. The Irian boundary remains quite *unclear* and the 'international instruments' which define it (the Anglo-Dutch Convention of 1895 and the Australian-Dutch Exchange of Notes of 1936) contain sections which are not so much inexact as misleading, contradictory, or open to interpretation. This is not to say that an Indonesian government anxious to reach a clearly defined boundary will necessarily question agreements to which it has become the successor. It does mean, however, that both parties must pay some attention to a number of points which may look more important to the Indonesian partner than they did to the Dutch predecessor.

The Convention of 1895 raises almost as many questions as it has articles. Article I defines the starting point of the boundary at the southern shore of New Guinea as 'the middle of the mouth of the Bensbach River, situated at about 141° 1' 47.9" of East Longitude (East of Greenwich)'. On the basis of observations carried out by Dutch and Australian teams in 1956 and 1958 respectively, it was agreed in 1961-2 that the location of the middle of the mouth of the Bensbach was more accurately defined as 141° 01' 07" East Longitude. Although acceptable to the Dutch at the time, an adjustment of such magnitude—involving a strip of territory some 1330 yards wide over a distance of some 150 miles—must be scrutinized in light of the treaty and its surrounding documents. The strip of territory involved may be deemed as 'worthless' now, as it was in the 1890s, but both the Bensbach-MacGregor agreement and the subsequent statements in the Netherlands States-General referred to the approximately equal exchange of territory which the arrangement entailed. The point could also be raised as to whether the newly determined astronomical position of the mouth of the river is due solely to the use of more accurate instruments or also to a change in the Bensbach's course. Even more pertinent may be the fact that the starting point of the boundary is

defined both by physical feature (the mouth of the Bensbach River) and longitudinal position (about $141^{\circ} 01' 47.9''$ E.L.). Without entering into an argument about which is dog or tail, this would seem to be another strong reason why a move of the boundary line westward, as consented to by the Dutch, may not necessarily be agreeable to the Indonesians.

Article III appears to meet Hasluck's description of being both clear and exact. It simply states that 'From that point [i.e. the point where the Bensbach meridian meets the Fly River] the Waterway ("Thalweg") of the Fly River forms the boundary up to the 141st degree of east longitude'. Unfortunately, the Article's simplicity is its downfall as a literal interpretation would preserve the territorial *status quo ante* in the Fly River bulge. Nor does the Article contain any reference to the constantly shifting nature of the Fly River; some agreement has to be reached, therefore, regarding the question of whether the course of that river will be the boundary irrespective of any (gradual?) change or whether the river's course should be adopted at some specified date of photography.

Finally, Article V contains the free navigation clause. In answer to a question on the navigation of the Fly River, Hasluck recently declared:

That agreement [concerning Article V] was never operative; it was never invoked. There was never any occasion to invoke it. At present the exact effect of the agreement is under study by our own legal officers, first of all to see whether the agreement is still extant and secondly to see to what extent it applies to present day conditions. For the moment I am unable to say how effective the agreement is¹⁵

Apparently the Minister himself considered this Article not as clear as one would have assumed from his general statement less than a week before. To this author, the general meaning and intent of the Article is not open to doubt. The matter of free navigation (closely connected with free commerce) was popular in nineteenth-century Europe. It found application not only there, but in many parts of Africa and America, and was discussed at the Conference at Berlin in 1885.¹⁶ Although Britain at that time did not concede to the request for European intervention with respect to the Niger River, it did co-operate with France (which controlled the upper course of the river) and pledged 'to adopt regulations for the freedom of navigation on the river, its affluents, branches and outlets, and facilitating the passage of vessels as far as possible'.¹⁷ The application of a similar clause to the Fly River—inserted at the suggestion of the Netherlands Foreign Office—can base itself, therefore, on an impressive series of precedents. The significance of the clause, moreover, was specifically referred to ('with an eye to the future') in the joint statement by the Netherlands Foreign Minister and the Minister of Colonies in answer to the Report of the Committee of Rapporteurs of the Second Chamber of the States-General. Even within

the New Guinea territorial context a similar clause was at one time suggested by the British Foreign Office for the Gira River which wound its way across the late Anglo-German boundary.

Not much of a case could be made for restricting application of the free navigation clause merely to the boundary section of the river. This would be meaningless, unnecessary, not in line with international practice, and contradicted by the Dutch Ministerial reference at the discussion of the Treaty in the States-General to the free navigation on the whole of the Fly River. One could even argue that in line with similar agreements elsewhere, the free navigation clause also applies to the Fly River's 'affluents, branches and outlets'.¹⁸

Excessive alterations in the content of what eventually became the Exchange of Notes of 1936 (dealing with the definition of the northern sector of the border) also led to unhappy results. In the third clause of the Exchange of Notes the two parties first confirm that the boundary 'shall continue to be the 141st Meridian of East Longitude'; continue by stating that 'for the purpose of this document, such Meridian shall be deemed to be a line running true North and true South from the middle point of the said monument [i.e. the joint monument erected at Wutung in 1933]'; and conclude with the statement that 'this line shall continue to be the boundary' irrespective of the results of subsequent surveys. Given the inconsistencies within the clause and in light of the fact that the location of the 'adopted' 141st meridian is considerably at variance with its real position on the basis of recent astronomical observations, there seems no reason why the Wutung monument meridian should necessarily be accepted as the boundary by the state which has become a successor to the original Agreement.

Finally, it should be remembered that if and when negotiations reach the actual stage of demarcation the men in the field must fit the boundary line to the facts on the ground.¹⁹ At present it slices through what are (for New Guinea conditions) sizable groups of related peoples in the Waris-Jaffi and Moejoe-Ninggerum areas. Several villages are within a stone's throw of the boundary. The future Australian-Indonesian Boundary Commission must be willing to solve this problem in a spirit of compromise and be able to do so under the instructions each party has been given.

The significance of Dutch activity along the border in the past was highlighted at the time of the 1964 House of Assembly elections. Both the Fly River and Upper Sepik Electorates produced a candidate who had considerable experience west of the border. Kiunga's Jacob Wamabon was a Moejoe by birth and educated in Merauke; Vanimo's Wegra Kenu was a long-time resident of Hollandia. Both men had a fluent command of bazaar Malay.

The relegation of New Guinea's boundaries to insignificance seems to be a phenomenon of the past. Growing awareness among the island's inhabitants assures increased attention. The eviction of the Dutch as

neighbours and the imposition of Indonesian nationalism upon the inhabitants of the western half of the island have transformed the Irian boundary from a line on the map into a barrier of increasing significance. Unsurveyed and unmarked boundaries and peculiarities and injustices in others have only caused an occasional ripple in the past due to New Guinea's 'special' conditions. Although a correction of these aspects will not guarantee peace and harmony, any government which engages in further dillydallying would be foolhardy indeed.

Appendixes

I Some Notes on Administrative Nomenclature

A Netherlands New Guinea

A colonial decree of 1848 placed western New Guinea under the suzerainty of the Sultan of Tidore. Following continual British protests about the marauding incursions of the Tugeri into what was then British New Guinea, the south-eastern part of (Netherlands) New Guinea was separated from Tidore in 1901 and placed under *rechtstreeks bestuur*, direct administration. The other part, although *de jure* under Tidore until 1949, was in fact also directly administered by the Dutch.

The Dutch administrative structure in eastern Indonesia generally followed the pattern of Java with a division into residencies and their respective sub-divisions, the *Afdelingen* (under Assistant Residents), and *Onderafdelingen* (under *Controleurs*). The south-eastern part of New Guinea briefly formed an *Afdeling* under an Assistant Resident but in 1913 was demoted to being an *Onderafdeling* of the *Afdeling Toeval* (Kei Islands) which was part of the Residency of Ternate. In the remaining (administered) part of Netherlands New Guinea there were originally only two *Afdelingen*, headed by Assistant Residents, which formed part of the Residency of Amboina, with the exception of the 1920-4 period when New Guinea formed a Residency of its own.

The remote parts of the Indonesian archipelago also had the position of *Posthouder*. Men in these posts merely served as representatives of Dutch colonial authority. The appointment of the *Posthouder* from Patani (Halmaheira) to Selerika at the 'Tugeri border' in 1892 is a case in point. In the absence of qualified indigenous staff, as was available in Java, there also existed for the territories outside Java a special (Dutch) *hulpcorps* (auxiliary corps) composed of *Gezaghebbers* and *Candidaat-Gezaghebbers* who did not possess the qualifications required for the regular Dutch administrative corps. In West New Guinea before World War II most of the *Onderafdelingen* were headed by such officials. The *Onderafdelingen* themselves were divided into *Districten* under Malay (Indonesian) officials who, after 1929, held the title of *Bestuursassistenten* or *Hulp-Bestuursassistenten*.

After 1949, the chief administrative officer became the Governor, with headquarters at Hollandia, now Sukarnapura. By 1960 the number of *Afdelingen* had grown to six. With the Residents in charge of the general supervision of the whole *Afdeling*, *Controleurs* had the same task for the *Onderafdeling* with the title of *Onderafdelingshoofd* or *Hoofd Plaatselijk Bestuur*. With the increasing 'Papuanization' of the services (coupled with the departure of Indonesians unwilling to continue under the Dutch Administration) more and more *Districten* were headed by Papuan officials.

B Australian New Guinea

Papua inherited from Sir William MacGregor the system of Divisions under Resident Magistrates. Other officers included Assistant Resident Magistrates

and Patrol Officers. In the Mandated Territory there were Districts under District Officers while other officials included Assistant District Officers (over Sub-Districts), Patrol Officers, and Cadet Patrol Officers. In each of the Sub-Districts contiguous villages were grouped into Census Divisions—their main purpose being evident from their name. An important distinction from the Dutch part was the absence of indigenous personnel even in the lower ranks of the administrative corps and the fact that the police (the armed Constabulary) was regarded as part of the administrative service. With the establishment of the administrative union between Papua and the Trust Territory in 1949, the terminology used in the Trust Territory was applied to the union as a whole. A new office, that of District Commissioner, was established in 1951. This highly ambiguous function had no counterpart on the Dutch side. The 1964 reorganization and streamlining of the Department of Native Affairs, renamed the Department of District Administration, need not concern us in this study.

The Chief Administrative Officer is designated, rather colourlessly, as 'the Administrator'. The title of Lieutenant-Governor was held by Sir William MacGregor (during the last part of his term, 1895–8), G. R. Le Hunte (1899–1903), and Sir Hubert Murray (1909–40). Before 1951 there never was a separate Department and/or Minister dealing exclusively with the affairs of Australian New Guinea. Sir William MacGregor was responsible to both the British Colonial Office and the Governor of Queensland. Joint responsibility at first continued after the establishment of the Commonwealth of Australia, the Governor-General of the Commonwealth merely replacing the Queensland Governor. With the transformation of British New Guinea into the (Australian) Territory of Papua responsibility was given to the minuscule Department of External Affairs (until 1923), followed by the Prime Minister's Department, the Department of Home and Territories, and once more the Prime Minister's Department. A separate Department of External Territories was created in 1941, but the Minister heading it also held the portfolio of another Department. Since 1951 the Administrator is responsible to the newly-created Department of Territories in Canberra.

A system of appointed indigenous local officials had been created in both British and German New Guinea where they were called Village Constables and *Luluais* and *Tultuls* respectively. These names have persisted until the present.

II The Spelling of Place Names

The spelling of place names is not always uniform even within the territories concerned. The Dutch, for example, refer to the administrative post in the Keerom *Onderafdeling* as both Jaffi and Jafi. A more persistent problem posed in the Dutch part is whether the traditional *oe* spelling should adopt modern Indonesian usage and become *u* (Moejoe or Muju). Here the *oe* has been retained, while the name 'Hollandia' is employed for pre-1963 Sukarnapura.

Occasional differences in place names exist in the Australian and Dutch parts, e.g. Wutung (A.) and Oinaké (D.) for the same border village. There are also such minor transformations from Dutch and Indonesian into English as Marauke (Merauke), Vosit (Bosset), Skotiaho (Sekotiau), and Ninggirem (Ninggerum).

III Sources Used in the Compilation of the Maps

As most of the maps have not appeared in published form before, the sources employed in their compilation are listed below.

1. *New Guinea*. Uses the K.P.M. Line map of New Guinea. Historical information for the western part has been entered from the map in A. Haga, *Nederlandsch Nieuw Guinea en de Papoesche Eilanden*, vol. I (Batavia and 'sHage, 1884).

2. *The Anglo-German Declaration of 1886*. Reproduction of 'Western Pacific Ocean' (portion of Admiralty Chart 2483), illustrating the Anglo-German Declaration of 1886, in *G.B.S.P.*, 1886, vol. LXXIII, C.-4656.

3. *The Torres Strait*. Based upon the sheet 'Torres Strait' (Austr. Geogr. Series). The 'Inner' and 'Outer' Routes have been drawn from information in Great Britain, Admiralty Hydrographic Department, *Australia Pilot*, vol. III (4th ed., London, 1950), pp. 197-223, 241, and vol. IV (3rd ed., London, 1939), pp. 26-34, 262-6.

4. *Suggested Torres Strait Border Revisions*. Reproduced from the original map in *C.A.O.*, CP 1 (Colony), series 5, vol. 12, p. 77.

5. *Population Distribution along the Papua-New Guinea Border and Irian Boundary (Australian side)*. The crude distribution by Census Divisions was produced by Dr H. C. Brookfield, Dept. of Geography, Australian National University, and appears in his chapter 'An Assessment of Natural Resources', in *New Guinea on the Threshold*, E. K. Fisk ed. (Canberra, 1966). Courtesy of Dr Brookfield.

6. *Population Distribution along the Irian Boundary (former Netherlands side)*. Reproduced from K. Groenewegen and D. J. van der Kaa, *Resultaten van het Demografisch Onderzoek Westelijk Nieuw-Guinea*, vol. I (The Hague, 1964).

7. *The Boundary between Bougainville and Shortland and Fauro Islands*. Based on portion of Admiralty Chart No. 329, 1909 ed. Boundary lines plotted follow the alternative suggestions in the Anglo-German Agreement of 1904.

8. *The Border Demarcation of the Anglo-German Commission*. Reproduced from the original tracing by British Commissioner Gustavus Sabine in *C.P.P.*, vol. II, 1909, Papua. Report for the Year ending 30 June 1909 (in back of Report).

9. *The Ialibu and Gumine Electorates*. Electoral boundaries plotted on basis of information in Territory of Papua and New Guinea, *Village Directory*; 1960 (Port Moresby, 1961), pp. 43-5, 58-9, 66, 74, 80-1, and *Polling Places 1964 (Preliminary Guide only)*, Sheets 24, 29, 33, and 35.

10. *The Bensbach-MacGregor Proposal*. Based on 'No. 1 Sketch Map illustrating the delimitation of the boundary between British & Dutch New Guinea' in *A.R.B.N.G.* 1892-3, Appendix E.

11. *The Fly River Border Area*. Based on New Guinea, Border (Special), Sheets 6-7, Edition 1. Compiled by Department of National Development, Division of National Mapping. Additions of place names from Sheets 6-7, Edition 2.

13. *The Dutch Boundary Commission's Recommendations for a Natural Boundary*. Based on 'Overzichtskaart van het Nederlandsch-Duitsche Grensgebied op Nieuw-Guinea', Map III in *Uittreksel uit het Verslag der Commissie ...* ('s-Hage, 1912). Suggested natural boundary drawn on basis of the recommendations of the Dutch Commission in *Verslag der Commissie ...* (Batavia, 1911), pp. 27-8. Archives, Netherlands Ministry of Foreign Affairs.

14. *The Sepik Border Area*. Based on New Guinea, Border (Special), Sheet 3, Edition 1. Department of National Development, Division of National Mapping.

15. *A Dutch View of the Moejoe Border Area*. Based on sketch map in N.N.G.M.O. Moejoe 1955-6 of Controleur J. W. Schoorl.

16. *A Recent (Australian) View of the Moejoe Border Area*. Based on New Guinea, Border (Special), Sheet 5, Edition 2. Department of National Development, Division of National Mapping. Reduced to a scale of 1:250,000 to conform to Fig. 15.

17. *The Waris and Jaffi Enclaves*. Based on a tracing prepared by the Afdeling Kadaster en Kaartering ('Schetskaart Waris Gebied').

18. *Australian and Netherlands Astronomical (Border) Stations, 1933-63*. Approximate location of stations plotted on basis of available geographical determinants.

References

1 Introduction

- 1 No mention of the territorial limits of Australian New Guinea is made in J. D. Legge, *Australian Colonial Policy* (Sydney, 1956) ; L. P. Mair, *Australia in New Guinea* (London, 1948) ; John Wilkes (ed.), *New Guinea and Australia* (Sydney, 1958) ; or R. W. Robson (compiler), *Handbook of Papua and New Guinea* (3rd ed., Sydney, 1961). Minor errors in the description of the western boundary occur in J. H. P. Murray, *Papua or British New Guinea* (London, 1912), p. 85 ; Brian Essai, *Papua and New Guinea* (Melbourne, 1961), p. 14 ; and Naval Intelligence Division, Geographical Handbook Series, *Netherlands East Indies*, vol. 1 (n.p., 1945), p. 299. Similar errors appear in the official Annual Reports for the Territory of Papua (see, for example, *A.R.T.P.*, 1961-2, p. 13). Additions and corrections are entered in the *A.R.T.P.*, 1962-3 (Canberra, 1964), pp. 13 and 17, following the appearance of this author's article 'Australian New Guinea's Borders and Shelves: Inequities and Idiosyncrasies', *Australian Outlook*, vol. xviii (Apr. 1964), pp. 17-29.
- 2 See NMO/52/214 (1954) and NMP/58/153 (1958), enclosed in *A.R.T.P.* and *A.R.T.N.G.* for the 1950s and early 1960s. The 1958 map was reprinted 'with minor amendments' in 1964 (NMP/58/153.1). Although retaining the lines through ocean waters these are now distinguished from the territorial boundary lines and identified as 'Limits of Territorial Sovereignty over included islands'.
- 3 *A.R.T.N.G.*, 1962-3, p. 11. The statement follows the wording of the Papua and New Guinea Act 1949 and the official maps. It may simply be a carry-over from the World War I period when the Commonwealth was asked to occupy the German holdings south of the equator (see pp. 39, 41). It could also go back to the Anglo-German Agreement of 1885. The 'Karte des Westlichen Theiles der Südsee' (Hamburg, 1885, Scale 1:3,000,000) in *N.K.W.*, I (1885), following p. 61, shows the western boundary of Kaiser Wilhelmsland following the 141st meridian of East Longitude to the equator and carries the statement 'The Equator between 141° and 154° forms the northern border of the German Protectorate'.
- 4 'Frontiers, Security, and International Organization', *Geographical Review*, vol. xxxii (1942), p. 437.

2 New Guinea Annexations

- 1 'The Western part of Irian according to the history of 2000 years has always been an inseparable part of the Indonesian fatherland', *Rapport van de Commissie Nieuw-Guinea (Irian) 1950* ('s-Gravenhage, 1950), pt. 3, p. 49.

- 2 Theodore G. Th. Pigeaud, *Java in the 14th Century; a Study in Cultural History; the Nāgara-Kērtāgama by Rakawi Prapañca of Majapahit, 1365 A.D.*, 3rd rev. ed., vol. I (The Hague, 1960), p. 12. In vol. IV (The Hague, 1962), Pigeaud, referring to the geographical listing of tributaries, indicates that 'it is very doubtful whether Majapahit authority at any time has been of much consequence in most of the countries mentioned in the lists'. He assumes that they were compiled 'from information received from ecclesiastical officers and mandarins who at one time or another had been in contact with merchants from foreign countries, and from Javanese traders who traded with the islands under a Royal patent'. (p. 29.)
- 3 G. P. Rouffaer, 'De Javaansche Naam "Seran" van Z.W. Nieuw-Guinea vóór 1545 . . .', *T.K.N.A.G.*, second series, vol. xxv (1908), pp. 310-11.
- 4 F. C. Kamma, *De Messiaanse Koréri-Bewegingen in het Biaks-Noemfoorse Cultuurgebied* (Den Haag, 1954), p. 10.
- 5 Arthur Wichmann, 'Entdeckungsgeschichte von Neu-Guinea (bis 1828)', *Nova Guinea*, vol. I (Leiden, 1909), pp. 14-21; P. A. Tiele, 'De Europëers in den Maleischen Archipel', *B.T.L.V.N.I.*, vol. xxviii (1880), pp. 278-9.
- 6 A. Haga, *Nederlandsch Nieuw Guinea en de Papoesche Eilanden*, vol. I (Batavia and s'Hage, 1884), pp. 195-6.
- 7 George Masselman, *The Cradle of Colonialism* (New Haven and London, 1963), p. 167.
- 8 J. E. Heeres (compiler), 'Corpus Diplomaticum Neerlandico-Indicum', *B.T.L.V.N.I.*, vol. LXXXI (1934), pp. 149-51. *Massoi* or *mesui* (*Massoia aromatica* Becc.), a fragrant bark from New Guinea, is used for medicinal purposes in the Indonesian archipelago. J. Kloppenburg-Versteegh's *Wenken en Raadgevingen betreffende het Gebruik van Indische Planten, Vruchten, enz.*, 3rd rev. ed. (n.d., n.p.) indicates that it was especially employed in cases of venereal disease where its effects were 'somewhat warming, gently contracting and soothing' (p. 73).
- 9 P. A. Leupe, 'De Reizen der Nederlanders naar Nieuw-Guinea en de Papoesche Eilanden', *B.T.L.V.N.I.*, third series, vol. x (1875), pp. 1-162, 175-311; R. de Klerk, J. E. van Mijlenbroek, and W. A. Alting, 'Rapport over 's Compagnies Regt op de Groote-Oost', *V.B.G.K.W.*, vol. xxxiii (1868).
- 10 Heeres, op. cit., vol. LXXXVII (1931), pp. 337-8; Haga, op. cit., vol. I, pp. 76-7.
- 11 Ibid., p. 76.
- 12 De Klerk, van Mijlenbroek, and Alting, op. cit., p. 9.
- 13 Ibid., p. 69.
- 14 Ibid., pp. 61-2. Italics in original.
- 15 Thomas Forrest, *A Voyage to New Guinea, and the Moluccas, from Balambangan: . . . performed in the Tartar Galley, belonging to the Honourable East India Company, during the years 1774, 1775, and 1776* (London, 1779), p. 6. Italics added.
- 16 Ibid., p. 108.
- 17 Ida Lee, *Commodore Sir John Hayes: his Voyage and Life* (London, 1912), pp. 159-60; Nicholas Tarling, *Anglo-Dutch Rivalry in the Malay World 1780-1824* (Brisbane, 1962), pp. 59-60.
- 18 *Matthew Flinders: Ontdekkings-Reis naar het Groote Zuidland anders Nieuw Holland*. Transl., vol. IV (Haarlem, 1816), p. 183.
- 19 Lee, op. cit., pp. 88-95; see also Haga, op. cit., vol. I, pp. 336-54.
- 20 Lee, op. cit., pp. 145-6.
- 21 Haga, op. cit., vol. I, p. 460.

- 22 Robert C. Bone, 'The International Status of West New Guinea until 1884', *Journal of Southeast Asian History*, vol. v (Sept. 1964), p. 168.
- 23 See, for example, F. S. A. de Clercq, 'De West- en Noordkust van Nederlandsch Nieuw-Guinea', *T.K.N.A.G.*, second series, vol. x, 1 (1893), pp. 159-60.
- 24 Article VI in the 'Treaty between Great Britain and The Netherlands, respecting Territory and Commerce in the East Indies'. *H.C.T.*, vol. III (London, 1841), p. 287.
- 25 *S.N.I.*, 1824, No. 26b, p. 19.
- 26 These rumours were caused by the ill-fated British attempt to found a settlement at Melville Island north-west of Arnhem Land. The decision to establish a post in this area was influenced by the prospect of attracting Indonesian traders, and the Admiralty's belief that a settlement on the (as yet unclaimed) northern coast of Australia 'ought not be long delayed, lest the Dutch get there first'. Donald G. Gordon, *The Australian Frontier in New Guinea, 1870-1885* (New York, 1951), pp. 46-8.
- 27 J. Woltring, 'Een Indische Gouvernementsnota uit [ca.] 1871 omtrent onze Rechten op Nieuw-Guinea en hetgeen nopens de Inwendige Toestand van dat Eiland op dat Ogenblik Bekend was', Verslag van de Algemene Vergadering van de Leden van het Historisch Genootschap, *Bijdragen en Mededelingen van het Historisch Genootschap*, vol. LXXV (1961), p. 155. Italics in original; square brackets in title as per Woltring.
- 28 *Ibid.*, p. 158. The reference to 'Pacific fisheries' may seem peculiar unless it is kept in mind that one of the Commission's tasks was to investigate the reported presence of 'large fish' in South New Guinea waters. It was pointed out that if these fish belonged to the whale family and were not merely 'the black fish of the British', their catch 'could result in considerable profit'. J. Modera, *Verhaal van eene Reize naar en langs de Zuid-Westkust van Nieuw-Guinea Gedaan in 1828, door Z.M. Corvet Triton, en Z.M. Coloniale Schoener de Iris* (Haarlem, 1830), p. 12.
- 29 *Ibid.*, pp. 8-9. The 'Dourga River' eventually turned out to be the Prinses Marianne Strait.
- 30 *Ibid.*, p. 7.
- 31 J. van Baal, quoted by J. Verschueren in *Nieuw Guinea; de Ontwikkeling op Economisch, Sociaal en Cultureel Gebied*, in *Nederlands en Australisch Nieuw Guinea* (W. C. Klein, ed.), vol. 1 ('s-Gravenhage, 1953), p. 195.
- 32 Modera, *op. cit.*, p. 92.
- 33 Salomon Müller, *Reizen en Onderzoekingen in den Indischen Archipel, gedaan op last der Nederlandsche Indische Regering tusschen de Jaren 1828 en 1836*, vol. 1 (Amsterdam, 1857), p. 109. Reproduced in *Documents and Correspondence on New Guinea's Boundaries* (hereafter *D. & C.*) (*Doc. A.1*).
- 34 It is, therefore, not the 'purely arbitrary selection' which Bone (*op. cit.*, p. 173) depicts it to be.
- 35 Modera, *op. cit.*, pp. 109-11, 133.
- 36 Müller, *op. cit.*, p. 111.
- 37 Haga, *op. cit.*, vol. II, p. 66.
- 38 *Ibid.*, p. 75; J. E. de Sturler, *Het Grondgebied van Nederlandsch Oost-Indië in verband met de Tractaten met Spanje, Engeland en Portugal* (Leiden, 1881), pp. 39-40.

- 39 The following material is not included in Haga's published work, but is derived from his official report 'Historisch Overzicht der Betrekkingen van Nederland tot Nieuw-Guinea' (1884). The author consulted the manuscript in the former library of the Ministry of Overseas Affairs in The Hague.
- 40 Haga Report. To substantiate this sweeping claim, Weddik enclosed a letter of the Sultan of Tidore (written at Weddik's 'suggestion'). In it the Sultan did claim that his influence extended as far as the Humboldt Bay area, but failed to make any reference to the south and south-west coasts or to the unknown interior. Haga comments in his report that: 'Apparently Weddik was of the opinion that it was in the government's interest to extend Tidore's territory in New Guinea as far as possible and [he] thus eagerly accepted what the Tidorese Court desired to tell him as proof of the rights of Tidore'.
- 41 Haga Report.
- 42 Haga, *Nederlandsch Nieuw Guinea*, vol. II, p. 78.
- 43 H. D. A. van der Goes *et al.*, *Nieuw Guinea, Ethnografisch en Natuurkundig Onderzocht en Beschreven in 1858 door een Nederlandsch Indische Commissie* (Amsterdam, 1862), pp. 192-3. During the expedition's visit to the Humboldt Bay area, the Tidorese representative (Prins Amir) was astonished by the dexterity of the local Papuan inhabitants and 'repeatedly expressed his regret that they up to now had not been subjected to the rule of his sovereign' (*ibid.*, p. 86).
- 44 *Ibid.*, *passim*; Haga, *op. cit.*, vol. II, p. 145.
- 45 *N.K.V.*, 1861, pp. 20-1.
- 46 Article 3 of the Agreement, *N.B.H.S.G.*, 1861-2, Second Chamber, No. LXVI, 4, p. 781.
- 47 *R.A.N.I.*, 1865, pp. 267-8. Reproduced in *D. & C.* (Doc. A. 2).
- 48 *N.K.V.*, 1875. *Nederlandsch (Oost)-Indië*. No. 2, p. 24. The statement is made in a *footnote* which refers the reader to *R.A.N.I.*, 1875, p. 2261.
- 49 Following Weddik's report of 1848, the location of Cape Bonpland is given as 140° 47' East Longitude. Subsequent expeditions, however, all arrived at slightly different longitudes—the expedition of 1858 at 140° 54' 30"; the one of 1871 at 141° 9'; and the one of 1881 at 140° 47' 55".
- 50 *R.A.N.I.*, 1875, pp. 226-7. See *D. & C.*, Doc. A.3. The error in the south (140°) was corrected in *R.A.N.I.*, 1877, p. 237.
- 51 *N.K.V.*, 1871. *Nederlandsch (Oost)-Indië*. No. 2, p. 14.
- 52 P. J. B. C. Robidé van der Aa, *Reizen naar Nederlandsch Nieuw-Guinea Ondernomen op Last der Regeering van Nederlandsch-Indië in de Jaren 1871, 1872, 1875-76 door de Heeren P. van der Crab en J. E. Teyssman, J. G. Coorengel en A. J. Langeveldt van Hemert en P. Swaan* ('s-Gravenhage, 1879), p. xxxviii.
- 53 C. B. Yule, *Australian Directory*, vol. II (2nd ed., London, 1864), p. 362n. The *Javasche Courant* (16 Sept. 1846, No. 74, Bijvoegsel) printed the account of Yule's proclamation which had appeared in a letter to the editor of the *Singapore Free Press* of 3 Sept. 1846.
- 54 Gordon, *op. cit.*, Ch. IV, *passim*.
- 55 *G.B.S.P.*, 1876, vol. LIV, C.-1566, No. 12, p. 18.
- 56 *Ibid.*, No. 13, p. 20.
- 57 *Ibid.*, Enclosure in No. 14, p. 22.
- 58 John Moresby, *New Guinea & Polynesia; Discoveries & Surveys in New Guinea and the D'Entrecasteaux Islands* (London, 1876), pp. 207-8.

- 59 For the extension of the Queensland boundary see Chapter 3.
- 60 *G.B.S.P.*, 1883, vol. XLVII, C.-3691, Encl. 3 in No. 14, p. 18.
- 61 *Ibid.*, No. 21, p. 22.
- 62 *Ibid.*, 1884-5, vol. LIV, C.-3839, Encl. in No. 19, p. 30.
- 63 *Ibid.*, pp. 30-1.
- 64 Emil Zimmermann, *Unsere Kolonien* (new ed., Berlin-Wien, 1912), p. 369.
- 65 Ernst G. Jacob (compiler), *Deutsche Kolonialpolitik in Dokumenten; Gedanken und Gestalten aus den letzten fünfzig Jahren* (Leipzig, 1938), p. 112. Italics added. See also 'Aus den Berichten des Dr. Finsch über die im Auftrage der Compagnie nach Neu Guinea ausgeführten Reisen', *N.K.W.*, I (1885), pp. 8-14, 19-27.
- 66 Count Münster to Earl Granville. *G.B.S.P.*, 1884-5, vol. LIV, C.-4273, Encl. 1 in No. 164, p. 141.
- 67 Earl Granville to Lord Ampthill, 9 Aug. 1884. *Ibid.*, Encl. in No. 5, p. 4.
- 68 Sir Edward Malet to Earl Granville, 24 Jan. 1885. *Ibid.*, No. 148a, p. 125. Also Alfred Zimmermann, *Geschichte der Deutschen Kolonialpolitik* (Berlin, 1914), p. 100.
- 69 Charles S. Scott to Graf von Hatzfeldt, 19 Sept. 1884. *G.B.S.P.*, 1884-5, vol. LIV, C.-4273, Encl. in No. 14, pp. 11-12. See also *ibid.*, No. 6 (pp. 4-5) and Encl. in No. 7 (pp. 6-7). The extent of previous British interests in these regions is evident from the fact that the British High Commissioner for the Western Pacific had been charged with the regulation of British jurisdiction in the Solomons, the New Britain and New Ireland archipelago, and that 'part of the island of New Guinea eastward of the 143rd meridian of longitude'. British Order in Council for the Regulation of British Jurisdiction in the Western Pacific Islands, *H.C.T.*, vol. XIV (London, 1880), p. 874.
- 70 L. Plessen to Earl Granville, 27 Sept. 1884. *G.B.S.P.*, 1884-5, vol. LIV, C.-4273, Encl. in No. 15, p. 12.
- 71 Scott to the Acting German Minister of Foreign Affairs, 9 Oct. 1884. *Ibid.*, Encl. in No. 16, p. 13.
- 72 The matter is presented in *ibid.*, C.-4217, Nos. 32, 34, and 35, pp. 35-6.
- 73 *Ibid.*, C.-4273, Encl. 1 in No. 148, p. 119. The Colonial Office commented rather lamely: 'Mr. Romilly followed the words of a telegram, and his mistake [?] lay in issuing a Proclamation of any kind. He had a very unpleasant scene with the Commodore in consequence, and there is no occasion to pursue the matter further.' In private correspondence Romilly adds: 'I made rather an ass of myself or rather other people made an ass of me'. Both quotes appear in R. B. Joyce, *The Administration of British New Guinea (1888-1902)*, M.Litt. thesis (Cambridge, 1953), p. 16.
- 74 *G.B.S.P.*, 1884-5, vol. LIV, C.-4273, Encl. 1 in No. 148, p. 121.
- 75 *Ibid.*, p. 122. Reproduced in *D. & C.* (Doc. A. 4).
- 76 *Ibid.*, No. 151, p. 127; Supplement to the *Q.G.G.*, vol. xxxv, No. 113. Reproduced in *D. & C.* (Doc. A. 5).
- 77 Zimmermann, *op. cit.*, p. 100. See also 'Aus den Berichten des Dr. Finsch . . .', *N.K.W.*, I (1885), pp. 9-14, 19-27.
- 78 *G.B.S.P.*, 1884-5, vol. LIV, C.-4273, No. 72, p. 50. The feeling of frustration and indignation in Australia is most clearly expressed in the telegraphic despatch sent by the government of Victoria to Robert Murray Smith, its Agent-General in London: 'At last the end has come. Information received reliable source that Germany has hoisted flag on New Britain, New Ireland, and north coast New Guinea. The exaspera-

- tion here is boundless. We protest in the name of the present and the future of Australia[;] if England does not yet save us from the danger and disgrace, as far at least as New Guinea is concerned, the bitterness of feeling towards her will not die out with this generation. We now appeal in terms of Lord Derby's Despatch, 11th January 1883, second paragraph.' Ibid., Encl. 1 in No. 80, p. 54. Lord Derby's 'second paragraph' stipulated that if there had been 'any evidence of the intention ... of a foreign Power to take possession of any part of New Guinea', immediate action 'could have been taken without a delay of more than a very few hours'. *G.B.S.P.*, 1883, vol. XLVII, C.-3691, No. 21, p. 22.
- 79 Ibid., 1884-5, C.-4273, Nos. 81, 82, 83, Encl. in No. 83, pp. 54-5, and Encl. in No. 167, p. 149.
- 80 Ibid., C.-4584, Encl. 1 in No. 68 (Report of Captain Cyprian A. G. Bridge to Rear-Admiral George Tryon), pp. 100-9.
- 81 Münster to Granville, 28 Jan. 1885. Ibid., C.-4273, Encl. 1 in No. 164, p. 144.
- 82 *G.B.B.F.S.P.*, 1884-5, vol. LXXVI (London, 1892), pp. 66-7. During this whole period the famous Russian explorer Baron N. de Miklouho Maclay had tried in vain to protect the inhabitants of the Maclay Coast from 'the evils connected with the invasion of the whites'. His cable and letters to the Earl of Derby went unacknowledged and his repeated request to the Russian Emperor '*to recognize the autonomy of the Maclay-Coast*' (Maclay's italics, C.-4584, No. 50, p. 82) did not prevent it from becoming part of the German protectorate. See *G.B.S.P.*, 1884-5, vol. LIV, C.-4273, Encl. 1 in No. 3, pp. 2-3; and C.-4584, No. 50, pp. 81-2; No. 89, p. 127; No. 96, p. 135.
- 83 *G.B.S.P.*, 1886, vol. LXXIII, C.-4656. Reproduced in *D. & C.* (Doc. C. 2).

3 Papua Irredenta

- 1 *Q.G.G.*, vol. I (1859-60), No. 1, p. 2.
- 2 Ibid., vol. III (1862), No. 51, p. 296.
- 3 F. W. S. Cumbrae-Stewart, *The Boundaries of Queensland with Special Reference to The Maritime Boundary and the 'Territorial Waters Jurisdiction Act, 1878'*, (University of Queensland, Brisbane, 1930), p. 9.
- 4 Ibid., pp. 9-10. The basis for this commission is contained in the Despatch from the Secretary of State for the Colonies of 20 July 1863 to the Governor of Queensland enclosing reports of the Law Officers of the Crown relating to the extent of Queensland's jurisdiction over islands in the adjacent seas. See *Papers Presented to Parliament, Leg. Assembly of Victoria*, 1864, vol. III, No. 16 ('Guano Islands in the Pacific').
- 5 Lord Normanby to Lord Kimberley, 26 Dec. 1871, as cited in Cumbrae-Stewart, op. cit., p. 10.
- 6 *Q.G.G.*, vol. XIII (1872), No. 87, pp. 1325-6.
- 7 John Moresby, *New Guinea & Polynesia; Discoveries & Surveys in New Guinea and the D'Entrecasteaux Islands*, pp. 130-1.
- 8 *G.B.S.P.*, 1876, vol. LIV, C.-1566, No. 13, p. 20.
- 9 Ibid., No. 17, pp. 39-40.
- 10 Ibid., Encl. in No. 18, pp. 40-1.
- 11 Marjorie G. Jacobs, 'The Colonial Office and New Guinea, 1874-84', *Historical Studies, Australia and New Zealand*, vol. v (May 1952), p. 110.

- 12 *G.B.S.P.*, 1883, vol. XLVII, C.-3617, No. 3 and Encls. 1-3, and No. 4, pp. 27-9.
- 13 *Ibid.*, Encl. in No. 4, p. 29.
- 14 *Q.S.*, vol. 1 (Brisbane, 1911), p. 330. Reproduced in *D. & C.* (Doc. B. 1.).
- 15 Quoted in Jacobs, *op. cit.*, pp. 110-11.
- 16 John Douglas (Vice-President of the Executive Council) in his Memorandum to Governor Kennedy of 27 December 1877. *G.B.S.P.*, 1883, vol. XLVII, C.-3617, Encl. 2 in No. 3, p. 28.
- 17 A confidential source dealing with the pearling industry indicates that in 1877 sixteen firms were operating 109 vessels and boats, employing 700 'natives' and 58 Europeans. In 1883 exports from Thursday Island totalled £123,000 with pearl-shell accounting for nearly £80,000.
- 18 See, for example, S. Whittemore Boggs, *International Boundaries; a Study of Boundary Functions and Problems* (New York, 1940), p. 169.
- 19 *C.A.O.*, CP 1 (Colony), series 4, 'Separate No. 12' (London, 2 Apr. 1895).
- 20 *C.A.O.*, A 1, 06/5950 (Jear to Government Secretary, Port Moresby, 7 June 1903).
- 21 See, for example, Gunnar Landtman, *The Kiwai Papuans of British New Guinea*... (London, 1927), pp. 213-16; Wilfred N. Beaver, *Unexplored New Guinea*... (London, 1920), pp. 164-5, 295.
- 22 In 'British New Guinea. Correspondence respecting Future Administration', No. 65. *Victorian Parliamentary Papers*, 1886, vol. III (P. 86/958), pp. 7-8. Reproduced in *D. & C.* (Doc. B. 2).
- 23 Samuel W. Griffith in John Douglas, 'Maritime Boundary of Queensland', *Queensland Geographical Journal*, vol. XIX, No. 5 (1904), p. 36.
- 24 *C.A.O.*, CP 1 (Colony), series 5, vol. 10, pp. 14-20. Reproduced in *D. & C.* (Doc. B. 3).
- 25 *Ibid.*, series 6, vol. 2, pp. 457-63. Reproduced in *D. & C.* (Doc. B. 4).
- 26 *Ibid.*, series 5, vol. 12, p. 81.
- 27 *Ibid.*, p. 79.
- 28 *Ibid.*, series 4, 'Separate No. 9' (London, 19 Mar. 1895) and 'Separate No. 12' (London, 2 Apr. 1895). 'Separate No. 9' has been reproduced in *D. & C.* (Doc. B. 5).
- 29 Hugh Nelson to Sir Henry Norman, 31 Aug. 1895. *Ibid.*, series 5, vol. 12, p. 259.
- 30 *G.B.S.R.O.*, 1896, p. 488. Reproduced in *D. & C.* (Doc. B. 6).
- 31 *C.A.O.*, CP 1 (Colony), series 6, vol. 3, pp. 474-8. Reproduced in *D. & C.* (Doc. B. 7).
- 32 *Ibid.*, pp. 475-6.
- 33 Hugh Nelson to Lord Lamington, 5 Oct. 1896. *Ibid.*, series 5, vol. 13, p. 253.
- 34 Nelson to Lord Lamington, 24 Feb. 1898. *C.A.O.*, A 1, 06/5950. Reproduced in *D. & C.* (Doc. B. 8).
- 35 Despatch No. 27 to Lord Lamington, 1 Apr. 1897. *C.A.O.*, CP 1 (Colony), series 6, vol. 4, p. 39.
- 36 Nelson to Lord Lamington, 24 Feb. 1898. *C.A.O.*, A 1, 06/5950.
- 37 *G.B.S.R.O.*, 1898, p. 851. Reproduced in *D. & C.* (Doc. B. 9).
- 38 Despatch No. 62 to Lord Lamington (13 Sept. 1899). *C.A.O.*, CP 1 (Colony), series 6, vol. 5, p. 270.
- 39 *Ibid.*, series 5, vol. 17, p. 114.
- 40 'Re-adjustment of Boundaries between Queensland & British New Guinea'. Statement of 3 Sept. 1901 by Queensland Premier. *C.A.O.*, A 1, 06/5950.

- 41 *A.R.B.N.G.*, 1900-1 (Brisbane, 1902), p. x. A confidential source mentions reports of depletion of the pearling grounds (as evidenced by the steady decline of the individual take) during this period. These reports indicated the need for temporary closures and rotation over a wide area. It is not clear whether this development contributed to the Queensland government's inactivity *vis-à-vis* a revision of the boundary.
- 42 *C.P.D.*, H. of R., vol. XI (22 July 1902), p. 14486.
- 43 Robinson to Governor-General, 14 Sept. 1903. The Resident Magistrate's report of 7 June 1903 is Enclosure No. 1 in the above despatch. *C.A.O.*, A 1, 06/5950. Both of these documents are in *D. & C.* (Docs. B. 10 and 11).
- 44 Reproduced in *Queensland Geographical Journal*, vol. XIX, No. 5 (1904), pp. 32-6.
- 45 *Ibid.*, p. 36.
- 46 The memorandum from the Governor-General's Office—*C.A.O.*, A 1, 06/5950—is reproduced in *D. & C.* (Doc. B. 12).
- 47 Atlee Hunt to the Secretary of the Attorney-General's Department, 20 June 1906 (*ibid.*). The letter from the Governor-General's Office is reproduced in *D. & C.* (Doc. B. 13).
- 48 Minute Paper, Opinion of Attorney-General, *C.A.O.*, A. 1, 06/5950. Although the author did not have access to this document he understands that it is based on the reasoning presented below. The gist of Isaacs's advice, moreover, is contained in the letter of Prime Minister Deakin to Queensland Premier William Kidston of 6 August 1906 (*ibid.*).
- 49 H. S. Nicholas, *The Australian Constitution; An Analysis* (2nd ed., Sydney, 1952), pp. 394-412.
 Section 111: '*States May Surrender Territory.*—The Parliament of a State may surrender any part of the State to the Commonwealth; and upon such surrender, and the acceptance thereof by the Commonwealth, such part of the State shall become subject to the exclusive jurisdiction of the Commonwealth.'
- Section 123: '*Alteration of Limits of States.*—The Parliament of the Commonwealth may, with the consent of the Parliament of a State, and the approval of the majority of the electors of the State voting upon the question, increase, diminish, or otherwise alter the limits of the State, upon such terms and conditions as may be agreed on, and may, with the like consent, make provision respecting the effect and operation of any increase or diminution or alteration of territory in relation of any State affected.'
- Section 128: '*Mode of Altering the Constitution.*—This Constitution shall not be altered except in the following manner:—
 ...
 No alteration diminishing the proportionate representation of any State in either House of the Parliament, or the minimum number of representatives of a State in the House of Representatives or increasing, diminishing, or otherwise altering the limits of the State, or in any manner affecting the provisions of the Constitution in relation thereto, shall become law unless the majority of the electors voting in that State approve the proposed law.'
- 50 The Colonial Boundaries Act of 1895 (*H.C.T.*, vol. xx, London, 1898, p. 602) provides:
 '1.—(1.) Where the boundaries of a Colony have, either before or after the passing of this Act, been altered by Her Majesty the Queen by

Order in Council or Letters Patent, the boundaries as so altered shall be, and be deemed to have been from the date of the alteration, the boundaries of the Colony.

(2.) Provided that the consent of a self-governing Colony shall be required for the alteration of the boundaries thereof.

(3.) In this Act "self-governing Colony" means any of the Colonies specified in the Schedule to this Act.' [The Schedule includes Queensland.]

...

Clause 8 of the Covering Act of the Commonwealth Constitution (Nicholas, *op. cit.*, p. 394) states:

'8. *Application of Colonial Boundaries Act.* 58 & 59 Vict. c. 34.—After the passing of this Act the Colonial Boundaries Act, 1895, shall not apply to any colony which becomes a State of the Commonwealth; but the Commonwealth shall be taken to be a self-governing colony for the purposes of that Act.'

- 51 Deakin to Kidston, 6 Aug. 1906. *C.A.O.*, A 1, 06/5950. Reproduced in *D. & C.* (Doc. B. 14).
- 52 Kidston to Deakin, 28 Aug. 1906 (*ibid.*). See *D. & C.* (Doc. B. 15).
- 53 The matter was first raised by Resident Magistrate A. P. Lyons in his Patrol Report of 23 Feb. 1918—*C.A.O.*, CP 1 (Territory), series 35/198. Lyons then restated the matter in a memorandum to the Government Secretary (Port Moresby) of 27 June 1919 (*ibid.*). See *D. & C.* (Doc. B. 16). Although Lyons gives no indication of being familiar with the 1893 correspondence on the subject his suggestions are practically identical with those of Sir Samuel Griffith. In other words, cession to Papua is requested for Saibai, Dauan, Boigu, and members of the Talbot group only.
- 54 The circulated paper was seen and initialled by the Commissioner for Native Affairs (24 March) and the Treasurer (25 March), but apparently did not get to the other members of the Council. At the bottom of the cover leaf 'No order' is written. *C.A.O.*, CP 1 (Territory), series 35/198. In an interview granted to the *Papuan Courier*, L. Murray (Official Secretary to the Lieutenant-Governor) mentioned that shortly before his return from leave in early March 1920 the Lieutenant-Governor had held discussions with the Queensland Premier. The possibility of assistance being provided by the Queensland Harbours and Rivers Department in carrying out certain projects in Papua was discussed. See 'Administrative Activities', *Papuan Courier*, 2 Apr. 1920. A subsequent statement indicated that 'the Queensland Government would put up . . . beacons [along the Papuan coast]'. *Ibid.*, 7 May 1920.
- 55 'Documents affecting the Constitution of the State of Queensland', Appendix IV in *Q.S.*, vol. ix (Brisbane, 1903), p. 8063.
- 56 Cumbræ-Stewart, *The Boundaries of Queensland . . .*, p. 14. The author was Professor of Law at the University of Queensland.
- 57 *Q.G.G.*, vol. cxxv (1925), No. 78, p. 798.
- 58 Erroneous statements, indicating that the whole of the Torres Strait and Barrier Reef area was a *mare clausum*, appear in several publications. See, for example, Philip C. Jessup, *The Law of Territorial Waters and Maritime Jurisdiction* (New York, 1927), continuation of fn. 47 on p. 17; Hugh H. L. Bellot in 'Territorial Limits in the Bristol Channel; the "Fagerness Case"', *B.Y.B.I.L.*, vol. ix (1928), p. 123; and Sir Graham Bower in William Edward Masterson, 'National Jurisdiction in the Marginal Seas over Foreign Smuggling Vessels', *T.G.S.*,

- vol. XIII (1928), p. 76. Cumbrae-Stewart concluded in 1930 (op. cit., p. 17): 'I have been unable to find any record of such a claim by Queensland.'
- 59 See on this point Cumbrae-Stewart, op. cit., pp. 12-13.
- 60 A confidential source which quotes the June 1936 instructions to the captain of the gunboat *Larrakia*. The question of the territorial limits of Queensland over waters within the Great Barrier Reef and the jurisdiction of the Commonwealth and the state of Queensland over such waters (beyond three miles from the mainland or from any island), had been raised in a letter of Attorney-General Alfred Deakin to the Governor-General of 14 May 1902. In a subsequent memorandum prepared in the Colonial Office any notion that the Commonwealth might 'legislate for foreigners beyond territorial waters' was effectively disposed of. With regard to states of the Commonwealth, the memorandum summarizes the situation as follows: 'The conclusion is irresistible that neither Western Australia nor Queensland exercises territorial jurisdiction over all the waters within the line of their boundaries, and that in fact they only exercise such jurisdiction within the 3 mile limit. The Acts of the Federal Council appear to constitute precedents showing that Queensland has no legislative authority as to fisheries outside the 3 mile limit and these precedents have been approved by the Law Officers of the Crown.' Memorandum sent by J. Chamberlain to 'The Officer Administering the Government of Australia', 25 July 1902. *C.A.O.*, A 1, 06/2050.
- 61 The connection is noted by Richard Young in 'Sedentary Fisheries and the Convention on the Continental Shelf', *AJIL*, vol. LV (1961), pp. 369-70. The recommendations of the International Law Commission were sanctioned by the United Nations Conference on the Law of the Sea (Geneva, 1958). See Convention on the Continental Shelf (UN Doc. A/ Conf. 13/L. 55), Articles 1 and 2. For an excellent general discussion see Francis P. Shepard, *The Earth beneath the Sea* (second printing, London and Baltimore, 1960), pp. 69-133.
- 62 *C.A.G.*, 1953, No. 56 (11 Sept. 1953), p. 2563.
- 63 Pearl Fisheries Act 1952-3; Pearl Fisheries Regulations, *C.S.R.*, 1901-56, vol. IV (Adelaide, 1958), pp. 4070-93. A map showing the 100-fathom bathymetric contour line and the areas of waters 'that are, or include, proclaimed waters' is found in L. F. E. Goldie, 'Australia's Continental Shelf: Legislation and Proclamations', *The International and Comparative Law Quarterly*, vol. III (Oct. 1954), pp. 536-7. See also Goldie, *The Continental Shelf Doctrine*, LL.M. thesis (Sydney, 1956), *passim*; John Bach, 'The Political Economy of Pearlshelling', *Economic History Review*, 2nd series, vol. XIV (1961-2), pp. 105-14.
- 64 See 'Queensland Division' in the Third Schedule of the Pearl Fisheries Act 1952-3, Pearl Fisheries Regulations, pp. 4089-92. In the process of drafting the Queensland and Papuan divisions the peculiarity of the southern point of the Irian boundary being defined as the middle of the mouth of a river at about such and such a longitude was encountered. To avoid such imprecision, the Pearl Fisheries Regulations employed the meridian of 141° 02' E.L. as the line which bounded the 'proclaimed waters' in this area (*ibid.*). The Continental Shelf Proclamation of 25 Sept. 1953 (*C.A.G.*, 1953, No. 59, p. 2683) does the same.
- 65 *A.P.C.A.*, 1953, No. 38, pp. 148-50.
- 66 Pearl Fisheries Regulations, pp. 4092-3.
- 67 Goldie, 'Australia's Continental Shelf . . .', p. 538.

4 The Former Anglo-German Boundary

- 1 For the relevant documents see *D. & C.* (Docs. C. 1 and C. 2).
- 2 Granville gave the size of the British portion as 'about 63,000 square miles'; the actual size is about 90,540 square miles (*A.R.T.P.*, 1962-3, p. 13).
- 3 See *D. & C.* (Doc. C. 1).
- 4 K. L. Spinks, 'Mapping the Purari Plateau, New Guinea', *G.J.*, vol. LXXXIV (1934), p. 413.
- 5 H. C. Brookfield, 'An Assessment of Natural Resources' in *New Guinea on the Threshold* (E. K. Fisk, ed., Canberra, 1966), p. 63.
- 6 See Territory of Papua and New Guinea, Department of Native Affairs, *Village Directory; 1960* (Port Moresby, 1961) under Southern Highlands, Gulf, Central, Eastern Highlands, Western Highlands, Sepik, and Morobe Districts.
- 7 *H.C.T.*, vol. xxi (London, 1901), pp. 1178-80. Reproduced in *D. & C.* (Doc. C. 4).
- 8 *H.C.T.*, vol. xxiii (London, 1905), pp. 800-1. Reproduced in *D. & C.* (Doc. C. 5).
- 9 *H.C.T.*, vol. xxiv (London, 1907), pp. 474-6. Reproduced in *D. & C.* (Doc. C. 6). The author wishes to thank the Hydrographer of the British Navy for supplying a copy of the 1885 and 1909 editions of British Admiralty Chart No. 329.
- 10 S. S. Mackenzie, *The Australians at Rabaul; the Capture and Administration of the German Possessions in the Southern Pacific* (being Vol. X of *Official History of Australia in the War of 1914-1918*) (4th ed., Sydney, 1937), pp. 82-3, 148 ff.
- 11 *Ibid.*, p. 160. Italics added.
- 12 C. D. Rowley, *The Australians in German New Guinea, 1914-1921* (Melbourne, 1958), p. 269.
- 13 *C.P.D.*, H. of R., vol. cci (1 Mar. 1949), p. 757.
- 14 MacGregor to Lamington, *A.R.B.N.G.*, 1896-7, pp. 39-40. Reproduced in *D. & C.* (Doc. C. 3).
- 15 F. H. Villiers to Under-Secretary of State for the Colonies, 31 Jan. 1898, *C.A.O.*, A 1, 14/4329.
- 16 H. H. Lewis in Department of External Affairs Minute Paper, 12 June 1906, *ibid.* Reproduced in *D. & C.* (Doc. C. 7).
- 17 Elgin to Lord Northcote, 31 Jan. 1907, *ibid.* In the intervening period, Acting Administrator A. Musgrave made one general recommendation regarding border control in his despatch of 24 March 1903. Although strongly in favour of demarcating the border—a matter which hardly could be left unattended much longer without 'imminent danger' of 'international claims and complications'—Musgrave doubted that this could be accomplished soon and suggested that in the interim 'an Officer duly qualified to communicate, as necessity may arise, with the German Official in authority on the other side of the border' be appointed (Musgrave to Governor-General, 24 March 1903, *C.A.O.*, A 1, 03/3921). The suggestion was brushed aside by Atlee Hunt on grounds of expense and the absence of proof of any immediate necessity for such an officer (Minute Paper, Dept. of External Affairs, 30 July 1903, *ibid.*).
- 18 Barton to Deakin, *ibid.*
- 19 In Memorandum from Governor-General's Office to Prime Minister Deakin, 2 Nov. 1906, *ibid.*
- 20 Memorandum by Atlee Hunt, 14 Nov. 1906, *ibid.*

- 21 Department of External Affairs Minute Paper (second section, 2 Nov. 1908), *ibid.* Reproduced in *D. & C.* (Doc. C. 7).
- 22 *Ibid.*
- 23 Elgin to Lord Northcote, 21 Oct. 1907, *ibid.*
- 24 Hunt to Le Hunte, 25 May 1908, *ibid.*
- 25 Le Hunte to Hunt, 27 May 1908, *ibid.* Reproduced in *D. & C.* (Doc. C. 8). 'Winter' is Sir Francis Winter, Acting Administrator, Nov. 1898–Mar. 1899.
- 26 *C.P.D.*, H. of R., vol. XLVI (7 May 1908), p. 10,965.
- 27 'Arrest of a Village Constable on the Waria by German Officials', Department of External Affairs Minute Paper, 29 Oct. 1908 (referring to a request to the Governor-General to inform the Secretary of State for the Colonies, 7 May 1908). *C.A.O.*, A 1, 14/4329.
- 28 F. Lascelles to Sir Edward Grey, 10 Sept. 1908 (*ibid.*).
- 29 W. E. Freiherr von Schoen to J. Salis, 28 Oct. 1908 (translation, forwarded by Salis to Grey), *ibid.*
- 30 Sabine to Minister for External Affairs, 10 Dec. 1909 (hereafter referred to as *Sabine Report*), pp. 1–2 (*ibid.*). Partly reproduced in *D. & C.* (Doc. C. 9).
- 31 *Sabine Report*, p. 10.
- 32 *Ibid.*, p. 11.
- 33 *Deutsche Kolonialzeitung*, Jahrgang 27, No. 20 (14 May 1910), p. 330.
- 34 P. A. Graf Wolff Metternich to Secretary of State for Foreign Affairs (translation), 21 June 1910. *C.A.O.*, A 1, 14/4329.
- 35 *Sabine Report*, pp. 17–18. The section containing Sabine's recommendations were omitted from the report when it was transmitted to the German government.
- 36 Staniforth Smith to J. H. P. Murray, n.d., *ibid.* Reproduced in *D. & C.* (Doc. C. 10).
- 37 Murray to Minister of State for External Affairs, 9 Dec. 1909, *ibid.*
- 38 F. A. Campbell to Count Metternich, 25 July 1910, *ibid.*
- 39 Letter of Count Metternich, 14 June 1911. *C.A.O.*, A 1, 24/4558.
- 40 Lichnowsky to Sir Edward Grey, 22 July 1913, *ibid.*
- 41 *P.R.* of S. A. Greenland (Apr.–May 1913). *C.A.O.*, CP 1 (Territory), series 35/229.
- 42 *P.R.* of C. T. Wuth (July–Aug. 1914). *Ibid.*, series 35/240.
- 43 *P.R.* of W. Beaver (Oct.–Nov. 1914), *ibid.*
- 44 Hermann Detzner, *Vier Jahre unter Kannibalen ...* (Berlin, 1921), pp. 15, 55.
- 45 H. C. Brookfield, 'The Highland Peoples of New Guinea; A Study of Distribution and Localization', *G.J.*, vol. cxxvii (1961), p. 436.
- 46 J. G. Hides, *Papuan Wonderland* (London and Glasgow, 1936), *passim*.
- 47 W. R. Humphries, *Patrolling in Papua* (London, 1923), p. 28.
- 48 E. W. P. Chinnery, 'The Central Ranges of the Mandated Territory of New Guinea from Mount Chapman to Mount Hagen', *G.J.*, vol. LXXXIV (1934), p. 399.
- 49 *A.R.T.N.G.*, 1933–4, p. 96.
- 50 *A.R.T.N.G.*, 1935–6, p. 90.
- 51 *L.N.P.M.C. Minutes*, xxxi (1937), p. 149.
- 52 See Rowley, *op. cit.*, pp. 14, 284.
- 53 *Ibid.*, pp. 14–15.
- 54 *C.P.P.*, vol. III, 1920–1. Interim and Final Reports of Royal Commission on Late German New Guinea (hereafter *Murray Report*).
- 55 *Ibid.* See also Rowley, *op. cit.*, pp. 286–8, 302–8.
- 56 *Murray Report*, pp. 27–8, 52.

- 57 *C.P.D.*, H. of R., vol. cxxxiv (28 Apr. 1932), p. 73. In answer to a question in the Permanent Mandates Commission about the meaning of the term 'co-ordinate', the accredited representative of the Mandatory Power, Sir Donald C. Cameron, answered (rather ambiguously) that 'he felt sure this referred to the co-ordination of the services within the Commonwealth and that it had nothing to do with the merging of the territories in question'. *L.N.P.M.C. Minutes*, xxii (1932), p. 59.
- 58 Those interested in pursuing the issue of a combined administration further should request access to AD 800/1/3, O 800/1/1, and Z 800/1/3 of CP 141 in *C.A.O.*
- 59 *C.P.P.*, vol. III, 1937-40. Report of Committee Appointed to survey the Possibility of Establishing a Combined Administration of the Territories of Papua and New Guinea, and to make a Recommendation as to a Capital Site ... No. 230.-F. 5621 (hereafter *Eggleston Report*).
- 60 *Ibid.*, p. 19.
- 61 *Ibid.*, p. 7.
- 62 *Ibid.*, pp. 26-7.
- 63 *Ibid.*, p. 34.
- 64 *Ibid.*, pp. 35-6. The case in which Mr Justice Evatt gave his opinion is *Ffrost v. Stevenson*, 58 Commonwealth Law Reports (1937), pp. 528-617.
- 65 *Eggleston Report*, p. 28.
- 66 *Ibid.*, p. 29. Italics added.
- 67 Note of the Australian Representative on the Trusteeship Council, 3 July 1948. *U.N.T.C.O.R.*, Third Session, Suppl. Doc. T/138/Add. 1, p. 25.
- 68 *Ibid.*, p. 26.
- 69 *U.N.T.S.*, vol. VIII (1947), I, No. 122, p. 184.
- 70 *U.N.T.C.O.R.*, Third Session, Suppl. Doc. T/138/Add. 1, pp. 24, 27.
- 71 *Ibid.*, Annex A, pp. 27-48.
- 72 *Ibid.*, Doc. T/202, p. 210.
- 73 *Ibid.*, p. 211. For the specific clauses referred to see the above-cited Doc. T/138/Add. 1, pp. 31, 45.
- 74 Relevant sections of the Papua-New Guinea Bill 1949 are reproduced in *D. & C.* (Doc. C. 11). For the debate in the House of Representatives of the Australian Parliament, see *C.P.D.*, 1948-9, vol. cct, pp. 250-7, 735-77, 842-920, 968-88. Leading spokesmen for the Liberal-Country Party opposition maintained that the Bill could not be considered 'apart from strategic considerations and the foreign policy of this country' and that the main point at issue was whether the government 'should ever have permitted the placing of New Guinea under international trusteeship' (Percy C. Spender, H. of R., 2 Mar. 1949, p. 853). In the Senate, the Leader of the Opposition maintained that Australia should have secured for New Guinea the position of a 'strategic trust territory': 'Because of the tremendous sacrifice made by Australia in two World Wars to defend New Guinea we should regard the territory as our own. The territory should have been declared a strategic area so that we could defend it as an integral part of Australia, and could collaborate with the Dutch in improving its defences' (W. J. Cooper, Senate, 9 Mar. 1949, p. 1109).
- 75 *U.N.G.A.O.R.*, Fourth Session, Suppl. No. 4 (A/933), p. 101 (Report of the Trusteeship Council, 1948-9).
- 76 *U.N.G.A.O.R.*, Fourth Session, Resolutions (20 Sept.-10 Dec. 1949), A/1251, p. 40.

- 77 *U.N.G.A.O.R.*, Fifth Session, Suppl. No. 4 (A/1306), p. 183 (Report of the Trusteeship Council, 1949-50).
- 78 *U.N.T.C.O.R.*, Twenty-Sixth Session, Annexes (XXVI, 6), Doc. T/L. 983 (7 June 1960), p. 4.
- 79 *Yearbook of the United Nations 1960* (New York, 1961), pp. 44-50.
- 80 *U.N.G.A.O.R.*, Sixteenth Session, Plenary Meetings, vol. I (1035th meeting, 13 Oct. 1961), p. 433. Plimsoll's statement is preceded more than a decade before by a similar comment made by the Australian Representative in the Trusteeship Council: 'He [the Australian Representative] also stated that the Australian Government had repeatedly pointed out that, when the inhabitants of the two territories had attained a certain degree of development, they would be free to choose the form of government which suited them and, in particular, would be free to decide whether they wished the Administrative Union to continue *or whether they wanted to become independent.*' *U.N.G.A.O.R.*, Fifth Session, Suppl. No. 4 (A/1306), p. 195 (Report of the Trusteeship Council, 1949-50). Italics added. The discussion in C. D. Rowley, 'The Debate that wasn't; White Australia Got in the Way', *New Guinea*, vol. I (Mar.-Apr. 1965), pp. 15, 17, creates, therefore, a slightly erroneous impression. Rowley is right, however, when he notes (p. 17) that Australia was on the defensive at the time and at pains to point out that administrative union did not mean absorption and loss of the separate identity of the Trust Territory. The question by United States member, Francis B. Sayre, 'What features were possessed by political unions which this administrative union did not possess?' is identical with the one raised by H. L. Murray in 1939 (cited by Rowley in 'Administrative Union' (I), *South Pacific*, vol. v (June 1952), p. 335.
- 81 Rowley, 'The Debate that wasn't . . .', p. 17.
- 82 Territory of Papua and New Guinea. Electoral (Open Electorates) Ordinance 1963, No. 42 of 1963 (Port Moresby, 1964), pp. 6-7, 9-10. In the case of Ialibu, there are about 900 square miles and 21,000 people on the Papuan side and about 500 square miles and 32,000 people on the Trust Territory side. The location of the electoral boundaries and the respective populations involved can be pieced together from the above electoral legislation; *Polling Places 1964 (Preliminary Guide only)*, sheets 24, 29, 33, and 35; and the Department of Native Affairs, *Village Directory; 1960* (Port Moresby, 1961), pp. 58-9, 66; 43-5, 74, 80-1. A Question was raised by the Member for the West Papua Special Electorate, R. T. D. Neville, as to whether or not a change of administrative boundaries was contemplated for the Southern Highlands District. The Assistant Administrator (Services), Dr J. T. Gunther, replied that the District Boundaries Committee was 'at present examining proposals to change administrative boundaries in the Highlands' and would report to the Administrator when the examination had been completed. *H.A.D.*, vol. I, No. 5 (21 May 1965), pp. 709-10.
- 83 The rather anti-German Brunsdon Fletcher commented: 'Soon British planters realised how thoroughly Germany had spied out the land when in the rearrangements of 1900 over Samoa she agreed to take only the islands of Bougainville and Buka with their teeming population, and left to Great Britain the islands denuded of people by head-hunting and massacres—except that Malaita, with a specially bad name for cannibalism and bestiality, was still good recruiting ground [for native labour].' C. Brunsdon Fletcher, *Stevenson's Germany; the Case against Germany in the Pacific* (London, 1920), p. 79. It may be noted that the Anglo-German Convention of 1904 (see *D. & C. Doc. C. 6*) defines the

boundary between Bougainville and Shortland and Fauro islands with points [B-F] which are *intersections of meridians and parallels*; the Papua-New Guinea Bill 1949 (see Second Schedule in Doc. C. 11, D. & C.) takes advantage of provision II (alternative) of the 1904 Convention by employing points [B¹-F¹] *fixed by rays from known features along the coast* (see Fig. 7). For a comment on the boundary line see also above, p. 39.

- 84 Fletcher, *The New Pacific: British Policy and German Aims* (London, 1917), p. 199.
- 85 Ibid., p. 231.
- 86 Ibid., pp. 207-8.
- 87 Murray Report, pp. 48-9.
- 88 Ibid., p. 60.
- 89 Sir Charles Jeffries, *Transfer of Power: Problems of the Passage to Self-Government* (New York, 1961), p. 134.
- 90 British Solomon Islands Protectorate. *Proposals for the Election of Members to the British Solomon Islands Legislative Council* (Honiara, 1963).

5 The Irian Boundary

- 1 See pp. 10-13 and Docs. A. 1, 2, and 3 in D. & C.
- 2 See D. & C. (Doc. C. 1).
- 3 N.K.W., I (1885), p. 3. See also D. & C. (Doc. A. 6). The large map of German New Guinea contained in N.K.W., I (1885), following p. 62, marks the western border of the German Protectorate along the 141st meridian of East Longitude. The fact that the Neu Guinea Compagnie was officially absorbed by the Reich on 1 April 1899 would not seem to affect the boundary arrangement.
- 4 A. Haga, *Nederlandsch Nieuw Guinea en de Papoesche Eilanden* (Batavia and 'sHage, 1884), vol. II, p. 281, expresses the opinion that the 141st meridian came to be regarded as the boundary by foreign observers because the small scale on which maps of New Guinea were drawn made the difference between the 141st meridian and the actual boundary imperceptible. One could add that another misleading element may have been that the *Gouvernementsalmanak* in its overall description of the territorial limits of the Netherlands Indies referred to these as extending between longitudes 95° 40' east of Greenwich in the west to 141° in the east.
- 5 R.A.N.I., 1897, vol. I, p. 123; 1902, vol. I, pp. 129-30.
- 6 For the head-hunting exploits of the Marind see Paul Wirz, *Die Marind-Anim von Holländisch-Süd Neu-Guinea* (Hamburg, 1922-5), vol. I, pp. 6-10, 21-3, 122-5, vol. II, pt. 3, pp. 49-62; Wirz, 'Head-Hunting Expeditions of the Tugeri into the Western Division of British New Guinea', *T.I.T.L.V.*, vol. LXXIII (1933), pp. 105-22; P. Vertenten, 'Het Koppensnellen in Zuid Nieuw-Guinea', *B.T.L.V.N.I.*, vol. LXXIX (1923), pp. 45-72.
- 7 A.R.B.N.G., 1889-90, Appendix J, p. 75.
- 8 Ibid.
- 9 Ibid., 1890-1, Appendix M, p. 45.
- 10 Dr G. van Tienhoven to Sir Horace Rumbold, 25 Jan. 1892. N.M.B.Z.A., Doss. A-110 (Nieuw-Guinea). Reproduced in D. & C. (Doc. D. 1).
- 11 A.R.B.N.G., 1891-2, Appendix L, p. 51. Reproduced in D. & C. (Doc. D. 2).

- 12 Ibid., pp. 52-3.
- 13 Van Tienhoven to Rumbold, 16 Jan. 1893. *N.M.B.Z.A.*, Doss. A-110 (Nieuw-Guinea). Reproduced in *D. & C.* (Doc. D. 3).
- 14 *N.K.V.*, 1893, I, Nederlandsch (Oost-) Indië, No. 2, p. 29. Reproduced in *D. & C.* (Doc. D. 4).
- 15 Telegram from Sec. of State for the Colonies to the Governor of Queensland, 9 Nov. 1892. *C.A.O.*, CP 1 (Colony), series 5, vol. 8, pp. 125-6.
- 16 The following account relies on *N.K.V.*, 1893, pp. 29-30; R. Posthumus Meyjes, 'De Astronomische Plaatsbepalingen ten dienste der Hydrographie in Nederlandsch-Indië', *T.K.N.A.G.*, second series, vol. XVIII (1901), pp. 562-75; and MacGregor's 'Despatch Reporting the Proceedings in Connection with the Delimitation of the Boundary between British and Dutch New Guinea', *A.R.B.N.G.*, 1892-3, Appendix E, pp. 20-1.
- 17 Posthumus Meyjes, op. cit., p. 571. On the basis of Dutch and Australian observations in 1956 and 1958 respectively, it was agreed in 1962 that the geographical position of the mouth of the Bensbach River was 141° 01' 7" East Longitude. This is about 1340 yards further west than the observations of Posthumus Meyjes.
- 18 Ibid., pp. 571-2.
- 19 *A.R.B.N.G.*, 1892-3, Appendix E, p. 21. Reproduced in *D. & C.* (Doc. D. 5).
- 20 Ibid. The Dutch account in the *Koloniaal Verslag* is less detailed on this point than MacGregor's. It also emphasizes that the Dutch officials made the recommendations with the explicit understanding that they were not binding their government in any way. See *N.K.V.*, 1893, p. 30.
- 21 Ripon to Sir Henry Norman, 18 July 1893. *C.A.O.*, CP 1 (Colony), series 5, vol. 10, p. 147.
- 22 'Memorandum by Mr. Hertslet respecting the Incursions by the Tugeri Tribe into British New Guinea', 22 June 1900. *C.A.O.*, CP 1 (Colony), series 5, vol. 17, p. 357.
- 23 J. Röell to the Queen Dowager, 26 Oct. 1894, and Röell to Rumbold, 21 Dec. 1894. *N.M.B.Z.A.*, Doss. A-110 (Nieuw-Guinea).
- 24 See the statement by Röell and the Minister of Colonies, J. H. Bergsma, in response to a question by the Parliamentary Committee charged with looking at the proposed treaty. *N.B.H.S.G.*, Second Chamber, 1894-5, No. 191.5. Reproduced in *D. & C.* (Doc. D. 7).
- 25 Röell to Rumbold, 21 Dec. 1894. *N.M.B.Z.A.*, Doss. A-110 (Nieuw-Guinea).
- 26 MacGregor to Sec. of State for the Colonies, 20 Jan. 1895. *C.A.O.*, CP 1 (Colony), series 4.
- 27 The treaty appears in *N.B.H.S.G.*, Second Chamber, 1894-5, No. 191.2; *H.C.T.*, vol. XX (London, 1898), pp. 812-13; and Great Britain, *Parliamentary Papers*, vol. CIX, C-7834 (Treaty Series, No. 12, 1895). The author follows the text and punctuation of the British Parliamentary Papers. Reproduced in *D. & C.* (Doc. D. 6).
- 28 The statement by the Minister of Colonies in the First Chamber of the Netherlands Parliament (*N.H.S.G.*, First Chamber, 1894-5, p. 357) follows, however, the version of Article III of the Convention.
- 29 It may be noted in this context that the Papua Act No. 9 of 1905 (*A.P.C.A.*, 1905, vol. IV, p. 13) also follows the wording of Article III of the Convention of 1895, but that the Papua-New Guinea Bill 1949 (*A.P.C.A.*, 1949, vol. XLVII) in its Third Schedule (defining the territorial limits of the Territory of Papua) amends the wording by adding

- 'the most northerly intersection' of that meridian (the 141st) with the Fly River and 'its most southerly intersection' with the 141° 01' 47.9" East Longitude.
- 30 Stephen B. Jones, *Boundary-Making; a Handbook for Statesmen, Treaty Editors and Boundary Commissioners* (Carnegie Endowment for International Peace, Monograph No. 8), Washington, 1945, chapter vi, *passim*.
 - 31 The newly determined position of the mouth of the Bensbach River (see note 17) is significant in that the boundary follows the meridian which passes through the said mouth up to the point where it meets the Fly River at about 6° 20' South Latitude. Here again, some final agreement as to the location of the boundary in the field has yet to be worked out.
 - 32 Röell to Rumbold, 21 Dec. 1894. *N.M.B.Z.A.*, Doss. A-110 (Nieuw-Guinea).
 - 33 Arthur Wichmann, 'Entdeckungsgeschichte von Neu-Guinea (1885 bis 1902)', *Nova Guinea*, vol. II, pt. 2 (Leiden, 1912), p. 599.
 - 34 Harsja W. Bachtiar, 'Sedjarah Perbatasan Timur Irian Barat', *Madjallah Ilmu-Ilmu Sastra Indonesia*, vol. I (Apr. 1963), p. 75.
 - 35 *The London Gazette*, No. 26708 (11 Feb. 1896), p. 777; *H.C.T.*, vol. xx (London, 1898), pp. 730-1. Reproduced in *D. & C.* (Doc. D. 8). The Treaty and the Order in Council also appear in *British New Guinea Government Gazette*, vol. VIII, No. 12, pp. 35-6, and vol. IX, No. 3, p. 7, respectively.
 - 36 *N.B.H.S.G.*, Second Chamber, 1894-5, No. 191.4.
 - 37 *Ibid.*, No. 191.5.
 - 38 MacGregor to Lord Lamington, 4 June 1898. *C.A.O.*, A 1, No. 8/5151.
 - 39 As cited by Joseph Mitchell in his letter of 4 August 1909. External Affairs Secretary Atlee Hunt subsequently wrote to the Lieutenant-Governor of Papua: 'No objection to the proposed joint expedition to explore the Fly River boundary...'. *C.A.O.*, A 1, 9/10750. As Merauke had no Resident until the 1950s this must either have been the Assistant Resident or the visiting Resident of Ternate.
 - 40 *A.R.B.N.G.*, 1891-2, Appendix L, p. 53.
 - 41 *Ibid.*, 1895-6, Appendix K, p. 55.
 - 42 *Ibid.*, p. 53.
 - 43 Lord Lamington to Chief Secretary, 4 July 1896. *C.A.O.*, CP 1 (Colony), series 5, vol. 13, p. 199.
 - 44 See above, pp. 28-9.
 - 45 *A.R.B.N.G.*, 1898-9, pp. 7-11, and 1900-1, pp. xix-xxv; *N.K.V.*, 1901, *Nederlandsch (Oost-) Indië*, No. 2, Appendix A, No. 3, pp. 1-16.
 - 46 Colonial Office to Foreign Office, 16 June 1900. *C.A.O.*, CP 1 (Colony), series 5, vol. 17, pp. 336-7.
 - 47 Henry Howard to Dr W. H. de Beaufort, 19 July 1900. *Ibid.*, p. 342. Reproduced in *D. & C.* (Doc. D. 9).
 - 48 De Beaufort to Howard, 4 Sept. 1900. *N.M.B.Z.A.*, Doss. A-110 (Nieuw-Guinea); and Howard to the Marquess of Lansdowne, 26 Nov. 1900, *C.A.O.*, CP 1 (Colony), series 5, vol. 18, p. 5. Both documents are reproduced in *D. & C.* (Docs. D. 10 and 11).
 - 49 Governor-General W. Rooseboom to G. R. Le Hunte, 22 Sept. 1900. *C.A.O.*, CP 1 (Colony), series 10, No. 2.35.
 - 50 *A.R.B.N.G.*, 1900-1, pp. xix-xxiv; *N.K.V.*, 1901 (Report by Assistant Resident J. A. Kroesen), Appendix A, No. 3, pp. 1-16.
 - 51 De Beaufort to Howard, 30 March 1901. *C.A.O.*, CP 1 (Colony), series 5, vol. 18, pp. 143-4. In a letter of 22 February 1902, the

- Lieutenant-Governor of British New Guinea informed the Governor-General of the Netherlands Indies that Resident Magistrate Jear at Daru would be given 'the full value in trade articles' for the £150 given by the Netherlands government. Jear would personally distribute these to the survivors and clearly explain the meaning of the payment and the source from which it had come. An inventory of the articles includes blankets, knives, tomahawks, adzes, cloth, handkerchiefs, and tobacco. *C.A.O.*, CP 1 (Colony), series 5, vol. 20 ('Tugeri folder').
- 52 The establishment of a post was promised in the letter by Governor-General W. Rooseboom to G. R. Le Hunte, 6 July 1901. *C.A.O.*, CP 1 (Colony), series 5, vol. 20 ('Tugeri folder'). Reproduced in *D. & C.* (Doc. D. 12). See further K. W. Galis, 'Geschiedenis' in *Nieuw Guinea; de Ontwikkeling op Economisch, Sociaal en Cultureel Gebied, in Nederlands en Australisch Nieuw Guinea* (W. C. Klein, ed.), vol. 1 ('s-Gravenhage, 1953), p. 27.
 - 53 To place all the blame for the loss of life in the Western District of Papua with the Tugeri seems unrealistic. Other head-hunting tribes lived at the Upper Bensbach and in the Fly River area. In his patrol to the Bensbach River (in October 1903), for example, Resident Magistrate A. H. Jear discovered the Kondugara tribe. This tribe 'undoubtedly of the same type as the natives of Dutch New Guinea usually termed TUGERI' claimed land on 'both sides of the British-Dutch boundary, extending from about eight miles on the British side, to some twelve miles on the Dutch side The BAU tribe also claim land on both sides of the boundary line Both these tribes reside in British territory and are undoubtedly British subjects, consequently they will require attention in the future. I do not anticipate any trouble on account of their killing our own natives, *but they admit having totally exterminated one tribe in Dutch territory simply because they wanted heads . . .*'. *C.A.O.*, CP 1 (Territory), series 35/183. Italics added.
 - 54 P.R. of E. R. Oldham (April 1927). *Ibid.*, series 35/207.
 - 55 *Aide mémoire* of D. A. W. van Tets van Goudriaan (Netherlands Envoy at Berlin) to the German Foreign Office, 24 Oct. 1902. *N.M.B.Z.A.*, Doss. A-110 (Nieuw-Guinea).
 - 56 *Aide mémoire* from the German Foreign Office to the Netherlands Legation at Berlin, 24 Dec. 1902. *Ibid.* Reproduced in *D. & C.* (Doc. E. 1).
 - 57 W. J. M. van Eysinga to Van Tets van Goudriaan, 22 March 1906, *ibid.*
 - 58 H. L. von Tschirschky (Secretary of the German Foreign Office) to Van Eysinga, 21 March 1906, *ibid.* Reproduced in *D. & C.* (Doc. E. 2).
 - 59 W. A. F. Baron Gevers (Netherlands Envoy) to Von Tschirschky, 9 May 1906, *ibid.* Reproduced in *D. & C.* (Doc. E. 3).
 - 60 Gevers to W. von Schön, 11 Dec. 1908, *ibid.* Reproduced in *D. & C.* (Doc. E. 4). Freiherr von Schön used to introduce himself and sign some of his letters as 'Baron de Schoen'.
 - 61 Von Schön to Gevers, 22 Feb. 1909, *ibid.* Reproduced in *D. & C.* (Doc. E. 5). For the Anglo-German Border Commission see Chapter 4, pp. 45-8.
 - 62 *Verslag van de op 21 en 22 September 1909 Gehouden Besprekingen Nopens de Voorbereiding van de Nederlandsch-Duitsche Grensregeling op Nieuw-Guinea* [The Hague, 1909], p. 5. Italics in the original. *N.M.B.Z.A.*, Doss. A-110 (Nieuw-Guinea).
 - 63 *Verslag . . .*, p. 3 (*ibid.*).
 - 64 Gevers to Neth. Foreign Minister, Apr. 1909, *ibid.*

- 65 'Het Nederlandsch-Duitsche Grensgebied op Noord Nieuw-Guinea', n.d., p. 3 (ibid.).
- 66 *Rapport Betreffende Gehouden Besprekingen met de Aanwezige Leden der Duitsche Nieuw-Guinea Grensexpeditie op 21, 22, 23 en 24 Maart 1910 to Batavia* (Batavia, 24 March 1910), p. 4 (ibid.).
- 67 *Rapport* . . . , pp. 6, 12, 13.
- 68 *Rapport* . . . , Appendix F.
- 69 Netherlands Indies, *Uittreksel uit het Verslag der Commissie ter Voorbereiding van de Aanwijzing eener Natuurlijke Grens tusschen het Nederlandsche en het Duitsche Gebied op Nieuw-Guinea* ('s-Hage, 1912), pp. 11-12.
- 70 See 'Erforschungsfahrt auf dem Augusta-fluss', *N.K.W.*, II (1886), pp. 123-8, and the map following p. 135.
- 71 This assumption continued to find adherents even after the Commission's discovery that the Sepik had its origin in the Victor Emanuel Range. See, for example, J. Lyng, *Our New Possession (Late German New Guinea)*, Melbourne, [1919], p. 25. It is of interest to note, however, that the Governor of German New Guinea (A. Hahl) in his memorandum of 20 September 1909 to the German Colonial Office had advised *against* using the Sepik as the medium 'because it turns into south-westerly direction'. *N.M.B.Z.A.*, Doss. A.110 (Nieuw-Guinea).
- 72 The following account is based on Netherlands Indies, *Uittreksel* . . . , pp. 16-21, 44.
- 73 Ibid., p. 42. Map 1 in the German report (see note 76) has the words 'Grosze Inland Ebene' in the blank space between the Bewani Mountains and the Sepik River.
- 74 For a discussion of this area see below under 'Waris-Jaffi Enclaves', pp. 100-1, 104-6.
- 75 This is Netherlands Indies, *Uittreksel* . . . , cited in the preceding footnotes.
- 76 'Forschungen im Innern der Insel Neuguinea (Bericht des Führers über die wissenschaftlichen Ergebnisse der deutschen Grenzexpedition in das westliche Kaiser-Wilhelmsland 1910)', *Mitteilungen aus den Deutschen Schutzgebieten*, vol. XI (1914).
- 77 'Von der deutsch-holländischen Grenzexpedition', *Deutsches Kolonialblatt*, vol. XXII, No. 1 (1911), pp. 125, 127.
- 78 *Verslag der Commissie ter Voorbereiding van de Aanwijzing eener Natuurlijke Grens tusschen het Nederlandsche en het Duitsche Gebied op Nieuw-Guinea* (Batavia, 1911), p. 31. *N.M.B.Z.A.*, Doss. A. 110 (Nieuw-Guinea).
- 79 Ibid., pp. 24, 27.
- 80 Ibid., pp. 5, 25. The observations of the Commission regarding various natural boundary lines and its proposals are found on pp. 25-8 and reproduced in *D. & C.* (Doc. E. 6).
- 81 Secretariat of the Governor-General to C. Lulofs, 27 March 1920. *N.M.B.Z.A.*, Doss. No. 973/2/5.
- 82 Lulofs to Governor-General, 30 March 1920, *ibid.*
- 83 In subsequent correspondence between the Governor-General, Minister of Colonies, and the Minister of Foreign Affairs it was agreed to let the matter rest until more information was available about the possible presence of oil east of the Tami River.
- 84 Ernst Mayr, *Birds of Paradise* (Publ. The American Museum of Natural History No. 127, reprinted from *Natural History*, June 1945), last (unnumbered) page.
- 85 K. H. Thomas, 'Notes on the Natives of the Vanimo Coast, New

- Guinea', *Oceania*, vol. XII (1941-2), pp. 163-5, 176; 'Enkele Aanteekeningen Betreffende Hoofden en Bevolking van de Sko-Kampongs', Appendix in *N.N.G.M.O. Hollandia* (J. Hoogland), 1938-40.
- 86 K. W. Galis, *Papua's van de Humboldt-Baai* (Den Haag, n.d.), p. 179.
- 87 The precise chain of events is described differently. See, for example, Halie in *N.N.G.M.O. Hollandia*, 1926-30, p. 60; the version given by Galis (op. cit., pp. 203-4) is obviously garbled. The account presented here is based upon an analysis of the available Dutch sources and Australian material contained in the Memorandum of the Acting District Officer at Aitape, J. I. Merrylees, to the Government Secretary at Rabaul, 14 May 1928 (hereafter *Merrylees Memorandum*) and related documents in *C.A.O.*, A 518, A.H. 800/1/3. The *Merrylees Memorandum* is reproduced in *D. & C.* (Doc. F. 1).
- 88 *Merrylees Memorandum*, p. 10.
- 89 This and subsequent information is based upon an analysis of the interrogations of Seko fugitives, Wutung indigenes, and native officials and policemen at Vanimo in mid-May 1928.
- 90 *Merrylees Memorandum*, p. 10.
- 91 The hats of *tultuls* and *luluais* are among the few symbols of authority with which the Australian Administration in New Guinea 'clothed' its appointed native village officials.
- 92 *Merrylees Memorandum*, p. 9.
- 93 In Administrator Evan A. Wisdom's memorandum to the Secretary of the Home and Territories Department, 3 July 1928 (hereafter *Wisdom Memorandum*). *C.A.O.*, A 518, A.H. 800/1/3.
- 94 A translated version of this letter is in *ibid.*
- 95 *Ibid.*, pp. 2-7.
- 96 *N.N.G.M.O. Hollandia*, 1926-30, p. 60.
- 97 In *Wisdom Memorandum*, p. 6.
- 98 *N.N.G.M.O. Hollandia*, 1926-30, p. 13.
- 99 J. Luymes, 'De Plaatsgehad Hebbende Grensbepaling tusschen het Mandaatgebied en Nederlandsch Noord Nieuw-Guinea', *T.K.N.A.G.*, second series, vol. LI (1934), p. 710; *N.N.G.M.O. Hollandia* (J. J. W. Dubois), 1960-1, pp. 4-5.
- 1 The only reference to the matter is a cryptic statement contained in the Administrator's Tour of Inspection Report which refers to a visit to Wutung by the Administration's vessel *Franklin* 'for the purpose of landing a survey party'. *A.R.T.N.G.*, 1927-8, Appendix B, p. 81.
- 2 In *Wisdom Memorandum*, p. 6.
- 3 *A.R.T.N.G.*, 1928-9, Appendix D, p. 119.
- 4 Luymes, op. cit., p. 709. The matter is spelled out in the letter of the Netherlands Envoy in London to Australian High Commissioner S. M. Bruce, 22 July 1933. *N.M.B.Z.A.*, Doss. A-110 (Nieuw-Guinea).
- 5 Neth. Minister of Foreign Affairs to R. de Marees van Swinderen, 16 June 1933, *ibid.*
- 6 De Marees van Swinderen to Bruce, 22 July 1933, *ibid.* Reproduced in *D. & C.* (Doc. F. 2).
- 7 Luymes, op. cit., pp. 709-10.
- 8 Modern survey standards would require agreement within a couple of seconds. Staff Surveyor Chauncy's comment in his 22 Sept. 1933 letter to the Secretary of Lands at Rabaul is significant in this context: 'The instruments at the disposal of surveyors of this Territory are *not suitable for astronomical or geodetic operations*, and a probable error of less than 400 metres in the determination of latitude could not be reasonably expected.' Italics added. *A.D.E.A./Treaties/406*.

- 9 Statement contained in the Declaration. *L.N.T.S.*, vol. CLXXIII (1936-7) No. 4022, p. 328. See *D. & C.* (Doc. F. 4).
- 10 *Peace Handbooks*, vol. xiv, No. 76 (1919), p. 15. These handbooks are a set of publications prepared under the direction of the Historical Section of the British Foreign Office.
- 11 Griffiths to the Secretary of the Prime Minister's Department, 6 Oct. 1933. *A.D.E.A./Treaties/406*.
- 12 De Marees van Swinderen to Bruce, 30 Jan. 1934. *N.L.E.A.*, Doss. B-7. Reproduced in *D. & C.* (Doc. F. 3).
- 13 K. Officer to External Affairs, Canberra, 2 Aug. 1934. *A.D.E.A./Treaties/406*.
- 14 Memorandum of Assistant Secretary W. R. Hodgson to K. Officer, 28 Nov. 1934, *ibid.*
- 15 Neth. Minister of Foreign Affairs to De Marees van Swinderen, 30 March 1936, and (undated) copy of letter by De Marees van Swinderen to Bruce. *N.M.B.Z.A.*, Doss. A-110 (Nieuw-Guinea). The citation of paragraph 3 made subsequently in the text is from the letter of De Marees van Swinderen.
- 16 K. Officer to External Affairs, Canberra, 8 Sept. 1936. *A.D.E.A./Treaties/406*.
- 17 *L.N.T.S.*, vol. CLXXIII (1936-7), No. 4022, pp. 326-7 (following the Australian text). The Exchange of Notes and the Declaration are reproduced in *D. & C.* (Doc. F. 4).
- 18 *L.N.P.M.C. Minutes*, xxxi (1937), p. 149.
- 19 *A.R.T.N.G.*, 1936-7, p. 116, and 1937-8, p. 120.
- 20 Used as background were the New Guinea Border (Special) Sheets 1-10, Edition 1 and Edition 2—D.N.M. on a scale of 1:100,000.
- 21 Figure 14 (Sepik River boundary and based on New Guinea Border (Special) Sheet 3, Edition 1) shows that the boundary crosses the Sepik here three times; however, on Sheet 3 of Edition 2 the boundary crosses the river four times.
- 22 C. Roggeveen, 'De Flyrivier Tournée', *Geodesia*, vol. vi (Apr. 1964), pp. 95, 98.
- 23 *P.R.* of Wm. J. Lambden (July-Sept. 1926). *C.A.O.*, CP 1 (Territory), series 35/207.
- 24 *P.R.* of A. P. Lyons (Nov. 1917). *Ibid.*, series 35/198. It seems somewhat unlikely that the Tugeri villagers would have said any such thing.
- 25 *P.R.* of A. P. Lyons (Feb. 1918). *Ibid.*, series 35/198.
- 26 The file on this matter is in *ibid.*, series 35/201.
- 27 *P.R.* of L. Austen (Sept.-Oct. 1922). *Ibid.*, series 35/203.
- 28 *P.R.* No. 12/62-63 (Telefomin) of J. R. McArthur (June-Oct. 1963).
- 29 *P.R.* No. 9/62-63 (Kiunga) of J. D. Fitzer (Jan.-May 1963). For the western part see L. D. Brongersma and G. F. Venema, *To the Mountains of the Stars* (transl., London, 1962), pp. 116-92; also J. J. Reynders, 'Shifting Cultivation in the Star Mountains Area', *Nova Guinea, Anthropology*, No. 2-3 (1962), pp. 48-9.
- 30 A cluster of Star Mountain settlements is indicated on the New Guinea Border (Special) Sheet 4 (Edition 1), but not on Sheet 4 of Edition 2—D.N.M. The discrepancy may have been caused by erroneous impressions from the air of habitation and cultivation by small groups of people engaged in shifting cultivation.
- 31 For the Australian side: Territory of Papua and New Guinea, Department of Native Affairs, *Village Directory; 1960* (Port Moresby, 1961), pp. 3-4, 6-8, and 89, 101, 104-5. This source is inadequate, however, for the border region north of the Sepik River and south of the Pagei

- Census Division due to significant political changes in this area, and the author has relied here upon recent information from the field (see also note to Table I). For the Netherlands side: Netherlands, Ministerie van Binnenlandse Zaken, *Rapport inzake Nederlands-Nieuw-Guinea over het jaar 1961* ('s-Gravenhage, n.d.), Appendix IV, pp. 1, 3.
- 32 Robinson to Governor-General (6 Jan. 1904) citing Resident Magistrate A. H. Jiear. *C.A.O.*, CP 1 (Colony), series 5, vol. 20 (filed with the Governor-General's despatch to Robinson of 19 Nov. 1903).
 - 33 *Rapport inzake Nederlands-Nieuw-Guinea ... 1961*, Appendix IV, p. 3.
 - 34 Netherlands, *Enige Voorlopige Resultaten van het Demografisch Onderzoek Westelijk Nieuw-Guinea (Irian Barat)* (E.E.G. Project 11.41.002), Part VI (Moejoe), (n.p., n.d.), pp. 6, 18.
 - 35 J. W. Schoorl, *Kultuur en Kultuurveranderingen in het Moejoe-Gebied* (Den Haag, n.d.), pp. 135-54, 191.
 - 36 *Ibid.*, pp. 223, 165.
 - 37 P.R. of L. Austen (Aug.-Nov. 1924). *C.A.O.*, CP 1 (Territory), series 35/205. For a published account, including maps, of Austen's explorations see 'The Tedi River District of Papua', *G.J.*, vol. LXII (1923), pp. 335-49, and 'Recent Explorations in the North-West District of Papua', *G.J.*, vol. LXVII (1926), pp. 434-41.
 - 38 'Alleged Killing by Dutch Native Constabulary—Kiunga Area, Western Division, Papua', Memorandum of 14 Sept. 1948. *C.A.O.*, A 518, AC 841/1.
 - 39 'Ingembit Village. 10th September 1954. Border Conference', *N.N.G.M.O.* Boven Digoel (C. H. Stefels), 1955, Appendix VI. Reproduced in *D. & C.* (Doc. F. 6). The spelling of village names employed in this document differs slightly from that in the New Guinea Border (Special) Map and Figs. 15 and 16.
 - 40 *Ibid.*
 - 41 'Kort Verslag van het Bezoek van de District Commissioner van Daru aan Merauke van 2 tot 6 Juni 1956', *N.M.Bi.Z.A.* Reproduced in *D. & C.* (Doc. F. 8).
 - 42 The Dutch map is drawn from the one in the Appendix of *N.N.G.M.O.* Moejoe (J. W. Schoorl), 1955-6. The Australian map is based upon Sheet 3 of the Border (Special) map, Edition 2, representing the result of data based on recent aerial photography and maps of the area in various Territory of Papua patrol reports.
 - 43 *N.N.G.M.O.* Hollandia (N. Halie), 1926-30, pp. 16-17.
 - 44 *N.N.G.M.O.* Hollandia (W. J. Gerretsen), 1937, pp. 3-4, 7-8. This is in all likelihood the same person as the W. Stuber mentioned in the discussion of the Seko affair, see p. 84.
 - 45 J. K. Murray to Secretary, Department of External Territories, 28 May 1951. *C.A.O.*, A 518, CM/800/1/7, pt. 1.
 - 46 'Short Notes of the discussions held on 13th June 1956 at the Resident's Office at Hollandia ...', *N.M.Bi.Z.A.* Reproduced in *D. & C.* (Doc. F. 7).
 - 47 For this information the author relies mainly on an analysis of the census data of the Jaffi, Waris, and Arso areas for Nov.-Dec. 1961, *N.M.Bi.Z.A.* The material contains a listing of villages by name with their population by sex. The data provided by the Secretary of State for New Guinea Affairs, Th. H. Bot, to the Netherlands Parliament (see pp. 104, 106), fail to include one village in the Jaffi enclave and lump the thirty villages in the 'central sphere of influence' into five villages.
 - 48 See 'Onderafdeling Keerom, District Arso', *ibid.*
 - 49 *A.R.T.N.G.*, 1959-60, Appendix II, Table 9 facing p. 188; 1960-1,

- Appendix II, Table 7 facing p. 204; 1961-2, Appendix II, Table 7 facing p. 214.
- 50 *Het Parool*, 24 Feb. 1962; *Vrije Volk*, 26 Feb. 1962.
- 51 *Nieuw Guinea Koerier*, 28 May 1962; *Nieuwsbrief*, No. 2253, 6 June 1962; 'Europeanen Trekken Grenzen', *De Tifa*, 15 June 1962.
- 52 H. C. M. Frankemolen, 'Bij een Afscheid', *De Tifa*, 3 Aug. 1962, p. 3.
- 53 *Nieuw Guinea Koerier*, 19 June 1962.
- 54 *N.H.S.G.*, Second Chamber, 1961-2, II, Aanhangsel, p. 2107. Reproduced in *D. & C.* (Doc. F. 11).
- 55 Frankemolen, op. cit., pp. 3-4.
- 56 *Volkskrant*, 16 June 1962 (based on a Reuter report from Port Moresby of 15 June 1962).
- 57 *S.P.P.*, 22 June 1962. See also 'Canberra Commentary' in *P.I.M.*, vol. xxxii (July 1962), p. 165.
- 58 *Advertiser* (Adelaide), 19 June 1962.
- 59 Republic of Indonesia, Department of Foreign Affairs, *Indonesia 1962* (Jakarta, n.d.), pp. 72-3.
- 60 *N.N.G.M.O.* Merauke (C. W. Wolff), 1946-8, pp. 69, 112.
- 61 *N.N.G.M.O.* Zuid Nieuw-Guinea (D. H. Fikkert), 1928-33, pp. 5-6.
- 62 *P.R.* of G. F. W. Zimmer (Dec. 1930-Jan. 1931). *C.A.O.*, CP 1 (Territory), series 35/211.
- 63 *P.R.* of R. A. Woodward (May 1933). *Ibid.*, series 25/213.
- 64 This is based on an official translation of the letter of the Government Secretary to the British Consul-General, 6 Sept. 1933. *C.A.O.*, A 518, CM 800/1/7, pt. 1.
- 65 J. van Baal, 'Een Reis naar het Gab-Gab-gebied; (Midden-Fly-rivier)', *T.I.T.L.V.*, vol. LXXX (1940), p. 2.
- 66 *P.R.* of R. A. Woodward (Apr. 1934). *C.A.O.*, CP 1 (Territory), series 35/214.
- 67 For the exact position of this astrofix see the topographical map 'Part of Western Papua' (scale 1 inch to 8 miles) of the Island Exploration Company in *C.A.O.*, A 518, CM 800/1/7, pt. 1.
- 68 J. P. Count van Limburg Stirum to S. M. Bruce, 6 Sept. 1939, *ibid.*, and *N.M.B.Z.A.*, Doss. A-110 (Nieuw-Guinea). Reproduced in *D. & C.* (Doc. F. 5).
- 69 *C.A.O.*, A 518, CM 800/1/7, pt. 1.
- 70 See also p. 99 for its effect on the Moejoe-Ninggerum region.
- 71 *N.N.G.M.O.* Merauke (C. W. Wolff), 1946-8, p. 114.
- 72 *Ibid.*
- 73 *P.R.* of E. G. Hicks (March 1948) in *C.A.O.*, A 518, AF 918/3.
- 74 Murray to Sec. Dept. of Territories, *C.A.O.*, A 518, AF 918/3.
- 75 *N.N.G.M.O.* Merauke (J. C. B. Koopmans), 1951-4, p. 2.
- 76 As cited in the memorandum of A. Champion to Dept. of Territories, 30 May 1949. *C.A.O.*, A 518, CM 800/1/7, pt. 1.
- 77 Murray to Territories, 30 May, 28 June, and 12 Aug. 1949, *ibid.*
- 78 The above material is in the same file (A 518, CM 800/1/7, pt. 1).
- 79 'Kort Verslag van het Bezoek van de District Commissioner van Daru aan Merauke van 2 tot 6 Juni 1956', *N.M.Bi.Z.A.* Reproduced in *D. & C.* (Doc. F. 8).
- 80 See F. J. Ormeling, 'De Groei van de Kaart van Westelijk Nieuw-Guinea', *T.K.N.A.G.*, vol. Lxix (1952), pp. 199-224. Also J. K. Murray to the Department of External Territories, 15 May 1950 in *C.A.O.*, A 518, CM 800/1/7, pt. 1.
- 81 Departments represented on the Committee were Army, Navy, Air, Civil

- Aviation, Interior, National Development, Territories, and the Commonwealth Scientific and Industrial Research Organization.
- 82 Summary of Proceedings of the Meeting of 17 Apr. 1951. *C.A.O.*, *ibid.*
 - 83 See above, p. 101.
 - 84 A member of the Netherlands Topographical Service, C. A. J. von Freitag Drabbe, commented on this point: 'It is only possible to carry out aerial photography in New Guinea on an annual average of seven minutes a day. Practically nowhere else in the world are weather conditions as unfavourable for this kind of cartography.' *Nieuwsbrief*, No. 1315 (July 13, 1955), p. 3.
 - 85 Based on correspondence on this matter between February and November 1952 in *C.A.O.*, A 518, CM 800/1/7, pt. 1.
 - 86 See in particular the statement by Prime Minister W. Drees in the *Memorie van Antwoord* concerning the 1953 Budget (29 Oct. 1952), *N.H.S.G.*, 1952-3, I, par. 7, 2800, No. 6, p. 7.
 - 87 A reference to the arrival of the Reconnaissance Unit is found in *S.M.H.*, 31 Jan., 1953.
 - 88 *C.A.O.*, A 518, CM 800/1/7, pt. 1.
 - 89 The matter is hinted at in 'De Kaartering van Nederlands Nieuw-Guinea; Gesprek met de Heer C. A. J. von Freitag Drabbe', *Nieuwsbrief*, No. 1315 (13 July 1955), p. 3.
 - 90 Personal information received from the Director of the Neth. Topographical Service, Col. W. F. den Hengst.
 - 91 For a discussion of the 1954 Agreement and the 'Exchange of views' of June 1956, see pp. 99-100.
 - 92 See above, pp. 65-8.
 - 93 Luymes (*T.K.N.A.G.*, vol. LI, 1934), p. 710.
 - 94 Observations by K. T. Blaik at the same location in November 1962 led to a result of 141° 00' 09.15" East Longitude.
 - 95 'Notes on Conference on Survey and Mapping of International Border between Netherlands and Australian New Guinea', *N.M.Bi.Z.A.* Reproduced in *D. & C.* (Doc. F. 9).
 - 96 'Survey and Mapping of the International Border between Netherlands New Guinea and the Territories of Papua and New Guinea', *N.M.Bi.Z.A.* Reproduced in *D. & C.* (Doc. F. 10).
 - 97 C. Roggeveen, 'De Flyrivier Tournée', *Geodesia*, vol. v (Oct. 1963), pp. 290-6, (Dec. 1963), pp. 357-63; vol. vi (Apr. 1964), pp. 92-8, (May 1964), pp. 119-25.
 - 98 *Ibid.*, vol. vi (May 1964), p. 124. The Declarations are reproduced in *D. & C.* (Docs. F. 12 and 13).
 - 99 See *D. & C.* (Doc. F. 14).
 - 1 These are the New Guinea Border (Special) Sheets 1-10 (Editions 1 and 2—*D.N.M.*).
 - 2 *C.P.D.*, Senate, vol. xxv (7 Apr. 1964), p. 440.
 - 3 See, for example, *S.P.P.*, 24 Dec. 1963; *Canberra Times*, 24 Dec. 1963.
 - 4 *S.P.P.*, 31 Dec. 1963.
 - 5 *Straits Times*, 24 Feb. 1964.
 - 6 *C.P.D.*, H. of R., vol. xxxiii (16 Sept. 1964), p. 1133. In Djakarta Hasluck had concluded his press statement with the comment: 'It is heartening that there are no problems between our countries with regard to the common border in New Guinea.' (*Indonesian Herald*, 6 June 1964.)
 - 7 'West Irian/Papua and New Guinea Border', *Current Notes on International Affairs*, vol. xxxv (Aug. 1964), p. 28. Reproduced in *D. & C.* (Doc. G. 1).

- 8 *Courier-Mail* (Brisbane), 5 Aug. 1964.
- 9 *C.P.D.*, H. of R., vol. XLIII (16 Sept. 1964), p. 1133.
- 10 *S.P.P.*, 5 Mar. 1965.
- 11 *Canberra Times*, 4 May 1965.
- 12 *C.P.D.*, H. of R., No. 14 (22 Sept. 1965), p. 1118.
- 13 Paul W. van der Veur, 'The Irian Boundary Slumber, 1905-1962', *Australian Outlook*, vol. XIX (Apr. 1965), p. 95.
- 14 *C.P.D.*, H. of R., vol. XXXVI (21 Aug. 1962), p. 518.
- 15 *Ibid.*
- 16 J. A. C. Mackie, 'Australia and Indonesia, 1945-60', in *Australia in World Affairs 1956-60* (Gordon Greenwood and Norman Harper eds.) (Melbourne, 1963), p. 316.
- 17 *Canberra Times*, 25 June 1965.
- 18 *S.P.P.*, 4 Aug. 1965.
- 19 *S.M.H.*, 13 July 1963.
- 20 For a somewhat fuller treatment of this subject see Paul W. van der Veur, 'West Irian's Refugees', *New Guinea*, vol. I, No. 4 (1965-6), pp. 13-19.
- 21 *C.P.D.*, H. of R., vol. XXXVI (23 Aug. 1962), p. 752.
- 22 John Bassett Moore, *A Digest of International Law*, vol. II (Washington, 1906), p. 755.
- 23 H. Lauterpacht, 'The Universal Declaration of Human Rights', *B.Y.B.I.L.*, vol. XXV (1948), p. 373.
- 24 United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, *Final Act and Convention relating to the Status of Refugees*, A/CONF. 2/108 (Geneva, 1951). The Australian instrument of accession (subject to reservations) was deposited on 22 January 1954, see Australia, *Treaty Series*, 1954, No. 5 (Canberra, n.d.), 'Convention (Geneva: 28th July, 1951) relating to the Status of Refugees'.
- 25 Australia, *Treaty Series*, 1954, No. 5, p. 4.
- 26 *Ibid.*, p. 4n. Italics added.
- 27 *Canberra Times*, 1 March 1965; and 'Observer's' statement in *S.P.P.*, 3 Mar. 1965.
- 28 Paul Longro, 'A Plea to Admit W. Irian Refugees', *S.P.P.*, 5 July 1965. For other comments and editorials in this paper see the issues for 10 May, 16 June, 7 July, 14 July, 18 Aug., 20 Aug., and 6 Sept. 1965.
- 29 *H.A.D.*, vol. I, No. 5 (19 May 1965), pp. 677-8; and Frank Martin, also on p. 677.
- 30 *H.A.D.*, vol. I, No. 6 (31 Aug. 1965), p. 925.

6 Epilogue

- 1 Sir Thomas H. Holdich, *Political Frontiers and Boundary Making* (London, 1916), pp. 184-5.
- 2 Walter Fitzgerald, *Africa; A Social, Economic and Political Geography of its Major Regions* (8th rev. ed., London and New York, 1957), p. 241n.
- 3 Statement by the British Foreign Office in the preface of E. Hertslet's *The Map of Africa by Treaty* (vol. I, 3rd ed., London, 1909), p. viii.
- 4 For the year 1936, for example, the names of the staff (including typists) of the External Affairs Department are listed on one page. Apart from the Secretary, attached to the Minister for External Affairs, there were four officers in the Political Section, three in the International

- Co-operation Section, two in the Records Section, and three who were part of the London Office. See Appendix L of the Annual Report, Department of External Affairs, 1936 (Canberra, 1937), p. 111.
- 5 An exception must be made for the late Assistant Secretary of Territories, J. E. Willoughby, who not only recognized the need for a boundary survey but laboured hard for its implementation.
 - 6 George Forbes, *David Gill; Man and Astronomer*... (London, 1916), esp. pp. 118-19, 122-3.
 - 7 M. Hotine, 'The East African Arc of Meridian', *G.J.*, vol. LXXXIV (1934). Paper read for the Royal Geographical Society, London. Quotation from the discussion, p. 234.
 - 8 Jeremy Beckett, 'Papua's Off-Shore Islands; But who wants them?', *New Guinea*, vol. 1, No. 4 (1965-6), p. 74.
 - 9 The failure of The Hague Conference for the Codification of International Law (1930) and the Geneva Conferences on the Law of the Sea (1958 and 1960) to agree on the breadth of the territorial sea is due mainly to several states claiming a breadth considerably in excess of the three-mile limit. At the Geneva Conference of 1960 (attended by the representatives of 87 states) a United States-Canadian compromise proposing a six-mile fishing zone *beyond a six-mile territorial sea* failed narrowly to gain the required two-thirds majority. See *Second United Nations Conference on the Law of the Sea*. Official Records, Doc. A/CONF. 19/8 (1960), *passim*. The synoptical table attached to the Conference paper (pp. 158-63), lists the breadth and juridical status of the territorial sea and adjacent zones claimed by various states.
 - 10 Charles G. Fenwick, *International Law* (3rd rev. ed., New York, 1948), p. 358.
 - 11 See Great Britain, Admiralty Hydrographic Department, *Australia Pilot*, vol. III (4th ed., London, 1950), pp. 197-223, 241, and vol. IV (3rd ed., London, 1939), pp. 26-34, 262-6. Since the author's suggestion keeps Australia's strategic interests fully in mind it differs from the proposal advanced in Gerald Peel's *Isles of the Torres Straits; An Australian Responsibility* (Sydney, 1947). Peel suggests that Queensland hand the Torres Strait islands—including Thursday Island and [*sic*] Daru—to the federal government and that 'an autonomous region' be created within the Commonwealth of Australia with internal sovereignty and the right to secede from the Commonwealth at any time. In a footnote to the last point, Peel adds: 'For instance in the event some time in the future of an independent New Guinea they [the citizens of the autonomous state] might be faced with a choice of linking up with either New Guinea or Australia' (pp. 129, 134). This proposal *might* do justice to the Torres Strait Islanders but would obviously be unacceptable to the Commonwealth—not to mention Queensland. It also ignores the interests of Papua-New Guinea.
 - 12 Stephen B. Jones, *Boundary-Making*..., p. 63, citing A. R. Hinks, 'Notes on the Technique of Boundary Delimitation', *G.J.*, vol. LVIII (1921), p. 422. Another example, cited by Holdich (*op. cit.*, pp. 187-90), is the original Andes boundary between Argentina and Chile through Patagonia.
 - 13 *C.P.D.*, H. of R., No. 14 (22 Sept. 1965), p. 1118.
 - 14 It seems relevant to quote here what the Minister said on 31 March 1965 with regard to answers to questions: 'I want to say principally that when a Minister answers a question he is not supplying information personally to the member... he is giving information to the whole of the Parliament. Beyond the Parliament, he is giving information as a

statement by a Minister on behalf of the Government. That information is then available to, and is read as a Government statement, by many persons outside the House Because the questions did concern our relations with other countries, as indeed so many statements made by a Minister for External Affairs must do, and having regard to the interests of Australia and the Australian people, it was necessary to phrase the answers with exceptional care and discretion, knowing that they would be read by the governments of other countries and that they did concern our relations with other countries . . .'. *C.P.D.*, H. of R., vol. XLV (31 March 1965), pp. 510-11.

- 15 *C.P.D.*, H. of R., No. 15 (28 Sept. 1965), p. 1298.
- 16 G. Kaeckenbeeck, *International Rivers. A Monograph based on Diplomatic Documents* (Pub. Grotius Society No. 1) (London, 1918), *passim*.
- 17 *Ibid.*, pp. 165-6.
- 18 This would seem to answer Barry Holloway's question in the (Papua-New Guinea) House of Assembly to which the Assistant Administrator, Dr J. Gunther, not unexpectedly, replied: 'I shall answer that question at a later date'. *H.A.D.*, vol. I, No. 4 (23 and 24 Feb. 1965), pp. 500, 527.
- 19 Jones, *op. cit.*, p. 157.

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