

WESTERN PACIFIC HIGH COMMISSION.

No. 3 of 1921



[L.S.]

C. H. RODWELL,

High Commissioner.

4th February, 1921.

KING'S REGULATION

TO EMPOWER HIS BRITANNIC MAJESTY'S HIGH COMMISSIONER FOR THE WESTERN PACIFIC TO GRANT TO LEVER'S PACIFIC PLANTATIONS LIMITED IN SUBSTITUTION FOR AN EXISTING CERTIFICATE OF OCCUPATION HELD BY THE SAID COMPANY ANOTHER CERTIFICATE OF OCCUPATION IN RESPECT OF CERTAIN LAND SITUATE WITHIN THE BRITISH SOLOMON ISLANDS PROTECTORATE.

Made by His Britannic Majesty's High Commissioner for the Western Pacific under the provisions of the Pacific Order in Council, 1893.

In the name of His Majesty, GEORGE THE FIFTH, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India.

[4th February, 1921.]

WHEREAS by a Certificate of Occupation granted the nineteenth PRELIMINARY day of October one thousand nine hundred and fourteen by His Britannic Majesty's High Commissioner for the Western Pacific (hereinafter called the High Commissioner) to Lever's Pacific Plantations Limited (hereinafter called the Company) under the provisions of the Solomons (Waste Lands) Regulation 1904 (which said Certificate of Occupation is hereinafter called the existing Certificate) the Company is in occupation as tenant of the High Commissioner of certain pieces of land situate in the British Solomon Islands Protectorate (hereinafter called the Protectorate) and described in the existing Certificate: And Whereas after treaty in this behalf it has been agreed between the High Commissioner and the Company that the Company shall surrender to the High Commissioner for cancellation by him the existing Certificate and shall

in consideration of so surrendering and in substitution for the existing Certificate be granted by the High Commissioner another Certificate of Occupation in the terms of the Certificate contained in the Schedule to this Regulation: And Whereas by reason of the Solomons (Waste Lands) Regulation 1904 having been repealed by the Solomons Land Regulation 1914 the enactment of this Regulation is necessary in order to give effect to the agreement between the High Commissioner and the Company hereinbefore referred to and to empower the High Commissioner in pursuance thereof to grant to the Company in substitution for the existing Certificate another Certificate of Occupation in the terms of the Certificate hereinbefore referred to: Now therefore it is hereby enacted as follows that is to say:—

SHORT TITLE.

1. This Regulation may be cited as the Solomons (Certificate of Occupation of Lever's Pacific Plantations Limited) Validation Regulation 1921.

A NEW CERTIFICATE OF OCCUPATION TO BE GRANTED TO THE COMPANY IN SUBSTITUTION FOR THE EXISTING CERTIFICATE.

2. Upon the enactment of this Regulation the Company shall surrender to the High Commissioner for cancellation by him the existing Certificate and the High Commissioner shall grant to the Company in substitution therefor another Certificate of Occupation in the terms of the Certificate contained in the Schedule to this Regulation.

THE NEW CERTIFICATE TO BE VALID AND TO CANCEL THE EXISTING CERTIFICATE.

3. Upon the grant thereof by the High Commissioner the Certificate of Occupation provided for by this Regulation shall anything in the Solomons Land Regulation 1914 or any other law of the Protectorate notwithstanding be valid and effectual for all purposes and shall operate to render the existing Certificate null and void in all respects.

SCHEDULE.

I, CECIL HUNTER RODWELL, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George His Britannic Majesty's High Commissioner for the Western Pacific (hereinafter called the High Commissioner) for and on behalf of His Britannic Majesty His Heirs and Successors (hereinafter called His Majesty) do hereby Grant to Lever's Pacific Plantations Limited a Company incorporated under the laws of England and having its registered office at Royal Liver Building in the City of Liverpool (hereinafter called the Occupier) a Certificate of Occupation in respect of the several pieces of land containing in the aggregate an area of two hundred and eighty thousand (280,000) acres be the same more or less situate in the British Solomon Islands Protectorate (hereinafter called the Protectorate) and described in the Schedule hereto annexed being delineated and coloured pink on the plans therein contained, together with the right to fish the produce of the waters marching with the coast boundary of such land. To be held by the Occupier as Tenant of the High Commissioner for the term of nine hundred and ninety-nine (999) years computed from the first (1st) day of January one thousand nine hundred and four (1904) at the rent hereinafter reserved and subject to the conditions hereinafter expressed that is to say:—

1. The Occupier shall in respect of the years one thousand nine hundred and four (1904) to one thousand nine hundred and eighteen (1918) both inclusive be deemed to have occupied under this Certificate the land herewithin comprised and to have duly paid rent therefor to the High Commissioner.

2. The Occupier shall in respect of the years of the term remaining after the year one thousand nine hundred and eighteen (1918) pay to the High Commissioner or to such person as may from time to time be appointed by him to receive the same rent as follows that is to say: (i) in respect of the year one thousand nine hundred and nineteen (1919) and each of the fourteen (14) years next thereafter following a yearly rent of one thousand two hundred and thirty-two pounds (£1,232); (ii) in respect of the year one thousand nine hundred and thirty-four (1934) and each of the sixty-eight (68) years next thereafter following a yearly rent of one thousand five hundred and forty pounds (£1,540); (iii) in respect of the year two thousand and three (2003) and each of the ninety-eight (98) years next thereafter following of yearly rent of two thousand six hundred and seventy-four pounds (£2,674); and (iv) in respect of the year two thousand one hundred and two (2102) and each of the remaining years of the term a yearly rent of four thousand and two hundred pounds (£4,200); the rent payable in respect of any year to be paid in advance on the first (1st) day of January of that year.
3. The rent payable as hereinbefore provided shall be decreased proportionately on the withdrawal from the operation of this Certificate of any such portion of the land comprised within this Certificate as the High Commissioner may think fit to withdraw therefrom in the exercise of the rights reserved to him by clauses numbered six (6) and seven (7) and eight (8) hereof.
4. The Occupier shall, if and when the High Commissioner shall so direct, pay the cost of a survey of such portion of the land comprised within this Certificate as shall be deemed by the High Commissioner to be actually necessary, such survey to be made by the Government of the Protectorate. Provided that the High Commissioner shall not direct any such survey to be made except in a case where by reason of any person being in occupation of or applying for land adjacent to any portion of the land comprised within this Certificate the High Commissioner shall deem such survey necessary or in a case where such survey is required to be made under clauses number six (6) and eight (8) hereof. If and when any such survey is made (1) the area of the land in question shall be computed from the measurement of the coast-line according to the latest British Admiralty Charts; and (2) should there be no natural boundaries boundary posts shall be erected at the expense of the Occupier at such localities and in such manner as may be directed by the High Commissioner or by his duly authorised representative.
5. The High Commissioner hereby agrees with the Occupier that he will not grant to any other person or company any further rights in respect of the occupation of land on Kulambangra.
6. The right is reserved to the High Commissioner to withdraw at any time from the operation of this Certificate such portions of the land herein comprised as after due inquiry and survey made in such manner as the High Commissioner may direct by the Government of the Protectorate on behalf of the High Commissioner or by some person appointed by the High Commissioner in this behalf may be determined by the High Commissioner to be land owned cultivated or occupied by any aboriginal natives of the Protectorate at the date of the commencement of this Certificate viz.: the first (1st) day of January one thousand nine hundred and four (1904) and in that case any land so withdrawn together with all improvements if any thereon shall revert to and become the property of the aboriginal natives of the Protectorate having any title to or interest in such land without any claim on the part of the Occupier to compensation. Provided that no claim shall be made to land after the expiry of a period of six months from the date when the Occupier commenced to develop such land. And further that no claim shall be made to land after the expiry of a period of twenty-one years computed from the 1st day of January 1904.
7. The right to all Minerals Mineral Oils and Precious Stones found or discovered at any time on the land occupied under this

Certificate is reserved to His Majesty's Government together with the right of prospecting for the same and also the right to resume occupation of any portion of such land as may be deemed necessary in connection with any mining agreement lease or concession which may hereafter be approved or authorised by the High Commissioner. Provided that in case of such resumption a like Certificate of Occupation in respect of other land equivalent in extent to the land so resumed shall be granted to the Occupier and that in the case of land whereon improvements have been made compensation for the beneficial value of such improvements shall be paid to the Occupier the amount of such compensation in default of mutual agreement to be fixed by His Majesty's Secretary of State for the Colonies.

8. The right to resume without compensation in respect of land which has not been improved by cultivation or otherwise such portions of the land occupied under this Certificate as may at any time be required for the construction of roads or other public works is reserved by His Majesty's Government and a similar right is also reserved in respect of land which may have been improved by cultivation or otherwise on payment to the Occupier of compensation for actual loss sustained the amount of such loss to be determined in the same manner as the compensation referred to in the last preceding paragraph.
9. All roads paths and rights of way existing on the 19th day of October 1914 on or over the land comprised within this Certificate shall remain free and uninterrupted unless the same be closed or altered with the licence and consent of the High Commissioner first obtained in writing.
10. The Occupier shall not assign underlet or part with the possession of the land comprised within this Certificate or any portion thereof or otherwise dispose thereof without the licence and consent of the High Commissioner first obtained in writing.
11. In the event of a breach by the Occupier of any of the conditions hereinbefore expressed or of the payment of any rent payable under this Certificate being at any time in arrear for more than six months from the time when the same became payable the High Commissioner shall have power to cancel this Certificate and upon such cancellation by the High Commissioner the land comprised within this Certificate together with all improvements if any thereon shall revert to and become the property of the High Commissioner in trust for His Majesty without any claim on the part of the Occupier to compensation.
12. If the Occupier shall at any time or times during the term of this Certificate be desirous of surrendering the lands comprised in this Certificate or any portion or portions thereof and shall give to the High Commissioner one year's previous notice in writing of such desire then at the end of the said year the land so surrendered together with all improvements if any thereon shall revert to and become the property of the High Commissioner in trust for His Majesty without any claim on the part of the Occupier to compensation. Provided however that should only a portion of the land comprised within this Certificate be so surrendered the rent payable hereunder shall be proportionately reduced and that if a survey of such portion is required the Occupier shall bear the cost of such survey. Provided further that the Occupier shall not have the right to surrender any portion of the said land unless the same shall consist of a complete block of land that is to say all the land on a given island.
13. Upon the expiration of the term of this Certificate by effluxion of time the land herewithin comprised together with all improvements if any thereon shall revert to and become the property of the High Commissioner in trust for His Majesty without any claim on the part of the Occupier to compensation.
14. In this Certificate the words " High Commissioner " shall be considered as binding and including the successors in office of the High Commissioner and each and any of them and the word " Occupier " shall be considered as binding and including the executors administrators and assigns of the Occupier and each and any of them.

This Certificate is granted under the provisions of the Solomons (Certificate of Occupation of Lever's Pacific Plantations Limited) Validation Regulation 1921 in substitution for a Certificate granted by the High Commissioner to the Occupier the nineteenth day of October one thousand nine hundred and fourteen.

We, Lever's Pacific Plantations Limited, do hereby accept this Certificate.

Signed at Suva, Fiji, this
 day of
 one thousand nine hundred and
 twenty-one in the presence of

[L.S.]

The Common Seal of Lever's Pacific
 Plantations Limited was hereunto
 affixed on the
 day of
 one thousand nine hundred and
 twenty-one in the presence of

[L.S.]

SCHEDULE.

DESCRIPTION OF THE LAND.

PLAN No. 2.

REFERENCE TO ADMIRALTY CHART No. 3208.

<i>Description.</i>	<i>Acres.</i>
<i>Woodford Island.</i> —Two thousand seven hundred and ninety acres	2,790
<i>Mahaffy Island.</i> —Three thousand seven hundred and ninety acres	3,790
<i>Flat Island.</i> —One hundred and sixty-five acres	165
<i>Dragon's Peninsula</i> (depth, $\frac{1}{2}$ nautical mile).—Eight hundred and seventy acres ..	870
<i>Short & Long Islands.</i> —One hundred and eighty-five acres	185
<i>Osman's Land</i> (depth, $\frac{1}{2}$ nautical mile).—Two thousand and thirty acres	2,030
<i>Stanmore Land</i> (depth, 1 nautical mile).—Ten thousand four hundred and twenty acres	10,420
<i>O'Brien Land & Thurston Land</i> (depth, 1 nautical mile).—Ten thousand and twenty acres	10,020
<i>MacGregor Land</i> (depth, 1 nautical mile) and <i>Islands of MacGregor Land.</i> —Sixteen thousand and sixty acres	16,060
Total estimated area	46,330

PLAN No. 1.

REFERENCE TO ADMIRALTY CHART No. 2392.

Description. *Acres.*

Kulambangra Island.—Starting from a point on the South Coast in Blakett Strait about one mile and three-quarters East of Boundary Island, thence North true one mile, thence West true two miles, thence North true five miles, thence West true about four miles and one half to the Southern head of Wilson Cove, thence North along the coast to the Starting point. Including the islands between Sandfly Harbour and Wilson Cove. The miles are nautical miles. Estimated area, one hundred and forty-eight thousand and ten acres 148,010

PLAN No. 3.

REFERENCE TO ADMIRALTY CHART No. 2392.

Description.	Acres.
<i>Arundel Island</i> .—East, North East, and North coast, with depth of $\frac{1}{2}$ a nautical mile, except at North East corner, where back boundary extends to head of gulf.—Six thousand one hundred and seventy acres	6,170
North West end of Wana Wana Island.—Seven thousand seven hundred and seventy acres	7,770
Islands & Islets off Arundel Island.—Five hundred and thirty acres	530
Total estimated area	14,470

PLAN No. 4.

REFERENCE TO ADMIRALTY CHART No. 2392.

Description.	Acres.
<i>Gizo Island</i> .—The West part of Gizo Island, bounded on the East by land held of Occupation Licence granted to Mr. F. Wickham.—Seven thousand one hundred and ninety acres	7,190

PLAN No. 5.

REFERENCE TO ADMIRALTY CHART No. 3199.

Description.	Acres.
<i>Robroy Island</i> .—Thirteen thousand and sixty acres	13,060
<i>Dillamore Island</i> .—Four thousand one hundred and fifty acres	4,150
<i>Grant Group</i> .—Five hundred and eighty acres	580
<i>South Group</i> .—Twelve hundred and fifty acres	1,250
<i>Fred, Laura, Tom, Mary, Langdale & Wilson Group</i> .—Three thousand eight hundred and sixty acres	3,860
Total estimated area	22,900

PLAN No. 6.

REFERENCE TO ADMIRALTY CHART No. 3402.

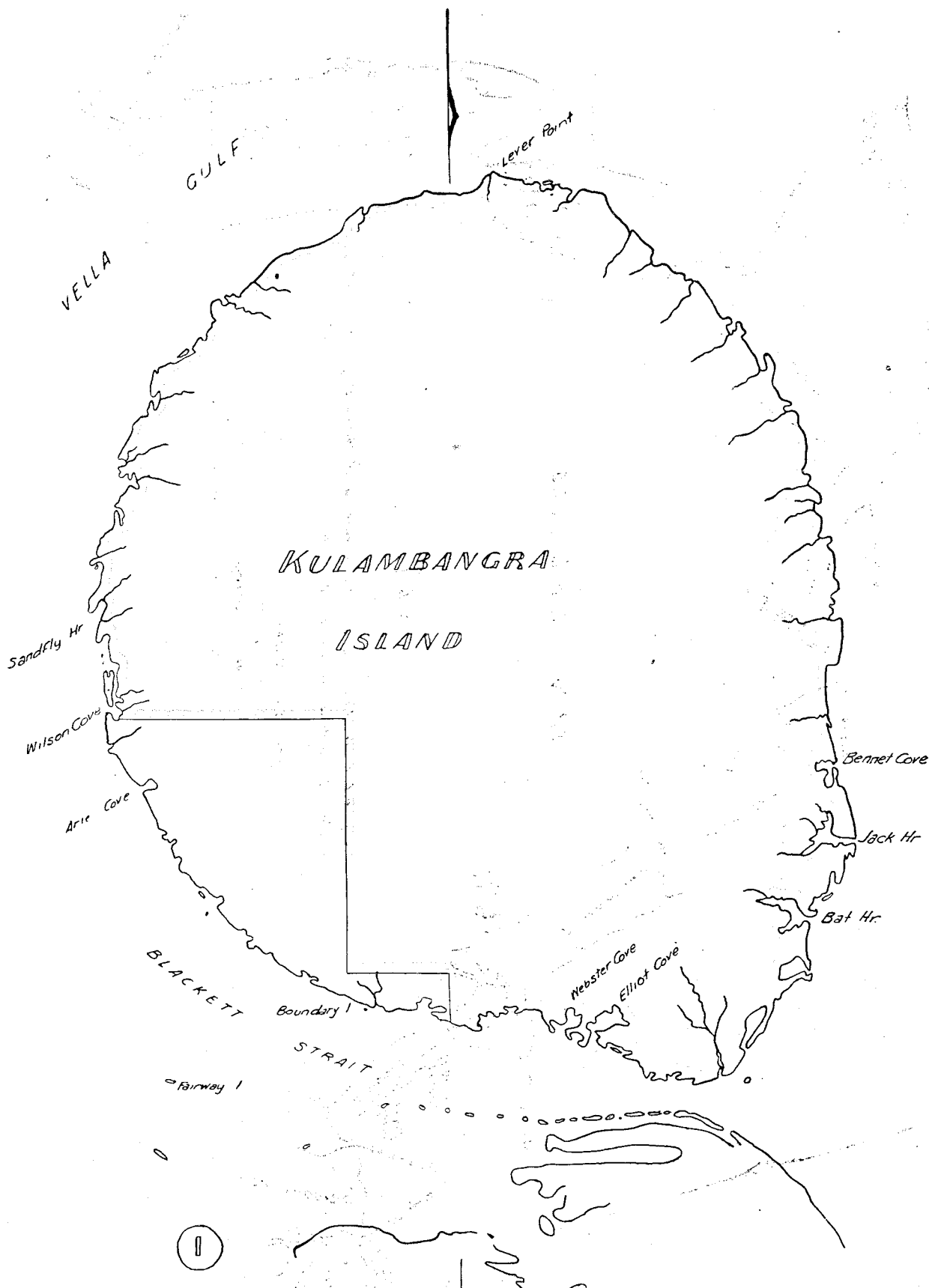
Description.	Acres.
<i>Ellis Island</i> .—Two hundred and ninety acres	290
<i>Albatross Island</i> .—Five thousand and five hundred acres	5,500
<i>Smart Island</i> .—Two thousand and two hundred acres	2,200
<i>Langton Island</i> .—Two hundred and twenty acres	220
<i>Anker Island</i> .—One hundred and twenty-five acres	125
<i>Thomson Island</i> .—Eighty acres	80
<i>Captain Island</i> .—Six hundred and sixty-five acres	665
<i>Commander Island</i> .—One hundred and fifteen acres	115
<i>Lieutenant Island</i> .—Six hundred and ninety-five acres	695
<i>Barrier Reef Islands</i> .—Two hundred and ninety acres	290
<i>Barrier & Rhodes Islands</i> .—Seven hundred and seventy acres	770
<i>Pearson Land</i> .—South coast of mainland of Ysabel Island. From mouth of river in North West Channel to Allardyce Harbour, with depth of one nautical mile.—Thirteen thousand seven hundred and sixty acres	13,760
Total estimated area	24,710

PLAN No. 7.

REFERENCE TO ADMIRALTY CHART No. 1469.

Description.	Acres.
<i>Gauadalcanal Island</i> .—North coast, starting on the beach from the Eastern boundary of the land in Lengo Channel previously owned by Thomas Woodhouse, subsequently by Oscar Svensen, and presently by Lever's Pacific Plantations Limited, thence by a line bearing South true six (6) miles, thence by a line bearing approximately West, magnetic, about seven (7) miles, to the Eastern boundary of the land owned by Lever's Pacific Plantations Limited, above referred to, thence along the boundary of Lever's land in a north-easterly direction to the starting point.—Estimated area, sixteen thousand three hundred and ninety acres	16,390

Recapitulation.	Acres.
Plan No. 1	148,010
Plan No. 2	46,330
Plan No. 3	14,470
Plan No. 4	7,190
Plan No. 5	22,900
Plan No. 6	24,710
Plan No. 7	16,390
Total	280,000

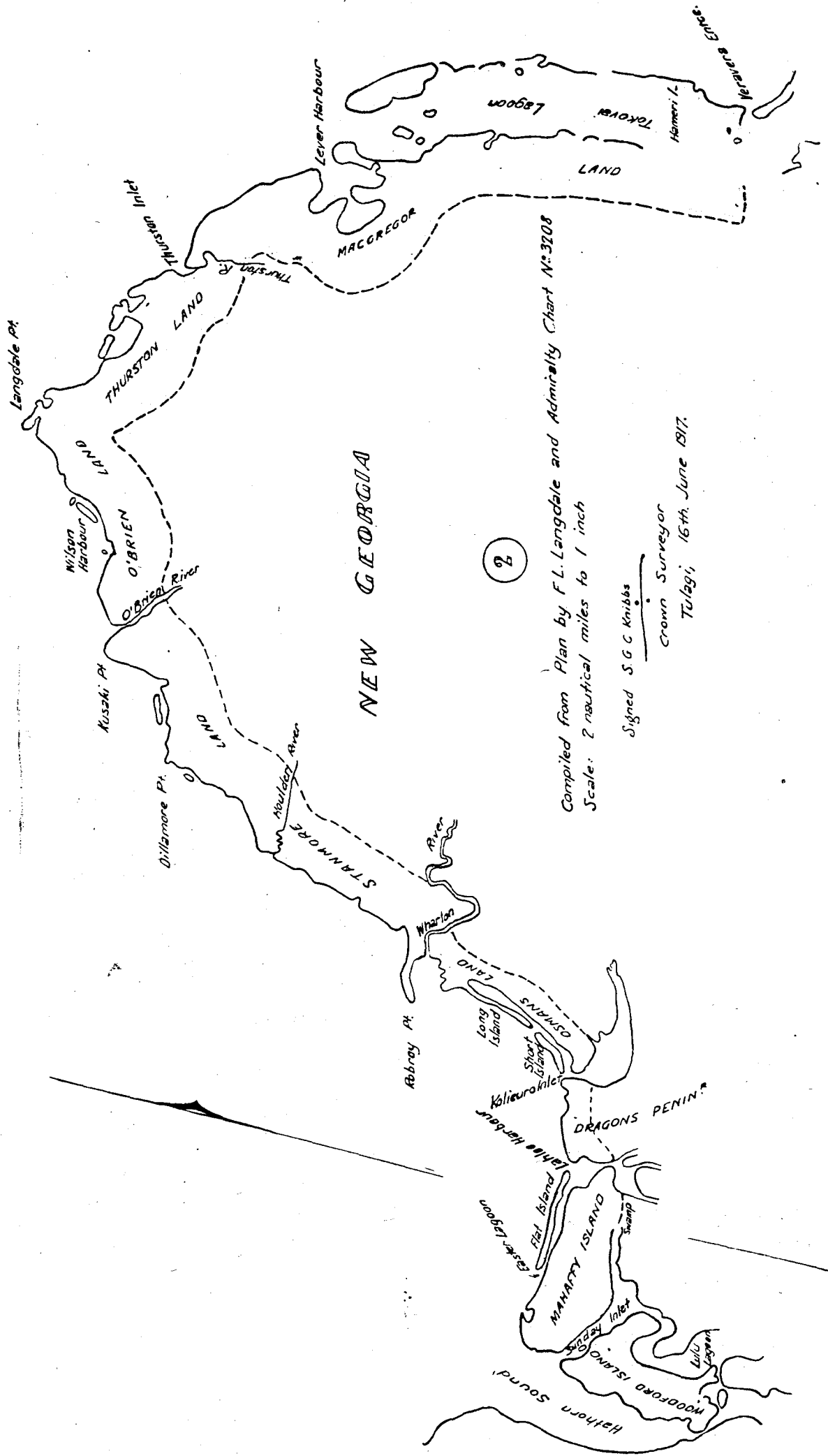


Compiled from Plan by F.L. Langdale
and Admiralty Chart No 2392

Scale: about 2 nautical miles to 1 inch
(Signed) S.G.C. Knibbs

Crown Surveyor
Tulagi, 16th June. 1917.

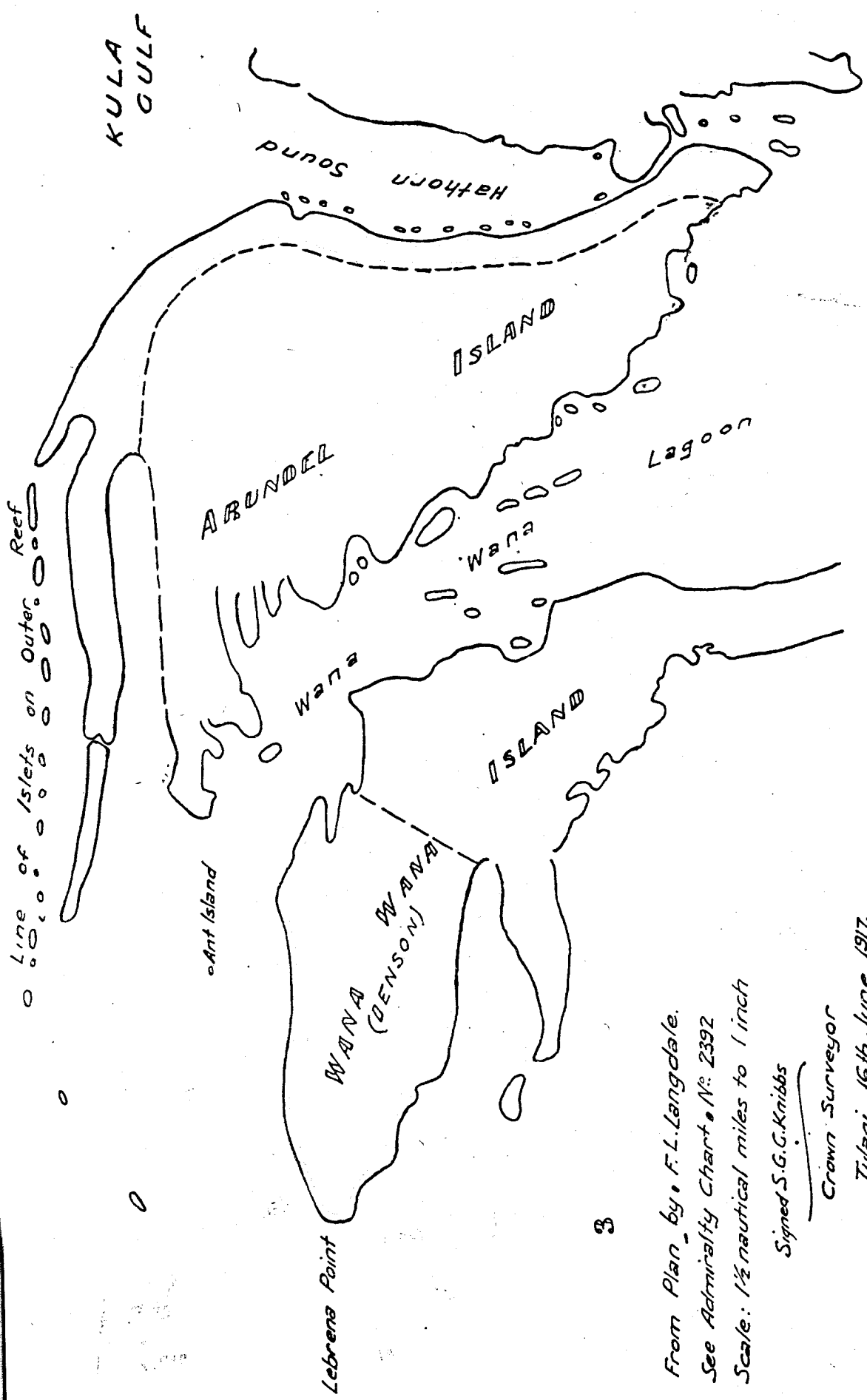
Solomons (Certificate of Occupation of Lever's Pacific Plantations Limited) Validation Regulation 1921.



Compiled from Plan by F.L. Langdale and Admiralty Chart No. 3708
 Scale: 2 nautical miles to 1 inch

Signed S.G.C. Knibbs
 Crown Surveyor
 Tulagi, 16th June 1917.

2

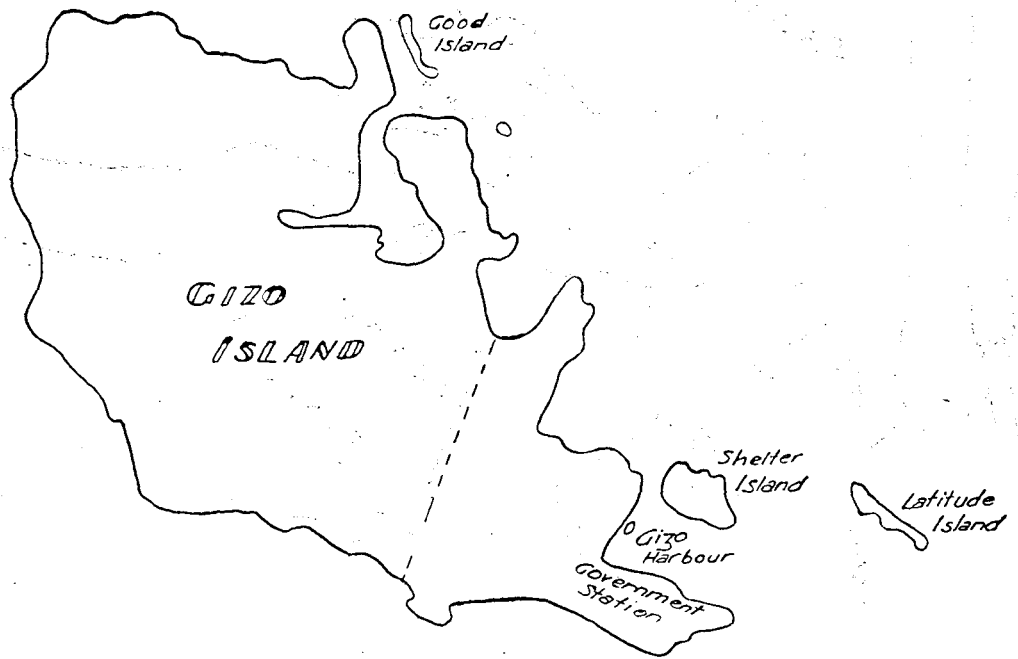


From Plan by F.L. Langdale.
 See Admiralty Chart No. 2392
 Scale: 1 1/2 nautical miles to 1 inch

Signed S.G.G. Knibbs
 Crown Surveyor

Tulagi, 16th June, 1917.

Roviana Lagoon



4

From Plan by F.L. Langdale

See Admiralty Chart No 2392

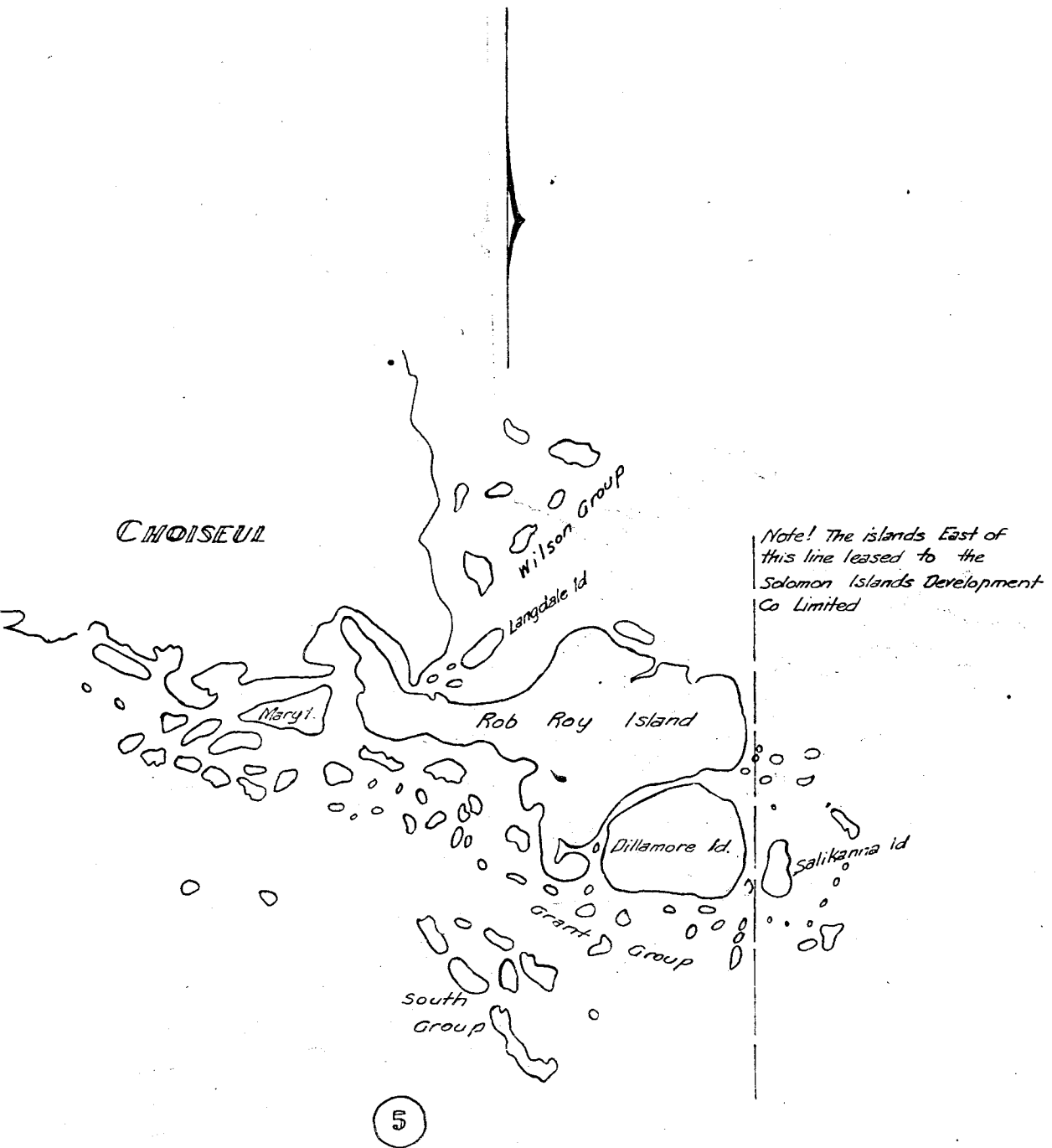
Scale: 1 nautical mile to 1 inch.

(Signed)

S. G. G. Knibbs

Crown Surveyor.

Tulagi, 16th. June. 1917.



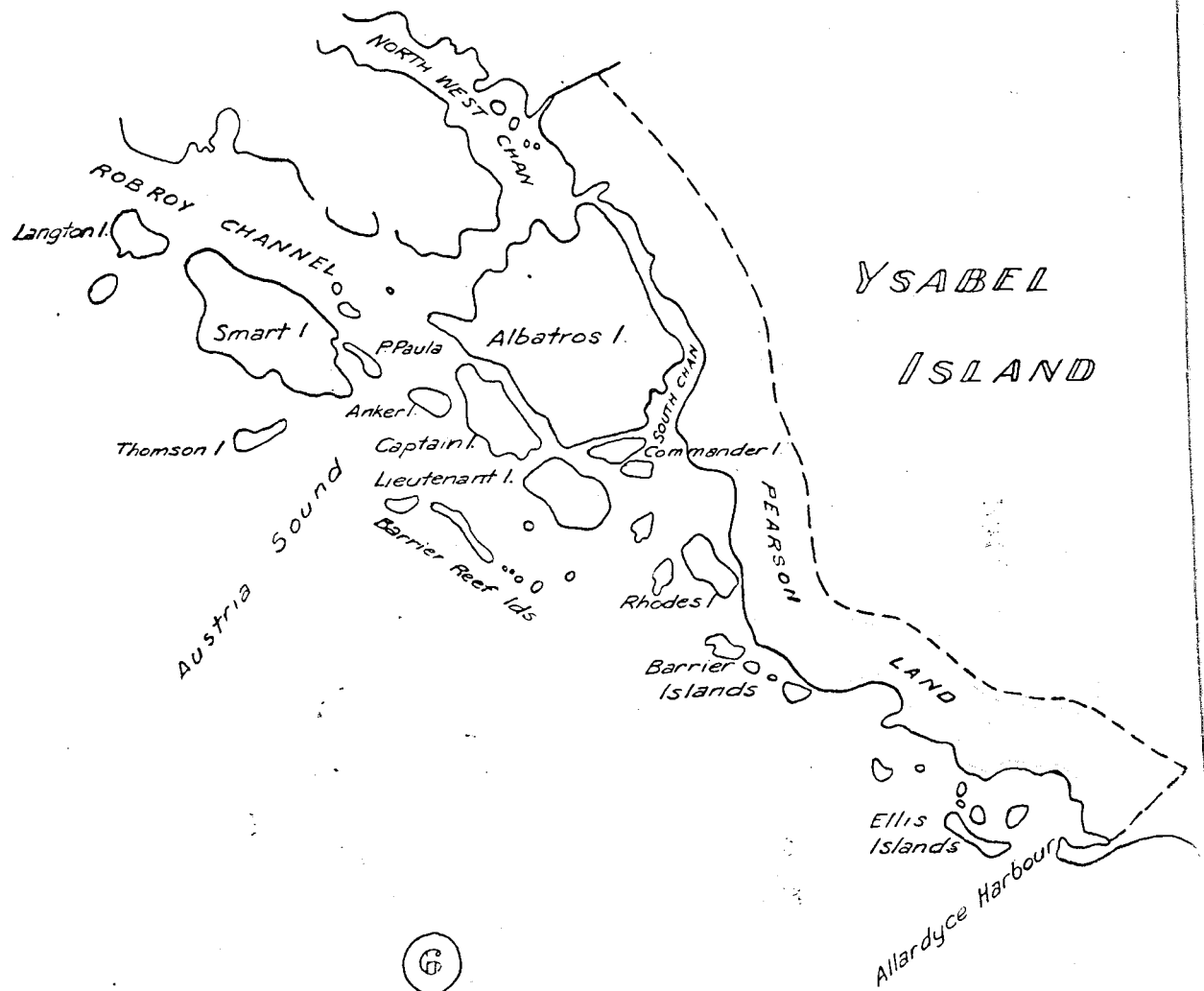
From Admiralty Chart No 3199.

Scale: $1/168,750$

(Signed) S.G.C. Knibbs

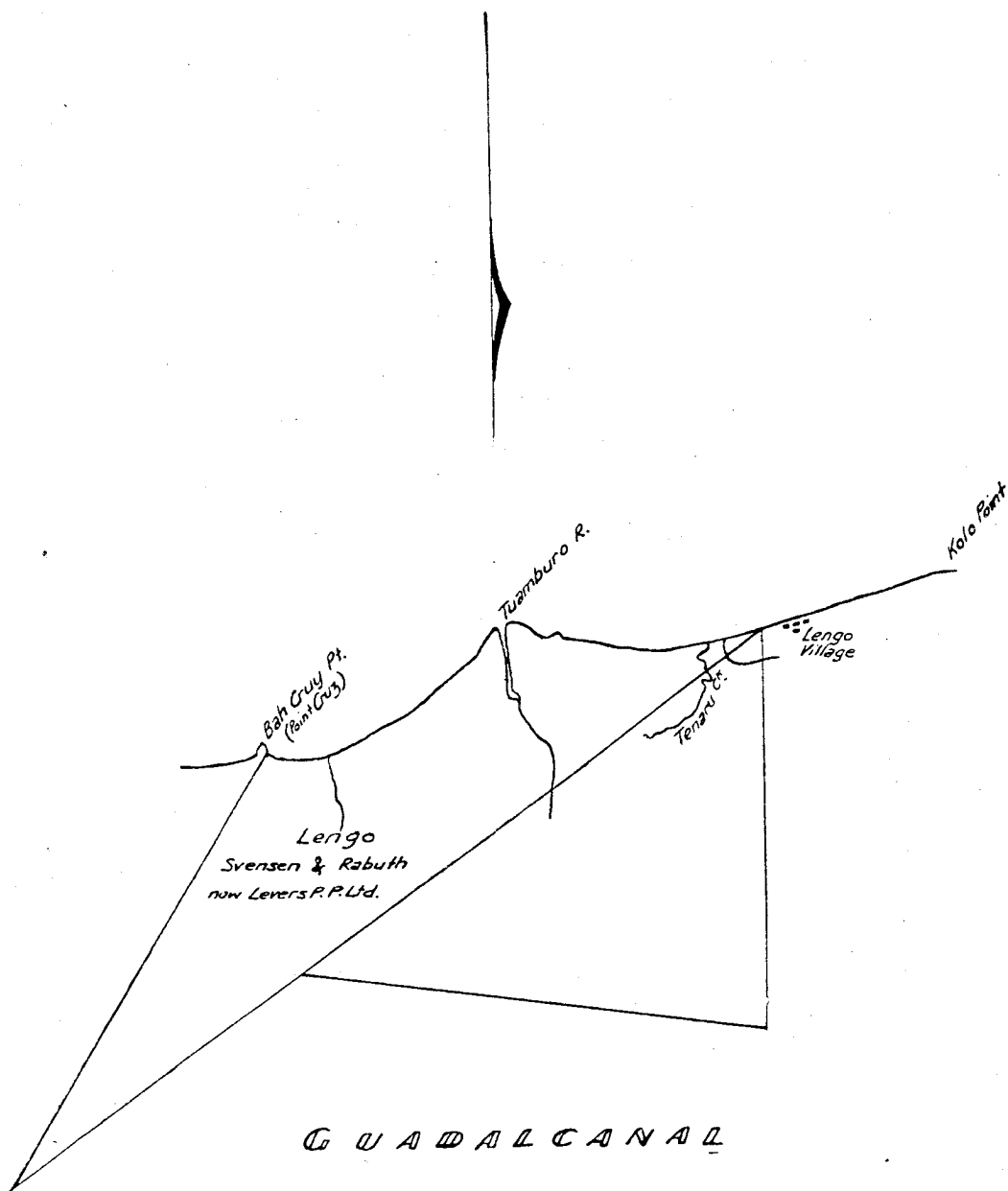
Crown Surveyor

Tulagi 16th. June 1917.



From Admiralty Chart No 3402
Scale: 2 nautical miles to 1 inch.

(Signed) S. G. C. Knibbs
Crown Surveyor
Tulagi, 16th June, 1917.



7

From Plan by F.L. Langdale
Scale: 2 miles to 1 inch
See Admiralty Chart N° 1469.

Signed S.G.C. Knibbs
Crown Surveyor
Tulagi, 16th June, 1917

Solomons (Certificate of Occupation of Lever's Pacific Plantations Limited) Validation Regulation 1921.

Published and exhibited in the Public Office of the High Commissioner for the Western Pacific this fourth day of February one thousand nine hundred and twenty-one.

By Command,

ROGER GREENE,
Secretary to His Britannic Majesty's High Commissioner for the Western Pacific.

Printed by S. BACH,
Suva, Fiji: Printer to the Government of His Britannic Majesty's High Commission for the Western Pacific.
[Price 1s.] 1921. 19x21-100