

*An Uneasy
Relationship*

An Uneasy Relationship

NORFOLK ISLAND AND THE
COMMONWEALTH OF AUSTRALIA

Maev O'Collins



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Inside front and back cover: Map of Norfolk Island showing grants and subdivisions
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Patrick McMahon Glynn
The inspiration for this story

I desire to express to the inhabitants of Norfolk Island the good wishes of the Government of the Commonwealth and of the people of Australia on the occasion of the Island becoming a Territory under the authority of the Commonwealth, in accordance with the provisions of the Act and His Majesty's Order-in-Council. It is the desire and shall be the aim of the Government that the relations this day established may be marked by the disinterestedness and sympathy displayed in respect of the public affairs of the Island when under the direction of the Governor for the time being of New South Wales [Message from Patrick McMahon Glynn, Minister for External Affairs, to the people of Norfolk Island, 1 July 1914; NAA: CP697/41, 1914/107].

That the Commonwealth Government decide as soon as practicable and announce its decision on whether it proposes to abandon Norfolk Island completely or to continue to accept responsibility for maintaining a viable community [Royal Commission into Matters relating to Norfolk Island, 15 October 1976:5].

Norfolk Island is politically and financially more self-sufficient than Australia's other Territories or, for that matter, the States. The Commonwealth does not generally provide services to Norfolk Island residents and the Island does not participate in Commonwealth-State revenue sharing arrangements. The Island has a greater degree of self government than State and local governments on the mainland, having powers to raise revenues and provide services usually the responsibility of the Commonwealth [Commonwealth Grants Commission, 28 August 1997:29].

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Very tangible and much appreciated help has been received from the Australian Catholic University. My thanks go to the Vice-Chancellor Peter Sheehan and to the Rector of the ACT Signadou Campus,

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Finally, a significant debt of gratitude is due to those larger than life figures from the past whose letters, diaries, despatches, and other formal and informal records provided the material for this story.

Maev O'Collins

October 2002

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National Archives of Australia NAA

National Library of Australia NLA

All reproduced documents are over 75 years old and more than 50 years has lapsed since the death of the authors.

Preface



Since 1788, when the first penal settlements were established in Botany Bay and Norfolk Island, a continuing but uneasy relationship has existed between these former British dependencies. This uneasiness is partly due to the historical realities of the internal and external forces which shaped Australia's development as a nation. However, it also has its origins in the continuing struggle of the Norfolk Island community to maintain its identity and achieve a greater degree of independence.

When Australia took over responsibility for Norfolk Island in 1914, it inherited other 'unfinished business' that reflected the way in which the Norfolk Islanders viewed themselves as being both part of the British Empire and a distinct Pacific island community. Tensions and ambiguities in the relationship continued, including many anomalies in governance, which have persisted since those early years after Federation. Legal and administrative differences in the provision of social services, immigration and residential requirements, and electoral procedures, serve to emphasise Norfolk Island's unique situation, while at the same time it is still subject to overall Commonwealth jurisdiction.¹

The starting point for exploring this relationship is the socio-political context of the appointment, in July 1914, of the first Commonwealth Administrator of Norfolk Island. The direct involvement of Atlee Arthur Hunt, then Secretary of the Department of External Affairs, eventually ensured the continuing appointment of Michael Vincent Murphy (New South Wales Administrator and Chief Magistrate). Hunt visited Norfolk Island in December 1913. He formed the opinion that the continuance of Murphy would counteract the mistrust and opposition many

Islanders had towards another change in administration. In order to achieve this end, Hunt had to fend off other prospective applicants who were busy ingratiating themselves with the Minister for External Affairs Patrick McMahon Glynn, and Prime Minister Joseph Cook.

While a major focus of this study is on the personalities, and the political processes, involved in the transfer of Norfolk Island to the Commonwealth of Australia, these events occurred after more than a century of British settlement. Contemporary accounts during this period reflected the very different perspectives of many of the significant decision-makers, and were often marked by a lack of understanding of, let alone consultation with, those who were the subject of administrative decisions on the other side of the world.

Chapters 1 and 2 provide a summary of the history of British involvement with Norfolk Island, the settlement of Pitcairners in 1856, and the shift in authority to New South Wales some 40 years later. These chapters provide the historical context within which the final transfer of authority for Norfolk Island to the Commonwealth of Australia took place, and the roots of the continuing uneasy relationship between these two former British dependencies.

In 1914, when responsibility for Norfolk Island was transferred to the Commonwealth of Australia, the process of redefining Australia's new relationship with Britain was not yet complete. This lack of closure also contributed to the ambiguities surrounding the acceptance by Australia of Norfolk Island as a dependent, but separate, territory.

Official and private correspondence, government reports, personal diaries, and contemporary descriptions of individuals and events, illustrate how different players reacted to the transfer of Norfolk Island to Commonwealth control, and how the new system of administration developed. Other secondary sources have helped to provide the historical and contemporary context within which to examine the processes of official decision-making and the impact of

political, bureaucratic, and personal relationships on the final outcome. Although the processes and protocols of colonial governance might have been laid down, informal relationships between public servants, politicians and governors shaped government decision-making in significant, and sometimes quite surprising, ways.

During my initial research, a picture emerged of the intertwining nature of official and unofficial encounters, and of the personalities and perceptions of key decision-makers. The Minister, the Secretary and the Administrator were identified as significant and continuing Australian actors during the early years of Commonwealth authority. Their formal and informal contacts shed light on the way in which the governance of Norfolk Island was approached during a period when the Federal Government was feeling its way as a new force in the South-West Pacific.

As the story unfolded, it became clear that events prior to and following the take-over also highlighted the continuing struggle of a small, embattled community for greater autonomy. Norfolk Islander Charles Chase Ray Nobbs was one of the leading protagonists during this period. His attempts to undermine the absolute authority of successive administrators, while not always successful, made him a formidable opponent whose influence was felt until his death in 1938, some years after the other three players had departed the scene.

In Chapter 3, contemporary accounts, diaries and letters have been used to present profiles of these four individuals who were significant actors in the socio-political events prior to and after the Commonwealth take-over. There were many other fascinating players, any of whom might have been selected. Ultimately, however, it was Glynn, the Commonwealth Minister, Hunt, the Departmental Secretary, Murphy, the Administrator, and Nobbs, the Norfolk Island patriot, who stood out as most representative of those involved in the complex and sometimes confused decision-making processes of the time.

Chapter 4 concentrates on the final stages of the transfer of the control of Norfolk Island from New South Wales to the Commonwealth of Australia. Letters, reports and memoranda highlight the strength of the campaign to appoint Murphy as the first Commonwealth Administrator, and the countervailing forces which sought to circumvent his appointment. Chapter 5 considers Murphy's term as Administrator, and the particular difficulties he faced as the final authority in an isolated and sometimes conflict-ridden community.

Chapter 6 covers Murphy's return, several years after his initial retirement, to restore calm and 'pick up the pieces' left by a less astute administrator, and the final years of Nobbs' struggle against Commonwealth hegemony. Two case studies in the following chapter illustrate the complex and often tense Imperial, Commonwealth and State relations in these early years after Federation. In the final chapter, some of the current debates between the Commonwealth and Norfolk Island are discussed, and the dilemmas inherent in this small isolated community's yearning for independence and self-determination.

Politicians and Public Servants: Personalities and Protocol

In 1901, Atlee Arthur Hunt, who had been Barton's private secretary, was appointed as the first permanent head of the Department of External Affairs. Until 1909, this also included responsibility for the Prime Minister's Office, so Hunt was in a key position to influence the development of appropriate lines of communication between federal politicians and public servants, and between different levels of government.

In April 1904, outgoing Prime Minister Alfred Deakin outlined to Hunt his views on the 'correct' relationships between ministers and their departmental heads. Deakin noted that he had learned

by experience that it was better for a politician to maintain some personal distance, as despite the need to obtain what is now often termed ‘frank and fearless advice’, the politician always had to make the final decision. Hunt recorded this conversation in his personal diary, adding the observation that this helped to explain why, despite the good relationship that existed between them, there had been no informal social contacts.²

When the incoming Minister for External Affairs took over, the correct professional relationship between Minister and Secretary was soon to be tested. Hunt commented in his diary that Hughes paid very little attention to departmental advisory briefings and his frequent absences from the office when matters needed to be discussed could be very irritating. However, after the short-lived Watson Ministry came to an end, a diary note of 17 August suggested that Hughes had redeemed himself, at least as far as his personal qualities were concerned.³

However strongly we differed and we did so pretty often, he never bore any malice. On one or two occasions when he quite lost his temper, he came up next day as friendly as ever.

As ministers came and went, Hunt developed his own style of dealing with different personalities and achieving desired policy goals, even when his political superiors were less than enthusiastic about the preferred departmental position. At the same time, demarcation disputes between the States and the Commonwealth had to be sorted out. Governors and Premiers often felt that their authority was being undermined by the Commonwealth, and, as described in greater detail in Chapter 7, a new relationship between Australia and Britain was also being defined. All of these issues came into play during the years prior to and following the transfer of Norfolk Island to Australian control.

There is a striking immediacy and relevance in many of the professional and protocol issues which were raised in those early years of Federation. Reading personal and highly confidential

communications written by governors, politicians, public servants, and community members provides a valuable insight into the way they viewed the world, and their own particular responsibilities. But these insights also diminish any desire to make glib comments about their 'success' or 'failure' and it is often impossible to maintain any semblance of academic objectivity. The very persuasiveness of their often opposing arguments ultimately means that there can be no villains — rather, in different and often idiosyncratic ways they were all heroes.

The wealth of official documents, personal diaries, formal and informal correspondence, and contemporary accounts might tempt the reader to conclude that the picture is complete. Yet, at the same time there are many unanswered questions, and some aspects of characters and events remain shadowy and ill-defined.

My hope is that, in the future, additional personal and unofficial historical material will become available. This will further contribute to our understanding of the political decision-making processes in those early heady years after Federation was finally achieved.

Endnotes

¹ See Appendix 1, 'Norfolk Island: the current context'.

² NLA: MS 1100, Atlee Arthur Hunt, Dairy entries for April 1904.

³ *Ibid*: Entry for 17 August 1904.



*His Excellency Sir William Thomas Denison, K.C.B. &c. &c.,
Colonel of the Royal Engineers and Formerly Governor General
of the Australian colonies, 1863*

Chant, J.J. (James John), b. ca. 1820.

PIC S8003, By permission of the National Library of Australia

British Experiments on Norfolk Island

1788–1897



Recent archaeological research suggests that there had been a fairly continuous Polynesian settlement on Norfolk Island 500–900 years ago, but there was no sign of recent human habitation when Captain James Cook ‘discovered’ the island in October 1774.¹

He was struck by the tall straight pines which grew there, concluding that these would be excellent masts for sailing ships. He also considered that the flax found on the Island would be suitable for sails and other products. It seemed at the time that the Island could become self-supporting, and that it would be able to export surplus produce to support the new penal colony of New South Wales. Clarke points out that, although Norfolk Island was seen as a potentially valuable acquisition in its own right, without New South Wales, ‘Norfolk Island did not possess sufficient intrinsic attraction to have been deemed worthy of colonization by itself’.²

The first settlement, from 1788 to 1814, included both convicts and free settlers. From 1788–1796, Philip Gidley King was the Commandant and Lieutenant Governor, and Norfolk Island was linked to the colony of New South Wales. The focus of this settlement was on the development of land for agriculture and livestock. Contemporary accounts suggested that, while instances of cruel punishments undoubtedly occurred, it may have been a more bearable existence than that of the other penal settlements in Van Dieman’s Land and Botany Bay. However, problems soon arose. It became clear that the pines were not suitable for masts, the flax industry was not competitive, and drought and other climatic conditions limited agricultural production.

The population of convict and free settlers rose quickly during the first few years, with over 1100 residents recorded for 1792. However, these numbers were unsustainable and were gradually reduced, with the final removal of all residents and destruction of buildings and remaining livestock in 1814. The island was now deserted but still remained a British possession, with its very isolation and the lack of a harbour and safe anchorage making the abandonment even more complete. However, these attributes would, only ten years later, make it the preferred site for a maximum security penal colony. This was initiated in 1825 and between 1825 and 1855 a total of 16 administrators were in command of Norfolk Island. Apart from the period of enlightened social reform under Alexander Maconochie in 1840–1844, the Island became known as a place where death was often preferable to the brutalities meted out as ‘punishment short of death’.³

In 1844, an Order in Council brought Norfolk Island under the jurisdiction of Van Dieman’s Land. The population peaked in 1846, with more than 1900 convicts and 400 free settlers, including ticket-of-leave holders, soldiers, civilian officers and their families. However, the continuing condemnation of the cruel and inhumane nature of this penal settlement had influenced British authorities to again consider abandoning Norfolk Island. By mid-1855, only a small group of convicts and caretaking staff remained to await the arrival of the British Government’s final experiment.

These first two British attempts at settlement seemed to have brought only pain and suffering to this once pristinely beautiful island, but at least there was now some hope for the future. As Hazzard (1984:244) reflected:⁴

Norfolk Island, with its sixty-eight years as a penal settlement, was at last free of its miasma of human sorrow and brutality. The buildings, and the quiet graveyard with its record of mutiny, execution, heroism and accident, were the only evidence of the past. It was soon to return to serenity, with the coming of the Pitcairners, whose home it was destined to be.

The decision to offer the Pitcairn community a home on Norfolk Island can best be understood within the context of these two failed and discredited attempts at settlement. In a very real sense, the third settlement would redeem the Island from its inglorious and sinister recent past. Norfolk Island was no *tabula rasa*, and the proposal that it would be a suitable home for descendants of the *Bounty* mutineers was undoubtedly influenced by its dubious past. At the same time, the impact of the two earlier penal settlements and of the descendants of many of those involved — whether convicts, ticket-of-leave or free settlers, gaolers or administrators — was and remains a recurrent theme in the community's historical consciousness.

The Pitcairners

In 1856, the third and final British experiment involved the transfer of the entire population of Pitcairn Island to Norfolk Island. This community of 194 men, women and children were descendants of the original group of nine *Bounty* mutineers, twelve Tahitian women and six men who, in order to escape the wrath of British justice, settled in 1790 on remote Pitcairn Island. In 1823, John Buffett and John Evans left the crew of a British whaling ship to join the community, and in 1828, Noah Bunker and George Hunn Nobbs arrived. Bunker died a few days after arrival, but Nobbs was to make a lasting impact on the community. When John Adams died in 1829, he took over as leader, teacher, and pastor of the community. However, there remained an underlying feeling that Nobbs, Buffett and Evans were still newcomers, and did not have the same permanent status in the community.

When Rear-Admiral Fairfax Moresby visited Pitcairn in 1852, he began a life-long association with members of the small community, and in particular with Chief Magistrate Arthur Quintal and Pastor George Hunn Nobbs. Moresby arranged for Nobbs to travel to England, where he was ordained as the Church of England chaplain for the Pitcairn community. While in England, Nobbs continued the

good relationship, which he and Quintal had established with Admiral Moresby. Another valuable contact was with the family of Lady Belcher (Diana Joliffe), who had more than a passing interest in the fate of the community he represented. Her step-father, Peter Heywood, had been a midshipman on the *Bounty* and was one of those tried for mutiny in England. Heywood eventually was pardoned and later became a Captain in the British Navy.⁵ During 1852, a group of leading philanthropists also initiated the Pitcairn Islanders Trust Fund (later renamed the Norfolk Island Fund). The use of this fund by successive governments was, and remained, a bone of contention with Pitcairn descendants.

In May 1853, Chief Magistrate Arthur Quintal wrote to Admiral Moresby, reporting that the community had agreed at a public meeting to the suggestion that they should transfer to Norfolk Island, or some other appropriate place. As a token of their gratitude for the interest shown, and of their loyalty to the Crown, a carved wooden cabinet was presented to Queen Victoria.⁶ Despite many subsequent claims that Norfolk Island had then been 'given' to the Pitcairners by Queen Victoria, this was clearly not the intention of the British authorities. In a letter dated 5 July 1854, B. Toup Nicolas, the British Consul for the Society Islands, wrote to inform the community about the proposed arrangements for transfer to Norfolk Island.⁷

I am at the same time to acquaint you that you will be pleased to understand that Norfolk Island cannot be 'ceded' to the Pitcairn Islanders, but that grants will be made for allotments of land to the different families; and I am desired further to make known to you that it is not at present intended to allow any other class of settlers to reside or occupy land on the island.

Sir William Denison, whose earlier term as Governor of Van Dieman's Land had been marked by considerable controversy, was now Governor of New South Wales.⁸ In February 1856, the ship *Morayshire* was employed to transfer the Pitcairners to their new home. Denison

directed G.W. Gregorie, the Royal Navy Agent on board, to make arrangements for the allocation of land and the provision of public reserves. In this despatch, he also asked Gregorie to provide a report for transmission to the Secretary of State concluding:

You will accompany this report with any suggestion which you may think calculated to facilitate the working of this experiment about to be made, or which may tend to the happiness and prosperity of the very interesting people who are the subject of this experiment.

In the official copies which are now held in the Australian National Archives, this sentence referring to the settlement as an ‘experiment’ has been underlined and the margin of the copy marked in red.⁹

On 8 June 1856, the Pitcairners eventually arrived at their new home and were met by a small surveying party whose task it was to mark out the blocks to be granted to each family. On 24 June 1856, an Order in Council formally separated the Island from Van Dieman’s Land, and provided that the separate but dual role of Governor would be undertaken by the incumbent Governor of New South Wales. On 25 June 1856, the Captain of *H.M.S. Juno*, Stephen G. Fremantle, arrived and read to the islanders a statement setting out the conditions of their occupancy of land on Norfolk Island. The terms set out in this letter have been the subject of continuing interpretation and conflict between successive generations of Islanders and various British, New South Wales and Australian government authorities. The letter itself was mislaid, and its very existence was questioned, until it was discovered in the 1960s in Bishop George Selwyn’s papers, held in the Auckland Institute. A copy is now lodged with the National Archives [See Appendix 2].

Given the fact that the very existence and legality of this letter continued to be disputed, the thoughtful explanation provided in a contemporary account by Lady Belcher is persuasive. She noted that the Pitcairners feared that, unless they insisted on an inalienable right to Norfolk Island, they could not guarantee that their children would be secure. They had to insist on their complete ‘ownership’ or

their traumatic abandonment of Pitcairn Island would have been for nothing. She concluded that:¹⁰

The simple Pitcairners were not the only people who had been deluded by a state grant, an insecure kind of title liable to be rescinded or modified at any moment, with very little consideration for the real or sentimental grievances of the sufferers. It was perhaps well for the little community that they were not more inquisitive or suspicious; for had they been so, they would probably never have consented to leave their original home.

But leave they had, and it now remained for their leaders to resist to the best of their ability any and every attempt to diminish their rights of exclusive possession to this new paradise.

Even prior to their arrival, the first of these attempts had already been made. Selwyn, Bishop of New Zealand, had proposed that a chaplain would be sent to Norfolk Island with the aim of establishing a regional Bishopric and Mission. Sir William Denison was completely opposed to such a move, partly because he feared that it would diminish the status of George Hunn Nobbs, who was now the official community chaplain. And, as he warned in a despatch to the Secretary of State, also because such a move might diminish British authority.¹¹

In the first place it would, in point of fact, hand over the island to the resident Bishop, whoever he might be, and lead to the establishment of a form of government analogous to that of the Jesuits in Paraguay.

Denison made his first visit to Norfolk Island in September 1857, and after discussions with the elders, held a public meeting to confirm the new laws and regulations under which the Pitcairners would now live. His record of these events reflected a concern for the community and a desire to give them the opportunity to develop a system of government in their own way. Given the prevailing attitudes of cultural superiority, and the absolute authority given to the Governor, Denison's approach to the community was surprisingly open. He recorded that:¹²

I left untouched the rule which gave the women, as well as the men, a vote in the annual election of the Chief Magistrate. I hope, however, that this experiment on a small scale, will not be assumed as a precedent in the favour of the claims now made on the part of our 'better halves', to have their say in the government of the country, for I doubt very much whether, even among the primitive people of Norfolk Island, it would be found to answer if pushed at all beyond its present limit. I should most certainly not have proposed even this small amount of petticoat government, had I not found it already in existence.

I had been asked to act as godfather to a newly-born child of the family of Christian; and soon after the breaking up of the meeting, I limped slowly down to the chapel, being still in pain from my sprain, which was a result of an attempt on my part to show the midshipmen on board the 'Iris' how to skip with two people holding the rope. When a man weighs upwards of thirteen stone, he has no business to make experiments on the strength of his tendons.

The child was named Caroline Lucy after Denison's wife. Correspondence between Nobbs and Denison, and official despatches, record the restlessness of some members of the Pitcairn community and the return to Pitcairn of several families who had been unable to settle in the new environment.¹³ Denison also took charge of the special 'Norfolk Island Seal' approved by Queen Victoria for use by the Governor on behalf of the Norfolk Island community [See Chapter 7].

During a second visit in June 1959, Denison was concerned that those who left the Island might dispose of their land grants haphazardly to other families, or, despite their stated objections to strangers, sell the land to new arrivals. He outlined a series of regulations for the issuing, registration and transfer of land and finalised these arrangements later in 1859. He was kept busy settling disputes, noting that it was too early to evaluate the overall success

of the settlement. He also commented in circumspect terms on the continuing problems of sexual relationships within a small isolated community, concluding:¹⁴

I can say nothing very definite as to the success of the experiment with the Pitcairn islanders. I have had letters from various persons, each complaining of some particular grievance, but I have generally ascertained that these neutralised each other, A. complaining of B. and B. of A. I have also heard that some of the inhabitants have succumbed to the temptations to which they have been subjected under their altered condition, but this was no more than might have been expected.

Denison's term expired at the end of 1859 and Bishop Selwyn's proposal for a Mission was again brought forward. The Governor and the Secretary of State were persuaded, and the islanders, thinking that it would only be a grant of 200 acres, agreed. Much to their horror, the eventual outcome was a further sale of 1000 acres at three pounds an acre, although it was argued that the money obtained would be of great benefit to the islanders. Official despatches over the next 15 years recorded only minor arguments over the use of the Norfolk Island Fund to pay for the salaries of different local officers. Others reported on difficulties related to an outbreak of typhoid fever in 1869, a severe hurricane in 1874, and various charges against different community members for sexual misconduct.¹⁵

As Denison had hoped, it was clear that the Islanders had generally been left to look after themselves, with minimal interference from external authorities.

The end of Norfolk Island self-government

This state of affairs ended when, after receiving reports of lax management and administration, Governor Lord August Loftus visited the Island in April 1884. A contemporary New South Wales

official reported that the Governor met with the Chief Magistrate and the Councillors and then spoke at a general meeting of the Island Parliament.¹⁶

After some complimentary remarks by the Governor, he proceeded to explain his views as to the condition and prospects of the islanders, and dwelt on their duty to themselves, to their families and children, and to the nation at large. ...He endeavoured to disabuse their minds of the idea that they have any absolute claim to the proprietorship of the island, and read for them the order by which the Governor for the time being is empowered to grant or sell land to whomsoever he pleases. He deprecated the way in which the land is allowed to go to ruin, and intimated that he would issue no more grants till he had communicated with the Imperial Government on the subject.

Following his visit, Loftus appointed Henry Wilkinson, then visiting magistrate for Lord Howe Island, to undertake a detailed inquiry.¹⁷

After spending five months on the Island, Wilkinson's final assessment was that a complete overhaul of the Island's administration, and a revamped system of law enforcement, were urgently needed. A major problem appeared to be the weakness of community leadership, and the ease with which unauthorised outsiders could gain control. Wilkinson laid the blame for the present situation on the 'liberal manner in which the people of England and the Government have from time to time supplied their wants'. He suggested a series of 55 laws and regulations, which would bring them generally in line with New South Wales. The aim should be to introduce a more efficient system of government without unnecessary or wasteful expenditure.

While the Governor's 1884 visit had caused a local uproar, reactions to Wilkinson's recommendations were more far-reaching. The report suggested that the situation on Norfolk Island reflected badly on the Imperial authorities and the 'experiment' was apparently not succeeding. It would, however, be impossible to close down this

third settlement in the same way as the first two had been abandoned. Apart from any other considerations, the Melanesian Mission was now well-established on the Island. In November 1885, a despatch was sent to the Governor of New South Wales, asking him to ‘ascertain whether the Government of New South Wales might be prepared to undertake the control and administration of the Island’.¹⁸

Although it was clear that there was no great enthusiasm for this request on the New South Wales Government side, the Islanders immediately petitioned the Governor, strongly protesting against the proposed transfer. Irritated by Wilkinson’s unflattering descriptions of their inadequacies, they enlisted the support of Alfred McFarland, a New South Wales judge, who had studied the history of the Pitcairn community. In December 1885, he published a passionate statement of support. He criticised Sir William Denison for not fulfilling the promises he had made to the Islanders and for leading them to believe that they would own everything on Norfolk Island. He also supported islander complaints that the Pitcairn (later Norfolk Island) Trust Fund had not been used for their benefit. However, his strongest argument related to the problem of infrequent and unreliable shipping. He pointed out that criticisms of a lack of industry failed to take into account the reality that there was also a lack of markets:¹⁹

At present, the islanders fairly say, “What is the good of our raising anything except what is required for our immediate consumption? Months often elapse without a vessel visiting us; there is no certainty when one may be looked for; and the produce that we do raise becomes a drug amongst us, or rots in the fields.”

The Government of New South Wales was in no hurry to accept the transfer. Apart from sending two surveyors to the Island in 1886, and authorising Wilkinson to continue as a visiting magistrate, no further action was taken. However, in October 1886, Wilkinson again visited the Island. After discussions with Island leaders, he held a public meeting to reassure the community of the benefits

of being linked to New South Wales. He appeared to have had some success, as the strong opposition recorded on October 4 in *The Norfolk Island Pioneer* was followed by a complete reversal of opinion in the November issue. The public meeting was reported to have 'passed off amicably' and most of those assembled had been convinced that New South Wales would take a greater interest in their welfare, as had been indicated by the current surveying assistance being provided.

Ironically, the community appeared to have been once again persuaded by exaggerated reassurances, this time from the very Commissioner who had criticised them for their duplicity. However, the New South Wales Government was not yet convinced. On 16 March 1887, in response to a question in Parliament from the member for Queanbeyan, Edward William O'Sullivan, Sir Henry Parkes explained that such a transfer was fraught with many difficulties.²⁰

The task would be a serious one, and one involving a great deal of confusion, as constituting a dependency to a dependency; and the government of necessity being conducted on a small scale, at a remote distance, without the possibility of supervision or criticism, would be liable to run into great abuse, and I fear corruption. With all these things staring us in the face, however interesting the experiment might be, it must present itself as a question requiring the greatest consideration before any further step is taken.

On 8 July 1888 Mr. O'Sullivan again asked what was happening as the situation appeared to be very confused. Sir Henry responded that:²¹

The British Government has offered to hand over Norfolk Island to New South Wales but in the view of the present advisers of the Crown, we should hardly know what to do with Norfolk Island, and we have not decided to accept the offer, as it would appear to be something like a white elephant.

The transfer gathers momentum

For the next few years, New South Wales continued to resist attempts by the Colonial Office to implement the transfer of authority for the Island. Finally, in 1895, Viscount Hampden, the newly appointed governor designate of New South Wales, began more decisive moves to combine his dual administrative roles. Premier George Reid was persuaded to 'agree in principle' to the transfer. At the same time, members of the British House of Commons had become aware of opposition to the proposed transfer. On 2 March 1896, the Secretary of State for the Colonies, Joseph Chamberlain, was asked about the grounds on which 'it was sought to deprive the inhabitants of that island of the large measure of local self-government they have hitherto enjoyed'. His response left no doubt that this was the best course of action.²²

I have to state that, up to the present moment, the administration of justice, which is in the hands of a magistrate elected by the community, has been partial and unsatisfactory, crime is rarely punished, and debts are not recoverable; and that these circumstances, coupled with the fact that the public buildings have been allowed to fall into a ruinous condition, and that no effort has been made to develop the resources of the island, the condition of which is thus rapidly deteriorating, have, in the opinion of her Majesty's Government, afforded sufficient grounds for effecting a change in the administration of its affairs.

The residents of Norfolk Island were not the only voices raised in opposition to the change of administrative control. The New Zealand Government also opposed the transfer to New South Wales. This was on the grounds that Norfolk Island was much closer geographically to New Zealand, that it would become a strategic part of their Pacific cable link, and that the Melanesian Mission was part of the province of New Zealand. On 26 May 1896, after an initial protest, the Governor of New Zealand sent a despatch to the Colonial Secretary, setting out in detail New Zealand's greater claims to take over the administration of Norfolk Island [See Appendix 3].

However, as Merval Hoare noted, political support for the claim that Norfolk Island would be better under New Zealand control was far from unanimous:²³

During debates in the New Zealand Legislative Council in June 1896, the Honorable Sir George Whitmore, speaking on the subject of New Zealand's claim, said that he could hardly believe that there was any serious intention to have Norfolk annexed to New Zealand, that it was a singularly valueless possession for any colony to desire, and that before such a step, involving some expenditure and no earthly advantage, the people of the country ought to be consulted.

In any event, the British Government was not supportive of New Zealand's claims, and remained impervious to the various petitions of protest sent to the Queen and to her representatives, both in London and Sydney.

In preparation for the transfer to New South Wales, J. H. Carruthers, Secretary for Lands, and Magistrate C. J. Oliver were appointed as Commissioners to carry out a further report into Norfolk Island Affairs. The Department of Lands surveyor, Michael Vincent Murphy, who was later to become the first Commonwealth administrator of Norfolk Island, was attached to the Commission. He accompanied Oliver on a two-month visit, and carried out an extensive survey of the Island. In March, the commissioners presented their report, recommending that although present occupants of government buildings might only be subject to a 'nominal' rental, a more orderly system should be introduced.

The commissioners also suggested that a local council should be elected annually, 'by the male members of the Community of the age of 21 years and upwards'.²⁴ There appeared to have been no concern that one of the consequences of these changes to the electoral procedures would be the removal of the limited female suffrage, which Denison had accepted as an important part of the culture of the community.

In October 1896, with Federation now a definite possibility, Premier George Reid agreed that, while Norfolk Island would not be formally annexed to New South Wales, a provisional arrangement would be made, bringing the Island under the authority of the Governor of the Colony of New South Wales. Administrative services would be provided by the appropriate New South Wales government departments. To facilitate these arrangements, the British Government offered to pay one thousand pounds towards the initial expenses, and an annual charge of one hundred pounds towards the salary of the resident magistrate. Nevertheless, the Premier's memorandum to the Governor of New South Wales of 13 October 1896 reflected the reluctance and sense of unease which he and his Ministers felt in succumbing to the British Government's pressure for this transfer to go ahead [See Appendix 4].

The unenthusiastic and only partial acceptance of Norfolk Island by New South Wales was mirrored by the Islanders themselves, who continued their protests and petitions. Nonetheless, in November their worst fears were realised: losing no time now that he had gained Ministerial agreement, Viscount Hampden visited Norfolk Island to announce a revised system of Government. Although a complete adoption of New South Wales laws and regulations was deemed to be inappropriate, the laws which had been in force since 1857 were repealed and a new set of 23 laws and regulations proclaimed. The limited voting rights which women had maintained under Denison's more sympathetic revision of the Pitcairners' own laws and regulations were removed. Only adult males could now take part in the election of Elders to the Council. The office of Chief Magistrate became a Government appointment rather than an elective office, and other administrative changes further weakened the Islanders' right to control their own internal affairs.

The British Government seemed to have completely lost interest in the problems of this small dependency and clearly did not want to know about any problems. In response to a query in Parliament as to whether the new arrangements were working satisfactorily, the

Secretary of State for the Colonies replied.²⁵

I have no reason to believe that the new arrangements for the administration of Norfolk Island are not working satisfactorily. It has not hitherto been the practice to present an annual report on the affairs of Norfolk Island, and I do not propose to make any change in this respect.

In October 1900, in preparation for the passage of the Commonwealth of Australia Constitution Act, an Order in Council confirmed that the Governor of the State of New South Wales would continue to administer the affairs of Norfolk Island until such time as other arrangements were made. The process of a complete divestment of authority from the United Kingdom had begun, although the Governor of New South Wales would retain ultimate authority until the Commonwealth of Australia Norfolk Island Act 1913 was finally proclaimed on 17 June 1914 [See Appendix 6].

It is, as the report of a later Royal Commission pointed out, 'particularly worth noting that this first move for control of Norfolk Island to be shifted came from the British Government and not from the Island itself or from the Colony of New South Wales'.²⁶ The community on Norfolk Island continued to feel aggrieved that they had not been consulted and were merely pawns in the Imperial game. These feelings of betrayal and injustice were to surface even more strongly when the Governor and New South Wales administrative services began to implement the new laws and regulations and exert more definite control over the management of land and property on the Island.

Endnotes

- ¹ Anderson, Atholl, *Prehistoric Human Colonisation of Norfolk Island*. Final Report of the Australian Heritage Commission, Division of Archaeology and Natural History, Research School of Pacific and Asian Studies, Australian National University, Canberra, 1997.
- ² Clarke, Frank, 'The Reasons for the Settlement in 1788', in Raymond Nobbs (ed.) *Norfolk Island and Its First Settlement, 1788–1814*, Sydney, Library of Australian History, 1988:28–36. For a summary of the history of the first two settlements, see Merval Hoare, *Norfolk Island, A revised and enlarged history 1774–1998*, Rockhampton, Central Queensland University Press, 5th Edition, 1999.
- ³ Hazzard, Margaret, *Punishment Short of Death: A History of the Penal Settlement at Norfolk Island*, Melbourne, Hyland House, 1984. See also R.G. Ward, 'Captain Alexander Maconochie, R.N., K.H., 1787–1860,' *Geographical Journal*, Vol. CXXVI, Part 4, 1960:459–468; Sir John Barry, *Alexander Maconochie of Norfolk Island: a Study of a Pioneer in Penal Reform*, Melbourne, Oxford University Press, 1958 and *The Life and Death of John Price: a Study of the Exercise of Naked Power*, Parkville, Melbourne University Press, 1964; Raymond Nobbs (ed.), *Norfolk Island and Its Second Settlement, 1825–1855*, Sydney, Library of Australian History, 1991; and Norval Morris, *Maconochie's Gentlemen*, New York, Oxford University Press; 2001.
- ⁴ Hazzard, *op. cit.*, p.244.
- ⁵ See Lady Belcher (Diana Joliffe), *The Mutineers of the Bounty and Their Descendants in Pitcairn and Norfolk Islands*, New York, Harmer & Brothers Publishers. 1871; and Raymond Nobbs, *George Hunn Nobbs: 1799–1884*, Norfolk Island, The Pitcairn Descendants Society, 1984.
- ⁶ NAA: CP599/1 Bundle 1 'Copies of Pitcairn and Norfolk Island Despatches 1837–1897'.
- ⁷ Belcher, *op. cit.*, 344–355. Also NAA: CP697/42 Bundle 2 'Correspondence on the Subject of the Removal of Inhabitants of Pitcairn Island'.
- ⁸ Denison was a complex, multi-faceted personality. Contemporary and historical evaluations suggest that he was concerned at the treatment of Aborigines and was ready to support his wife in her philanthropic endeavours. However, a contrasting image is that he was arrogant and over-confident. He initially supported John Price but finally agreed that the penal colony on Norfolk Island should be abandoned. See C. H. Currey, entry for Sir William Thomas Denison, *Australian Dictionary of Biography*, Volume 4:46–53, 1972, and Alison Alexander, *Governors Ladies: the Wives and Mistresses of Van Dieman's Land*, Sandy Bay, Tasmanian Historical Research Association, 1987:128–146.
- ⁹ NAA: CP697/42 Bundle 2 'Correspondence on the Subject of the Removal of Inhabitants of Pitcairn Island — Inwards Correspondence'.
- ¹⁰ Belcher, *op.cit.*, 1870:345–346.
- ¹¹ NAA: CP697/42, *op. cit.*
- ¹² William Denison, 1870. *Varieties of Vice-Regal Life*, London, Longmans, Green and Co, 409–413. It should be noted that Denison's account of his dealings with the Pitcairn community was published fourteen years later, and they may well have seen him as more domineering than he suggests.
- ¹³ Denison, *op. cit.*, pp. 418–420.
- ¹⁴ *Ibid.* p. 425.
- ¹⁵ NAA: CP599/1 Bundle 1 'Copies of Pitcairn Island Despatches 1869–84'.

- ¹⁶ Spruson, J.J., 'Norfolk Island: outline of its history from 1788 to 1884', Sydney: Government Printer, 1885:43. Spruson was a government official and this 51 page pamphlet was dedicated to Lord Loftus.
- ¹⁷ Reports by Commissioner Wilkinson to the Governor of New South Wales, Lord Loftus, 27 January and 20 August 1985, included in 'Papers relating to Her Majesty's Colonial Possessions, Reports for 1884 and 1885, Norfolk Island No.26'. *British Parliamentary Papers*.
- ¹⁸ 'Norfolk Island — Correspondence relating to the Transfer of Norfolk Island to the Government of New South Wales, Presented to Parliament by Command of her Majesty, February 1897 No 20, *British Parliamentary Papers*.
- ¹⁹ Alfred McFarland, 'The Case of Norfolk Island Stated', Sydney, Gibbs, Shallard & Co, Printers, pamphlet, 1885.
- ²⁰ NAA: CP697/38 Bundle 1, 'Parliamentary questions and Answers Norfolk Island'.
- ²¹ *Ibid*.
- ²² *British Parliamentary Debates* Fourth Series, Volume 37:1488–1489.
- ²³ Hoare, *op. cit.*, 1999:106–107.
- ²⁴ *British Parliamentary Papers* 'Norfolk Island — Correspondence relating to the Transfer of Norfolk Island to the Government of New South Wales. Presented to Parliament by Command of her Majesty, February 1897 No 14, Enclosure 2.
- ²⁵ *British Parliamentary Debates*, 8 March 1898: 975–976.
- ²⁶ Australia, Royal Commission into matters relating to Norfolk Island (Sir John Nimmo, Commissioner), *Report*, Canberra, Australian Government Publishing Service, 1976:47.



*Four Imperial Bushman natives of Norfolk Island, in Commonwealth Contingent sent to London for the Coronation of King Edward VII; also one clergyman and one civilian, London
NAA CP697/96, By Permission of the National Archives of Australia*

The New South Wales Interregnum

1897–1914



*F*ollowing the 1897 Order in Council, Norfolk Island became a quasi-dependency of New South Wales, although its position was still seen as that of a separate colonial entity. The Governor of New South Wales was empowered to act on behalf of the Imperial Government, and overall administration became the responsibility of the New South Wales Department of Lands.

The 1896 report by Commissioners Carruthers and Oliver noted that there was a great deal of permissive occupancy, and that land grant records were often incomplete.¹

Over the next few years, rumbles of discontent continued as Islanders asserted their rights to all but a very limited number of houses and buildings. When new land laws were enacted in December 1899, many of those in residence were given the option of leasing houses or land which they claimed had really been granted to their ancestors in 1856. They again petitioned the Imperial authorities, laying claim to all lands on the Island, the houses on the Kingston Government Reserve, and the Norfolk Island Fund. This was referred back to the Governor of New South Wales, Sir Harry Rawson, who obtained a legal opinion from Edmund Barton, soon to become the first Prime Minister of Australia. Barton's advice was that the only land granted to the residents was that listed in their deeds of grant, that all houses in the Government reserve were Crown property. He further advised that the Islanders had no authority over the Norfolk Island Fund, which was held under trustees appointed by the Secretary of State for the Colonies.

In 1900, the Norfolk Island community contributed to the Indian Famine Relief Fund and the Boer War Patriotic Fund, and several Norfolk Islanders volunteers had joined the Imperial Bushman Force. In the same year, the possibility that rats on ships coming from Sydney would carry the plague created considerable concern on the Island. Residents refused to allow goods or passengers to be unloaded, and local boat crews were reluctant to take the resident doctor out to inspect incoming ships. Correspondence from the New South Wales Deputy Administrator reflected official irritation that, while it was commendable that the Islanders saw themselves as part of the broader British hegemony, they had an unfortunate tendency to take an independent stand, without reference to proper authorities.²

On 18 October 1900, with Federation now on the horizon, another Order in Council confirmed the previous authority of New South Wales, with the understanding that, at some time in the future, responsibility for Norfolk Island would be transferred to the new federal authority. After Federation was achieved, negotiations towards implementing such a transfer were initiated by the British Government. In August 1902, the Governor of New South Wales sent a confidential coded message to the Governor-General requesting: 'Would Your Excellency inform me whether the Federal Government would be willing to take over the Island should the Secretary of State agree'. This enquiry was conveyed to the Federal Government and Alfred Deakin, then Attorney General and Acting Prime Minister, responded that:³

I have the honour to inform Your Excellency that the telegram of the Governor of the State of NSW dated Sydney 7 August 1902 transmitted by your minute has received consideration. I shall be pleased if you will inform His Excellency Sir Harry Rawson that the Federal Government will be willing to take over Norfolk Island should the Secretary of State for the Colonies agree the terms of transfer to be decided later.

The British Colonial Secretary was delighted with Prime Minister Deakin's positive response. Further advice from the Colonial Office

to the Governor General suggested various ways by which the transfer could best be effected. Commonwealth assent was necessary to extend the boundaries of the Commonwealth of Australia to include Norfolk Island. In November 1902, aware that this was only the first step in what were likely to be protracted negotiations, the Colonial Secretary outlined the preferred option of His Majesty's Government.⁴

It might however be more convenient if the Parliament were to pass an Act declaring the consent of the Commonwealth to the annexation of the island and at the same time enacting provisions for its Government, the coming into operation of these provisions being deferred until the annexation is completed.

While the British Government was clearly anxious to expedite the transfer, all sides were constrained by cumbersome protocols. Official communications between the Colonial Secretary, the Governor-General and the Governor of New South Wales were only the first steps to initiating action. Each Imperial representative had a view as to what information was right and proper to pass on to the politicians in his respective sphere. As elected representatives of the premier State, political leaders and departmental officials in New South Wales were often quick to resent what they saw as arrogant and premature assumptions of power by their Federal counterparts. Similarly, Federal politicians and bureaucrats were very conscious of their newly gained independence and sovereign status. In these circumstances, some official responses reflected the need to maintain respect for position and status on the one hand, and a desire to assert a new authority and control on the other.

Discussions over the current and future status of Norfolk Island also highlighted unresolved questions over unauthorised occupancy of buildings and land. Individual Islanders who had ignored notices to sign leases or face eviction became the subject of greater attention. Due to the somewhat curious situation of Norfolk Island as an interim dependency of New South Wales, the Governor of New South Wales informed the Governor-General that it was now

proposed that a Royal Commission on Land Matters should be appointed. There was no objection from the Commonwealth, as this was a problematic situation it could well do without. Prime Minister Barton, whose earlier legal opinion had been the justification for official action, informed the Governor-General that: 'this Government would view with satisfaction any step taken by the Governor of New South Wales to settle this question, which has been the subject of so much unrest on the Island'.⁵

A Royal Commission on Land Matters was appointed, with Alexander Oliver as Commissioner and Michael Vincent Murphy as executive officer and surveyor. Prior to the visit of the Commissioner, Deputy Administrator William Houston visited the Island and held a meeting with prominent residents. During this period, Murphy completed a detailed survey of the Island, identifying Crown Land and all verified land grants. This map, completed on 8 February 1904, was still in use in 1942, as the official War Office survey map of Norfolk Island. Murphy also made a detailed survey of all buildings in the Kingston area, including those claimed by islanders as belonging to them rather than the Crown. Oliver died shortly after completing his draft report, but a supplementary report by Houston and J.L. Watkins, the NSW Parliamentary Draftsman, became the catalyst for more direct legal and administrative intervention.⁶

This led to a flurry of petitions and complaints from residents who were unwilling to accept the findings that they were now required to pay rent, albeit often nominal, for land or buildings which they had previously considered their own property. During 1905, Murphy, in conjunction with the Council President F. M. Nobbs, reported on the conditions and tenancy arrangements of all relevant buildings. Discussions with individual residents proceeded, with increasing dissatisfaction being expressed that the rights of the Islanders were being ignored. Attitudes hardened on both sides. The Governor of New South Wales demanded decisive action, and Murphy, now Officer in Charge of Norfolk Island Affairs, was the man in the

middle. In a report dated 20 February 1907, he described the background to a complaint from two local whaling companies who had refused to pay rent for the boat sheds they occupied, and were equally vehemently refusing to vacate the premises [See Appendix 5].

In a further despatch, dated 20 March, the Colonial Secretary informed the Governor that: 'They should also be given to understand that your action has received the approval of His Majesty's Government and that they are expected as loyal British subjects to accept the decision and to obey the law'. A number of residents continued to refuse to pay rent or sign interim agreements. They were finally evicted from their houses and other Government property. These actions have continued to rankle in the community's collective memory. Some of those tasked with carrying out the evictions were local officials and the impact on community relationships was extremely divisive. Since that time, accusations of the impropriety and injustice of these evictions have been raised on numerous occasions, with the same passion and resentment as expressed in 1907. This has sometimes given the impression that these events took place in the immediate, rather than the more distant, past.

Given these problems it is understandable that the transfer of Norfolk Island to the Commonwealth was not vigorously pursued at Federal Cabinet level. In 1909, an attempt was made to resolve the matter and a Bill was introduced to the Australian Parliament. Atlee Hunt was now Secretary of the Department of External Affairs and Murphy, the Officer in Charge of Norfolk Island Affairs, was an old colleague from his early years in the New South Wales Lands Department. Their candid private correspondence showed the strength of existing tensions between the Governor of New South Wales and the Premier on the one hand, and the Commonwealth of Australia on the other.⁷

The Bill finally lapsed but there were lingering feelings that both sides had been arrogant and unbending. Nonetheless, negotiations continued and it was clearly inevitable that the Commonwealth would finally assume full control of Norfolk Island. In 1913, after

terms of office as governor in both Tasmania and Western Australia, Sir Gerald Strickland took over as Governor of New South Wales.⁸ He took the responsibility for Norfolk Island very seriously and was unwilling to give up any of his personal authority in the matter until all legal and other niceties had been fulfilled. On 25 April 1913, he notified the Colonial Secretary that William Houston had resigned as Deputy Administrator and he had appointed Michael Vincent Murphy as the Acting Deputy Administrator.⁹

Should the Federal authorities not meet me at an early date as regards the transfer of Norfolk Island to the Commonwealth, I shall again confer with my Premier with a view to remodelling the administration in an endeavour to make the Island self-supporting.

In a number of confidential despatches outlining the current status of Norfolk Island, Strickland commented on the problematic relationship between the Government of New South Wales and the Commonwealth. He was concerned that Norfolk Island should receive the same free trade status, which now existed between the States in the new federal entity. He also concurred with the view of Lord Chelmsford that until the final transfer was completed, 'the Commonwealth has no jurisdiction in the matter and that no act on the part of the Commonwealth can affect Norfolk Island'.

The removal of Australian customs and trade restrictions would benefit Norfolk Island, return it to its former status with New South Wales, and hopefully open up new markets. On the other hand, Federal authorities were concerned to ensure that the free flow of goods would not be accompanied by unrestricted migration.

Despite Strickland's irritation with some Federal bureaucrats (and one cannot but surmise that Atlee Hunt may have been a prime offender), his main concern was to ensure that the transfer of Norfolk Island would be speedily effected. He was also aware that his predecessor, Lord Chelmsford, had become so exasperated with the Commonwealth approach that he had suggested that the question of New Zealand taking over Norfolk Island should be

reopened. Strickland did not agree with this course of action, as New South Wales was already providing financial support and public servants from New South Wales Departments were working on the Island.

Murphy's appointment as Resident Chief Magistrate and Deputy Administrator was confirmed on 21 August 1913, 'subject to disallowance or confirmation by the Secretary of State'. Shortly before Murphy left Sydney for Norfolk Island, Hunt sent him 'in strict confidence' a copy of the draft Norfolk Island Bill. But, as had happened so many times before, the Norfolk Island community were again bypassed in these protracted negotiations for their future. Some Islanders, including a number of new settlers who saw financial advantage in greater fiscal and political independence, continued to vehemently reject the proposition that the British Government was justified in ceding control of Norfolk Island to any other authority, since Queen Victoria had given it in perpetuity to the Pitcairners and their descendants.

As evidence provided to the 1976 Royal Commission demonstrated, these claims have persisted. Although the Report of this Royal Commission reaffirmed Barton's earlier opinion that this was not the legal situation, it was noted that:¹⁰

In support of their claims they not only relied on the interpretation they and their legal advisers placed on relevant Imperial Acts and orders in Council, but also sought to establish that when the Pitcairners had been transferred to Norfolk Island in 1856, Queen Victoria gave Norfolk to them for themselves and their descendants to govern as they saw fit. They argued from this premise that the British Government acted unlawfully in committing the government of the Island first to the Governor of New South Wales in 1896 and second to the Commonwealth Parliament in 1914.

The same opinions were being presented with equal force in 1913. This meant that one of the interim Administrator's major tasks was to try to help the community come to terms with the new

arrangements, and to maintain peace between the members of the Norfolk Island Executive Council. In addition to official and private communication with Sir Gerald Strickland, he was in constant contact with Atlee Hunt, as the Secretary of the Department of External Affairs was a key figure in the protracted negotiations.

The Minister for External Affairs, Patrick McMahon Glynn, was now guiding the Norfolk Island Bill through the final stages of its passage in Parliament. In addition to departmental documentation in support of the Bill, he sought the opinions of a number of church leaders and others who had spent time on Norfolk Island. One informant, Miss Gertrude Farr, provided him with several letters from friends on Norfolk Island, including one from C. C. R. Nobbs. Murphy had lent Nobbs the confidential copy of the Norfolk Island Bill which Hunt had sent across in August. In further discussions Murphy had also emphasised the benefits which the removal of trade barriers would bring by opening up new market opportunities in Australia.

In a letter to Gertrude Farr, Nobbs indicated he had been convinced by these arguments and saw the Commonwealth takeover as a positive move.¹¹

Norfolk Island

13 October 1913

Dear Miss Gertrude,

I duly received your of 24th Sept. last and also a copy of Hansard dealing with the introduction of the Norfolk Island Bill into the Federal Parliament, I want to say at once how pleased I was to get it and to heartily thank you for sending it along; naturally it interests me very much, for although we have heard rumours that the new Parliament was about to deal with the matter still we have had no particulars. I have a copy of the Bill lent for perusal.

In my opinion, the proposal is a step in the right direction and if carried out, as outlined by the Minister for External Affairs, must

operate advantageously for the people as a whole. Under the provisions of the Bill I can see no reason why the resources of the Island should not be developed, and I fully anticipate a decided improvement in the near future of the conditions of living of the people. We have been so long accustomed to our present methods that it will take more or less time for the people (as a whole) to realise the altered conditions, but I think that when once the matter is accomplished and set in motion, it will come as a most agreeable surprise to those who are in doubt about the matter. So far as the rights of the people are concerned, in my opinion we need not fear anything in this respect. Your Commonwealth Government being a democratic one all such matters must be respected by them. Should the Bill be passed by both Houses, there would be an Administration Bill, introduced later on, the rights of the people would then be dealt with and must be safe guarded. I hope to be able to get any further information as to how the Federal Government are dealing with the matter.

I hope to send the Hats you require, later on. Mrs. Nobbs and the children are well and send kind regards as well as

Yours sincerely,

C.C.R. Nobbs

The expectation, expressed by Nobbs, that further legislation to protect the rights of Islanders would be enacted, was to prove unfounded. This may well have been the genesis of his implacable opposition to Murphy — a feeling that he had been duped into believing that his view of democracy was shared by the incoming authority. Nevertheless, this was a rare moment when Glynn, Hunt, Murphy and Nobbs were largely in harmony over the initial goal of achieving the final transition to Commonwealth control.

Given their different personal and professional backgrounds, it is not surprising that they would approach the new relationship with very dissimilar expectations. Before turning to examine the challenges they faced in the first years of the new administrative arrangements, the next chapter considers how their personalities and

life experiences influenced the way these four actors played their particular roles in the Norfolk Island/Commonwealth drama. It also provides an insight into how they were viewed by their contemporaries.

Endnotes

- ¹ See NAA: CP697/42, 'Records of Land Grants issued prior to and after 1896, August/September 1897, and *British Parliamentary Papers* 'Norfolk Island – Correspondence relating to the Transfer of Norfolk Island to the Government of New South Wales, *op. cit.*
- ² See NAA: A1 1915/16408, 'Memorandum for the Minister for External Affairs from M. V. Murphy, 17 August 1915'. Further reports of Norfolk Island contributions to various relief funds, and concerns regarding the plague, are included in NAA: 697/41 1900 'Norfolk Island'.
- ³ NAA: A11804, 'Norfolk Island. Transfer to Commonwealth Government', 1902–1909.
- ⁴ NAA: CP697/16 Bundle 1 Volume 1, Despatch from Secretary of State, J. Chamberlain, 22 November 1902.
- ⁵ NAA: A11804, 'Norfolk Island. Transfer to Commonwealth Government', Memorandum from Prime Minister Barton, 22 June 1903.
- ⁶ Oliver's report was published with the 'Supplementary Report' by the Deputy Administrator of Norfolk Island and the New South Wales Parliamentary Draftsman as *Norfolk Island: Report of Commissioner Alexander Oliver and Supplementary Report of William Houston and Leo Watkins*, 1906, Sydney, Government Printer.
- ⁷ NLA: MS 52/20/1169-1224, Hunt papers.
- ⁸ Strickland was a strong supporter of Federation but his political tactlessness and autocratic approach eventually led to his recall in 1917. See G.P. Walsh, entry for Sir Gerald Strickland, *Australian Dictionary of Biography*, Volume 12:123-124, 1990.
- ⁹ NAA: B5/8 1913/1914, Despatch from the Governor of New South Wales to the Secretary of State, 21 August 1913.
- ¹⁰ Royal Commission into matters relating to Norfolk Island (Sir John Nimmo, Commissioner), *Report*, 1976, Canberra, Australian Government Publishing Service, pp. 97–98.
- ¹¹ NLA: MS 4653/3, Glynn dairies. Letter from Nobbs to Miss Gertrude Farr was copied into Glynn's diary on 24 November 1913.



*Portrait of Patrick McMahon Glynn,
South Australian Federation Leader
and MHR*

*PIC/7055, By permission of the
National Library of Australia*



*Atlee Arthur Hunt c1901
MS1100 Box 2 Item 16, By permission
of the National Library of Australia*



*Michael Vincent Murphy c1919
Obituary Photograph in Sydney
Morning Herald 3rd July 1935
By permission of the National Library
of Australia*



*Charles Nobbs
(taken from group photograph of 1921
Executive Council (1921 Norfolk Island
Annual Report))*

Profiles of the Four Main Actors



THE MINISTER

Patrick McMahon Glynn (1855–1931)

*A*n Irish barrister, Glynn emigrated to Australia in 1880 and was a South Australian delegate to the 1897 Sydney and 1898 Melbourne Federal Convention sessions. He is perhaps better known for his whirlwind courtship and marriage to Abigail Dynon during the Sydney Convention, and as the delegate who successfully proposed the insertion, at the beginning of the preamble to the Constitution, of the words ‘humbly relying upon the blessing of Almighty God’.¹

Glynn was a key player in the protracted negotiations between New South Wales, South Australia and Victoria, and chairman of the committee which drafted the interstate agreement formalising the *Commonwealth River Murray Waters Act* of 1915. As a politician and practising lawyer, he was hard-working, patient, and thorough. A complex character, he often seemed most comfortable when writing opinions and working through committees.

Colleagues admired his involvement in the processes of Federation and other political issues of the day, but often considered that he was too concerned with finer details rather than the larger picture. He would have countered that it was important to check all facts

and opinions from several sources and so maintain independence and integrity in decision-making. This, as his departmental secretary quickly discovered, meant that off the cuff decisions were unlikely to be made, as detailed and careful documentation was needed to win him over to a preferred position. Meticulously correct when it came to his own use of government resources, Glynn also often required convincing when applications were made to raise salaries or increase expense allowances for departmental staff. But, when agreement had been reached on the desired action to be taken, he was prepared to fight fearlessly for this decision, in Cabinet and in other formal committees and informal negotiations.

By 1905, he was already known as a Federal politician whose general independence of thought and complete integrity was respected, even by those who found his rapid delivery, Irish accent, and literary allusions at times very difficult to understand. Under the heading 'People we know — Policy and Principle', *The Melbourne Weekly Punch* (31 August 1905:288) noted that many of his personal characteristics, while admirable, could also be drawbacks in political life. Contrasting his approach with that of George Reid, the writer observed that:

Political aptitude has carried Mr. Reid further than Mr. Glynn's cosmopolitan culture. Mr. Glynn is a scholar and a sound lawyer. But Mr. Reid, who has less learning and is not a juror, has a natural gift of advocacy which has carried him beyond the student.

Labour members cannot follow Mr. Glynn in his fine conceptions. He talks over their heads, but they respect his transparent sincerity and honesty. No one has ever hurled a nasty interjection at him. Like Mr. Skene he occupies a uniquely independent position. Members may agree or disagree with him, but they will always acknowledge his singleness of purpose.

A few years later, when Andrew Fisher was Prime Minister, Glynn's fairness in debate and lack of vindictiveness was described in a pen

portrait by 'Theseus' in the Melbourne *Argus* ('Among the Federal Members', 13 August 1910:4):

Mr. Glynn's orations contain light without heat. If he had lived under the previous Labour Government — that is to say, in France of 1793 — his fair-mindedness would certainly have brought him to the guillotine, but he would have spent the last ten minutes in demonstrating, calmly and philosophically, that his execution was an illogical and dangerous act, and when his head was in the basket his shoulders would have moved with the old familiar shrug.

The very best description of Mr. Glynn that I have ever read was printed this week, when an English batsman said of the bowler J. T. Hearne, "No other man in England bowls you out so honestly". Mr. Deakin sends up googlies with unexpected results. Mr. Bruce Smith's bowling is mostly off theory — dangerous to smack at, but right enough if left alone. As for Mr. Hughes and Mr. Joseph Cook, I mourn to say that the Speaker must cry "No ball" very often. Mr. Fisher's fondness is for wides. But, Mr. Glynn pegs away with a dangerous straight ball; sooner or later the middle stump flies out of the ground, and Mr. Fisher retires to the pavilion to explain to the Treasury officials how it happened.

The writer summarised a recent debate on the proposal that, in order to pay for funeral and other expenses at the time of death, the old age pension should be paid for the whole period due to the pensioner.

As Mr. Kelly persisted in pleading for this little (and just) payment to help bury the poor old pensioner, Mr. Fisher began to assume his adamantine air. The proposal was unpractical. The cost of administration would be three times as much as the direct expenditure. The chances of decent burial for the pensioners looked blue. Then, suddenly, we had Mr. Glynn once more. He showed how the thing could be done cheaply and effectively; and Mr. Fisher had to consent, learning once more that one of the chief charms of a perfect theory is the fact that it is refutable. The Opposition proposed the concession, the Opposition

showed how it could be managed, and nothing was left for the Ministry save to change its mind, and agree.

Glynn's position as one of the South Australian delegates to the Federal Convention had brought him into competition with several other South Australian lawyers, all vying for prominence and a future stake in the Federal arena. At the 1898 Melbourne convention session, when J. H. Gordon failed to gain agreement on federal control of the Murray River and its tributaries, Glynn would not let the matter drop. He managed to introduce an amendment that promoted South Australia's right to a 'reasonable' river flow. However, delegates from New South Wales felt that they had already given away too much and the amendment was defeated.²

It was indicative of Glynn's tenacity of purpose that he continued over the next two decades to work towards securing an agreement. His efforts were acknowledged when the *Commonwealth River Murray Waters Act of 1915* was finally ratified by New South Wales, South Australia and Victoria.³

In 1912, his penchant for lengthy written opinions and exhaustive references worked against his candidature for judicial office. Gordon's response to an inquiry from Hughes (who often found Glynn's lengthy expositions infuriating) was that Glynn, although 'a good enough fellow', was a 'pamphlet in breeches' who would take far too long over judicial reviews and constitutional issues.⁴ Perhaps an even more negative factor, which destroyed any chance Glynn had of being appointed to the High Court, was his dislike of being any part of an implacable opposition, and his sense of fair play. Littleton Ernest Groom, a contemporary political colleague, who was not a member of the tightly competitive South Australian legal world, provided a more positive assessment. Under the heading 'A Literary Member', he described Glynn's role as one of the makers of Federation (*Brisbane Courier Mail* 29/11/30:19).

One of the most beloved of the Federal members was that genial Irishman, the Hon. P. Mc. M. Glynn, of Adelaide. He won the

affection of his fellow members by his kindly nature and his wit. He was essentially a scholar. While busy with his political and ministerial duties, he continued to memorize beautiful passages of poetic literature. "I love literature," he said. "It keeps the mind pure." He lectured frequently on literary and historical subjects. A sincerely religious man, he made an eloquent speech in the Federal Convention in favour of the insertion of the words that are now in the preamble to the Constitution, "humbly relying on the blessing of Almighty God". He made a close study of the problems of the Murray River, and wrote a very complete report on the legal questions involved.

Along with many of his contemporaries in the new Federal Parliament, Glynn was continuously juggling his political, professional and family responsibilities. His diaries are interspersed with comments on political events and personalities, family celebrations and legal cases. With his wife and growing family in Adelaide, and a busy legal practice to attend to, Glynn sometimes found the lengthy train travel to Melbourne extremely tiring. After the 1913 Federal Session ended and he was able to return in time to share in the family celebrations, he recorded these comments:⁵

Christmas Day, 1913

It is five minutes to three; the members of the household are settling down to the ordinary distractions of an off-day after the feast of the festival.

I returned by the first express from Melbourne. The Session closed on Friday morning, just as dawn was setting in. It was eventful in being barren of matter. A Government without a majority while the Speaker was in the Chair, or for that matter in Committee pulled through. I managed to get passed the Bill to extend the Darwin and Pine Creek Railway fifty-four miles south eastwards to Katherine River; and the Norfolk Island Bill.

The weekly journey of over a thousand miles by train takes the edge, if any, of political life.

As the Minister for External Affairs, administrative issues relating to the Northern Territory and Papua may have seemed more pressing. Yet, despite these other distractions, Norfolk Island affairs would receive the same careful attention. It was this fair, judicious, but sometimes cautious and wordy politician, who was called upon by his departmental secretary to support and promote the cause of an unknown New South Wales public servant to be the first Commonwealth Administrator of Norfolk Island.

THE SECRETARY

Atlee Arthur Hunt (1864–1935)

In May 1901, Prime Minister Edmund Barton appointed his private secretary, Atlee Arthur Hunt, as secretary and permanent head of the Department of External Affairs, which, until 1909, also included the Prime Minister's Office. During the next two decades Hunt played an important role in the development of Australia's influence in the South-West Pacific. He visited and reported on British New Guinea in 1905 and helped secure the passage in 1906 of the Papua Bill, through which Australia assumed control of British New Guinea. Although clearly a man of his times, as far as immigration restrictions and general attitudes of racial superiority were concerned, he was also able to appreciate and respond to requests for exemptions and discretionary clauses. Davies describes him in these words: 'Dapper, courteous and kind, Hunt left a reputation for initiative, political acumen and common sense', and 'concerned himself with establishing guiding principles of permanent value'.⁶

On 24 January 1907, a pen-portrait in the regular 'People We Know' feature in *Punch*, used the sub-heading 'A social butterfly'. This was to illustrate how, when he became Barton's private secretary, Hunt's style of dress and general manner had led others to underestimate

him. The writer pointed out that critics had overlooked the knowledge and experience Hunt had gained from work in the New South Wales public service, and later as a barrister. Although he had been described in the Press 'as a trifle domineering, a good deal dogmatic and greatly tenacious of purpose', the report noted that these were important formative years in his life as well as that of the Commonwealth:

With the advent of Federation, Mr. Hunt became Secretary for External affairs, — than which there can be no more interesting position in the Public Service of Australia: He is the channel of communication between the Prime Minister and subordinate Departments, between the Federal Government and the Imperial Cabinet, between the Federal Government and State Ministers, between the Federal Government and foreign nations.

He strikes out on new lines. He is widely read, observant and has a good memory. Also, he is wise in his generation where politicians are concerned. When he errs it is generally from too much zeal and taking himself a little too seriously. These are things which time will rectify. He takes the keenest delight in his work, especially that which relates to the fascinating South Sea Islands, and he never goes wrong from inability to take pains.

Throughout his career, his independence of mind, and practice of departmental negotiations through informal as well as formal communications, were sometimes criticised, particularly by those who felt that more respect and formality was due to their position. During the transition to Commonwealth authority, all formal correspondence regarding Norfolk Island took place between the Governor of New South Wales and the Governor-General, and was then forwarded, often via the Premier or the Prime Minister, to the Ministers concerned. This ponderous process could sometimes be expedited, but only when both sides accepted the appropriateness of less formal and more direct communication.

On 3 May 1912, anxious to resolve the drawn out negotiations which had delayed the transfer of Norfolk Island to the

Commonwealth, Hunt wrote directly to the Governor of New South Wales, Lord Chelmsford. He noted that Chelmsford's letter of 15 April to the Governor-General had been referred to the Department and would be submitted to the Minister after he returned from the Northern Territory towards the end of May. Hunt was not sure if Mr Thomas was familiar with all the circumstances, and would be glad to receive relevant reports, so that he could prepare a memorandum to brief the Minister on his return. Hunt concluded:⁷

I hope you will pardon me addressing you in this informal way but I know that you are anxious to have the question definitely settled as soon as possible, and the supply of information that I ask for will, I think, help towards that end.

It was clear from his curt reply that Chelmsford felt that this was over-stepping the mark, and that correct protocol should be followed. His reply of 21 May was short and to the point:

Dear Mr. Atlee Hunt

I have postponed answering your letter until I could forward the information.

I now enclose it, herewith, and hope it will be of value.

As I think it irregular and inconvenient to have private letters on public affairs, I have filed your letter with the official papers in the Norfolk Island Office. It will be a great thing if we can have the matter settled one way or the other.

Sincerely yours.

Chelmsford

Hunt clearly enjoyed the 'behind-the-scenes' power he was able to exert, particularly in defining Australia's position in the South–West Pacific. At the beginning of his career as a Commonwealth senior public servant, he was closely involved in the awarding of a regional mail services contract to Burns Philp & Co. Its founder, Sir James Burns, was a major shareholder in the Australasian New Hebrides

Co. Ltd. A condition of the contract was that the company would provide assistance with land and passages to British settlers, both as a way of countering increased French settlement and as a natural extension of Australia's sphere of influence.⁸

As a departmental secretary and senior political adviser in the early years of Federation, Hunt was instrumental in developing new procedures and protocols in dealing with inter-government relations. Yet, as the Governor-General's reaction to the 1915 Royal Commission on Mail Services between Australia and the New Hebrides [discussed in detail in Chapter 7] illustrated, political and bureaucratic ambitions for Australia to acquire greater authority and recognition, often came up against Imperial insistence on 'correct' protocol.

While Hunt's independence of thought and action sometimes created problems, his preference for parallel informal contacts reflected a genuine concern and loyal support for those with whom he worked — politicians and public servants alike. He had enjoyed working with Barton and Deakin. When the first Labor Ministry took over in April 1904 he recorded that:⁹

My experience with the two Chiefs I have had has been exceptionally fortunate. For the future, though I hope to be on the best terms personally with the Minister, I can hardly expect to receive so much trust and assistance as I have done in the past.

Later he noted:

Mr Deakin wrote an appreciative note of the work of the staff, in which he refers to my "judgment, loyalty and unflinching zeal". He could hardly have chosen words that would give me more pleasure.

This willingness to go the extra distance, above and beyond his departmental duties, was illustrated by his assistance to members of the family when E. L. Batchelor, then Minister for State for External Affairs, died in office in 1911. He showed the same concern for Glynn, who suffered bouts of ill health, often exacerbated when Parliament was in session by the weekly train journeys between

Adelaide and Melbourne. In March 1914, Glynn wrote that he was not feeling the best but would come over to Melbourne if necessary. Hunt immediately responded:¹⁰

I am sorry to find from your letter that you are not so well as we would like you to be. I am very glad you have decided to remain over in Adelaide this week as the rest and the freedom from train journey will, I hope set you right. I am sure that everlasting travelling 1000 miles a week continually must tell on your nervous system. Please do not think of coming across. I do not see at present it is necessary to send anyone over but if you feel any difficulty I will send Carrodus or go across myself.

Perhaps the most illustrative example of Hunt's concern for those working under difficulties can be found in the letters he exchanged in 1913 with H.E. Carey, then Private Secretary to the Administrator, and later Director of the Northern Territory. A serious industrial dispute had arisen while the Administrator, Dr J. A. Gilruth, was away from Darwin. This was not the first time that Carey had been left to resolve a simmering problem. He wrote rather despairingly to Hunt, outlining the difficulties of his situation. Hunt's reply of 19 April 1913 is similar to many informal letters he wrote to departmental staff when they were in need of encouragement and support.¹¹

I don't know what you have done in some former existence to be so plagued in this but it is a bit rough on you whenever the Administrator goes away for anything like a time to be pestered as you were last October and have been again lately.

I am just sending this line to convey my personal sympathy for you in your troubles. I did hope that by this time I should be on my way to Darwin, where not the least of my pleasures I look forward to is that of meeting you, but fates decreed otherwise and I do not seem any nearer getting that personal first-hand knowledge of the territory conditions which would help so much in my work.

At the same time Hunt's friendly and informal manner was accompanied by a strictly official approach to terms and conditions of service. Despite his sympathy for Carey, Hunt could not support his request for a pay increase. On 29 November 1913, he responded pleasantly but firmly that this was not possible. At the same time he softened the decision, by adding an apology for reacting negatively to some government property valuations which Carey had provided.

I remember feeling when I read them that you were quite right and that had my attention been called to the previous communication which you referred to I should not have written as I did. I am always prepared to have my errors pointed out to me and think all the more of an officer when he takes a firm and courteous stand as to the soundness of his views or the wisdom of his actions.

This then, was the Secretary, whose personal and professional contacts with a New South Wales surveyor, later Officer-in-Charge of Norfolk Island Affairs, dated from Hunt's early days as a clerk in the New South Wales Lands Department. During the next few years they were to become close personal friends, exchanging visits and sharing their official successes and private concerns. But, in 1914, the task was to gain the support of his Minister and, against all odds, Cabinet approval, for Michael Vincent Murphy, currently Chief Magistrate and Deputy Administrator, to be confirmed as the first Commonwealth Administrator of Norfolk Island.

THE ADMINISTRATOR

Michael Vincent Murphy (1859–1935)

Like Atlee Hunt, Michael Vincent Murphy attended Sydney Grammar School. He then entered the New South Wales public service as a cadet surveyor, joining the Surveyor General's Department in 1878. In 1896, as a licensed surveyor, he was

attached to the Royal Commission on Norfolk Island Affairs, and spent three months on the Island with Commissioner C. N. J. Oliver. In 1898, he was directed to survey and map Lord Howe Island and was also involved in settling land disputes there.

In 1903, he was appointed secretary to the Norfolk Island Royal Commission on Land Matters. Commissioner Alexander Oliver was in ill health, but went to Norfolk Island in September 1903 and completed a report in 1904, shortly before his death. Oliver concluded this interim report by expressing great appreciation of 'the valuable services rendered by Mr. M.V. Murphy, who has acted throughout in the threefold capacity of Secretary, Surveyor, and Guide'. The final report was published in 1906, and contains a survey map in which Murphy identified all leasehold, freehold and Crown land on the Island.¹²

Over the next few years Murphy made additional surveys of Norfolk Island and was seconded to assist the Pacific Cable Board in the construction of the Cable Station and access road. In 1905 he was appointed Officer-in-Charge of Norfolk Island Affairs, and later became Deputy Administrator, reporting directly to the Governor of New South Wales. For several years he was closely involved in negotiations between the Commonwealth and successive New South Wales Governors over the transfer of control of Norfolk Island. Unofficial private correspondence with Hunt during 1909 and 1910 reflected the tensions which these negotiations created. On one occasion New South Wales refused permission for information to be provided, and on 11 August 1909 Murphy wrote somewhat ruefully to Hunt:¹³

I'm sorry I could not send you the information you required by Monday's mail but the Premier has taken a very definite stand in the matter. I am quite sure you will understand that I am not in any way responsible for the delay. I will explain more fully when I see you.

As a practical surveyor and departmental officer, Murphy had a very matter-of-fact and down-to-earth approach to his work. This stood

him in good stead, both before and after his appointment as resident Administrator and Chief Magistrate on Norfolk Island. He fully realised that the combined roles of Administrator and Chief Magistrate sometimes placed him in an invidious position. Nonetheless, Murphy was able to work with and accept the idiosyncrasies of a small, conflict-ridden community, without becoming too closely involved. This talent had been remarked upon during his attachment to the Pacific Cable Board. On 24 February 1902, the General Manager had written to the Premier asking that Murphy's term be extended as he was 'an officer of great tact who has won the confidence of the Islanders'.¹⁴

To quite a remarkable degree, Murphy was also able to gain the respect, trust, and enthusiastic support of successive New South Wales governors, in particular Sir Gerald Strickland, who presided over the final arrangements for the transfer of Norfolk Island to the Commonwealth. This meant that he could, without fear of the rebuke which Hunt had received from Lord Chelmsford, write unofficially to Sir Gerald Strickland. In one letter, dated 16 November 1913 and marked 'Private', he provided an update for the Governor on the twists and turns in local politics on the Island.¹⁵

The Executive Council here are not a happy family just now. There seems to be a feeling that Allen Buffett, the President, who is an honest and well intentioned islander is influenced by Charles Nobbs, the Vice President, another islander, who is much more clever, but whose motives do not always impress his fellow councilors, as being more in the interest of the Public than of himself. He is a Storekeeper and large land holder. His paddocks are fenced, and the present law seems to suit him. Masey Quintal, a lawyer is another islander, one of the elected members, who in the present case sides with the President & Vice President.

His acquaintance with Hunt had begun in the 1880s when he was a surveyor and Hunt a clerk in the Lands Department. A warm friendship developed during the lengthy and sometimes tense negotiations with successive New South Wales governors and

departmental officials. In January 1914, after Murphy had been appointed the New South Wales Administrator, Hunt stayed with him at Government House. During this official visit, Murphy entertained members of the Executive Council, including Charles Nobbs, who was later to be the most persistent 'thorn in the side' and critic of successive Commonwealth Administrators.

Although his position was not confirmed until the following November, Murphy took over as Commonwealth Administrator on 1 July 1914. Murphy's friendship with Hunt deepened over the next few years. When on official visits to Melbourne during his term as Administrator, Murphy and his son and daughter-in-law were frequently entertained by Hunt and his family and, in January, 1916, Hunt's two sons, Bob and Bruce, spent a holiday on Norfolk Island. A sense of mutual understanding and respect is reflected in their continuing personal correspondence on political, bureaucratic, and family matters.¹⁶

In August 1916, Hunt wrote that, despite his wife's anguished feeling that he was too young, their youngest son Bruce wanted to enlist as soon as possible after his eighteenth birthday. Bob had already enlisted and Hunt felt that he could not object, but wondered if perhaps Murphy could keep him for a few weeks longer on Norfolk Island. Despite these concerns, Bruce returned on time and other letters reported that he was enjoying army training. In February 1917, when the new War Ministry was announced, they shared their opinions of the new Ministers. Despite some regrets from Hunt at the departure of the amiable William Bamford, both agreed that Glynn was a most acceptable Minister with whom they could both work.

In 1919, Murphy wrote to alert Hunt that, although his term did not officially end until mid-1920, he would like to leave Norfolk Island at the end of the year. Clearly worn out by persistent petty conflicts and the intractable communication and transport difficulties which had made sustained economic development impossible to achieve, Murphy spent the last months of his contract in Sydney

sorting out land transfers and other administrative matters. His last letter, in the Hunt papers at the National Library of Australia, was written in September 1920. It reports how much Murphy and his family had enjoyed a visit to their home from Hunt's wife and son Bob. A year later, the Governor of New South Wales presented him with the obsolete Norfolk Island Imperial Seal, as a token of appreciation of his service, both to the Government of New South Wales and to the Commonwealth. This created some unexpected problems, which are outlined in Chapter 7.

In 1926, following a Royal Commission on problems relating to the administration of Norfolk Island, Murphy returned as the interim Administrator. Accompanied by his son and daughter-in-law, he spent a further six months settling disputes and calming the community after the turmoil of the termination of Colonel E. T. Leane's appointment. It is illustrative of his practical approach to the position of Administrator, that one of the complaints during the Royal Commission hearings was that, unlike Murphy or his successor General Parnell, Leane had introduced an extraordinary level of pomp and ceremony out of keeping with the Islands more democratic ethos. E. D. Ogilvie, a retired Naval Officer, pointed out that: 'While Mr. Murphy and General Parnell mingled freely and easily with the people, the present administrator and his wife do not'.¹⁷

Unlike Glynn and Hunt, Murphy's personal background is less well documented. At the time of his appointment some testimonials referred to him as 'single' but, after he became Commonwealth Administrator, his son Claude was appointed as his private secretary. Claude's wife Edith acted as Murphy's official hostess, and managed the domestic arrangements of Government House. The shipping invoices for Claude and Edith Murphy's return to Sydney in February 1927, refer to fares for Mrs. C. V. Murphy and two children. After this last encounter with Norfolk Island, Murphy and his expanded family retired back to his home in Lindfield. When he died in 1935, a letter to Claude from the Prime Minister's Department and an obituary in the *Sydney Morning Herald*

recorded, in the understated way which had been the hallmark of his professional career, Murphy's service to New South Wales, the Commonwealth of Australia and Norfolk Island.¹⁸

But, in 1914, Sir Gerald Strickland's earlier appointment of Murphy as Acting Administrator and Chief Magistrate was seen by some as an attempt to force the Commonwealth's hand. This meant that, despite all the glowing testimonials, it was far from certain that he would continue in the position.

THE PATRIOT

Charles Chase Ray Nobbs (1859–1938)

During the early years of Commonwealth control of Norfolk Island, C. C. R. Nobbs, a farmer, businessman and local councillor, was one of the most influential and persistent proponents of self-government and islander rights. A grandson of George Hunn Nobbs, he had spent several years in Sydney, as a school boy and bank officer, before returning to Norfolk Island in 1882. His biographer describes him as: 'Staunchly loyal to the British Empire, he defended Norfolk's rights to self-government and exclusive rights to land, free from Australian interference'.¹⁹ His education, diligence, and more cosmopolitan experience soon drew the attention of official visitors to the Island. In 1885, Commissioner Henry Wilkinson reported to the Governor of New South Wales, Lord Loftus, that after a public meeting with the islanders:²⁰

It was also agreed that two gentlemen, Messes Francis and Charles Nobbs, who will visit Sydney in March should confer with the trading merchant and inform him as to the stores required, and the produce likely to be ready for market.

After a more prolonged stay, Wilkinson provided a definitive report to the Governor. He had checked all the land registers and sealed the

books until such time as new regulations were approved. In the meantime:²¹

I have supplied Mr. Charles Nobbs with the necessary formulae, and have requested him to make out any wills and agreements with regard to the sale of land, etc., and retain copies of all such documents until your Excellency's pleasure is known regarding the matter.

Nobbs was a strong supporter of self-government and only reluctantly accepted the initial annexation to New South Wales, with New Zealand as an alternative option. When the New South Wales Deputy Administrator William Houston visited Norfolk Island in 1903, the notes of his interview with the coffee planter Alfred Waterhouse recorded the following exchange:²²

Mr. Waterhouse: Charlie Nobbs, a week before you came, was strong on annexation to New Zealand if they could not get it to New South Wales. Now he has turned round.

Mr. Houston: What does he want now?

Mr. Waterhouse: He wants local self-government.

Mr. Houston: That will come probably, but it won't come with these people — it will come possibly bye-and-bye — not with these people.

Nobbs became known as an energetic and progressive farmer and trader, always ready to take up any new opportunity. In 1913, when the New South Wales Administrator M.V. Murphy introduced the idea of experimental agricultural plots, Nobbs was one of the first to volunteer to take part. When Atlee Hunt made an official visit in January 1914, Nobbs was also an active participant in formal and informal meetings, and met socially with Hunt at Government House. At that time, he was apparently quite sanguine regarding the takeover by the Commonwealth, believing that the removal of Australian tariffs would improve trade and economic progress. However, his general antipathy to outside control soon increased

when the salary and other conditions of the Commonwealth Administrator were published in the *Government Gazette*. On 15 August 1914, he wrote to Miss Gertrude Farr that:²³

Mr. Murphy has been reappointed Administrator by the Federal Government at a salary of 700 pounds per annum with 100 pounds allowance and a free house. I mention this fact because I think that it is a wasting of a good deal of money which might be diverted to other necessary matters. I think 400–500 pounds per annum with a residence is ample for any one holding this position, because at the most, there will not be much work attached to the position.

It can only be imagined how he reacted to the news that Murphy's son Claude had been appointed as the Administrator's private secretary, and would receive an initial salary of 156 pounds. During Murphy's term as administrator, Nobbs became increasingly strident in his opposition, particularly after he was fined for failing to obey quarantine regulations. The vituperative tone of many of his letters of complaint was strangely at odds with the more moderate criticism he had earlier voiced. Undoubtedly, Murphy's dual role of Administrator and Chief Magistrate provided a great deal of ammunition for attacks on particular rulings. Unfortunately, whatever the logic of his arguments may have been regarding a particular complaint, most were without foundation.

In Australia, with conflicts surrounding the issue of conscription and looming problems as to what to do with returned soldiers, the problems and tensions on Norfolk Island probably received only limited attention. Some of Nobbs' accusations, particularly those which related to the accidental drowning of four young Islanders, may have been aimed at shocking the Minister and his Departmental Secretary into a more prompt response. However, they seemed to have the opposite effect. By February 1918, even Glynn, usually the most kindly and equable of Ministers, had lost patience with Nobbs, writing on the margin of one complaint 'Similar complaints in the past have not raised any *prima facie* inference of reasonableness'.²⁴

Despite all attempts to get him to moderate his crusade against the Administrator, the barrage of complaints continued until the end of Murphy's term in office. In 1921, After General Parnell took over as Administrator, Nobbs was elected President of the Executive Council. His term was only for that year, and he seemed to lose some of his zest for the fight against the administration. This may have been because of increasing financial problems due to the failure of the lemon juice industry, in which he had heavily invested. However, in 1924, he applied unsuccessfully for the position of Administrator and, when Colonel Edward Leane was appointed, returned to the attack with renewed vigour. In the light of subsequent events, it is ironic that in a memorandum to the Minister dated 31 October 1924, Leane, while rejecting a complaint from Nobbs, also provided the following positive assessment.²⁵

As you are doubtless aware, Mr. Nobbs is a man of strong feelings, who clothes his propositions in extravagant language. His motto is, "Norfolk Island for the Norfolk Islanders", the apex of his ambition is to become Administrator of Norfolk Island, and until then he cannot see any good in the Administration, or your Administrators.

On the other hand, independent of this idiosyncrasy, he is a good man. He has brought up 16 children on Norfolk Island and given every one of them a first class education in Sydney, and he is without doubt the most progressive man of the community, I wish there were more of his calibre, even with all his failings.

Nobbs was to prove more successful in his efforts to get rid of Leane, whose term of office was terminated in mid-1926. In a further, somewhat whimsical, turn of fate, it was Murphy, the earlier target of his most trenchant criticisms, who was then called back as interim administrator, to bring peace to the troubled community. Until his death in 1938, Nobbs lost none of his enthusiasm for a fight, or his determination to maintain the rage against Norfolk Island's dependent status. At the same time, it is clear that he was often in conflict with other community leaders, and that he may have had more in common with business and commercial contacts, both on Norfolk Island and in Australia.

In 1931, he was one of a group of businessmen and government officers who unsuccessfully presented a petition to the United Grand Lodge of New South Wales seeking approval for 'Lodge Norfolk' to be established on the Island.²⁶ He continued his interest in community and council affairs and was again elected Council President. However, in August 1934, after continuing conflict with Administrator C.R. Pinney, Nobbs was removed from this position. Undaunted, he was elected as a councillor later in the year, successfully obtained sitting money due to him and, although initially claiming 3000 pounds, was finally awarded only two pounds in technical damages. Nobbs seemed quite unperturbed by this setback. At a Council meeting on 21 April 1937, now aged 78 and in failing health, he successfully moved that:²⁷

Having regard to the unhappy and unfortunate experience of the Island during the past four years, the Council most earnestly urges that the term of office of any Administrator or Official Secretary should in no circumstances extend beyond three years, unless on the express wish of at least two-thirds of the electors.

Throughout his life, Nobbs corresponded with a wide variety of friends and acquaintances, and his dedication and persuasive approach won over many politicians and other influential Australians. He died on 31 July 1938, survived by twelve of his sixteen children. He had outlived the other three principle players in the first Commonwealth Administration, winning many battles for Norfolk Island although failing to achieve the ultimate goal of self-government for his beloved homeland.

Endnotes

- ¹ See Gerald O'Collins, *Patrick McMahon Glynn, A Founder of Australian Federation*, 1965, Melbourne University Press and *Patrick McMahon Glynn: Letters to His Family (1847–1927)*, 1974, The Polding Press, and the P.McM. Glynn diaries and other papers in the National Library of Australia, MS 4653.
- ² Glynn's amendment, was decided after a tied vote by the Chairman, Sir R.C. Baker. A South Australian, Baker stated: 'In what I conceive to be the interests of the federation of these colonies, I vote with the Noes'. *Official Record of the Debates of the Australasian Federal Convention*, Third Session, Melbourne 1898 Volume 1:636.
- ³ O'Collins 1965:215–229, *op.cit.*
- ⁴ NLA:1538/15/352–355, William Morris Hughes papers, letter from Gordon to Hughes, 29 November 1912. Also cited in L.F.Fitzhardinge, *William Morris Hughes: a political biography*, 1964 Sydney: Angus and Robertson, Vol.1:273.
- ⁵ NLA: MS 4653, Glynn diaries.
- ⁶ Helen M. Davies, entry for Atlee Arthur Hunt, *Australian Dictionary of Biography*, 1988, Volume 7:403–404. See also NLA: MS 52, Atlee Hunt diaries and papers.
- ⁷ NAA: CP697/41 1912/348, 'Re Commonwealth Government's take-over of Norfolk Island administration'.
- ⁸ Davies 1988:404, *op.cit.*, and entry for Sir James Burns by G.J. Abbott and H.J. Gibney, *Australian Dictionary of Biography* 1988, Volume 7:489–491.
- ⁹ NLA: MS1100, Hunt Diaries, entries for 21 and 27 April 1904.
- ¹⁰ NLA: MS52 Series 28. Hunt papers, letter to Glynn dated 16 March 1914
- ¹¹ NLA: MS 52/18/1036–1054, Hunt papers.
- ¹² *Report of Commissioner Alexander Oliver and Supplementary Report of William Houston and Leo Watkins, 1906, op. cit.*
- ¹³ NLA: MS52/20/1169–1224, Hunt papers.
- ¹⁴ NAA: A1 1926/16927 'Murphy, M.V. — Appointment as Administrator, Norfolk Island'.
- ¹⁵ NAA: CP697/56/1, Norfolk Island'.
- ¹⁶ NLA: 52/20/1169–1224, Hunt papers..
- ¹⁷ NAA: CP423/1, Bundle 1, 'Transcripts of evidence at Royal Commission, Whysall Commissioner'.
- ¹⁸ *Sydney Morning Herald* 3 July 1935:10.
- ¹⁹ Raymond Nobbs, bibliographical entry for Charles Chase Ray Nobbs, *Australian Dictionary of Biography*, 1988, Volume 11:31–32.
- ²⁰ Despatch to Lord Loftus, 27 January 1885, *British Parliamentary Papers* 1885 Norfolk Island No. 26: C.-4583: 282.
- ²¹ Despatch, 20 August 1885, *British Parliamentary Papers*, Norfolk Island No 17, C.- 4842:239.
- ²² NAA: A 37/1, 'Norfolk Island. Papers from Mr. Houston', Notes of a private meeting between the Deputy Administrator W. Houston and Alfred Waterhouse, 16 May 1903.
- ²³ NLA: 4653/16/253, Glynn papers.
- ²⁴ NAA: CP 423/2 'Royal Commission on Norfolk Island Affairs' Exhibit No. 75.
- ²⁵ NAA: A518; 624/1/32 'Part 1 Norfolk Island — E.T. Leane — Administrator'.
- ²⁶ In the biodata supplied with this petition, Nobbs is recorded as having been initiated into Lodge Macquarie, New South Wales, in 1880, with a certificate to that effect dated 18 June 1881. See Grahame H. Cumming, *Freemasonry on Norfolk Island*, West Pennant Hills, 1996.
- ²⁷ NAA: A518 E800/1/4, 'Norfolk Island—Administrative. Administrator, tenure of appointment'. See also Merval Hoare, *Norfolk Island in the 1930s: Administrator Pinney's Term*, Brisbane, Boolarong Press, 1996: 30–31.



Cook Ministry (1913–06–24 to 1914–09–17)

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The Commonwealth takes Control



*T*he Norfolk Island Bill (1913) was presented in Parliament and the Minister for External Affairs gave the Second Reading speech on 16 September 1913. He had been well-briefed by his Secretary and provided with copies of the relevant Orders in Council, Commissioner Oliver's 1903 report, and other administrative and historical material.

Glynn began by reminding his colleagues that, in 1909, a Bill for the transfer of Norfolk Island to the Commonwealth had been before the House. However, it had not proceeded, as further negotiation with the Governor of New South Wales had been required. In response to a question as to why, if Norfolk Island were so much closer to New Zealand than Australia, it would not be better for New Zealand to take it over, he stated:¹

I do not believe in surrendering what seems to be our domain. I hope that the interests of Australia will be more manifest in the future, and I say it with the greatest of respect to other nations, whose ideas of government, if applied, may tend as much to the amelioration and advancement of the natives as our own. Placed, as we are, the greater the control we have of islands like Norfolk Island, the better it may be for the people there and here.

While noting that only a small proportion of arable land was under cultivation, Glynn reported that, once greater access to markets was assured, there was every hope that agricultural production would

increase. He was aware that some members might consider that Norfolk Island would prove more of a liability than an asset. Treading delicately, he outlined the history of the *Bounty* descendants, and the present system of governance in which absolute authority was vested in the Governor of New South Wales. However, when asked if Norfolk Islanders would immediately receive a vote in similar provisions to that of Northern Territory and Papua, he demurred:

I think we may proceed too quickly. I am a thorough believer in responsible government. If there have been any troubles at Norfolk Island to an extent it may have been from the lack of a sense of social responsibility, which comes from the outside control of the Governor, who cannot, in the nature of things, often visit the island.

He rejected a suggestion that any lack of social responsibility might be related to the islanders being descendants of mutineers, firmly stating that he had read a history of these descendants and: ‘I hope that the word “mutineer” will not be used invidiously’. He reassured members that previous misunderstandings with Imperial authorities over import restrictions had now been settled. In addition, Glynn emphasised that this was another significant stage in the process of Federation.

I have already mentioned, as a reason for taking the island over, our interest in the development of the Pacific, and there is, of course, the consideration that there should be vested in the Commonwealth the control of all islands at present under the control of the States — that dependencies of the Commonwealth that are not part of a State ought to be passed over to the Commonwealth.

In response to another question, he acknowledged that the people of Norfolk Island, ‘know what is going on; but they have not been consulted by the Government’. This point definitely struck home. Although the notion of prior consultation had not been previously considered, arrangements were immediately made for Hunt to visit Norfolk Island as soon as the Bill was passed. This would enable

him to discuss the implications of the change with the residents, the Administrator, and other government officers.

While there was relatively little interest in, or opposition to, its main purpose, the Bill did encounter some criticism in the committee stage of deliberations. Glynn was back in Adelaide and had been in touch with a number of former residents of Norfolk Island, including Gertrude Farr, who passed on to him the reassuring letters she had received from Charles Nobbs, and other members of the Norfolk Island community. On 24 October, Hunt wrote to inform Glynn of the progress of the Bill through the committee stages. He had been very optimistic that all would go smoothly as 'at first progress was delightful'. But Opposition members thought it was all going too quickly and again raised the question of leasehold versus freehold allocations of land.²

Concern that the Norfolk Islanders should be more fully involved continued to be expressed, particularly by Dr W. Maloney, Member for Melbourne. He had visited the Island on two occasions, and a number of Islanders had lodged complaints with him regarding past injustices. In particular, they strongly criticised New South Wales, for carrying out the evictions from Crown buildings in 1907 and 1908. Maloney told the House that:³

The year 1907 was a sad year for Norfolk Island. That was the year of eviction. I am satisfied that the Commonwealth Government would never have done what the New South Wales Government of that day did. I am glad that the Island which is the heritage of the Pitcairners is to be brought under the more beneficent role of the Commonwealth.

The debate continued, but, on his return to Melbourne, Glynn finally won the day, noting in his diary on 24 November that: 'I got the Norfolk Island Bill through the House of Representatives last week'. Some further delays occurred after the Bill had been sent back and forth to the Senate, but it was finally approved in December, just before the House adjourned for the Christmas recess. Glynn was clearly reassured by the positive views expressed in

the letter Nobbs had sent Gertrude Farr. He copied it into his diary, noting that it was 'one of three letters received by a lady who spent some years on the Island'.⁴

On 31st December, the Secretary for the Department of External Affairs, Atlee Hunt, left Sydney for Norfolk Island. He arrived on 5th January and spent 10 days consulting with the Administrator, members of the Executive Council, and other officials. A public meeting was held and a series of formal and informal discussions took place with Islanders, including Charles Nobbs. Although his report reflects the colonial attitudes of racial and social superiority of the day, it was clear that Hunt appreciated the 'hospitality and mutual self-help' which were exhibited. At the same time, a lack of motivation and a gentle, easy going nature would mitigate against efforts to develop the island. To overcome these problems, he considered that an injection of capable and enthusiastic settlers would probably be required. On the other hand, while critics had spoken of the lack of morals and 'untruthfulness and practiced concealment' of the Islanders, Hunt felt that whatever might have been true in the past, 'it is the opinion of many well-qualified to judge that this community will at the present bear comparison in regard to morals generally with any in the Commonwealth or the Empire'.⁵

He clearly enjoyed the warm welcome he had received, not only from Murphy as Administrator, but from many others on the Island. Gifts were exchanged, and contact maintained, with the friendship widening to include Hunt's family. With the assistance of the New South Wales Department of Agriculture, Murphy continued to work on the project to encourage islanders to increase agricultural production. On 13 March 1914, after returning from a visit to Sydney, he wrote to Hunt asking if there had been any further developments in the formal acceptance by the Commonwealth. In the meantime he reported that: 'I am going on with the Demonstration Plots. Ross, Chief Inspector of Agriculture N.S.W. came down with me to complete arrangements.' The letter ended with 'Kind regards to Mrs. Atlee and yourself and love to Molly and the boys'.⁶

The Order in Council assenting to the Norfolk Island Act 1913 was proclaimed on 30 March 1914. Arrangements now began in earnest for the final proclamation, which would transfer Norfolk Island to the authority and control of the Commonwealth. On the same day, Hunt had written to Murphy asking his opinion as to whether mention should be made of the origins of the Pitcairners as descended from mutineers and Tahitian women. This was because: 'Mr. Glynn said that he thought it would be most injudicious to say anything about their origin'. Hunt thought they were rather proud of their origins and that mention should be made of this fact. However, just to be sure that his understanding of the feelings of the Islanders was correct, he asked Murphy to send a two word cable 'Origin Yes' or 'Origin No' His personal letter also reported that suggestions had been made that the ruins of the old convict gaol should be removed 'because so long as they remain they revive memories of convict times'. He concluded with best regards to all friends 'especially the Stephenson household and remember me to the Dicketts, Cox, the Rossiters and Mrs. Metcalfe, Charlie Nobbs and Macey Quintal.'

On 9th April, Hunt received a cable from Murphy : 'Origin Yes'.

On 29th April, Hunt reported that the Minister was still undecided as to when Hunt's report on Norfolk Island should be published. There had been a change of Governor-General and political uncertainties made it impossible to be definitive about plans for the ceremonial takeover of the Island. He hoped that the mail of 1 June would carry full instructions.

By that time we shall have our new Governor-General here and shall perhaps see by then what is going on in the whirligig of politics. Mr. Glynn, I think, will try to get the Governor-General himself to go over, in which case he will probably accompany him, but of course the political situation will settle the matter. It would never do for the Governor-General to be away even for a week at a time of crisis.

One reason for Glynn's hesitation with regard to publication may have been the unflattering assessment by Hunt of the Islanders'

general intelligence and capacity for hard work. As the Minister responsible, Glynn was concerned that the decision to take over Norfolk Island had not been universally applauded. Echoing the views of Sir Henry Parkes that Norfolk Island could prove to be a 'white elephant', some politicians feared that substantial Commonwealth funds would be needed to develop the Island. Matters dragged on and the delay created some tensions on the Island. Murphy wrote to Hunt on 12th May that: 'We are just marking time until we are taken under the Commonwealth wing. No one seems to love us now.' He was concerned that appropriate financial arrangements would be made in time and also asked if it was intended to retain Werner (the New South Wales Chief Police Constable), as it was important to maintain continuity in police matters. He concluded with respectful regards to Mr. Glynn and 'chin chin to yourself from all here'.

Whatever hopes Hunt may have had regarding Murphy's continued appointment were soon dashed. The Cabinet decided that the position should be publicly advertised. On 21 May he sent Murphy an official Memorandum:⁷

I confirm my cablegram to you of 20th Instant, the decode of which is as follows:-Government intend to proclaim transfer July 1st. It has been decided that in accordance with usual practice of government applications will be publicly invited for position of Administrator. Notice will appear in Commonwealth Gazette 26th May returnable 16th June. Telegraph whether you desire to be considered applicant. Salary 700 (pounds) allowances 100 (pounds).

As other political matters began to take precedence, and the government struggled for survival, it became less and less likely that any Commonwealth dignitaries would go to Norfolk Island to celebrate the proclamation. In these circumstances, with his Minister and other Cabinet members preoccupied with planning their election campaigns, it was very difficult for Hunt to secure a decision on the administrator's position. The death of his brother Eugene, and his own recurring ill health, had created additional

distractions for Glynn. Towards the end of June, Sir Gerald Strickland directed Murphy to return to Sydney, to prepare for the formal transfer of records and financial arrangements. Before leaving Norfolk Island he wrote to Hunt thanking him for sending copies of the Order in Council and the draft proclamation, and describing plans for the Island ceremony.⁸

I shall not be here, the Governor having cabled for me to return to Sydney by this boat, re transfer of the island records, goods chattels etc., but we have decided to hold a public meeting on the 1st July to be opened as usual with prayer by the Chaplain at Rawson Hall. The Commonwealth Blue Ensign will be broken with full honours. The cadets will form the guard ... The National Anthem will peal forth and the ceremony will be made as impressive as possible. Uniformed officers will stand at the salute, civilians will uncover. Speeches will be made by the Acting Administrator, the Deputy Chief Magistrate, the President of the Executive Council and also by the Vice-President.

He noted that the financial benefits of the transfer with regard to trade and tourism would be emphasised and the advantages of selected investment and settlement by mainlanders. He concluded: 'I am now doing all I can to make the 1st July a Red Letter Day here'. This 'personal and private' communication also included a somewhat tongue-in-cheek summary of the positive themes which would be conveyed in the various speeches.

The tariff yoke will be removed by Australia, her foot will be taken from the brake of our little island coach whose wheels will be made to run more freely. ... Our girls will grow more beautiful, our men stronger. Orchards, coffee plantations and prosperous farms will abound, and henceforth our escutcheon shall bear the cornucopia.

Hunt had already raised with his Minister the question of Murphy continuing in office as the Commonwealth Administrator, emphasising that his knowledge of, and acceptance by, the Islanders would ease the transition. Glynn was quite open but required more information to counter the negative feelings of some of his

colleagues that Murphy was a lackey of the New South Wales Governor and that a 'new broom' was needed. Nothing further was done and Hunt became somewhat impatient. He was aware that the position of Administrator (set at 700 pounds a year, accommodation, travel and other allowances) would be eagerly sought after, particularly by retired Army officers.⁹

On 17 June, the Order in Council placing Norfolk Island under the authority of the Commonwealth of Australia, and the Governor-General's Proclamation that the Act would come into effect on 1 July, were published in the Commonwealth Gazette [See Appendix 6]. A few days later, the Archbishop of Sydney wrote to Prime Minister Joseph Cook, seeking an appointment to support a Mr. T. G. Adamson, an applicant for the Administrator's post. Hunt realised that it was time to put more pressure on his Minister, by giving compelling reasons why Murphy was the best candidate. He provided Glynn with some background details and a personal testimony of observations during his January visit. There was strong support for the appointment from a wide range of local leaders and businessmen, and Murphy was considered to be a person of ability, tact and commonsense. He described Murphy's approach as 'friendly without being familiar', and noted that he was adept at sorting out the many small but continual land disputes which arose between individuals and families.¹⁰

An officer which had not had previous experience amongst the Islanders and who did not thoroughly understand their peculiarities would probably fail to amicably settle difficulties of this kind. Mr. Murphy, having a thorough knowledge of the customs and feelings of these simple folk, is necessarily placed at a distinct advantage in such matters. He has surveyed practically every square foot of the Island, and the inhabitants are fully aware of that fact, which causes them to look upon his decisions with respect.

Murphy's unique position as a licensed surveyor meant that there would be less cost to the Department if he were appointed, as he

could oversee and sign off on any surveying which was required. The work on experimental agricultural plots which he had inaugurated with the help of the New South Wales Agricultural Department, and other activities to promote the welfare of the Islanders, could continue smoothly. Hunt also suggested that the wariness and feelings of uneasiness many Islanders felt towards the Commonwealth would be increased if a change of Administrator also took place.

I feel confident that this restlessness would be considerably accentuated if Mr. Murphy was removed from his present position as Administrator. He has so won the esteem and regard of the Islanders, and they look upon him with such affection, that not to appoint him as their head would cause great dissatisfaction throughout the Island generally, and would no doubt seriously interfere with the smooth working of the new territory.

Despite these reassurances, the Minister seemed disinclined to take a stand against what Hunt began to suspect was some opposition among Cabinet members for the continuation of a New South Wales officer, particularly one who had strong backing from Sir Gerald Strickland. Glynn needed further proof and reassurance that Murphy was the right man to act in the dual role of Administrator and Chief Magistrate. So, in a formal memorandum to Glynn, Hunt threw professional protocol to the winds and took the unprecedented action of presenting an official 'on-the record', personal testimonial.¹¹

Memorandum for the Minister

With respect to Mr. Murphy's application for the position of Administrator of Norfolk Island, I would like to place on record my recommendation that he be appointed to the post.

I have had personal acquaintance with Mr. Murphy for 35 years, and know him to be a man of high character. For some years I was brought into daily contact with him. During the last 10 years I have had occasional interviews with him on the subject of Norfolk Island,

and have been able to appreciate his complete grasp of all office matters concerning the management of its affairs.

When I was in the Island in January last I met all the principal persons, and obtained from them their opinions with regards to Mr. Murphy personally and as Administrator. I would particularly mention Mr. Dicketts, the Officer in Charge of the Cable Station, Dr. Patton, Government Medical Officer, Archdeacon Uthwatt, of the Melanesian Mission, and representatives of the Methodist and Seventh Day Adventist Churches. I would also mention Mr. Charles Nobbs, one of the most highly educated and intelligent of the Islanders of Pitcairn descent and Mr. Macey Quintal, who is of Pitcairn birth and was educated as a barrister in New Zealand. Those two are perhaps the foremost men amongst the original settlers, while Mr. Pearson, ex-banker of Sydney, and Mr. Pinkerton — both storekeepers of full European blood, and Messrs. Waterhouse, formerly of Sydney, planters and traders, are highly respected in the Island. From all of these persons I received strong testimony to the fact that Mr. Murphy was in every way suited for the position, and that he carried out his duties with ability, and what is even more important in a community composed as is that of Norfolk island, with marked tact.

In moving about the Island in Mr. Murphy's company I had daily opportunities of observing the relations between himself and the general community, and could not fail to be struck by the respect universally paid to him and the admirable terms, which were friendly without being familiar, on which he was with the inhabitants. He knows everybody on the Island — man, woman, and child — and I think that his removal would be felt as a very severe blow.

With regard to the magisterial portion of his duties, this is not heavy and requires more the exercise of sound common sense than any special legal training. I heard no complaint of any kind as to decisions which had been given by him.

Atlee Hunt

Secretary

23rd June 1914

It is perhaps indicative of the positive relationship and mutual respect that existed between the Secretary and his Minister that Hunt was able to write with such urgency and exert such pressure for immediate action. At the same time, Glynn's natural caution and attention to detail meant that he needed to obtain independent confirmation from the church leaders and others who had contacted him over Norfolk Island affairs. This would enable him to respond to questions from the Prime Minister or any less enthusiastic members of the Cabinet.

The strong support Murphy was receiving from Sir Gerald Strickland, and his position as a New South Wales departmental officer, were clearly not in his favour. There may have also been some suggestion that Murphy was a less desirable appointee because he was a Catholic who was being supported by the Catholic Governor of New South Wales; Glynn had to have a very strong case to present to Cabinet. At the same time, many of Murphy's strongest supporters were Anglican and several had been connected with the Melanesian Mission. Glynn had been contacted by a number of Anglican church leaders and others who had visited or worked on Norfolk Island. All had spoken highly of Murphy as a very suitable person to continue as Administrator. He and his wife now paid a call on Miss Gertrude Farr, at the Anglican Manse in North Adelaide, to confirm the support from the Norfolk Island community for Murphy's appointment. The daughter of a missionary, Miss Farr had spent some time with her family on Norfolk Island and had taught at a private school run by Miss Minnie Buffett. She was unable to provide Glynn with additional letters as the household was about to move and the original letters had been packed away. However, anxious to support Murphy's appointment, she provided written confirmation of the views which had been conveyed to her:¹²

Miss Buffett wrote that she feared least Mr. Murphy's appointment would only last six months & that then there would be another change. These continual changes play havoc with the Island.

Archdeacon Comins late Chaplain of Norfolk Island under Government, & a member of the Mission staff & resident for 30 years on Norfolk Island spoke last year of Mr. Murphy's possible appointment as likely to be excellent as he thoroughly understood the Norfolkers. During my sister's residence on the Island when Mr. Murphy was frequently to and fro on Government business the Norfolkers always spoke of him as one they could implicitly trust ... The late Dr Metcalfe thought very highly of him. Mr. Murphy came to the Island with Mr. Oliver. I was there then living among the Norfolkers who singled him out at once as one who had their interests in view.

Noting that the Islanders needed calm encouragement and under the wrong person could become very 'troublesome', Miss Farr concluded:

My sister says 'if they send another of those Sydney swells who know nothing about the Island they will just throw everything back'. A good deal of the recent trouble has been caused by social jealousies & a middle-aged unmarried man is able to carry on the work of the Island and not be mixed up in petty social difficulties which arise from the islanders being a community that recognises no social distinctions & a governor's wife must create a society & come against this deep-rooted communal instinct.

On the 27th June, Murphy wrote to Hunt from Sydney asking what was happening but, not wishing to be appear anxious, ending on a philosophical note:¹³

As far as my position is concerned I don't feel any anxiety. Under section 7 of the Norfolk Island Act itself, my continuation in office is provided for. Sir Gerald, however, seems to have been perturbed by the Gazette notice calling for applications for the position. Personally I am glad it was done, but one doesn't like the particulars broadcasted in all the papers, but that was inevitable.

Despite Murphy's belief that he could continue in office as a temporary measure, Hunt felt that the situation needed speedy resolution. This was not only for his friend's security of tenure, but

because uncertainty would mitigate against a smooth transition to Commonwealth control. In a final attempt to obtain an immediate decision, Hunt wrote again to his Minister. This was a very strong and impassioned effort which concluded with suggestions that, if Murphy were not appointed, there could be some grounds for compensation. There could also be negative reactions, not only from Sir Gerald Strickland, but possibly the Colonial Secretary as well.¹⁴

Melbourne, 27th June, 1914

Dear Mr. Glynn

You will remember that you said something about a message to be conveyed to the people of Norfolk Island to be read at the ceremony on the 1st July. Will you draft a message you desire transmitted so that it may be in readiness for cabling on Tuesday morning as that will be the last available opportunity.

I do not want to be too persistent on the subject of appointing Mr. Murphy but I do not want any action to be taken without full knowledge of all the circumstances. I would, therefore, like to put these two points before you.

First, you are aware that there is a certain degree of feeling in the Island adverse to the Commonwealth. Before my visit there was a good deal of hesitation amongst the people in accepting the new order of things. That was largely due to a misunderstanding which I think my explanations removed but I feel sure from what I saw in the Island that the personal feeling being passed over and we shall, therefore, begin our new regime with a general feeling of mistrust in the minds of our people regarding the operations of the Commonwealth. They will think that the transfer has been affected not for the purpose of securing benefits for themselves but for the purpose of providing an opportunity for the Government to bestow patronage.

Secondly, and this perhaps a more important consideration, is the attitude which will be taken by the Government of New South Wales. As you are aware that Government through its various Departments has materially assisted the administration during the last few years and

it was my recommendation that we should continue to avail ourselves of the services of public servants of that State. Of course New South Wales is the State most directly interested as being the terminal point of the steamer service. The Education Department has supplied teachers and arranged for the necessary periodical inspection. The Police Department have agreed to detach a man for service to the Island for a term during which he retains his position in their Service, and the Stores Supply Committee have undertaken all the work of procuring the necessary supplies.

I feel sure that the Government of the State will not view the fact of Mr. Murphy being passed over with equanimity and I should think it not unlikely that the resentment would take the form of a refusal to assist us in the directions mentioned. Of course all that assistance is not indispensable as possibly we might get the assistance of State Governments elsewhere and we could make our own arrangements for the purchase and supply of stores, but if we cannot rely on New South Wales to help us then we shall have a good deal of inconvenience and more expense. And, also, there is the question of the surveys. We shall probably have to send a surveyor down twice a year as was done in the past.

I do not know what position I should be in with regard to Sir Gerald Strickland; as I mentioned to you he wanted to discuss the question of compensation to Murphy in case he was not appointed but I declined to go into the matter on two grounds. First that I had no instructions, and secondly that I sincerely hoped it would not be necessary. Of course the only way in which he could make compensation would be out of the Norfolk Island Fund which is at his disposal until the 30th instant. If we send him no communication at all he will say that we have intentionally deprived him of the opportunity of doing what he thought was an act of justice. I feel sure too that Sir Gerald will make very strong representations on the subject to the Colonial Office and I should not be at all surprised if we got a communication from Mr. Harcourt [British Colonial Secretary] that will make very unpleasant reading.

You will remember that Sir Gerald takes the assurance in the Governor-General's despatch of the 10th September last as tantamount to a definite promise and possible the Colonial Office will do the same.

I must apologise for having set these matters out at such length but I feel strongly on this point both in the interests of a worthy officer, none of whose actions so far as I am aware can be counted to his discredit, and in the interests of a peculiarly constituted community for many of whose members individually I have a strong personal regard.

Yours very truly.

Atlee Hunt

Secretary

Glynn had already canvassed the possibility of Murphy remaining on as a temporary measure. There now appeared to be some legal technicalities, as Sir Gerald Strickland had personally appointed Murphy to his position, 'subject to disallowance or confirmation'. The inclusion of this provision had not been authorised by the British authorities. Murphy's appointment would lapse on 30th June, unless the Governor-General approved his continuance under the new Act. On 29th June, after an exchange of telegrams between the Governor and the Governor-General on how to resolve this awkward situation, Hunt sent Glynn a telegram, which copied Strickland's advice to the Governor-General that:¹⁵

It appears inequitable to prolong this condition' [of uncertainty]. Mr. Dicketts [OIC Cable station] is now acting on Norfolk Island under a dormant commission. If you are unable to legalise Mr. Murphy's position by first July it is open to you as a temporary expedient to authorise me to administer Norfolk Island [and] act as your deputy in which capacity. I would willingly carry out instructions of federal ministers conveyed through their permanent officials.

Hunt added that he had informed Strickland that Cabinet had considered the matter, but no decision had been made. The Fifth

Parliament adjourned on 26th June and was formally dissolved on 30th June, with elections scheduled for 5 September. Although his election campaign was about to begin, and other politicians were on the move, Glynn returned to Melbourne. The Prime Minister was preparing to leave for Sydney and had not yet been convinced by earlier representations. A more persuasive approach was needed. Making extensive use of Hunt's briefing memoranda, and the other information he had obtained, Glynn wrote to Cook.¹⁶

Melbourne, 30th June 1914

My dear Prime Minister

I am just back from Adelaide and find that you will not remain in Melbourne today so desire to submit for your consideration some grounds upon which I recommend the present Administrator Mr. M. V. Murphy for appointment as Administrator of Norfolk island.

He has acted as Norfolk island Surveyor since 1896 and was appointed such officially in 1899.

He has surveyed all land on the Island and compiled the official map, for the purpose making frequent visits in some cases for a period of six months.

In 1905 he was appointed officer in charge of Norfolk Island affairs acting from Sydney and in September 1913 was appointed Administrator of the Island. The salary was P450 received from New South Wales Government, being his salary as a State official and P150 from the Norfolk Island Fund, a total of P600 [sic] with an allowance of P207/3/9.

At my interview with Mr. Murphy on the affairs of the Island some months ago I found that only one additional officer would be required. He would be a sort of Secretary to the Administrator and should have some knowledge of surveying.

I find that small but intricate land disputes are constantly arising in Norfolk Island between various families. Mr. Murphy having a thorough knowledge of the customs and feelings of the inhabitants

has had and must of course continue to have a distinct advantage in dealing with these matters as he has surveyed practically every square foot of the island and the inhabitants knowing this look on his decision with respect.

The Secretary whose services are necessary for correspondence and accountancy will also act as Assistant Surveyor, and can undertake plain survey work with less cost than would be occasioned with the appointment of a licensed surveyor: his work can be checked by Mr. Murphy.

Some months ago when Mr. Murphy arrived here I went through the affairs of the Island at length with him. He had been appointed on the 10th September 1913 as Administrator by the Government of New South Wales. This Government by letter saw no objection to the appointment which of course is subject to disallowance if it is decided to supersede him. Since his appointment he has displayed considerable activity in promoting the welfare of the island and in conjunction with the New South Wales Agricultural Department has inaugurated a series of experimental plots. He has adjusted several land disputes: attended to a number of surveys which have been long delayed and has otherwise generally put many matters straight.

From what I saw of him personally I think he is a class of man suited to the peculiar condition of the place. Though not in the ornamental sense showy or imposing he has a commercial and business knowledge and apparently the zeal and energy required for the purposes, in the beginning of our connection, we must have in view. I have no hesitation in saying that such a man would be more adapted to the conditions than either an ex-Naval or an ex-Military officer. I say this well recognising the humane desire to help at least one of those officers at the end of his term.

Now my information is based not only from official sources but from private. Shortly after the Norfolk Island Bill was introduced the then Bishop of Melanesia, Bishop Wilson, and the Bishop of Adelaide, called on me at my private residence. The impression left by that

interview was that they looked with considerable favour upon the appointment of Mr. Murphy.

I have read several letters from people in the Island addressed to a lady who spent 14 years there and upon whom I called yesterday to borrow these letters: One is from Mr. A.C.R. Nobbs [actually C.C.R. Nobbs], a highly educated and intelligent islander of Pitcairn descent, and the most influential of the inhabitants, in which he views with interest if not with pleasure the taking over of the island by the Commonwealth, and another, which I hope will be forwarded to me by this mail, speaks in favorable terms of the present Administrator. The same views have been expressed to Mr. Hunt when on the Island by Dr Patton, the Government Medical Officer, Archdeacon Uthwatt of the Melanesia Mission and representatives of the Methodist and other Churches. The same Mr. Nobbs expressed to Mr. Hunt the very favourable opinion of Mr. Murphy. Mr. Pearce an ex-banker of Sydney and Mr. Pinkerton both storekeepers of European blood, as well as Messrs. Waterhouse, planters and traders of Sydney, independently confirm these statements.

There are many other matters with which I will not bother you at the moment but it is my duty to put on record the impressions I formed that the present man is suitable for the position. There may be little opportunity of doing so before you leave for Sydney tomorrow.

You ask whether the appointment is really pressing at the present moment. It is possible to leave it over for some time, but the effect will be that under Section 7 of the Norfolk Island Act which provides that Judges and Magistrates and other public officers for Norfolk Island shall continue in office as if appointed under this Act, Mr. Murphy can continue at present but can subsequently be removed if necessary by an Order-in-Council.

With best regards,

Sincerely yours,

P. McM. Glynn

This last minute appeal succeeded and the Prime Minister agreed that Murphy should continue as the Acting-Administrator. The appointment was approved by the Governor-General and the Order in Council was duly proclaimed on 1st July. Although he was disappointed not to be confirmed in his position, Murphy was busy at the State Government Office in Sydney, finalising the transfer of files, accounts, and other official records. Hunt was far from satisfied, feeling defeated and very apologetic that he had been unable to gain full confirmation. On 2 July, in a letter marked 'Strictly Private & Confidential', he conveyed these feelings.¹⁷

My dear Murphy

I have not replied to your last 2 or 3 letters because I simply did not know what to say. I was in hopes that the matter might be definitely terminated, but that has unfortunately not happened. I can give you two assurances - Firstly, that I have done everything in my power to supply the Minister with reasons why you should be appointed. I have done what I have never done in the case of any departmental appointment before; I have put a memorandum officially on the file stating the reasons why I think you should be made Administrator, and, further, I have supplied informally to the Minister a long series of arguments to the same effect. Secondly, I believe that Mr. Glynn has done all he could do so far, and that it is not his intention to relax any of his efforts on your behalf. Of course I do not know what takes place in the Cabinet, and can only surmise that there must be opposition from some quarter or another. If I did know that, I might be able to prepare special arguments to meet it, but I do not, and of course in a departmental matter I cannot discuss things with any other minister than my own.

Strictly between ourselves, Sir Gerald Strickland is not very popular with our Government, and the fact that he has championed your cause strongly counts rather against than for you. It is quite wrong that such should be the case, and I think Mr. Glynn has pointed out that because Sir Gerald has done some foolish things, it does not always follow that he is always doing them, and that he may be

occasionally right, and that this is one of the occasions on which he is certainly right. However, the matter remains undecided so far as Cabinet is concerned, but I want to ascertain if I can from our legal officers what your right status is under the provisions of section 7 of the Norfolk Island Act, of which I think you have copies. In order to raise that question in a formal and definite way, I think it would be well if you would write me an official letter asking for your position to be defined, and stating exactly what your present position is, or rather what your position has been up to the 30th June, in regard to the N.S.W. Public service and in regard to the Island. Mention in the course of your letter the salary and allowances that you have received, and by whom they were paid. Of course there is no question about your pay continuing until the matter is decided, but we would like to get a formal ruling from our Law Department on the whole subject.

I should not be at all surprised now that cabinet has separated if the decision were deferred until after the elections. It is quite likely that Mr. Glynn will be in Sydney about next Wednesday week, when of course it will be open for you to see him.

Will you be so good as to let me have the letter I ask for as soon as possible.

You might send us a few copies of the map of the Island, as we are short of these. Half a dozen will suffice.

With best regards and assurances that nothing I can do will be left undone,

Yours very truly,

Atlee Hunt

Perhaps due to Murphy's calm acceptance of the vagaries of political decision-making, Sir Gerald Strickland also realised that it was time to achieve closure. In an official despatch to the Governor-General, while noting his displeasure at the way the situation had been handled by the Commonwealth, he expressed appreciation that a decision had been made.¹⁸

State Government House Sydney

2nd July 1914

Sir

I have the honor to acknowledge the receipt of a telegram from Your Excellency, dated yesterday, having reference to the post of Administrator of Norfolk Island, and to express my thanks for a decision which justifies my handing over official records to Mr. Murphy, who has now been recognised by the Government of the Commonwealth as administering Norfolk Island under Section 7 of the Norfolk Island Act during the pleasure of Your Excellency.

2. This places Mr. Murphy in a correct legal position, as contrasted with his tenure of office under a commission subject to disallowance or confirmation by one of His Majesty's Secretaries of State, which was reported by me to the Colonial Department in a despatch, No 159, of the 30th September 1913.
3. Your Excellency will observe that the power conferred upon the Governor to appoint Public Officers by the 3rd clause of the Norfolk Island Order-in-Council of the 18th October, 1900, does not require that the appointment should be made subject to disallowance or confirmation. The insertion of that provision by me in the commission to Mr. Murphy was therefore a step unauthorised by the Imperial Authorities, and that condition became bereft of the support of my own personal authority when my authority over Norfolk Island came to an end on the 30th June.
4. If it had been the desire of your Government to make the commission of Mr. Murphy void, or voidable, before 1st July, the Government of the Commonwealth might have moved the Secretary of State before that date to direct me to cancel the commission which I issued to Mr. Murphy and substitute therefor some other instrument.
5. Although Mr. Murphy appeared to me the most suitable appointment, I was careful from the outset not to force the choice

of Mr. Murphy on the Federal authorities, as I felt it my duty to avoid action in the period of transition which might hamper the Federal authorities, and so leave them free to choose any other Administrator the commission was so worded; and Mr. Murphy was instructed so as to prevent him from acquiring vested rights.

6. But this position was fundamentally altered when Lord Denman informed me that it had been decided to continue the appointment of Mr. Murphy; thereupon my action became co-ordinated with the latter decision.
7. I am no longer concerned with Mr. Murphy's acquired rights, if any, but in order that his severance from the Public service of New South Wales may be on lines clearly defined, it may be useful that the circumstances in connection with his leaving it should be considered by the Federal Law Officers as well as by those of New South Wales.
8. The notice calling for applications for the appointment held by him was made the subject of public advertisement without any intimation to me, or without obtaining the disallowance of Mr. Murphy's commission through the Secretary of State. If such disallowance had been sought in time, I could have taken steps to provide for compensation from Norfolk Island funds, and I duly intimated to Your Excellency a desire to have sufficient notice to enable me to do so.
9. It is for your legal advisers to determine whether Mr. Murphy's commission is any longer open to defeasance, either legally or equitably.
10. If Mr. Murphy is now a Federal Officer, taken over under Section 84 of the Federal Constitution as your telegram of yesterday appears to convey, all question would seem to be at an end, except such as may arise with third parties.

I have the honour to be.

(SGD)

G. Strickland

Governor

A notation on the margin of paragraph 6, 'Get file re this', suggested that there were still some complicated legal questions to be clarified. Nonetheless, it appeared that both Glynn and Hunt had been able to use the possible legal difficulties inherent in 'disallowing' Murphy's appointment to confirm his continuance in office, at least until the question of a permanent appointment was decided. The public advertisement for the position continued to attract a steady stream of applications and representations for different candidates. Some applied pressure on the Prime Minister and the Minister for External Affairs. Others, as evident from this letter from Hunt to Glynn, went straight to the Secretary.¹⁹

Melbourne, 2 July 1914

Dear Mr. Glynn.

I had a visit this morning from Colonel Stanley, who is an old friend of mine. He told me that he had received a very strong hint yesterday that it would be worth his while to apply for the position of Administrator of Norfolk Island. He said that it came from a member of the Ministry. It was not Senator Millen, because he said that before doing anything he would have to consult Millen. I think it is probably Mr. Kelly [Acting Minister of Home Affairs], as Stanley knows him very well and is extremely intimate with Kelly's brother in Sydney. Stanley asked me the position with respect to Murphy. I told him that, so far as I was concerned, I considered that Murphy ought to have the position, and had done everything I could think of to get it for him, and that you were of the same way of thinking, but that there seemed to be a good deal of opposition to Murphy, and it appeared by no means certain that he would be eventually appointed, although the position was somewhat different now since the 1st July from what it was before.

Stanley left me with the intention of speaking to Senator Millen on the subject, and he thought that it might be worth his while to apply in case the opposition to Murphy proved successful.

Now, while Stanley is an old and intimate friend of mine, I cannot think that he is by any means an ideal man for the position. He is a man with a very good record in the service, but he is now old — 62 or 63 — and is not at all the man he was. He is growing deaf, and is at times extremely irritable and easily put out. He, of course, is accustomed to the handling of men, but knows nothing of agricultural development or the commercial side of life.

On what I told him he agreed that Murphy was apparently quite the best man for the post, but saw no reason why, if there is a dead set made against Murphy, he should not be in the running, so I expect it is possible that he will apply.

Murphy has sent me a testimonial which he received some time ago from Lord Chelmsford. He says he has also one from Sir Henry Rawson, and I have advised him to put it in.

Yours very truly

Atlee Hunt

Glynn remained in Adelaide during July, but Hunt used several briefing letters to remind him of the good work which Murphy was doing. One letter on 13th July began with an apology: that 'I am afraid I am rather pestering you with letters today; there seem to be such a lot of things turning up'. He then mentioned a wide range of issues, from the presence in Darwin of some undesirable Armenian priests, to a discussion with 'Mr. Deakin on the requirements of the American people respecting the dipping of sheep', concluding:²⁰

I had a long interview with Mr. Murphy this morning and he submitted about 30 matters wanting attention. Many of these were of considerable detail and we settled what ought to be done in each case, that is to say where they were of any importance we settled that he was to submit a memorandum for your decision. I may say I shall be sorry for any outsider taking the job without the assistance of Murphy. The work has been too much centralised in the past with a result that practically he is the only one who knows anything at all on a lot of important questions. One of the objects of my discussion

with him was to make such arrangements as will ensure some other permanent officials becoming au courant with the general business of the island.

A few days later, Hunt reported to Glynn that:²¹

We have arranged with Murphy to see Mr. Waterhouse on his return to Sydney whither he proceeds today and see if he could get him accepted as a witness before the Interstate Commissions so as to put the position of the Norfolk Island Coffee planters before them. If they are not to be assisted by the duty I am afraid prospects for the Island are seriously affected. It has been of the greatest value having Murphy here. He has got in touch with the Treasury and understands all the requirements both in regard to that department and our own.

As Glynn was now in the midst of his election campaign, Hunt came across from Melbourne and wrote to Murphy on 24 July.²²

I have just come back from Adelaide where I had a busy time with the Minister... I thought it was a proper thing to put you on the strict official rate of pay from 1st July. It looks remarkably like taking it for granted that you will be confirmed in your position... Mr. Glynn is going to have a talk with Mr. Cook on the quiet when he gets him in Adelaide the week after next. He seemed very impressed by your papers and has asked me to let him have copies specially to show Mr. Cook. The address from the Executive Council particularly appealed to him.

Having completed his work in the State Governor's Office in Sydney, Murphy prepared to leave for Norfolk Island. He appreciated Hunt's sustained friendly interest and knew that he was doing all that he could, but was aware that it was essentially a political decision. However, he was concerned that the appointment of a military or naval officer might result in a person who did not know how to work with the Islanders. This was a particular problem, as many of the experienced government officers, who could have provided support and advice, had now left. In a letter to Hunt, he pointed out that:²³

This leaves the island officially weak, and if it had not been so, I shouldn't have been sent down, for I told the Governor I was not a candidate for the job, but Sir Gerald told me that he was sending me down at the suggestion of Lord Chelmsford who recognised the position.

On 5th August, Prime Minister Cook informed Glynn by telegram that Britain was at war with Germany. Murphy had returned to Norfolk Island and it was clear that no further decisions would be made until after the September elections. At the same time, his earlier concerns that the publication of details of the Administrator's salary and conditions would create some problems were now justified. In a letter dated 15th August to Gertrude Farr, initially offering condolences on the death of her Mother, Nobbs wrote that:²⁴

Our present position is as follows, viz. The affairs of the island are now controlled by the Governor-General and Parliament of the Commonwealth, through an Administrator who resides on the island; all customs duties on articles produced or manufactured here are removed and therefore we have a free market in the Commonwealth. Nothing further has so far been done, but it is presumed that other necessary matters will be attended to, as soon as the new Parliament gets to work. Mr. Murphy has been reappointed Administrator by the Federal Government at a salary of 700 (pounds) per annum with 100 (pounds) allowance & a free house. I mention this because I think that this is wasting a good deal of money which might be diverted to other necessary matters. I think 400 (pounds) to 500 (pounds) per annum with a residence is ample for any one holding this position, because at the most, there will not be much work attached to the position.

There have been no changes in the laws & regulations since the new order of things, but I have no doubt but that changes will follow, & in this respect I strongly think that before any action is taken by the

Federal Government, the opinion of the local Executive Council should be ascertained on any contemplated change, this I think is only fair to us. We who live on the spot know better than any one else what is best for the Community. As you know our community has lived under peculiar circumstances and enormous drawbacks, it would not be fair to expect an instantaneous change to complete up to date methods, these will no doubt follow gradually & if we are given a fair chance, I have not the slightest doubt that a proper response will be made & that we would ere long be a self supporting and prosperous community.

Miss Farr passed on this letter to Glynn and he seems to have taken note of the comments Nobbs made about higher salaries being a waste of money. While still in office he was asked by Hunt to approve a recommendation from Murphy for an increase in the salary of the Court Registrar, Ernest Stephenson. The argument was that Stephenson was only paid part-time but the work was closer to full-time, and his salary should be raised from 70 pounds to 150 pounds. Glynn's notation queried the reasonableness of more than doubling the salary and asked for more details as to comparative salaries paid to other officers. It was perhaps as well that the official record did not contain the information that Stephenson and his family were currently staying with Murphy at Government House because he could not afford to maintain his own household.²⁵

Although Glynn was returned by his electorate, the Cook Government was defeated. Andrew Fisher became the new Prime Minister and John Andrew Arthur took over the External Affairs portfolio. When Parliament convened on 8th October, Hunt again turned his attention to the task of representing the case for Murphy's confirmation as Administrator. He was well aware of the sectarian bias in some quarters, which — combined with antagonism towards the New South Wales Governor — had worked to counter his efforts. Certainly, if he had had access to the comments of the Governor-General, in a secret despatch to the Secretary of State, these would have come as no surprise.²⁶

As regards the transfer of Norfolk Island to which I referred in my Cable, I have only to say that towards the close of an interminable correspondence, over difficulties created by himself, Sir Gerald proposed to continue himself as Administrator under the Commonwealth Government. That offer being politely brushed aside, he then concentrated his effort on securing the post for another Catholic, which aroused a Protestant reaction. Mr Cook consulted me on the matter at Sydney, he being disposed to “turn it down”. And so, I am since informed, are the rest of the Cabinet, with the exception of the Minister for External Affairs, who is also a Catholic.

However, those who had actively opposed Murphy’s appointment were gone from the Cabinet, and the new Prime Minister and his colleagues were more likely to be influenced by Glynn’s earlier recommendation. An undated briefing paper, officially from the Assistant Minister for External Affairs, and initiated by Prime Minister Andrew Fisher, was presented to Cabinet.²⁷

Re: Norfolk Island

1. It is submitted that it is desirable to fill the position of administrator without further delay.
2. The present acting administrator, Mr. M. V. Murphy, was appointed in September 1913. He was selected as Surveyor of the Island in 1896 and in 1905 The Governor of New South Wales appointed him Officer in Charge of Norfolk Island Affairs.
3. Mr. Murphy was recommended by the late Minister, Mr. Glynn. The present Minister, Mr. Arthur, who has perused these papers, is, I understand, favourable to the appointment of Mr. Murphy.
4. The recommendation for appointment is endorsed by the Secretary, Mr. Atlee Hunt, whose personal acquaintance with Mr. Murphy extends over 35 years. Mr. Hunt visited the Island in January last and in addition to bearing high testimony to Mr. Murphy’s capacity adds that he is universally acceptable to the inhabitants.

5. Other applicants for the position are numerous and some of them are from persons who, if Mr. Murphy were not an applicant, would fill the position very well; but Mr. Murphy's knowledge of the affairs of the Island and its people, his familiarity with the duties required, point to him as being the most suitable person for the position of Administrator.

The Cabinet was persuaded. On 13 November, the Prime Minister informed the New South Wales Premier that:

It has been decided to appoint Mr. M. V. Murphy as Administrator of the Island under the Commonwealth regime as from 1st July last. I shall be glad, therefore, if you will kindly obtain the approval of your Governor-in-Council to the transfer of Mr. Murphy under Section 54 of the Constitution of the Commonwealth of Australia.

On the same day, Hunt cabled Murphy with the news and Murphy wrote to express his appreciation of how much work had gone into achieving finality. His unofficial letter acknowledged, in a typically understated way, this successful outcome to a very long campaign.²⁸

Confirmation of Commission. I was pleased to get your cable stating that my matter had been fixed up. I can now go straight on with my work. I must take this opportunity, however, of conveying my thanks to you for the steadfast manner in which you have supported my claim throughout. I was resting quite satisfied that if my commission were not confirmed it would not be from lack of effort on your part. The residents here are good enough to seem pleased about it also.

Endnotes

- 1 House of Representatives, Norfolk Island Bill, Second Reading, Commonwealth of Australia *Parliamentary Debates*, Volume LXX:1240–1247.
- 2 NLA: MS52/28, Hunt papers, personal correspondence .
- 3 *Parliamentary Debates*, 24 October 1913:2548–2549.
- 4 NLA: MS4653, Glynn Diaries, entry for 23 November 1913.
- 5 Parliament of the Commonwealth of Australia, 1914:16. *Memorandum by Secretary, Department of External Affairs, relating to Norfolk Island*, Government Printer for the State of Victoria, ordered to be printed, 13th November.
- 6 NLA: MS52/20, Hunt papers, personal correspondence.
- 7 NAA: CP697/41 1914/75. Official memo from Atlee Hunt, Secretary, Department of External Affairs, to M. V. Murphy, Acting Administrator, 21 May 1914.
- 8 NLA: MS52/20 Hunt papers. Letter from Murphy to Hunt, 12 June 1914.
- 9 NAA: A2/1 1918/1649, ‘Norfolk Island. transfer to Commonwealth’.
- 10 *Ibid.* Memorandum from Hunt to Glynn, 18 June 1914.
- 11 *Ibid.* Memorandum from Hunt to Glynn, 23 June 1914.
- 12 NLA: MS 4653/16, Glynn papers. Letter from Gertrude M. Farr, 30 June 1914.
- 13 NLA: MS52/20, Hunt papers. Letter from Murphy to Hunt, 27 June 1914.
- 14 NLA: MS52/1398, Hunt papers. Copy of letter from Hunt to Glynn, 27 June 1914.
- 15 NLA: MS4653/16, Glynn papers. Urgent telegram from Hunt, 29 June 1914.
- 16 *Ibid.* Copy of letter from Glynn to Prime Minister Joseph Cook, 30 June 1914.
- 17 NLA: MS52/1188 Hunt papers. Copy of letter from Hunt to Murphy, 2 July 1914.
- 18 NAA: A2 1918/1649. Despatch from the Governor of New South Wales to the Governor-General, Commonwealth of Australia, 2 July 1914.
- 19 NLA: MS52/1406, Hunt papers. Copy of Hunt’s letter to Glynn , 2 July 1914.
- 20 NLA: MS52/1410, Hunt papers. Copy of Hunt’s letter to Glynn, 13 July 1914.
- 21 NLA: MS52/1415, Hunt papers. Copy of Hunt’s letter to Glynn, 15 July 1914.
- 22 NLA: MS52, Hunt papers. Copy of letter to Murphy, 24 July 1914.
- 23 *Ibid.* Letter from Murphy to Hunt, 28 July 1914.
- 24 NLA: MS4653/16/253, Glynn papers. Letter from C. C. R. Nobbs to Gertrude Farr, 15 August 1914.
- 25 NAA: A518, 624/1/12 Part 1. ‘Norfolk Island — Staff — Stephenson, E.’. Official request, dated 17 August 1914 from the Acting Administrator to the Minister for External Affairs with a notation by the Minister, dated 4 September.
- 26 NAA. A11085, B10B/1. ‘Governor-General to Secretary of State for the Colonies — 8 August–15 December 1914 — General Affairs’. Report dated 25th August 1914. See also an earlier report dated 8 August 1914, which refers to the extreme antagonism between the New South Wales Governor and Federal authorities.
- 27 NAA: A2 1918/1649, NAA ‘Norfolk Island. Transfer to Commonwealth’ Undated memo with the heading ‘Re Norfolk Island’, from the Assistant Minister for External Affairs, with a notation that it was seen by Prime Minister Fisher.
- 28 NLA: MS52, Hunt papers. Letter marked ‘Not Official’ from Murphy to Hunt, 13 November 1914.



Collecting War Funds

Norfolk Island A145 neg. no 25

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Murphy's term as Commonwealth Administrator

1914–1920



Once his position was assured, Murphy sounded out the possibility of his son Claude being appointed as his private secretary. Pointing out that he needed to have someone in the position who would work with him outside normal official hours, and with whom he could discuss sensitive community issues, he left it to Hunt's discretion to advise if this would be acceptable.¹

Aware of the ambiguous nature of his dual role as Administrator and Chief Magistrate, he was also anxious to provide greater professional status and financial security for his Court Registrar. He continued to promote a salary increase for Stephenson but his requests met with only limited success. Both Hunt and his new Minister, John Andrew Arthur, the Member for Bendigo, shared Glynn's view that sharp increases in the salaries of Norfolk Island administrative staff might be politically unpopular. After further representations, Arthur was persuaded to agree to a compromise position and Stephenson's salary was raised from 70 to 104 pounds.² However, Hunt was able to facilitate the appointment of Murphy's son as the Administrator's private secretary and, accompanied by his wife Edith, Claude took up this position in February 1915.

The next few months were relatively uneventful, with the main focus on continuing the projects initiated under the New South

Wales regime. At first, apart from contributing to war fund collections, the war had had only a minor impact on the Norfolk Island community. Rifles and ammunition were sent from Sydney and volunteer training and paid look-out patrols were established. There were some concerns regarding enemy shipping. On 18 October 1914, Murphy had written to Hunt that they were awaiting the arrival of the *Mindini*, observing: 'We hope she has not been collared by the Germans some of whom are still prowling around somewhere in these seas'.³ During the next few months a number of Norfolk Islanders volunteered for active service and left for training in Australia.

In the meantime, arrangements were underway for an official Parliamentary visit to Norfolk Island. In December, Murphy wrote that he had been shocked to learn that their Minister had died. He thanked Hunt for sorting out his son's appointment and reported that he could accommodate 6–7 parliamentarians. He had earlier invited Hunt's sons, Bob and Bruce, to spend part of their Christmas holidays on Norfolk Island and confirmed that there would still be room for them. However, Hunt responded that he was not sending the boys at this time, as the members and their wives would give Murphy and his officers quite enough work. To facilitate all the arrangements, a departmental officer, J. A. Carrodus, would accompany the party. Hunt warned that: 'Sometimes these people are a little troublesome. It may be that they will expect a good deal more from Norfolk Island than they will find.'⁴

Murphy replied that he was sorry that the boys were not coming. The party would travel on the *Levuka*, and as no extra liquor could be shipped, he hoped that the members of the Parliamentary party were a teetotal crowd. He again expressed his appreciation of Hunt's support: 'Thank you for assisting so successfully in the appointment of my son as Secretary. I feel relieved to find that I shall not have the responsibility & uncertainty of dealing with a stranger.' He added a final request for Hunt to check if one of the NSW school inspectors could come over on a 'holiday' and visit the school. Hunt's notation 'Done 20/1/15' was written on this request.⁵

The Parliamentary Visit

A Parliamentary party of 10 politicians, nine family members and J. A. Carrodus spent three weeks on Norfolk Island. They left Sydney on 24 December and returned via Lord Howe Island on 20 January 1915.⁶

In addition to daily informal meetings, various social events, including a cricket match at the Melanesian Mission, were organised. A public meeting was held on 12 January and this provided an opportunity for Islanders to raise matters of concern. These ranged from complaints about the high cost of administration and the need to return to a fully elected Council, to a proposal favoured by Charles Nobbs, but considered engineeringly unsound by Murphy, that the hill above Cascade Landing should be blasted and the material dumped onto the shore in order to improve port facilities. Henry Menges, a long time German resident, pointed to the anomalous situation which existed in having the Administrator also holding the role of Chief Magistrate.

Other complaints related to past events and, as was evident from questions later raised in the House, many of the politicians were confused as to the exact nature of the injustices inflicted on the islanders by the present Australian administration, as opposed to past wrongs for which the British or New South Wales governments might be held responsible. In a report to the Minister on 4 February 1915, Carrodus stated that the members had received so many representations that the public meeting had been held to enable all complaints to be heard. He cautioned that 'as is usual in the course of a parliamentary visit to a new territory, there were a great number of residents with grievances or alleged grievances,' and concluded:

The Administrator, Mr. Murphy, and the Collector of Customs, Mr. Stephenson, could not do enough for us. They did everything possible to ensure the comfort and pleasure of the whole party during the stay. The parliamentary visit entailed an enormous amount of extra work on these two gentlemen.

Murphy — anxious that they would enjoy their stay — organised that Stephenson would assist with arrangements. This action, well-meaning as it was, rebounded, with criticism later made that resident government officials did not seem to be fully occupied. Nobbs, whose initially positive view of the transfer to the Commonwealth had not extended to any endorsement of the Administrator, had had an excellent opportunity to place his grievances before a captive audience. Murphy felt that some of the parliamentarians listened too readily to these criticisms. They did not understand the personalities involved and the rivalries and tensions between different community leaders

Carrodus had taken the minutes of the public meeting and this record would be placed on the official departmental file. Murphy was concerned that complaints and recommendations had been recorded without further information or clarification. He and his officers had gone to a great deal of trouble to look after the visitors. This meant that the visitors may not have been made aware of some of the existing community divisions and administrative difficulties. Feeling he had to answer the public complaints from Nobbs and others, he dashed off a long, candid, and uncharacteristically defensive, letter to Hunt.⁷

Private

Government House,
Norfolk Island.

5th Feb. 1915

My dear Hunt,

I am sending this via Vila, as we understand there is a chance of it catching the “Pacifique”.

I had not time to fully go into Carrodus’ report of the Public Meeting held here on 12th Jan. He hurriedly typed it off from his notes and I sent [it] on as it was given to me. I have not paid Quintal’s salary yet, as I don’t know when he joined the Expeditionary force. Charles Nobbs seems to think that I am intentionally delaying the payment of orders he holds to collect it. My chief offence though is in presiding at

Executive Council Meetings, where the dominating influence he used to exercise over Allen Buffett no longer avails. They tell me he pumped a lot of gratuitous information into the sympathetic ears of such of the members as were inclined to take him seriously. My salary was excessive, my duties consisted in answering about a couple of letters a month, and a Secretary was altogether unnecessary etc.

You will observe that the only Norfolker who had any grievances to ventilate was C.C.R.N., the others are all strangers, viz., Anderson, Pinkerton, Waterhouse and Menges. The last mentioned being a German, naturally attacked the administration of British justice.

But it is the same old story over and over again. When anyone comes here vested with any authority, the same old tales of woe are poured out. Charles Nobbs sought to convey the impression that the reconstruction of the Council was his own idea, but you know differently from that.

Ex.Co.

The totally elective Council was given a fair trial and found to be defective. Now that the Public Works are to be paid out of our appropriation, it is necessary that at least half of the Council should be nominated by the Government. Apart from this, the progressive element, who are not of Pitcairn descent would not stand a show of being elected by the Pitcairn descendants. The Executive Council can at any time suggest legislation; there never was anything to prevent it.

Carrodus did not quite catch the tenor of my remarks re the proposed new council, what I said was that I had recommended that the Ex.Co. should consist of 12 members but not that they should be all elected.

Menges

Menges talked a lot of rubbish, when he said that he heard the Chief Magistrate discussing case after case before sitting on the bench. Captain Elliott never had much time for Menges, and it is hardly likely that even if he were discussing a case improperly he would do so in the presence of a third party. It was nothing more than a stab in

the back. The cases are never previously discussed, in fact for that very reason I never sign a summons or a warrant, and Stephenson was made a J.P. on my recommendation, in order that I should not previously hear one side of a case.

Anderson

Anderson was on his old pet scheme of connecting Nepean Island with Norfolk Island, but personally I don't think much of the Anderson proposal. Too expensive, I don't think anything but concrete blocks would be effective and they are too expensive.

Cost of Administration

Charles [Nobbs] in this is hitting off at me. He pretended to understand that the residents would be called upon to pay the whole cost of Administration, well knowing that not only were they not asked to pay this in the past, but that their lands were granted free of charge, and he was one who got about 27 acres for practically nothing. He wanted the meeting to understand that my salary was something new, but he did not tell them that it was less than I was receiving as Administrator before the Island was transferred to the Commonwealth. In any case, he has never had any opportunity of ascertaining what the duties are, of either Chief Magistrate or Administrator. He touched the key note of his attack when he let the remark slip that he hoped he could occupy the position. Captain Elliott used to hold the same opinion, when he was Chief Magistrate, i.e., that he was hoping to become C.M. His line of argument presumably is that Norfolk islanders should be allowed to govern themselves, when he might perhaps be considered as a candidate. His remarks about the secretary are a supplementary dig at me.

Norfolk Island Fund

Again we have Charles on the Norfolk Island Fund, this he considers should be used exclusively for the descendants of Pitcairners or Pitcairners themselves. He complains that they were never shown a Balance Sheet of this Fund. I explained to the meeting, although Carrodus didn't take it down, that the reason was that Sir Frederick

Darley, when acting as Lieutenant Governor, decided that they had nothing whatever to say in regard to the fund, as they had not subscribed anything towards it. He declined to give them any information, and practically told them to mind their own business. There are registered papers which you have amongst the records sent to you from Sydney. I think they demanded the information as a matter of right. The exclusiveness of the Norfolk Island Community was tried at first as an experiment, but was found to be a mistake, deterioration was found to be setting in, owing to intermarriage and inbreeding, and that now is the great social problem here today. With regard to the Medical Fee of 15/- (shillings) per annum, Charles himself has a family of about a dozen children, for which himself and his wife included he pays 15 shillings a year and gets medicines and drugs thrown in. He can't plead poverty, as he is the biggest landowner by far, and he is also the largest stockowner.

Education

Pinkerton's remarks with regard to education, are reasonable. There is no doubt that some provision should be made, either for inspection or for independent sets of examination papers to be sent periodically. The examination might be placed under members of the Mission Staff, and the papers sent on to the Education department for report.

Liquor

Once more Charles dilates upon the liquor question. He is not very explicit, but his remarks are directed against the Cable Station and the Mission, who have separate permits. He says let us have no class legislation. So much for his consistency. When referring to the Norfolk Island Fund, he wanted it to apply only to the Pitcairners or their descendants, but that's so like him.

I am pleased to say that we have now practically solved the Lemon Problem. The lemons are squeezed into casks and shipped to Sydney, where there is a ready sale for it amongst cordial manufacturers. The lemon gatherers get 3/6 per thousand, which seems to pay good wages. Our export last month were more than 1,000 [pounds], and then

about 400 [pounds] worth was left behind, as the Steamer could not wait over Sunday. The lemon juice is worth about 1/6 per gallon f.o.b. here, or about 3[pounds] per cask. We understand that the consignees make a big profit, by some special treatment. Of which I hope we will be able to get particulars, and glean the benefit before long.

We are doing the same with our passion fruit, the pulp is squeezed into barrels and casks, a preservative is added and shipped to Sydney. A cask of this is worth about 9 [pounds] here. Locally the passionfruit are bringing a penny per lb. We want to find out the special treatment for this pulp also. I understand that salicylic acid is used as the preservative.

E.H. Chandler and Thomas Adams are the two principal lemon dealers. Chandler informs me that he has 24 permanent employees at the factory, besides 50 Passion Fruit pickers and 60 lemon pickers. I should think Adams must have nearly as many. If the February boat called, Chandler informed me that he would have about 1000 [pounds] worth to ship, and Adams about 315 [pounds] worth. I received your cable the other day saying that Tambo might call, but that there was no chance of a boat about the middle of February. The Tambo hasn't turned up yet, I wonder if anything has happened to her. Hope not.

Kind regards to Mrs. Atlee and the children.

Yours sincerely,

(signed) M. V. Murphy

A few days later he wrote again, outlining the problems which arose in marketing crops due to the very tight shipping schedules and delays in loading and unloading cargo. As resident Administrator, Murphy was now fully involved in all aspects of life on the Island. Details of liquor permits, quarantine regulations and infringements, control of infectious disease, bird egg harvesting, rifle competitions, births, deaths, funerals, and problems of dangerous weather conditions, which made loading and unloading of cargo and passengers difficult, were all meticulously recorded in the Administrator's diary. On 10 February, a boating accident occurred, and Reverend Long and a member of

Melanesian Mission staff were drowned. Life was very full. There was little time to brood over what sort of overall impressions the visiting politicians had gained during their visit.⁸

In fact, most members of the visiting party had gathered very positive impressions. Hunt was able to report that 'the Members all got back safely and everyone of them is full of praise for what you did to make them comfortable'. He sought to soothe any wounded feelings Murphy might have felt from the criticisms levelled against him by suggesting that he should assess the repairs needed for Government house and other buildings:⁹

We can easily spare two or three hundred pounds out of our vote and there is one thing I would like you to remember when dealing with us — we get no end of blame if we exceed our estimates but we do not get any thanks at all for the savings on them.

He included the news that his son Bob had passed all tests to become a Cadet Midshipman at the Naval College, adding: 'If he will only work and behave himself his future is assured'. Aware that Murphy might feel the need of some official reassurance, he concluded:

That was a very sad thing about the poor missionary losing his life. We got an appreciative telegram from the Bishop in reply to our message. If there is any event on the Island at any time in regard to which you think a message from the Minister would be appreciated you could always send me a telegram and I will see that it is promptly attended to.

Over the next few months, questions in the House, particularly from one of the Parliamentary party, J. H. Catts, showed that Nobbs, Menges, and several other businessmen had been very persuasive in their arguments. They were now also able to make use of these additional political contacts to air ongoing grievances. Questions regarding the transfer of the Norfolk Island Fund from the Governor of New South Wales to the control of the Commonwealth caused further confusion. On 29 March, in response to a query from Murphy as to the status of the Fund, Hunt replied that:¹⁰

Sir Gerald was rather annoyed at what he called the “Commonwealth’s mismanagement” in taking over the funds, but as a matter of fact we had done our part up to a certain point, and were only awaiting the completion of some formalities by the N.S.W. State authorities, who do not appear to have been in any hurry over the matter. However, I hope the matter will soon be adjusted, but can assure you that the delay has not occurred at this end.

During the June estimates debates, questions were again raised regarding land tenure, resident rights and the Norfolk Island Fund. Although details had been provided many times before, and often related to past events, the complaints received by politicians were usually recounted in the present tense. Murphy was again asked to respond. He did so at length and one can only imagine his annoyance at being called upon, some months after the event, to answer questions which could, from his point of view at least, easily have been settled during the Parliamentary visit.¹¹

Government House
Norfolk Island

17th August 1915

Memorandum for the Honourable the Minister for External Affairs

Adverting to your telegraphic message of 7th August, re Parliamentary debates of June 2nd, 9th and 10th, respecting eviction of tenants from old houses, I have the honour to report that there have been no evictions of recent years, not since 1908, after the question of the Crown’s right to the houses was determined by the Imperial Government.

There are papers referring to the whole matter in a file marked “Houses”, they were sent to the Department of External Affairs about July 1914; various petitions were made concerning them from time to time.

The origin of the house trouble, from what I remember, was a petition to the Imperial Authorities signed by some of the residents, about 15 years ago, in which they laid claim to all the lands on the island; to the

houses in the Government Reserve in Kingston; and to the Norfolk Island Fund. This was referred by the Home Government to the Governor of N.S.W., and he sought advice of the Attorney-General, and an opinion was obtained from Mr. Edmund Barton, now Sir Edmund, one of the judges of the High Court of Australia. This opinion was to the effect that the houses situated in the Government reserve at Kingston were the property of the Crown; that the only land that had been granted to the residents was that conveyed in their deed of grant (each head of a family having received a free grant of about 50 acres); and that they had no authority over the Norfolk island Fund, to which they had not contributed, and which was held under trustees appointed by the Secretary of State for the Colonies.

The question of the Crown's right to the houses was dealt with locally by Governor Sir Harry Rawson himself, and conveyed to the residents by him personally during his visit to the island in May 1903, when the substance of his intimation was to the effect that the matter had been decided by the Imperial Government, and could not be reopened. He, however, promised to give the Pitcairners a Permissive Occupancy of the houses free of rent for three generations. Some accepted, others declined. Those who accepted have since remained in undisturbed possession, free of rent. Those who declined were compelled to give up possession, in the early part of 1908. A form of licence under which they were to be permitted to occupy, is enclosed.

The impression conveyed by Hansard's report is that some injustice was done to an old maiden lady, her young widowed sister and her two young children. This is not correct and I am unable to account for such a wrong impression. The following will show how easily facts may be misrepresented.

The house referred to was originally allotted to John Quintal. He had not occupied it for many years, having lived in another house of his own about two miles distant, leaving his daughter and her husband (the Robinsons) in charge; and they and their family occupied it for many years. Old Johnny, as he was called, was one who refused to accept a licence to occupy, but being an old man more than 80 years of age, the

Governor allowed the house to remain in his charge during his life time. Eventually he died; so did Mr. Robinson, and a year or two later Mrs. Robinson passed away, she also during her life was allowed to occupy without interference. The only one who occupied the house ultimately was Miss Robinson who had only recently returned from Sydney, being absent from Norfolk Island for nearly twenty five years. She informed me that it was her intention to reside upon a Crown lease, for which she had made application. This would leave the house practically vacant. In the mean time a younger sister, Mrs. Buffett, whose home was in another part of the island, on the death of her husband, came with her two children to stay with her sister, but not, I was led to understand, to live there permanently. She has since gone to Sydney for an indefinite period. There was therefore really no one remaining whose permanent home the house in question was. As it was the property of the Crown the question was one of the payment of rent of the next tenant, as in the case of other houses in the vicinity. All the other Robinson children on the island have independent homes of their own.

In the meantime Miss Robinson decided to withdraw her application for a Crown lease and to continue her residence in the old house. this she was permitted to do at a nominal rent of 7:10/- a year.

Miss Robinson's application for the house was made before the arrival of the Parliamentary Party. Copy of her application is enclosed, with my reply thereto, from which it may be seen that some erroneous information has been supplied to Mr. Catts, the nature of which was not conveyed to me during his visit.

I have no recollection of his asking me what justification there was for giving them notice to shift, as such notice was never given, vide my memorandum to Miss Robinson of 4th January. The question was simply one of the amount of rent Miss Robinson should pay, as quite independent of me it was decided that the house was the property of the Crown. She and her brother, who acted for her, never made any objection to paying rent, and the matter was practically settled before Miss Robinson's formal application and before the arrival of the Parliamentary Party.

I can only imagine that subsequently the old claim to the houses was revived, and Mr. Catts' sympathies enlisted against the action taken in the past, the policy of which is not my province to discuss.

I remember Mr. Catts' conversation relative to the house in question, it was simply in regard to the Crown's right to it, not in regard to the eviction, rental or anything else; that had previously been settled with satisfaction to all concerned, so far as I was aware.

It was in general reference as to what use the houses were to the Crown that he was informed that the Government were paying 25 pounds a year rent for a cottage for the constable.

I may state that quite a wrong impression has been conveyed. It was not the practice for the occupants of these houses to will them. Since the original occupation of all the houses in the Government Reserve, an examination of the wills shows that in only one instance has one of these houses been mentioned in a will.

In regard to the policy of allowing the Pitcairners to administer their own affairs; they were allowed to do so for more than 40 years, when, after careful investigation it was found necessary to effect a change. The reasons are all given in the official papers laid before the Imperial Parliament, and published. The numbers of these papers were furnished to Mr. Carrodus during the visit of the Parliamentary Party, and published. The reasons given by various Royal Commissions of investigation are complete, and were regarded as conclusive, as may be determined on perusal.

These papers were available for the perusal of any of the Parliamentary Party, and they were so informed during their visit.

M. V. Murphy

Administrator

Murphy's documented response was apparently accepted for the moment. However, he was aware that the administration was definitely 'on notice', particularly as far as Nobbs and other local opponents were concerned. Upon their return, members of the

Parliamentary party had completed individual reports and more general observations of the Island. These were finally published some months later, with a forward by Hugh Mahon, now Minister for External Affairs, and an introductory synopsis of the report Hunt had provided to Glynn after his January 1914 visit.¹²

Most of the comments regarding the Parliamentary visit were fairly superficial. Members commenting in glowing terms on the friendliness of the Islanders and the hospitality provided by the Administrator and his officers. A few were more perceptive. W. Elliott Johnson noted that the convict ruins had been dismantled, and that this, from a tourist and historical point of view, was a great pity. However, comments by J. H. Catts were the most damning. He considered that there were too many public officials on the Island. Although these officials were good people, he pointed out that several could be utilised elsewhere. His conclusion was that:¹³

The present system of administration is costly to the extent of being farcical. Under such a scheme there can be no corporate responsibility in the people and no public spirit. No colony or community in the world ever made progress in similar circumstances. Fancy an Administrator, Administrator's Secretary, Collector of Customs, Secretary to the Executive Council, Postmaster, and police constable with two auxiliary assistants, to administer a code of laws equal in size to one of our Australian Union rule books — with an absence of crime, as Mr. Atlee Hunt points out — fancy this array of officialdom with Government House as the emblem of authority, to govern some 300 adults on 8,000 acres of land! And there are honorary Executive Councillors. It is true some of the salaries are very small. The Island is, however, much over-officered. The administrator (Mr. Murphy) as well as his officers, are men of ability and integrity. But surely their services could be utilized by the Commonwealth where their experience and energies could be profitably employed. Norfolk Island administrative functions and duties could be organized so that an administrator and a police constable could comfortably and efficiently discharge them.

A different opinion was provided by Senator Blakey, who had concluded that the Administrator had a very delicate balancing act to perform. Probably unaware that detailed explanations had been made on many occasions, he suggested that, as questions had been raised about the use being made of the Norfolk Island Fund, a full statement should be made to clarify the situation once and for all. At the same time he considered that Murphy should be given more discretion with regard to small details and expenditures, instead of having to refer all such minor matters to External Affairs.

Settling in as the Administrator

The tensions caused by the visit of the Parliamentary party gradually subsided. Claude and his wife Edith created a pleasant household for Murphy. In April, there was a brief visit from the members of the controversial Royal Commission on Mail Services between Australia, New Hebrides, Lord Howe and Norfolk Islands, but this proved to be only a minor diversion [See Chapter 7].

Hunt had approved a request for a piano for Government House and assisted in settling outstanding matters related to Murphy's transfer to the Commonwealth. Once Murphy had provided the forward estimates for Norfolk Island it was also time to gain approval for the earlier request for a salary increase for Stephenson. Hunt had already explained to his Minister that Stephenson's work as Court Registrar, Justice of the Peace, and Collector of Customs, were more onerous than had perhaps been evident when he helped entertain the Parliamentary visitors. On 31 May, he wrote that he was glad Murphy was more comfortably settled, and he imagined that 'much is due to the presence of Mrs. Murphy Jr.' He then reported on his successful intervention.¹⁴

Going back to your letter, I fully explained to the Minister exactly what you have pointed out with regard to Stephenson, as Carrodus assured me of the fact. That particular matter has assumed a new aspect. When your estimates came up involving as they did an increase to Stephenson

from the 1st July, I thought it was a good opportunity for the Minister to reconsider his previous decision, so I just submitted your recommendations as they stood without comment of any kind. The Minister approved making no special mention of Stephenson.

I will look up the matter about your transfer to the Commonwealth and see what has to be done, if anything, and also the matter about your son's salary.

The increase in salary meant that Stephenson was now in a position to fully support his growing family. Murphy's letter of 19 June reflected his appreciation of Hunt's assistance.¹⁵

I was pleased that the Minister had approved of Stephenson's increase. I presume I can pay him from the 1st July, and I shall do so unless I hear to the contrary. [Hunt had pencilled 'Correct' beside this] he will be going to his own home next month. Mrs. Stephenson finds the new baby requires the whole of her attention, and there is really no reason now for them to remain. It is their own wish to get into their own quarters again, but we shall miss them very much.

During the first two years of Commonwealth administration, a number of transitional matters continued to be slowly and painstakingly resolved with the Governor of New South Wales. The file of copies of despatches from the Governor General's Office, both to the New South Wales Governor and to the Colonial Secretary's Office, record the minute details of transfer arrangements. Bank passbooks, stocks, securities and other financial records were carefully checked and audited, even where quite small amounts were involved. The draft memorandum of transfer was then reviewed by the New South Wales Governor's Office, and additions, corrections, and other changes requested were made. Memoranda were then exchanged with the Prime Minister and the Premier.¹⁶

A curious example of the interplay of personalities and protocol was the complex and drawn out series of negotiations regarding the old Imperial Norfolk Island Seal, which could not be used after the Commonwealth took control. No conclusion was reached during

Murphy's term as Administrator, and a final decision as to its future resting place was not made until 1974 [See Chapter 7].

Many other personnel and financial matters also had to be finalised. These often required explanations and recommendations from the Administrator, through his Secretary to the Minister. Voluminous correspondence in the 'Norfolk Island — Transfer to Commonwealth' file, documents the actions taken to transfer of 5,300 pounds in the Norfolk Island Fund and other moneys related to Norfolk Island. Other memoranda were concerned with establishing procedures, to provide for career paths and promotion for New South Wales officials seconded to the Commonwealth.¹⁷

The first annual report of the Administrator, for the financial year ending 30 June 1915, was optimistic. It recorded a marked improvement in the value of exports (from 1,193 pounds in the 1913–14 period to 4000 pounds in 1914–15), noting that:

The principal exports are lemon juice, passion fruit pulp, coffee, oranges, lemon seeds, potatoes, onions, hides, horsehair, wool, and a small quantity of arrowroot. Occasionally horses and poultry are shipped to the South Sea Islands.

A severe drought and difficulties in obtaining seed from Australia had hampered further agricultural development. War restrictions on transport were already beginning to have an effect. Shipping schedules were to prove increasingly problematic during Murphy's term as Administrator. Nonetheless, knowing that Hunt, as Secretary of the Department, needed a success story, the report concluded on an up-beat note.¹⁸

On the whole, the outlook is brighter, and greater facilities for commercial expansion have been provided since the Island was accepted by the Commonwealth of Australia.

During the next financial year, Murphy continued to promote the lemon industry, despite some problems with lemon 'pirates' who had taken to stealing the lucrative crop and selling them back to the dealers. He also had to deal with complaints by Henry Menges against

Stephenson, the Collector of Customs, when a case of whisky was impounded. As the regulations limiting the import of alcohol were a sensitive issue among local residents, Murphy had to be very careful to appear impartial at all times. It was reported to him that more ingenious ways of obtaining alcohol were planned. On 7 October 1915, in a memorandum to the Collector of Customs (clearly 'for the record'), he advised him to take precautionary measures as alcohol was said to be concealed in the casks imported for lemon juice.¹⁹

The impact of the war was also becoming more evident on Norfolk Island. Over 250 pounds was raised in a collection to contribute to the fund for sick and wounded soldiers. Lieutenant H. C. Grover, Inspector of Rifles, was sent over from Victoria Barracks, Melbourne, to supervise the establishment of a Rifle Range, and the look-out patrols were stepped up. In August, the tragedy of war really struck home: Private Allen Fletcher Buffett, son of Executive Council President Allen Buffett, was killed in action. Murphy wrote to the Department of Defence seeking assurance that Private Buffett's belongings would be returned to his father, and further letters were exchanged. By the end of October 1915, 25 Norfolk Islanders were in the Armed Forces, 2 had been killed, and several wounded.

In April 1916, Murphy and his family visited Melbourne and were entertained by Hunt and his wife. The following month he wrote a personal letter to Hunt in which he described his involvement in a potentially embarrassing situation that illustrated the very public way his private life had to be lived. The Church of England chaplain had publicly criticised him from the pulpit on the grounds that he did not regularly attend church services. This had caused quite a stir in the community and was quickly reported to Murphy. It was well-known that the Administrator was not a member of the Church of England and was not required to attend services except on official occasions. The chaplain's stipend was paid by the Government so he was, technically, a member of the Administrator's staff, and was called in to explain his public criticism. Murphy ended his semi-

humorous but somewhat testy account of the incident by saying that, as the chaplain had fully realised that his comments were ill judged, and could be misconstrued as mischievous, it was best to let the matter drop. Nonetheless, he must have felt considerable annoyance at being publicly castigated, as it would have delighted opponents such as Nobbs and Menges. It may also have seemed prudent to let Hunt have his version of events, in case some other report was sent to the Department or direct to the Minister.²⁰

Despite these minor community upheavals, the more serious tragedies of war, and the continuing problems with shipping, the Administrator reported in 1916 that:²¹

During the year we have been steadily improving. There is more money in circulation, and the rate of wages has an upward tendency. The advantages offered to new industries are being appreciated, and two additional engines have been imported — one for the treatment of lemons; the other for a saw-mill. These will provide employment for many of our residents and assist in the development of local products.

Leading lights and signals had been installed at Kingston, and the Treasury had approved additional funds to build a jetty at Ball Bay and to upgrade the landing places at Kingston and Cascade. A continuing problem was the lack of an effective communication system between the Island and company steamers. As there was no wireless station on the Island, messages regarding times of arrival could not be received direct. This meant that: 'Much inconvenience and delay are caused by these messages having to be picked up by some wireless station and transmitted to us by cable.'

At the same time, there had been a decline in the area of land under cultivation. This was partly due to the development of the lemon industry, but Murphy must have been disappointed that the demonstration plots, which he had so enthusiastically promoted, did not find equal support in the community. Although help in procuring seed and the provision of expert advice continued to be offered, 'the residents did not, to any great extent, avail themselves

of the offer'. The report ended with the obligatory positive comment on the economic prospects for Norfolk Island:

The prospects of increased trade continue to present themselves; large quantities of sugar are being imported; and great numbers of empty casks arrive by every steamer to be filled for export.

Each succeeding year, since the acceptance of Norfolk island by the Commonwealth, shows a marked improvement in the general condition of commercial affairs.

One wonders whether the choice of the word 'acceptance' in the Administrator's reports for both years was significant. It was clearly important that he minimised any internal problems and emphasised the economic benefits that would accrue from additional expenditure on shipping and communication facilities. Problems, which did not need to be mentioned, included arguments with Nobbs and others when plants or stock were imported against quarantine regulations. There had also been sporadic conflict between Nobbs and other members of the Executive Council, probably reflecting underlying historical tensions with regard to his ancestor George Hunn Nobbs. In a private letter to Hunt on 7 October, Murphy mentioned that Nobbs had been annoyed when Howard Christian was elected Council President and was often 'vexatious in Council matters.' In November 1916, Nobbs wrote to the Prime Minister complaining that he had been fined in the Magistrate's Court for importing plants.²²

I contend that this was purely a case of malicious persecution, owing to the fact that the Chief Magistrate, who is also Administrator, is ex-officio Chairman of the Executive Council, in which place there exists a difference of opinion between us on certain matters affecting the community. I am unable to appeal from this decision, owing to the fact that provisions are still incomplete whereby any of the residents may take this procedure — I therefore appeal to you for fair play and justice.

Whatever the merits of the case, the appeal by Nobbs for fair play was not answered for several months. The Government was

recovering from its defeat in the Conscription Referendum and there had been a restructuring of departments. Hunt was now the Secretary of the new Department of Home Affairs and Territories, so was still responsible for Norfolk Island. His new minister was Frederick William Bamford, the Member for Herbert in Queensland, who had been a member of the 1915 Royal Commission on Mail Services that had so annoyed the Governor-General.[See Chapter 7] In a personal letter, Hunt wrote to Murphy that they were 'fortunate to have a most sympathetic Minister'.²³

Of course you have met him, and I think you will agree that as Chairman of the New Hebrides Royal Commission he looked with a very kindly eye on Norfolk. Incidentally I may say he has a very high regard for yourself.

Glynn returns as the Minister for Home and Territories

Bamford's term as Minister was short-lived. Early in 1917, Prime Minister Hughes was at the helm of the new coalition War Cabinet with Glynn once again responsible for Norfolk Island, this time as the Minister for Home and Territories. Murphy wrote to Hunt on 19 February: 'I received your telegram informing me of the new War Ministry. They appear to be a strong team, and you will no doubt feel quite at home in renewing your association with Mr. Glynn.' The change of ministers, while clearly acceptable, was not without some regrets. When Hunt wrote to thank Murphy for his generous hospitality in entertaining his sons over the vacation, he observed: 'Mr. Glynn is a very delightful man to work with in many ways but we shall sorely miss Mr. Bamford whose practical commonsense and vein of live humour made him exceptionally easy to get on with'.²⁴

Hunt did not add, but perhaps this was taken for granted, that when a particular departmental viewpoint was presented, Bamford was more likely to be persuaded and unlikely to ask too many questions. Although quite a capable politician, he was also more easy-going than Glynn, whose conscientious and hardworking

approach to his responsibilities was praiseworthy, but sometimes tedious. As Minister for Home and Territories, Glynn was now responsible for a very extensive and diverse portfolio yet he nevertheless expected to be briefed in detail before agreeing to any proposal put before him.

Most of those on the Island appeared to have been satisfied that the Administrator was conscientious and approachable. However, Charles Nobbs continued to harbour resentment that an Islander had not been selected for the position, and that many locally important decisions were made by the Minister on the advice of the Administrator. As a successful businessman with a large family to support, he objected to the various import and export regulations which seemed to limit opportunities. At the same time, he made good use of political and other personal contacts, so departmental officials were careful to follow correct procedure in dealing with his complaints.²⁵

In February 1917, he again wrote directly to Prime Minister Hughes, complaining about 'the intolerable conditions under which the affairs of the Island are being carried out by the present Administrator'. A major source of his annoyance was that a recent resolution had been ruled 'out of order'. He pointed to the inherent difficulties in the dual roles of Administrator and Chairman of the Executive Council and called for immediate changes, submitting that:

It is entirely, incompatible with order and good government that the Administrator, who is also Chief Magistrate, should be allowed to take part in the proceedings or preside at meetings of the Executive Council.

Nobbs may well have had a valid point, but Glynn was preoccupied with more urgent matters relating to German New Guinea and the Northern Territory. This meant that the problems of one disgruntled resident on Norfolk Island may have seemed less pressing. Nevertheless, he and Hunt considered the various Executive Council by-laws, and a lengthy report from Murphy, before replying that they could find no reason to change the system.

Quite dissatisfied, Nobbs kept up the attack, complaining that 'we are deprived of almost every rights [sic] of British subjects'. The initialled notation on this letter 'Who are "we"? Mr. Nobbs is the only complainant' was endorsed by Hunt's comment that the letter 'appears to contain further evidence of Mr. Nobbs' policy of obstruction'. Several further exchanges were handled in consultation between the Minister and his Secretary and all responses returned via the Administrator.

Perhaps the greatest test of patience, as far as Glynn and Hunt were concerned, was the need to respond to accusations made by Nobbs after a tragic boating accident in early November 1917. Four teenage boys, who had taken a boat without the owner's permission, were deemed drowned. After an extensive search failed to locate them or the boat, an inter-denominational burial service was conducted. Murphy wrote extensively in his diary regarding this event and the distress it had caused the whole community. When Nobbs renewed his attack on Murphy, suggesting that his inaction had contributed to the deaths of the four boys, both Hunt and Glynn considered that he had gone too far. In their view, these were unfair and cruel accusations which required a firm response. On 6 February 1918, Hunt wrote:

I am directed to inform you that the Minister, after having gone into the various matters referred to on receipt of your communications and subsequently when reports for which he called were furnished, is of the opinion that the charges, reflections, or inferences contained in your letters are not justified, and that it would materially assist the Administration and save much official time, if you refrained from making charges which on a fair inference from the facts known have no substance. In future any communication to the Minister or the Government should be couched in respectful terms, and be forwarded through the Administrator.

Despite his readiness to defend Murphy, Hunt was occasionally irritated by the Administrator's apparently calm acceptance of the different competing personalities he had to deal with as part of

Norfolk Island's idiosyncratic way of life. In May 1915, he had written with some asperity that:²⁶

I note, too, what you say about the steamer remaining in Norfolk. If your people won't work on Sunday we will have to alter the timetable to prevent the ship calling on that day as it would be out of the question letting her lie idle for 24 hours. I suppose we in Australia are as good Christians as you in Norfolk but when ships call at Queensland ports for example, en route to other places, on a Sunday, they are allowed to work, the only difference being that special rates have to be paid to the men.

It was not within Murphy's power to alter these community attitudes, even if he had wished to do so. However, Hunt's comments reflected the very different world in which the Secretary and his Minister lived. In December 1917, both the *Warrigal* and the *Indura* arrived to unload and load cargo. The Administrator's Diary recorded that 'the boatmen said that they would not work on Sunday although the Master of the *Indura* was willing to remain if they would do so'. Presumably, Hunt had realised by then that it was useless to protest. In any event, there is no record that he did so. The war dragged on and shipping and other economic constraints contributed to a gradual decline in the Norfolk Island economy.

The Spanish Influenza Crisis

Towards the end of 1918, a further problem arose as messages began to be received regarding the terrible 'Spanish Influenza' which was sweeping the United States. The dangers for this small enclosed community, if the infection reached Norfolk Island, were obvious. Murphy obtained advice from the Australian Quarantine Service and began to plan how to protect those in his charge. The need for decisive action soon arose. In late November 1918, the *Southern Cross* arrived from New Zealand to deliver mail, disembark passengers for the Melanesian Mission, collect other passengers, and take on board supplies for the ongoing journey. However, it also had

a person on board with a high fever. Steps were immediately taken to quarantine the vessel. Alarming reports had already been received from New Zealand visitors that numerous deaths from influenza had taken place after the arrival in October of an unquarantined vessel from Vancouver. Although, as Rice records in his history of the 1918 epidemic in New Zealand, there were other factors to explain the rapid spread of the disease, Murphy was taking no chances. The only means of communication from ship to shore was by semaphore. The terse record of these signals, attached to the Administrator's diary, captures the sense of high drama which unfolded after Murphy had been informed of the situation.²⁷

Semaphore Record: 26 November 1918

SHIP: Do you want the mail?	SHORE: No.
Can we get fresh milk?	No
Can we get fresh meat?	No.
SHIP: Why?	SHORE: Your symptoms are Spanish Influenza. All intercourse with ship absolutely prohibited.
SHIP: Is the doctor coming off?	SHORE: No. Not permitted
SHIP: We must have food, water	SHORE: Will try to get supplies and medicine.
SHIP: We protest against treatment.	SHORE: The Administrator will be informed. Anchor at Admiralty Anchorage
SHIP: Will you keep the leading Light going?	SHORE: Yes.
SHIP: Thank you Good Night.	

[The Southern Cross had been ordered to hoist the quarantine flag. The nurse on ship reported that the patient had pleurisy. However, the Administrator still feared influenza and the doctor was not permitted to go on board].

29th November

SHORE A boat load of provisions will be sent to you about 11 o'clock tomorrow. Boat will be cast adrift. Pick her up and keep her on board.

SHIP: Is the Doctor off? SHORE: No.

30th November

SHORE: Recall your boat. Boat will be towed off & cast adrift. Do not approach her until we cast off [No new cases Patient had a temperature of 102]

1st December

SHIP: To the Administrator: The consequences of your actions in turning us away rest with you.

SHORE: Alright. Will inform Mission and Administrator:

[Permission was refused for passengers to land at the Mission. Three passengers for Auckland were taken out to 'High Rock' where they were to be collected by the boat from the Southern Cross].

SHORE: We are now going to place passengers on Rock. Do not approach until we leave. Ship's boat shall keep wide of Shore boat.

SHIP: Alright.

SHORE: Do you want me anymore today?

SHIP: Thanks. Goodbye.

Murphy safely weathered any criticisms of his actions. Tighter regulations to check ships leaving harbour were put in place, both in Sydney and Auckland. However, he continued to be anxious regarding the possibility of Spanish Influenza being brought to the Island. Letters and diary entries recorded concerns over quarantine provisions, the possible need for mail to be fumigated, and the wisdom of ensuring that ship's doctors were on board. In June 1919, he reported to Hunt:²⁸

So far I am pleased to state that no infection has resulted from the Makambo. We are expecting the "Southern Cross" from Auckland

tomorrow. I note your remarks concerning the health officials in New Zealand and I have instructed our Medical Officer to be strict and thorough in his inspection of the ship when she arrives. I informed the Southern Cross all hands would have to undergo a medical inspection before embarking and certified as free from infection and that before long she would be required to do four days strict quarantine in Auckland Harbour with daily inspection by the Quarantine Officials and obtain a clean bill of health similar to the conditions required by the Makambo. The conditions were cabled to the Health Officer at Auckland and I presume will be carried out.

Murphy's careful reliance on all instructions from the Australian Quarantine Service, and his faith in the superiority of their guidelines, were well-placed. In his history of the progress of the epidemic, Crosby notes that the strict and immediate Australian approach provided a breathing space which protected all South Pacific Islands 'exclusively connected to the world by ships from Australia'. On the other hand, he considered that New Zealand 'took measures to protect its wards, the people of the Tongan and Samoan archipelagos only tardily. Its wards suffered fearfully as a result'.²⁹ This may explain why the presence of the Melanesian Mission on Norfolk Island, served by the *Southern Cross* directly from New Zealand, resulted in even greater caution on the part of the Administrator and his mentors in Australia.

Once this new crisis had subsided, Murphy began to think about the possibility of taking early retirement. By March 1919, he had been sufficiently persuaded of the wisdom of this action to write officially to the Minister, indicating that he would like his leave entitlements and pension determined so that an early retirement could be arranged. At the same time he wrote to Hunt explaining that:³⁰

I feel that my health requires a change from the heavy sea air with which I am surrounded, and I am sure the Minister will have no difficulty in finding a competent Administrator to relieve me. I should like before I leave to have my pension satisfactorily determined and also any leave to which I may be entitled.

My son of course will vacate his position as Secretary when I retire and leave such position free for the new Administrator to appoint his own Secretary. In this respect I should like action to be taken as soon as practicable. I am sending along an official letter dealing with the matter.

Murphy's friendship with his Departmental Secretary had remained a very positive feature throughout, with Hunt continuing to represent him in various negotiations with the Minister. A query regarding the incorrect removal of some of his entitlements had been resolved and Murphy commented in this letter that: 'I am glad that the Minister approved of my emoluments being fully restored'. He was less happy that Glynn, in a departure from his usual official practice, had communicated directly with Nobbs and concluded with the comment.

I am sorry that the Minister went out of his way to write Nobbs that letter. I hear that he has been crowing about it up in his shop. I didn't eject Nobbs from the Council Meeting — It was Randall the Acting President. I told you about it in one of my letters.

Nobbs was understandably delighted that, after so many rebuffs, he had been able to achieve this small success in his war against the Administrator. But a point he did not appreciate or perhaps rejected — the pressing problems of the war-years made it unlikely that a barrage of minor complaints, even if some were legitimate, would receive serious and sustained attention. In addition, Nobbs retained an enthusiasm for his campaign at a time when the pressures of a drawn out international conflict meant that Norfolk Island was often seen as an unnecessary financial burden by Federal politicians and public servants alike. A general trade depression, and intractable shipping problems, resulted in sharply reduced exports and tourism. A number of residents moved off the Island to settle in Australia or New Zealand. However, his loyalty to the Island meant that this was never an option for Nobbs, who remained a force to be reckoned with during successive administrations.

Murphy had been able to handle the situation by meticulous reliance on correct procedure. His momentary irritation at Glynn's perceived lapse from a generally very supportive stance reflected the strains of living in a small, isolated, and intensely competitive, community. Although his term would not officially end until 30 June 1920, he was entitled to take several months of accumulated leave. He wrote to Hunt in August that:³¹

I am looking forward to my early retirement and hope all the details have been fixed up in regard to my pension and leave. I will fix up all details here as well as I can before I leave so that it will not be necessary for me to return — but all these will be gone into when I see you. We are anxiously awaiting to hear that the Makambo has sailed as we are getting short of food supplies and other necessities.

During the first half of 1920, Murphy was kept busy in Sydney, unravelling the complicated legal processes involved in the return of Melanesian Mission land to Commonwealth control. Federal elections were held in January 1920 and, although Prime Minister Hughes was re-elected, Glynn was defeated. After nineteen years in Federal politics, he returned to legal practice in Adelaide. During 1919, Hunt had been a member of the Royal Commission on German New Guinea but was still the Secretary when Murphy finally retired on 30 June 1920. However, at the beginning of 1921 Hunt left the Department to become the first public service arbitrator under the Public Service Arbitration Act 1920.

Murphy's term as Administrator was undertaken during a period when Federal politicians and government departments were preoccupied with Australia's role in World War I. Political debates over conscription, and the impact in every corner of Australia of the loss of so many young men, made problems in Norfolk Island appear less important. This meant that initial expectations that the Island economy would benefit from unfettered access to Australian markets, and that shipping and communication channels would be improved, were not fulfilled. It was therefore not surprising that some Islanders would blame the official representative of the Commonwealth Government for failures in the system.

These were tumultuous years for Australia and although Norfolk Island may have seemed quite remote and protected from these events, it was not immune from their consequences. At the same time, Murphy had to contend with the inherent problems of being the first resident Administrator, initially for New South Wales, and then for the Commonwealth of Australia.

Throughout his term, Murphy managed to maintain a matter-of-fact and accepting approach to the various problems he encountered. Clearly, there were times when his patience wore thin, particularly when responding to particularly savage personal attacks. Yet, despite the bitter hostility evinced by Nobbs, the Administrator's departure was sincerely regretted by the vast majority of Islanders, and by the government officials and church and business leaders with whom he worked. It is an additional historical irony that, when Murphy sailed for Sydney on 21 November 1919, neither he nor Nobbs had any inkling that, in August 1926, he would be called back from retirement to once again restore stability and peace to the Island.

Endnotes

- ¹ NLA: MS52/10/1169–1224, Hunt papers, letter from Murphy to Hunt, 15 November 1914.
- ² NAA: A518/1, 624/1/12 Part 1, 'Norfolk Island — Staff — Stephenson, E.'. Arthur died suddenly in December 1914, and was succeeded by Hugh Mahon as Minister for External Affairs.
- ³ NLA: MS52/10, Hunt papers, letter from Murphy to Hunt, 18 October 1914.
- ⁴ *Ibid.* Hunt to Murphy, 15 December 1914.
- ⁵ *Ibid.* Murphy to Hunt, 26 December 1914.
- ⁶ NAA: A1 1915/7223; 'Norfolk Island — Visit of Parliamentary Party 1914-1915', and A1 1915/19089 'Norfolk Island Bulletin, Impression of Members of the Parliamentary Party'.
- ⁷ NLA: MS52/20, Hunt papers, letter from Murphy to Hunt, 5 February 1915.

- ⁸ NAA: CP 697/23. Murphy's Administrator's Diaries for 1915-1918. Although many of the entries are legible, these diaries are very water-damaged and the paper has deteriorated.
- ⁹ NLA: MS52/20, Hunt papers, letter from Hunt to Murphy, 23 February 1915.
- ¹⁰ *Ibid.* Hunt to Murphy, 29 March 1915.
- ¹¹ NAA: A1 1915/13748, Memorandum No. 15/114 for the Honorable Minister for External Affairs, from M.V. Murphy, Administrator, 17 August, 1915.
- ¹² The exact date of publication is not included. The draft was proof-read in July, and copies were received by the Administrator in October. *Norfolk Island Visit of Members of the Commonwealth Parliament: Their Views about the Island*, Issued by the Honorable Hugh Mahon, M.P. Minister for External Affairs, Melbourne, Government Printer, c August 1915.
- ¹³ *Ibid.* p. 18.
- ¹⁴ NLA: MS52/20, Hunt papers, letter from Hunt to Murphy, 31 May 1915.
- ¹⁵ *Ibid.* Murphy to Hunt, 19 June 1915.
- ¹⁶ NAA: A11804 1915/67. 'Norfolk Island, 1915-1916', papers from the Governor-General's Office.
- ¹⁷ NAA: A2 1918/1649, 'Norfolk Island. Transfer to Commonwealth, 1915-1916'.
- ¹⁸ The Parliament of the Commonwealth of Australia, *Norfolk Island, Report of the Administrator for the Year ended 30th June 1915*, ordered to be printed 28th October 1915, Melbourne, Government Printer
- ¹⁹ NAA: CP697/17, Volume 1, Letter Book: 'Copies of Outward Letters of Administrator, Norfolk Island. 1915'.
- ²⁰ NLA: MS52/20/1169-1224, Hunt papers, letter from Murphy to Hunt, 31 May 1916.
- ²¹ The Parliament of the Commonwealth of Australia, *Norfolk Island, Report of the Administrator for the Year ended 30th June 1916*, ordered to be printed 9th February, 1917, Melbourne, Government Printer
- ²² NAA: CP697/41 1917/121, Complaint by C.C.R. Nobbs re decision against him in Magistrate's Court, letter to the Prime Minister dated 22 November 1916.
- ²³ NLA: MS52/20/1169, Hunt papers, letter from Hunt to Murphy, 13 December 1916.
- ²⁴ *Ibid.* Letter from Murphy to Hunt, 19 February 1917 and reply from Hunt, 26 February 1917. See also D.W. Hunt, entry for Frederick William Bamford, *Australian Dictionary of Biography*, 1988, Volume 7:162-163.
- ²⁵ NAA: A1 1918/7549, 'C.C.R.Nobbs — File of complaints against the Administrator M.V. Murphy'. Some of the exchanges between Atlee Hunt and C.C.R. Nobbs were tendered to the 1926 Royal Commission on Norfolk Island Affairs, NAA: CP423/2 Exhibit 75.
- ²⁶ NLA: MS52/20, Hunt papers. Letter from Hunt to Murphy, 31 May 1915.
- ²⁷ NAA: CP 697, 'Administrator's Diary, 1918'. The record of semaphore messages to and from the Southern Cross, 26 November to 1 December was attached to this diary. Also see Geoffrey Rice, *Black November: The 1918 Influenza Epidemic in New Zealand*, Wellington, Allen and Unwin, 1988.
- ²⁸ NAA: CP697/16, Bundle 1/Volume 2, Administrator's Letter Book, copy of letter to Hunt, dated 17 June 1919.
- ²⁹ Alfred W. Crosby Jr., *Epidemic and Peace, 1918*, Westport, Connecticut, Greenwood Press, 1976:234.
- ³⁰ NAA:CP697/17, Volume 6, 'Letter Book. Copies of outwards letters of the Administrator'. Memo to the Minister, 26 March 1919 and NAA: CP697/16 Bundle 1/Volume 2, Letter from Murphy to Hunt, April 1919
- ³¹ *Ibid.* Letter from Murphy to Hunt, August 1919.



*1921 Executive Council (1921 Norfolk Island Annual Report)
Council President C.C.R.Nobbs front row, third from left*

Murphy and Nobbs: Their Last Hurrahs



*I*n July 1920, Lieutenant-General John William Parnell took over as the Administrator and Murphy retired to his home, 'Rhodesia' in Lindfield, New South Wales. In August, following the annual elections for the Norfolk Island Executive Council, Nobbs was elected Council President.

The entries in the Administrator's diary for the next three years provide more personal details regarding health problems and depression than Murphy, the ultimate public servant, would have seen as appropriate. Parnell took leave in April 1923, after a persistent eye infection threatened his sight. Later, he suffered two falls from ladders, which resulted in serious back injuries. Throughout his term, a number of entries also recorded Parnell's concern over his wife's health.¹

At the same time, during this Administrator's term of office, Nobbs appeared accepting of his authority, sometimes even cordial. Although his term of President only lasted for one year, he remained a member of the Executive Council. A diary entry in September 1923 noted that Nobbs had lent a tennis net for a Government House function and as a member of the Council, was entertained by the Administrator. This was a period when financial worries over the failure of the lemon industry loomed large, and Nobbs was clearly

preoccupied with saving his failing business interests. The record of attendance at the monthly meetings of the Executive Council for the year ending 31 July 1923 reflected his diminished involvement (whereas other councillors attended 10 or 12 meetings, Nobbs was recorded as being present on only 3 occasions).

The Administrator and his wife were later to be described by Islanders as pleasant, friendly, and without an undue sense of their position or status. However, the situation soon changed after the Parnells departed and Nobbs made an unsuccessful application for the Administrator's post. It is reflective of the uncertain economic times that there were 115 applications for this position. Applicants included a large assortment of ex-colonial administrators, army officers and retired politicians, many of whom were supported by influential referees. Colonel Edward Leane was eventually appointed and was said to have good general knowledge of ordinances and regulations and to be a 'tactful and strong character'. One glowing reference from a National Mutual Life Association official stated that: 'He has the highest principles, is genial and large hearted, tactful, diplomatic and is able to handle other men to the best advantage'.²

In 1924, unlike 1914, the Administrator had only an official relationship with the Secretary and the Minister, rather than the personal, friendly support which Murphy had received from Hunt. What the Minister and Departmental Secretary who appointed him could not have foreseen was how Leane and his wife would react to the realities of exercising day-to-day authority over a small, isolated, and closely inter-related community.

Accompanied by his strong-minded wife Katie and two daughters, Leane took up his position in July 1924. At first, the tone of his reports was optimistic and reasonable, noting ways in which economic and social improvements could be made. His assessment of a complaint made by Nobbs against the resident medical officer, Dr A. Patton, was that Nobbs was probably correct in suggesting that a change was desirable, even if the complaint had been lodged incorrectly. He concluded that in order to counter the predilection

Nobbs had for complaining directly to the Minister, stronger action should be taken: ³

In my opinion, there is one way only to deal with his type. Send his letters back to him in a cover, without any comment. He has been informed so many times what is the correct channel of communication, that he simply takes no notice of it.

During the first half of 1925, Leane was seconded to the Northern Territory as Acting Administrator. This may have made him impatient to achieve tangible results on Norfolk Island as, on his return, he and his wife became more interventionist in community affairs. They were soon the subjects of a steady barrage of complaints against their high-handed and autocratic behaviour. Unlike Murphy and his successor Parnell, the Administrator literally demanded red carpet treatment at all functions, and Leane approached his role as Chief Magistrate with great zeal and increasing insensitivity. For their part, the Leanes seem to have been genuinely horrified by what they saw as the deceit, loose morals, and sexual promiscuity prevalent on the Island. They considered that the situation was a danger to their daughters and arranged for their eldest, and later their younger daughter, to return to Melbourne. They became increasingly isolated and embattled, and easy targets for Nobbs and others who now had numerous legitimate grievances about which to complain.

In January 1926, a Royal Commission was appointed, with Francis Whysall as Commissioner, to inquire into the complaints by residents and the general administration of Norfolk Island. The Commissioner spent three months on the Island, holding public meetings and taking evidence from over 80 witnesses. Evidence was also taken at later hearings in Sydney and Melbourne. Much of the evidence related to specific instances of legal or administrative decisions regarding often fairly petty matters.

One case involved the alleged theft of a Government House clothes basket, which had been taken without permission after a church

thanksgiving ceremony. A formal legal prosecution had been launched and several members of one family were found guilty. Their criminal records had damaging long-term implications for any chance of studying or obtaining employment outside Norfolk Island. The Commissioner found that there was a strong presumption of innocence and he recommended that the three accused should be pardoned and the convictions expunged from the Court records. On several other occasions, the Commissioner found that, even where there was some justification for their concern, actions taken by the Administrator or his wife had been vindictive and not conducive to good government. Referring to the lack of respect for residents which Leane had often shown, the Commissioner concluded that this had contributed to the general social unrest: ⁴

There are, no doubt, persons resident on the Island whose moral standards are in need of adjustment, but his treatment of the people generally as base and unworthy of respect, was certainly not calculated to improve the general tone of the community. ... Previous Administrators evidently more correctly gauged the psychology of the islanders and were thus able to maintain official and social dignity without friction.

At the same time, the Commissioner acknowledged the energy and zeal with which the Administrator had applied himself to the improvement of agriculture, livestock production and commerce, and the development of markets for Island products. Yet despite these important achievements, the climate of hostility and conflict made it impossible for him to support Leane's continuance in office. He recommended that the Administrator should be recalled without delay, cautioning that:⁵

In future selections, due consideration to the psychology of the Norfolk Islanders should be given; the temperament of a prospective Administrator, if not compatible with, should be capable of ready adaptability to the social conditions of the Island. This applies with equal force to the appointee's wife, who must necessarily at all times be in close association with the inhabitants, and whose moral

influence upon the lives of the people is a factor to be seriously considered.

One cannot help but feel sorry for Leane, now an extremely angry and embittered individual, who felt that the Islanders had deceived and hoodwinked the Commissioner into accepting their side of the story. On 22 April 1926, while the Commissioner was still on the Island, Leane wrote intemperately to the Secretary of the Department of Home and Territories complaining about 'the degradation I have been subjected to as a result of the manner in which the Commission has been conducted'. He was asked to withdraw this statement, and reluctantly did so. However, after the report was presented he protesting again, threatening legal action. His most bitter complaint was included in a strongly worded attack on the credibility of Nobbs, describing him as a 'person well known to your Departmental Officers as a trouble maker to all previous Administrators and to me'.⁶

Leane left Norfolk Island on 31 May 1926, with the public statement that he would clear his name and return. Simmering tensions between his supporters and detractors continued, and it became imperative that an interim Administrator be quickly appointed. It was hoped that this would bring a sense of stability and calm to the Island. Parnell's health made it impossible for him to undertake the task and others were unwilling to do so. Finally, Murphy was approached and asked if he was willing to come out of retirement for six months, until a permanent appointment could be made. He agreed, provided his son and daughter-in-law could once again accompany him. In the meantime, a Cabinet decision recorded that:⁷

After consideration of the Royal Commissioner's Report and Mr. Leane's comments — Decision that Mr. Leane's services be terminated and be granted two months leave of absence.

On 12 August, accompanied by Claude, Edith and their two children, Murphy returned to Norfolk Island, and once again took

over the reins as Administrator and Chief Magistrate. It may well have been that Nobbs was now thoroughly exhausted from his efforts to remove Leane. At all events, there is no record that he lodged any complaints during Murphy's term as Acting Administrator. Most of the Islanders were relieved and delighted that Murphy was once again in charge. Official correspondence suggests that his main efforts were directed at sorting out any lingering sense of injustice, in readiness for a smooth transition to the incoming Administrator.

Not everyone on the Island, or in the Australian Parliament, were satisfied that the Commission of Inquiry had been conducted fairly. Leane continued to demand that his suspension should be overturned, and some politicians supported the call for further investigations by a Committee of the Senate or House of Representatives. One letter of support, written to Senator H. E. Elliott and signed by F. E. Quintal, asserted that:⁸

The Enquiry as conducted by the Commission was farcical in the extreme, and almost Gilbertian in its supineness, and has put the clock of progress in Norfolk Island back for years.

Finally, after the calls for a further inquiry were unsuccessful, Leane turned his attention to retrieving the considerable quantity of personal possessions and artefacts stored at Government House prior to his hurried departure. Murphy was now called upon to investigate claims by Leane that some of his curios and mementos had been stolen. Careful and painstaking investigations were undertaken. On 15 December 1926, Murphy reported to the Minister that 'Colonel Leane's assertion that the articles have been purloined and are still on the Island unfortunately lacks confirmation.' In January 1927, a notation in Leane's official departmental file stated he had received compensation for damage to furniture and effects. This was a tragic ending for a man whom many regarded as having been very badly treated, and who had attempted to develop the economic prospects of Norfolk Island.

In the meantime, Murphy's more matter-of-fact acceptance of the community had had the desired effect. Much of the fury and distress of the preceding months appears to have been quickly forgotten. In November 1926, he submitted the annual report with the caveat that:⁹

As I was not in the Territory during the period under review, the Report has been compiled from data prepared by the late Administrator, from official documents and from personal inquiries where the information could not be otherwise ascertained.

On 10 February 1927, Murphy presided over the Swearing in Ceremony of Major-General V. C. M. Sellheim as the new Administrator. A few days later, he left Norfolk Island for the last time. As a surveyor, government official, and administrator, he had weathered many political and community storms. Most members of the community would have echoed Gertrude Farr's assessment that he was a practical man who was friendly and trustworthy, but had not become too mixed up with petty social issues. The appointment of a retired general as the new Administrator showed that there had been no change in the way Norfolk Island was viewed by the Australian Government. It was still seen as a post eminently suited for military men who were used to command, and Murphy's appointment had always been considered as a special case.

Sellheim died at his post, less than a year into his term. His successor also died in office, so it was several years before stable administration returned to the Island. Over the next few years, while Administrators came and went, Nobbs continued to play a significant role as a businessman and the largest landowner on the Island. His position as a leading spokesman for Islander affairs meant that he was almost automatically one of the six Executive Councillors appointed by the Administrator. However, his penchant for becoming the less than loyal opposition again came to the fore when, in 1933, at the age of 74, he was elected to the Council and voted in as President. Captain C. R. Pinney was the current Administrator. In her history of his term as Administrator, Norfolk Island historian Merval Hoare noted that Pinney was described by contemporaries as 'able, eminently fair, and tactful'.¹⁰

Nonetheless, tensions soon arose between Nobbs, the Administrator, and a number of other Council members. Pinney, using his powers as Administrator, called the special meeting at which Nobbs was removed from office by a vote of the majority of councillors. Nobbs took court action and successfully claimed seven pounds and ten shillings in lost entitlements. He was less successful in a claim for damages against the Administrator, receiving only two pounds in nominal damages, rather than the 5000 pounds he had sought.¹¹ However, although Pinney's term had previously been extended for two years, a further renewal was not approved. He was the last Administrator to combine the position with that of Chief Magistrate, and Nobbs undoubtedly saw this as another success in his struggle for administrative reform.

Nobbs was the last of the major players concerned with the initial takeover of Norfolk Island by the Commonwealth, but he was undoubtedly the most passionate and involved. Other descendants of the original Pitcairn settlers have continued the struggle for greater autonomy. Few have been able to equal him for commitment, perseverance, and sheer audacity.

Endnotes

- ¹ NAA: CP697/23, Administrator's Diary 1923.
- ² NAA: A518 624/1/32, 'Norfolk Island — E.T. Leane — Administrator, Part 1', reference dated 17 April 1924, Manager, New Business Department, National Mutual Life Association of Australasia Ltd.
- ³ *Ibid.* Memo. from the Administrator to the Secretary, Department of Home Affairs, 31 October 1924, Norfolk Island.
- ⁴ Commonwealth of Australia, *Report of the Royal Commission on Norfolk Island Affairs*, Francis Whysall, Commissioner, presented on 14 July 1926, Melbourne, Government Printer, p.56. See also NAA: CP423/2 Exhibit 75. '1926 Royal Commission on Norfolk Island Affairs'.
- ⁵ *Report of the Royal Commission on Norfolk Islands Affairs*, 1926, op.cit. p. 57.
- ⁶ NAA: CP637/1 71A, 'Colonel Leane — Administrator Norfolk Island', 'Letter dated 3 August 1926,
- ⁷ NAA: A528 624/1/32 Part 2, 'Norfolk Island — E.T. Leane Administrator, OBE (Colonel)', Cabinet decision, signed by S.M. Bruce, 11 August 1926.
- ⁸ *Ibid.* Letter to General Elliott from Captain F.E. Quintal, dated 7 November 1926. Quintal had served in the Boer War and in the AIF and General Elliott, now a Senator, was also Leane's lawyer.
- ⁹ The Parliament of the Commonwealth of Australia, *Norfolk Island, Report of the Administrator for the Year ended 30th June 1926*, ordered to be printed 23rd March 1927, Melbourne, Government Printer.
- ¹⁰ Merval Hoare, *Norfolk Island in the 1930s: Administrator Pinney's Term*, Brisbane, Boolarong Press, 1996:69.
- ¹¹ *Ibid.* pp.30–31.



*Portrait of Sir Ronald Munro Ferguson
PIC/6690, By permission of the
National Library of Australia*

*Insert: Norfolk Island Seal
Norfolk Island 994.82, plate no. 25114
By permission of the National Library of Australia*



Imperial, Commonwealth, and State Relations



*A*lthough the Commonwealth of Australia was established in 1901, it took several decades to fully develop new protocols which reflected Australia's new relationships with Britain and other foreign powers, and internal relationships with its component States. It was inevitable that, in dealing with several levels of national and international government authorities, some loose ends would remain. The two case studies discussed in this chapter reflect the interplay between different levels of government and the personalities of those involved, which, in even the most official and formal negotiations, often contributed to unnecessary tension and misunderstanding.

The first example is the 1915 Royal Commission on Mail Services and Trade Development between Australia, the New Hebrides, Lord Howe Island and Norfolk Island. It illustrates how the Governor-General saw his role as representing British international interests, as compared with the very different perceptions and assumptions of Federal politicians seeking to extend Australia's influence in the region.

The fate of the Imperial Norfolk Island Seal provides the second, if perhaps less significant case study. Negotiations over its disposition involved successive governors of New South Wales, the Colonial Office and Commonwealth officials, including Murphy, Leane and

other administrators. It was not until 1974, 60 years after the transfer of Norfolk Island to Australia, that a final decision was made that Norfolk Island would be the appropriate place where this historic emblem of Imperial authority should be displayed.

The 1915 Royal Commission on Mail Services and Trade Development between Australia and the New Hebrides

While tensions between the Commonwealth and New South Wales could be dismissed as part of the natural processes of a transitional period, the British Government was often more concerned that expansionist activities by Australia would threaten wider international relations.

The 1915 Royal Commission on Mail Services and Trade Development between Australia and the New Hebrides provides a remarkable insight into these transitional relationships. The circumstances surrounding the establishment of this Commission illustrate the Governor-General's role as a watchdog for the Imperial authorities, and the problems which often arose when Ministers relied too heavily on briefings from their departments.

Since the Burns Philp mail contract for the Western Pacific was negotiated shortly after Federation, debate had continued over Australia's interest in, and possible responsibility for, British settlement in the New Hebrides. In 1911, an article in the *Sydney Morning Herald* stated that:¹

Though the French to-day outnumber the British, and have much greater plantation interests, there was a time — and it was not so very long ago — when all the Europeans in the New Hebrides were British subjects, and practically all the trade was with Australia: and had the islands been annexed then little or no opposition would have been raised by Foreign Powers. But this is only one of many opportunities which Australia has let slip.

In 1914, when Glynn was still Minister for External Affairs, a proposal was put forward to conduct a special enquiry into trade development with the New Hebrides. Walter Lucas, the Island's Inspector for Burns Philp, met with Glynn and later wrote to offer his services if the Government wished 'to add somebody with commercial experience to any temporary administration or enquiry arising out of the changed position in the Western Pacific' As Secretary of the Department, Hunt had been a major player in the original mail contract negotiations and had a keen interest in promoting further, more direct, involvement. However, these were the dying days of the Cook Ministry and, not surprisingly, Glynn's meticulous approach meant that there was insufficient time to examine the implications of the proposed enquiry. He may also have felt that more discussion was needed with British and French officials before any decisive action was taken.²

Not all Ministers were as alert as Glynn to British sensitivities, or to the broader international implications of Australia's interests in the South-West Pacific. On 27 March 1915, with Hugh Mahon now the Minister for External Territories, a formal proposal for a Royal Commission to examine 'Mail Services and Trade Development between Australia and the New Hebrides' was presented to the Executive Council. Prime Minister Andrew Fisher was absent, and his Deputy, William Morris Hughes, was quite happy to sign the Commission, without any awareness or concern that this action might affront the French Government. The Governor-General, Sir Ronald Munro Ferguson, was caught in the position of having to try to stall the appointment of the Commission, or at least modify its terms of reference. The somewhat desperate, and 'most secret', despatch he immediately sent to the Secretary of State for Colonies described the delicate position in which he found himself.³

SECRET

March 27th, 1915

The Right Honorable
The Secretary of State
For the Colonies.

Sir

I have the honour to report that on 25.3.15 at the Meeting of Executive Council two Members of Parliament were appointed by Royal Commission to proceed to the New Hebrides, Norfolk Island, and Lord Howe Island. The Commission (a note of the terms of which is appended) was handed to Mr. Hughes for signature as I reached the Council Room and came before the Council immediately afterwards.

Mr. Fisher was absent from the Executive, and in view of the Acting Prime Minister's deafness I did not intervene at the Meeting but asked Mr. Hughes to come to lunch after the subsequent Cabinet. He then told me that he had not read the Commission, which was only placed on the table as the Executive assembled. (I have now asked that any papers relating to business outside ordinary routine, which are to come before the Council, should be sent to me not less than two hours before the Meeting of the Council). I explained to Mr. Hughes that I felt unable to sign the Commission as drafted without communicating its purport to the Secretary of State and obtaining his assent, and that for the following reasons —

1. It would be clearly irregular to send a Commission to a foreign territory without previous communication to its government.
2. The scope of the Commission, which in its opening paragraph deals ostensibly with Mail contracts and expands in para.8 to promotion of trade between New Hebrides and Australia.
3. The New Hebrides and our possessions are treated throughout the Commission as if there were no distinction in their status, or in the relations of the Federal Government to either.

I said to Mr. Hughes that it seemed to me that you should be informed of the appointment and scope of the Commission. He quite

understood my point and offered as a possible solution that the Commissioners' visit to the New Hebrides should be unofficial, i.e., that the name of these Islands should be deleted from the Commission.

Mr. Mahon, the Minister for External Affairs, whose acrimonious correspondence with Mr. Deakin I have already reported, must evidently have refused to agree to this course, and Mr. Fisher was communicated with. Yesterday I received from Mr. Hughes a draft of a Cable (see appendix) to the Secretary of State asking that a communication should be made to the French Government intimating the visit of our Commissioners to the New Hebrides for the purpose of inquiring into "the Mail Contract between the Pacific Islands, including the New Hebrides and Australia". I then pointed out that the scope of the Commission went beyond the Mail Contract. Mr. Hughes suggested the addition of the words "and matters incidental thereto". I felt it, however, to be my duty to supplement this official message with a personal message to you informing you of the terms of Para. 8.

Apart from the merits or otherwise of this Commission of Inquiry, it remains obvious-

1. That for the Commonwealth Government to appoint a Royal Commission to proceed to the Colony of a foreign government with a view to capturing trade for Australia without obtaining the consent of the government concerned would be irregular.
2. That that consent must necessarily be obtained through the Foreign Office.
3. That to ask you to secure the co-operation of the Foreign office on behalf of a Commission proceeding to the New Hebrides to inquire into Mail contracts whereas the terms of reference were far more comprehensive, was a proceedings I could not sanction.

Had Mail contracts indeed been the sole ground for action it is hard to see why the requisite information could not have been obtained here.

I gather from such information as is at my disposal that the reasons for the appointment of the Commission is the desire to ascertain if British settlers are placed at any economic disadvantages as compared with French settlers in the New Hebrides. That being the ulterior purpose of the Inquiry into Mail Contracts I feared lest any tactless disclosure of the object of the Mission by the Australian Commissioners might disquiet the French government.

I have the honour to be,

Sir,

Your most obedient,

humble servant

(Signed) R.M. Ferguson

After some modification of the title of the Royal Commission to meet the Governor-General's concern, and communication between French, British and Australian authorities it appeared that the French government was not particularly alarmed by the proposed visit of the Commission. However, Ferguson's assessment that the main purpose of the Commission was to check on British settlement in the New Hebrides was correct. A written submission from Burns Philp's Island Inspector outlined the links between the Mail Contract awarded to this company in 1901 and continuing Commonwealth support for, and involvement with, British settlement in the New Hebrides. Other papers collected as appendices to the Report, and the records of 19 interviews with members of the New Hebrides British Association and 31 other residents also clearly reflected the special interests of the Commission. In contrast, only Murphy, Nobbs and four other residents were interviewed on Norfolk Island and very limited attention was paid to the situation on Lord Howe Island.⁴

Ferguson continued to be concerned that the Australian Government and its senior advisers might act in ways which would be embarrassing or counter British policies in the region. On 5 September, in a further secret despatch, he pointed out that:⁵

Another sphere in which a timely hint would be useful is in regard to the lines to be adopted in settling the affairs of the Pacific after the war. The views of Australia on this subject are entitled to great weight, but on the other hand the experience of the Colonial Office in administering the affairs of Crown Colonies and of trade organisation is not only unique but covers a field in which Australia is in most respects wholly unprepared to enter. ... The danger is of Australian governments anticipating Imperial decisions by taking action which might prove embarrassing.

Referring to the problems he had had over the New Hebrides Royal Commission, he concluded:

On its return the Commissioners presented me with a secret report recommending the abolition of the New Hebrides! All that could be done at that time was to pigeonhole the document.

In this situation, the Governor-General and his Imperial superiors saw the actions of the Australian Cabinet as reflecting naivety or a lack of understanding of the larger international stage on which they were now playing. However, it is likely that politicians such as Hughes viewed this as another attempt on the part of the British Government to reassert authority. Certainly, if acted upon, Ferguson's call for a 'timely hint' would not have gone down well with Atlee Hunt, who considered himself as experienced and competent as any of his British counterparts.

Saving the Norfolk Island Seal

This official seal, approved by Queen Victoria after the Pitcairn community settled on Norfolk Island in 1856, was held by the Governor of New South Wales in his role as Governor of Norfolk Island. The Order in Council of 24 June 1856 had stated that 'the Governor shall keep and use the public seal of Norfolk Island for sealing all things that shall pass the said seal'. When Norfolk Island was transferred to New South Wales authority, this clause was repeated in the 1897 and 1900 Orders in Council.

The usual practice was that once official seals became obsolete, they were returned to the Privy Council for 'defacement'. Sir Gerald Strickland was well aware that this was the normal procedure. However, he felt that the seal was of special beauty and historic importance and that a special case should be made for its preservation. When the Commonwealth took control on 1 July 1914, the question arose as to what should happen to the now out-of-date Imperial Seal. In October 1915, Strickland wrote to the Governor-General asking whether there would be any objection from the Commonwealth Government to the Seal being transferred to the Australian Museum. Although signed by the Acting Prime Minister W.M. Hughes, the official reply clearly reflected Atlee Hunt's cautious approach to any attempt to usurp Commonwealth authority.⁶

I have the honor, at the instance of my colleague the Minister for External Affairs, to ask that your Excellency will be so good as to inform Sir Gerald Strickland that whilst this Government has no objection to the proposed transfer, it would appear that such action would not be in accordance with the usual practice; which is to return old seals to the Imperial Authorities for defacement by the Privy Council.

This practice is set out in the Warrant dated 19th April 1912, issued in connection with the use of a new seal for the State of New South Wales.

Following this exchange Strickland wrote to the Colonial Secretary on 31 December 1915:

I have the honour to report that the old seal of the Government of Norfolk Island is in my custody.

It appears to have been the rule that old seals are subject to defacement by the Privy Council, in accordance with the terms of Warrant dated 19th April 1912, but as Norfolk Island has ceased to be a separate part of the Empire and is now included in the Commonwealth, it may be possible to approve of the seal being

handed over for custody as an interesting relic to the Sydney Museum, where important records of Captain Cook are preserved.

Initially, the Colonial Secretary was unwilling to make an exception, needing reassurance that the Commonwealth was agreeable to this departure from the normal procedure. Nothing daunted. Strickland continued his campaign. Finally, on 19 May 1916, the Governor-General reassured the Colonial Secretary that:

I have the honour to inform you that I am advised by my Prime Minister that the Commonwealth Government concurs in Sir Gerald Strickland's suggestion.

Curiously, once agreement had been achieved, no further action appears to have been taken. The Seal remained in the possession of the Governor of New South Wales and lay undisturbed in the Governor's safe until 1922, when it was presented to Murphy as a token of his services to Norfolk Island. When Colonel E. T. Leane took over as Administrator in 1924, Hunt was no longer Secretary of the Department of Home and Territories and confusion arose as to the historical function and location of the Imperial Norfolk Island Seal. Leane was asked to provide impressions of the old Seal for the departmental record. On 20 August 1924 Leane reported to his Minister that:⁷

This Seal is in the possession of Mr. Murphy, late Administrator of Norfolk Island, who claims that it was given to him by the Government of New South Wales.

Mr. Murphy, I am sure will supply the impressions if asked.

Leane did not explain that the request had already been discussed with Murphy and his response suggested that there was some doubt as to how the Seal had been acquired. Murphy had already organised for the New South Wales government printer to produce the impressions. They were then forwarded, with a hand-written personal letter, to the officer in charge of Norfolk Island matters.⁸

Rhodesia
Tryon Road
Lindfield
6th Sept. 1924

F.J. Quinlan Esq.
Dept. of Home & Territories
Melbourne

Dear Mr. Quinlan,

I called upon Colonel Leane prior to his departure for Norfolk Island. I had a chat with him about matters generally, and was impressed with the idea that he would get along well with the people. Personally I think he is a very fine fellow, & with his splendid war service he should be an authority to which the residents would bow complacently. His wife, too, I am sure will in any social matters, with the assistance of her winsome daughters, (whom I had the honour of meeting) be a great acquisition.

The Colonel had a copy of a Memo to your Minister, sent to me, with reference to a request for two impressions of the Norfolk Island Seal. I am forwarding them herewith. I got our Government Printer to do them for me, & they are really well done, as I am sure you'll agree.

Will you kindly. Through your Secretary, convey them to the Minister, with my compliments.

This Seal was given to me not by the Government of N.S.W., but by the Governor. I handed it to the Governor in 1914, when the Commonwealth took over the Island. He communicated with the Colonial Office with reference to it, and they informed him they did not require it. It was then given to me as the last Administrator of Norfolk Island as a Crown Colony.

I had already arranged to hand it over to the Mitchell Library, which is the home of all these historical records. I propose to give it to them next week.

How is Mr. Carrodus? Remember me kindly to him , also to those other courteous officers of your department, with whom I came into touch, & whom I remember with much appreciation for kindness received. Claude & his wife are well & join me in sending their kind regards.

Yours sincerely,

V. M. Murphy

Quinlan was away when this letter arrived, and it remained unread until his return. However, action was speedily taken to deal with the problem of the apparently unauthorised removal of the Seal from Norfolk Island. Murphy was understandably disconcerted to receive a letter, dated 12 September 1924, from Secretary J. G. McLaren, which stated:⁹

The Administrator, Norfolk Island, was recently requested to forward to this Department two clear impressions of the Norfolk Island seal for record purposes. He replied that he was unable to do so owing to the seal being in your possession.

I shall be glad to be informed whether the seal of the Territory is in your possession and, if so, on what authority it was removed from Norfolk Island.

Considerably affronted that he was being accused of taking the Seal unlawfully, Murphy responded formally:¹⁰

Rhodesia
Tryon Road
Lindfield
N.S.W.

The Secretary
Home and Territories Department
61 Spring Street
Melbourne

With reference to your letter of 12th September, No 24/23193, re Norfolk Island seal, it is evident that there is a misunderstanding.

The seal in my possession, as I explained to Colonel Leane, is not the seal of the Territory of Norfolk Island, but the old Imperial Seal of the Colony of Norfolk Island, before it became a Territory of the Commonwealth. It was not removed from Norfolk Island, as it had always been kept by the Governor of New South Wales under an Imperial Order of Council.

I was informed by the Governor of the day (Sir Gerald Strickland) that it became obsolete when the Colonial Office transferred the island to Australia. Sir Gerald Strickland gave me to understand that he intended returning it to England. But this was not done.

I understand that it was lying at Government House for years and was regarded as obsolete. It was brought under the notice of the Governor (Sir Walter Davidson) about 2 years after my retirement, when he approved of it being given to me as a memento, and it was sent to me by the Governor's Secretary.

I promised to hand it to the Mitchell Library, but held it over pending the receipt of impressions, which Colonel Leane advised me the Minister required. I sent those to him about a fortnight ago, enclosed in a private letter to Mr. Quinlan.

As there appears to be some doubt, from the tenor of your memo. as to whether the seal is obsolete, I am returning it to the Governor of New South Wales.

Yours faithfully,

M. V. Murphy

23 September, 1924

In the meantime, Quinlan returned and discovered the letter and enclosed impressions. The Secretary, in an attempt to undo the offence his letter had clearly caused, immediately wrote again to Murphy, explaining that:¹¹

I regret that there has been a misunderstanding with regard to the seal of Norfolk Island. When my letter of 12th September was written I had not seen your communication with Mr. Quinlan.

The advice which I received from the Administrator of Norfolk island was misleading, in so much as it implied that the seal which you had was the seal which should be in the possession of the Administration of the Territory, and not the old Imperial Seal.

Mr. Quinlan was away on leave when your letter to him was received in the Department, and did not return until after my letter of 12th September had been transmitted to you.

I take the earliest opportunity of assuring you that this Department does not wish to interfere in any way with your possession of the old Imperial seal.

The misunderstanding which has occurred is extremely regretted and is due to the nature of the advice received from Norfolk Island.

Murphy was somewhat mollified by the Secretary's letter, and by a personal letter from Quinlan, thanking him for the excellent impressions of the Seal he had supplied. Nevertheless, he felt it would be prudent to return the Seal to the Governor of New South Wales and so avoid any other disturbance to the peace of his retirement. Colonel Leane's somewhat unthinking reaction that he must have taken the Seal without proper authorisation, must have also raised doubts regarding the accuracy of Murphy's initial positive assessment. However, there was probably no inkling at that time that Murphy would shortly be called out of retirement to rescue Norfolk Island from the aftermath of a series of even more damaging and impetuous actions by the incumbent Administrator.

Following this adventure, the Imperial Seal remained in the Governor's safe until 1929, when it was finally presented to the Mitchell Library. The Seal was mentioned again in the Mitchell Library records in October 1954 when the Island Administrator asked for permission to use the Seal as a letterhead device for its Centenary Celebrations. Finally, in 1974, coinciding with the Cook Bi-Centenary celebrations, which were to be attended by Prime Minister Gough Whitlam, the Seal was given into the custody of the Norfolk Island Administrator, Air Commodore E. T. Pickerd. Under

the heading 'Great Seal to come home', the *Norfolk Islander* reported that at the June meeting of the Executive Council:¹²

The Administrator informed councillors of his receipt of the Great Seal of Norfolk Island to be held on perpetual loan to the Administrator of the day, on behalf of the Norfolk Island Council and people. This had been arranged by the Australian Government in consultation with the New South Wales Government.

A letter from the Prime Minister said in part:"I am pleased to learn of the agreement of the council of the Mitchell Library in Sydney to the transfer of the Norfolk island Great Seal and have noted the suggestion that the Seal should be held in the custody of the Australian Government rather than given to the Norfolk Island Historical Museum. In view of the historical importance of the Seal I see this as a prudent proposal and will ensure that arrangements are made accordingly...."

The Seal was held by the Administrator until it could be 'adequately and securely displayed'. It is now on display in a locked cabinet in the Norfolk Island Legislative Assembly building. This entire saga of how it was rescued from defacement and finally preserved is another example of how personal intervention can, and often quite unexpectedly does, alter the course of official procedures. At the same time, it illustrates the competitive nature of interchanges between different levels of government, and how decisions by individuals and institutions are often part of a more over-arching power struggle.

Endnotes

- ¹ 'New Hebrides Control', *Sydney Morning Herald*, 29 December 1911:7. See also the four issues of the *New Hebrides British Association Gazette*, Volume 1, 1–4, January 1911–December 1912.
- ² NLA: MS4653/16/393. Glynn papers. 'Private and Confidential' letter from Walter Lucas, Burns Philp & Company, 3 September 1914.
- ³ NAA: A11085 B5/8, 'Pacific file — New Hebrides — Appointment of Royal Commission to proceed to New Hebrides, Lord Howe Island and Norfolk Island, 1915'.
- ⁴ NAA: CP661/7, 'Papers collected as Appendices to the Report on Mail services and trade Development between Australia and New Hebrides, Lord Howe Island and Norfolk Island'. Also Royal Commission on Mail Services and Trade Development between Australia and the New Hebrides, *Report*, Melbourne, Government Printer for the State of Victoria, 1915.
- ⁵ NAA: A11085 B5/8, *op. cit.*
- ⁶ NAA: A518 S800/1/4 'Norfolk Island — Administrative — Public Seal'.
- ⁷ *Ibid.* Memo from Administrator Norfolk Island, 20 August 1924.
- ⁸ *Ibid.* Letter to Mr. Quinlan, 6 September 1924.
- ⁹ NAA: A518 S800/1/3, *op. cit.* Letter from Mr. McLaren, Departmental Secretary, to Mr. M. V. Murphy, 12 September 1924.
- ¹⁰ *Ibid.* Letter from M. V. Murphy to the Secretary, Department of Home Affairs, 23 September 1924.
- ¹¹ *Ibid.* Letter from the Secretary, Department of Home Affairs to M. V. Murphy, 29 September 1924.
- ¹² *The Norfolk Islander*, 16 June 1924.



Photography by Nigel Erskine



*View from the Legislative Assembly towards Government House.
Insert: The Norfolk Island and the Australian national flags
Photography by Nigel Erskine*

Conclusion: Reluctant Governance in a Changing World



*I*t is impossible to completely re-create the climate of the times in the early years of the Commonwealth. Nevertheless, the letters, reports, and contemporary accounts which are available do tell us a great deal about the personalities, ambitions, successes and disappointments of the four main players in this story — Glynn, Hunt, Murphy and Nobbs. Of the four, Murphy has remained the somewhat shadowy and less definite character, although his friendship with Hunt, his readiness to support his staff, and his sense of commitment to promote economic development and social stability on Norfolk Island, are well-documented.

There were inherent problems in being the immediate and public face of a distant but final authority. In carrying out this difficult task, Murphy received the sustained support of his departmental secretary, and was able to correspond with him in an open and often quite indiscreet way. In the same way, Hunt's letters to Glynn, in support of Murphy's appointment, reflect a particular style in official relationships, and a readiness to support a friend and colleague. Above all, the record of Murphy's involvement with Norfolk Island shows a personal interest and commitment, which seems to belie any notion of a detached bureaucrat. Among the Pitcairn descendants, Nobbs appears to have been his most persistent critic. Probably, this

tells us more about internal divisions on the Island than the merits of any particular action on Murphy's part.

When the first Commonwealth parliamentarians described their visit to Norfolk Island, a photograph of a magnificent avenue of pines was included in the report. After World War 11, James Michener wrote a short story about how these famous Norfolk pines were destroyed, in order to build an air-strip. In this essentially true story, the Admiral advises on how to react to local opinion:¹

Obviously we can ignore local opinion if we want to. The Australian government has placed responsibility for the protection of Norfolk squarely on us. We can do what we damn well want to. But it's always wisest to exercise your power with judgment. Either you do what the local people want to do, or you jolly them into wanting to do what you've got to do anyway.

This story did not have a happy ending. The line of trees, described as 'the cathedral of the spirit', was destroyed and an old, useless bulldozer was blown up in protest. Power was not able to be exercised with judgment, but at least it was agreed that the destruction of the bulldozer would be covered up to protect those who had protested. One cannot but feel that Murphy was often put in similar situations. Sometimes, he was able to jolly the community into agreeing with a particular official policy directive. But, if unable to alter the commands from a distant authority, he may well have shared the view of Michener's character that:

I'm on their side. If blowing up a broken bulldozer helps keep the spirit alive, that's O.K. with me.

In 1901, when the Commonwealth of Australia was proclaimed, there was a sense of optimism that this would lead to opportunities for further political and economic expansion in the South-West Pacific. In order to gain support for their cause, many pro-federationists emphasised the great benefits that would inevitably, and almost immediately, result from unification. Yet, only a year later, Glynn, one of the most committed of federationists, wryly observed that:²

Twelve months ago Australia was jubilant over the inauguration of Federation. Today it is more than possible that, were the question again submitted to the people, the vote would be against Union. This is due, partly to the reaction which inevitably follows public enthusiasm not produced by deep conviction, partly to the eagerness of people for immediate results, partly to the fact that the love of absolute state autonomy is deep-seated, and to the fear of extravagance and its sense of too much political machinery

At the same time, despite the loss of uncritical support for what Glynn termed 'the extra machinery of Federation', there was still satisfaction that Australia was now an independent national entity. Vestiges of the old colonial relationships might remain, but these had only a limited and diminishing impact on an increasingly self-reliant nation-state. The argument, that reliance on the Empire would inevitably weaken had also been used to good advantage. This was seen as a compelling reason why reluctant colonies, such as Western Australia, should join the Commonwealth. Writing in the *Australian Star* on 18 February 1898, Glynn warned that:³

We cannot shut our eyes to the fact that the theatre of the world's struggle is being shifted from West to East ... the time may come when England will tell us that she has other duties to which she must subordinate the defence of Australia, and ask her to secure her standing in the counsels of Eastern Asia.

Even if Glynn considered that England's decline as a world power was only a remote and distant possibility, this was a strong argument in favour of Australian unity and the value of territorial expansion. Thus, despite initial reservations and hesitation, Norfolk Island was finally accepted as a necessary responsibility which came with Federation. This approach was enthusiastically supported by Atlee Hunt, who saw Australia's new role in the South-West Pacific as representing a 'Changing of the Guard', from the old Imperial order. However, these views were far from unanimous. Some politicians shared the prophetic view of Sir Henry Parkes, that this acquisition would prove to be a 'white elephant' and create nothing

but trouble in the future. Many of Australia's future 'subjects' on Norfolk Island were also wary and unenthusiastic regarding their forced change of status. Yet, by the time the first Parliamentary visit took place, some six months after the Commonwealth had assumed control, it was already too late to retreat.

Since then, Norfolk Island and Australia have remained locked in an uneasy relationship, with calls for greater autonomy countered by demands that Norfolk Island should first provide evidence that it can support itself. Many of the most passionate arguments for self-determination have continued to rely upon the claim that Norfolk Island was given absolutely to the Pitcairners, so all subsequent administrations have been illegal.

The 1976 *Report of the Royal Commission into matters relating to Norfolk Island* illustrated the dilemmas that have continued to confront Australia in its relationship with Norfolk Island. The Commission had been triggered by concerns that Norfolk Island was becoming a tax haven for Australian and international companies and individuals. During the hearings on the Island, a number of Pitcairn descendants again demanded a greater degree of independence, claiming that Australia had done nothing for them and that they had been given Norfolk Island as their ancestral birthright. Their views echoed those of earlier members of the community who had protested, initially against control by New South Wales, and later against Commonwealth control. However, as Murphy had found during his term as Administrator, some of the most vociferous critics were those who saw less regulation and control as giving them greater economic opportunities and personal advantage. The Commissioner's Report observed that:⁴

It was obvious that the groups who were most critical of Australia's government of the Island, and who were most clamorous in urging complete or near independence from Australia, were those who had moved to the Island in recent years predominantly to amass or retain wealth by avoiding revenue imposts, and by exploiting the Island's commercial opportunities to the full. They went to considerable

lengths, including the use of small numbers of Pitcairn descendants as willing accomplices, to propound their points of view.

One gathered from the evidence of some of the Pitcairn descendants that they had been moved to support these groups because of exploitation of their fear of what the Commonwealth Government might do in the spheres of taxation and land control if it continued to govern the Island. Their evidence followed a clearly identifiable pattern.

Members of these groups made it abundantly clear that they not only wished to be independent of Australia and to be free from revenue imposts, but that they expected Australia to continue to provide existing benefits and to make even greater monetary grants without cost to them.

It was evident from the record of witness statements and written submissions received by Sir John Nimmo that, as Henry Wilkinson, Alexander Oliver, Francis Whysall and other official visitors had discovered before him, many complaints related to the distant past. At the same time, the current Administrator, Edward Thomas Pickerd, appeared to have approached his role in a manner very similar to the way Murphy had done. In evidence to the Commission, Pickerd noted that 'many people on the Island themselves live in a form of ambivalence'. He described a number of situations when he had tried to resolve conflicting points of view, both as Administrator responsible to the Minister, and as Chairman of the Norfolk Island Council, and observed:⁵

I must say, as would be expected as Administrator, there have been many occasions when I have not shared the view of the Department or the Minister, and on these occasions I attempt to resolve the point of view, the difference of point of view, before the matter goes to Council.

The final chapter of the report considered the questions of Norfolk Island's future relationship with Australia. If he had had the benefit of Murphy's experience and knowledge of the community, or taken more notice of the current Administrator's comments, Nimmo might have found it easier to ignore what he saw as exaggerated and

somewhat irrational statements. With some asperity, the *Report* stated that:⁶

It was noticeable that those clamouring for independence attempted to cast Australia in the role of an oppressor trying to advance its own interests by imposing unwanted controls upon the islanders. Such unwarranted and emotional assertions brush aside patent truths such as the fact (now well documented) that the Island was never given to the Pitcairners in the first place, that Australia never sought responsibility for Norfolk Island but was induced by Britain to take it off her hands, and that the Australian Government has never gained financially from the Island, but, on the contrary, has contributed millions of dollars over the years toward sustaining the Island.

Despite his negative comments, Nimmo still felt that Australia had to approach any decision regarding its future relationship with Norfolk Island in a mature way. If it decided 'to follow Britain's example and abandon an obvious economic liability', there should be careful forward planning to smooth the way for a transition to independence. On the other hand, if Australia remained in control, the conditions of this control should be reviewed as 'it is for Australia to set down the terms under which it may be willing to continue to pay for the sustenance of Norfolk island.'⁷

As can be imagined, there was considerable antagonism towards the findings of this Royal Commission. However, as Australia was not willing to cast Norfolk Island adrift, alternative reforms had to be devised, with the aim of providing a greater degree of self-government. The *Norfolk Island Act 1979* incorporated many of the Nimmo Report's recommendations and a nine member Norfolk Island Assembly was established, with the Administrator taking on a more representative role.

In 1988, Treadgold concluded that, although the meaning of the concept of self-government might not be fully spelt out and could be understood very differently:⁸ 'At present the policy of both the Australian and Norfolk governments is that the island should

continue to progress towards internal self-government'. Yet, progress towards self-government has also been criticised as being too slow, particularly by those Islanders seeking an even greater degree of autonomy. In 1994, the petitioners to the United Nations asserted that, as the indigenous people of the Island, they were entitled to a vote for self determination.

This uneasy relationship has continued, with economic development remaining a key issue in the ongoing debates on the degree of autonomy or self-government which would be advisable. In October 1996, The Commonwealth Minister for Administrative Services provided terms of reference for a Commonwealth Grants Commission inquiry into ways of increasing the economic capacity of Norfolk Island. The conclusions of this report were that change was needed, as although the Norfolk Island government had the financial capacity to meet its obligations, its revenue raising was deficient and its administrative capacity was below standard.⁹

The progress, and eventual defeat in the Senate, of the Norfolk Island Amendment Bill 1999, reflected, to quite an extraordinary degree, how historical events are often replicated. It was as if the Norfolk Island Bill 1913 was again being debated. The 1999 version sought to tighten electoral regulations so that candidates for the Norfolk Island Legislative Assembly would be required to hold Australian citizenship. It also proposed that the local residency requirement for enrolment on the electoral role would be brought into line with mainland states and territories. Those opposing the Bill saw it as another way of strengthening Australia's grip on the Island. Following the defeat of the Bill in March 2000, the Joint Standing Committee on the National Capital and External Territories was requested to undertake a further Inquiry into Norfolk Island Electoral Matters. In May 2001, the *Norfolk Islander* published the submission presented to the inquiry on behalf of the Society of Pitcairn Descendants. This stated that:¹⁰

A major factor in the Bill's defeat was the fact that the Federal Government's level of consultation with the Norfolk Island community

on the proposed changes was defective: despite a Senate resolution on 25th May 1999 calling for formal negotiations with the Norfolk Island Government on this issues, no such negotiations occurred. As Senator Mackay said in the Bill's second reading debate: "This Bill is a stark illustration of this Government's reluctance to engage in genuine discussions with the community on Norfolk Island".

This situation has not changed. We are unaware of any subsequent Federal Government discussions with the Norfolk Island Government on these issues. Certainly there has been no such discussions with the wider Norfolk Island community.

During the debate that ensued after the Minister for External Affairs introduced the Norfolk Island Bill 1913, very similar questions exercised the minds of opposition politicians. Had the Islanders been adequately consulted? Would they be able to vote in Australian elections? Was the Island to become a part of the Commonwealth, or was it to retain its separate and distinct status? Briefing papers prepared by Atlee Hunt had tended to emphasise problems, which arose in negotiations with the New South Wales Governor and his Ministers. There was no real warning to Glynn, or his colleagues in Government, that future Australian Parliaments would be called on again and again to reconsider, in a more fundamental way, the future status of this small distant territory in the South-West Pacific.

During Murphy's term as the first Commonwealth Administrator, attacks on the legitimacy of his decisions were often a desperate rearguard action fought by Nobbs and others to defend Islander rights. As a member and sometime President of the Legislative Council, this grandson of George Hunn Nobbs saw himself as a patriot continuing the struggle for that degree of autonomy and self-determination, which Denison had seemed to promise in 1856. At times, attacks on the administration seemed to be directed at individuals, rather than the system of governance. However, the way these events were played out must be seen in the context of a small, tightly-knit, but still divided community.

With hindsight, one wonders whether those who worked so hard to implement the goals of the 1913 Norfolk Island Act would now consider that it had really been worthwhile. Given their belief in the future destiny of the Commonwealth of Australia, it was understandable that Glynn and Hunt, who had been so closely involved in the federal struggle, would reject any thought of surrendering what was part of Australia's domain. But, if there had ever been any political expectation of glory to be gained from imperial-style expansion, this had quickly vanished, even before Murphy's first term in office ended.

In February 2000, another descendant of George Hunn Nobbs became the Chief Minister of the Norfolk Island Assembly. On 21 April 2001, the *Norfolk Islander* reported that the then Chief Minister Ron Nobbs was not happy with the progress of the Joint Standing Committee's Inquiry. Although he did not propose complete independence, he rejected any suggestion that Norfolk Island was an integral part of Australia. In his view, the Cook Islands' special relationship with New Zealand was the preferred model which should be pursued.¹¹ After elections in December 2001, a new Chief Minister took office and the official local viewpoint seemed to have moved towards an emphasis on improving administrative efficiency as a way of achieving greater autonomy.

Where past and present meet

In 1996, Sir William Deane, then Governor-General of Australia, gave a lecture in honour of another patriot, Vincent Lingiari.¹² He cautioned that, if there is to be any real understanding of present actions and situations, we need to have an understanding of individual and collective pasts. This is because:

The past is never full gone. It is absorbed into the present and the future. It stays to shape what we are and what we do.

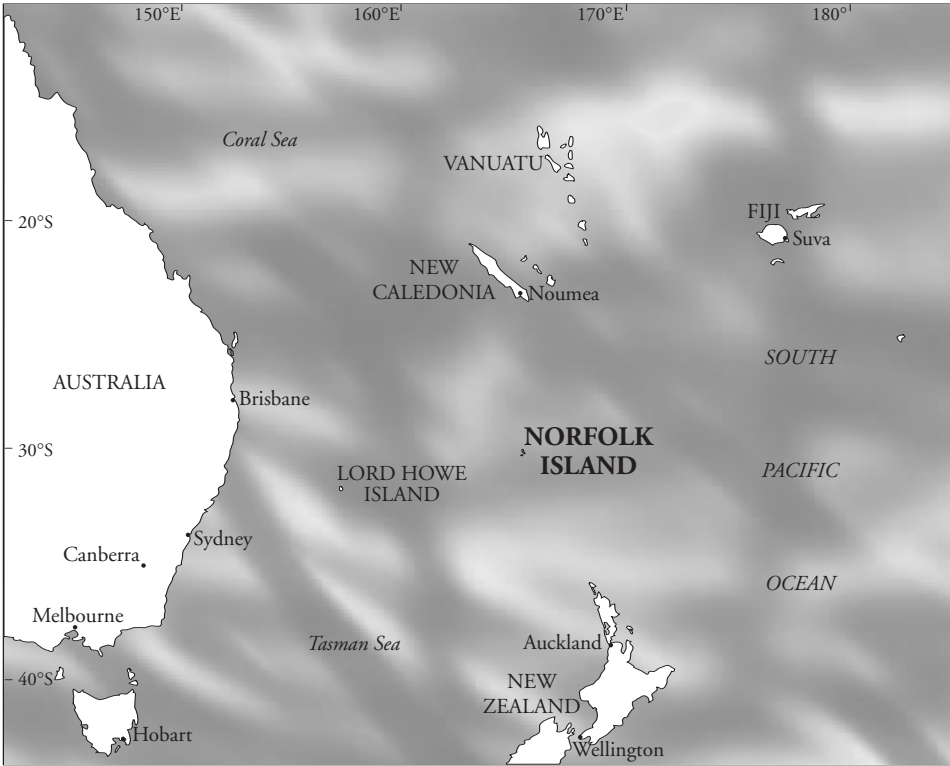
This study of one aspect of our collective past illustrates how earlier decisions still influence relationships between Australia and Norfolk Island. Many of the current debates over the status of Norfolk Island can only be understood within this historical context. These debates are continuing, with some Norfolk Islanders accepting that a greater identification with Australia is inevitable and desirable. But for others, it is the historical sense of belonging and ownership, which continues to transcend all other political and economic realities, and legal niceties. As one contributor to the *Norfolk Islander* pointed out:¹³

Nor do I care about the legalities of whether the Pitcairners were or were not ceded the island. They believed it was and that is what matters. A homeland is what people feel in their souls. It is not determined by law but by a belief. Norfolk is my homeland because that is what I was raised to believe as was my father, as were his parents, and their parents and so on.

One wonders how those four actors from our collective past would have responded to this statement. The Minister and the Secretary might have been somewhat alarmed by the writer's rejection of the legal 'correctness' of Australian authority. The Administrator would have accepted the underlying reality of community sentiment, which meant that a careful and sensitive response was required. Whatever else, it is certain that the Patriot would have applauded.

Endnotes

- ¹ James A. Michener, 'Mutiny', in *Tales of the South Pacific*, New York, The Macmillan Company, 1946, pp.15 and 35.
- ² NLA: MS4653, Glynn diaries, entry for New Year's Day, 1902.
- ³ P.McM. Glynn, 18 February 1898, *Australian Star*, Sydney.
- ⁴ Commonwealth of Australia, *Report of the Royal Commission into matters relating to Norfolk Island, op. cit.*, 1976:63–64.
- ⁵ 'Transcript of Proceedings of the Royal Commission into matters relating to Norfolk Island', p, 1978. Witness, Edward Thomas Pickerd, the Administrator, evidence given at Norfolk Island on 30 August 1975.
- ⁶ *Report of the Royal Commission into matters relating to Norfolk Island, op. cit.*, 1976: 338.
- ⁷ *Ibid.*, pp. 339–340.
- ⁸ M. L. Treadgold, *Bounteous bestowal; The economic history of Norfolk Island*, Australian National University, National Centre for Development Studies, 1988:282.
- ⁹ Commonwealth Grants Commission, 1997. *Report on Norfolk Island*, Canberra, Australian Government Publishing Service, p. 218.
- ¹⁰ Submission of the Society of Pitcairn Descendants to the Joint Standing Committee Inquiry into Norfolk Island Electoral Matters', 26 May 2001, *The Norfolk Islander*.
- ¹¹ 'Chief Minister says JSC inquiry is not going well for Norfolk, looks to Cook Islands as political model', *The Norfolk Islander*, Saturday 21st April, 2001.
- ¹² Sir William Deane, *Some Signposts from Daguragu: The Inaugural Vincent Lingiari Memorial Lecture*, Northern Territory University, Canberra, Council for Aboriginal reconciliation, 1996:1.
- ¹³ Letter to the Editor, signed 'Criticus', *The Norfolk Islander*, 15 April 2000.



Location Map of Norfolk Island

Appendix 1



Norfolk Island: The Current Context

“Norfolk Island is a remote, tiny and affluent Australian external territory, possessing a measure of internal self-government” (Malcolm Treadgold: *Bounteous Bestowal: The Economic History of Norfolk Island* NCDS Pacific Research Monograph 18, 1988)

Norfolk Island lies 1700 kilometres east-north-east of Sydney, 1100 kilometres north-west of Auckland and 800 kilometres south of Noumea. The main island has a coastline of about 32 kilometres and a land mass of about 34.5 square kilometres. About 1700 hectares are freehold, a little over 1000 hectares Crown leasehold, and 750 hectares are designated roads, commons and public reserves.

Two smaller islands, Nepean and Philip, are uninhabited. With steep precipitous cliffs, no secure harbour, and only two small jetties, shipping has always presented some problems. An airstrip was constructed during World War 11, and air services were introduced in 1947 but these have sometimes been subject to serious disruption. Until the introduction of air services, distance from major centres and Norfolk Island’s steep cliffs, jagged rocks and limited safe anchorage were (and in some ways still are) major factors limiting economic development.

In October 2000, the population was estimated to consist of 1356 permanent residents (about half of whom were of Pitcairn descent), 600 temporary residents and 744 tourists. Actual numbers vary, as many Norfolk Islanders study or work in Australia and New Zealand, and return to the Island for annual holidays in December/January.

Norfolk Islanders do not pay income tax and the local economy is heavily reliant on tourism related services, with duty-free shopping as an added attraction for visitors. Other commercial activities include livestock production, market gardening, fishing, production of stamps, handcrafts, and small businesses related to maintaining the local internal economy. The Commonwealth Government provides about \$3 million in various subsidised services and employs a number of local residents. Additional grants have been provided towards the restoration and maintenance of the Kingston and Arthur's Vale precinct, Government House and other historic sites. Medicare and Pharmaceutical benefit schemes do not apply to Norfolk Island and residents contribute to a separate health insurance scheme.

The achievement of greater autonomy in legislative and administrative decision-making has continued to be a bone of contention between Norfolk Islanders and the Australian Government. In 1977, a petition to the United Nations, followed by other representations, persuaded the then Australian Minister for Home Affairs to reject a proposal to politically link Norfolk Island to the Australian Capital Territory. Under the Norfolk Island Act 1979, a modified form of internal self-government was enacted, with a Chief Minister and eight other members elected to the Legislative Assembly. The present system of voting is unusual, as each eligible elector has nine votes and is able to cast 4 votes for any one candidate. In 1994, the Society of Descendants of the Pitcairn Settlers, arguing that they were the indigenous people of Norfolk Island, unsuccessfully petitioned the United Nations, demanding self-determination. Although opinions on the Island are divided, political agitation to achieve this end has been a recurrent theme.

Evidence provided to the 1976 Royal Commission on Norfolk Island reflected that there was a wide variety of conflicting Islander opinions, both on the desirability of 'going it alone', and how this might be achieved. These divergent approaches have continued to be debated, often with the same passion and determination as that

shown by C.C.R. Nobbs in his battles within the Executive Council, and with Murphy, Hunt and Glynn in the early years of Commonwealth administration. The late Merval Hoare, a long time resident historian, concluded (1999:182) that, 'in 1998, as Sir John Nimmo noted in 1976, Norfolk society was divisive, with political tension at variance with the island's peaceful image'. Currently, the debate continues, as Norfolk Islanders try to maintain their special historical and socio-political identity in the South Pacific.

Sources: M. Hoare. *Norfolk Island, A revised and enlarged history 1774-1998*, Rockhampton, Central Queensland University Press, 5th Edition. 1999; M. L. Treadgold, 1988 *Bounteous bestowal; The economic history of Norfolk Island*, National Centre for Development Studies, Research School of Pacific Studies, Australian National University, Pacific Research Monograph No. 18 Canberra; Commonwealth Grants Commission, *Report on Norfolk Island*, Canberra, Australian Government Publishing service, 1997; and recent issues of the *Norfolk Islander*.

Appendix 2



The Fremantle Letter

The Chief Magistrate of the Pitcairn Islanders now resident on Norfolk Island

All arrangements made by the community of Pitcairn Islanders as to the distribution of the land on Norfolk Island are to be subject to the approval of H.E. Sir W. J. Denison Governor General of NSW

The whole of the coast line including the jetties, and the roads now made throughout the Island are to be reserved as public property. The following buildings are also to be retained as belonging to H.M. Government.

The Gaol

The Government House

The Chaplains House

Also 200 acres of cleared land at Stony Ridge for a glebe and 500 acres elsewhere.

The Islanders however are not debarred from making any temporary use of the above mentioned grounds and buildings. They are to understand that they are not allotted as property to any individual.

This is communicated by direction of H.E. the Governor General.

Norfolk Island

June 25 1856

Source: 'Copy of a letter dated 25 June 1856 from Captain Fremantle to the Chief Magistrate on Norfolk Island', National Archives of Australia, AA1967/451/1. Also M. Hoare, *Norfolk Island, A revised and enlarged history 1774–1998*, 1999:75.

Appendix 3



Governor the EARL of GLASGOW to Mr. CHAMBERLAIN
(Received July 7, 1896)
Auckland, May 26, 1896

Sir,

I yesterday had the honour of receiving your telegram inquiring when you might expect to hear from me relative to the protest made on the advice of my Government by cable, as to the proposed administration of Norfolk island by New South Wales.

My Government having delayed to follow up their advice by any further communications, pending developments regarding the proposed new Pacific cable, I telegraphed to inform them of the receipt of your cable message, and now I have the honour to give you the purport of their reply.

In amplification of, and in addition to, their previous representations, my Government raise the following objections to the control of Norfolk Island by New South Wales.

In the event of a new Pacific cable being laid on British territory alone, in all probability Norfolk Island would be selected as the station from which a branch cable would be laid to New Zealand.

Under such circumstances, and without desiring in any way to adopt an unfriendly attitude towards a neighbouring Colony, with whom New Zealand has always been on the most friendly terms, my Government have the strongest objection to the junction of the New Zealand branch with the main cable being on territory controlled by any other Colony, even if that Colony be New South Wales.

I am further advised to bring to your notice the agreement which was originally made with the Islanders, that, while their Island was, and

would remain, an integral portion of the Empire, they should enjoy local self-government without interference; also that, as far as my advisers have been able to ascertain, there has not been sufficient ground for the contemplated abrogation of rights and privileges of the Islanders.

Should, however, the Imperial authorities decide that the time has arrived for placing Norfolk Island under more direct control, it is the opinion of my Government that the claims of this Colony to administer Norfolk Island are superior to those of New South Wales. It is true that New South Wales has always exercised a sort of suzerainty or superiority over Norfolk Island, but that arose from the fact that New South Wales was the centre and headquarters of British authority in Australasia in the days when Norfolk Island was first settled, but it did not give that Colony any claim to continue the present shadowy control, nor to convert it into a more effective one, if a better arrangement in the interests of the Island can be effected.

If any change has to be made, it appears to my Government that other circumstances have to be taken into consideration – Norfolk Island is some 300 miles nearer New Zealand than New South Wales — it is a part of the diocese of Melanesia, which is, ecclesiastically speaking, a part of the Province of New Zealand; thus there is a considerable amount of sympathy and community of feeling between Norfolk Island and this Colony, which subscribes liberally to the cost of the Melanesian Mission, and for this and other reasons I am informed that the Bishop of Melanesia, as well as the other Bishops of New Zealand, demur to the Island passing under the Government of New South Wales.

Finally, I am advised that, as far as my ministers can ascertain, if any change is to take place in the government of Norfolk Island, the Islanders, while protesting against any change, would prefer to come under the control of New Zealand rather than that of New South Wales; should the claim of New Zealand be given effect to, the proper arrangements for the administration of the Island, similar to that in the Cook Islands, would at once be made.

My Government therefore begs to suggest that, pending the settlement of the question of laying the Pacific cable at any rate, no change should be made in respect to the control of Norfolk Island.

I have, &c.

GLASGOW

Source: *Norfolk Island, Correspondence relating to the Transfer of Norfolk Island to the Government of New South Wales*, Presented to Parliament by Command of Her Majesty, February 1897.

Appendix 4



Memorandum for His Excellency the Governor

Mr. Reid presents his humble duty to your Excellency, and begs to state, in reply to the Governor's letter of 9th instant, that he is ready to advance 1000£ [pounds] as therein requested, pending settlement of account on transfer of administration.

The question as to the future government of Norfolk Island has been seriously considered by Ministers, and I beg to acquaint your Excellency with the result of our deliberations.

Whilst ready to assist your Excellency, in fact to be your Excellency's advisers on all matters of concern respecting the Island, we foresee great difficulties in the way of legislation either by the Governor with our advice, or by the Legislature of the Colony.

We propose, therefore, that the Island should not be annexed formally to New South Wales, and that our services should be administrative only, legislation being conducted as formerly, or in such manner as may seem fit to Her Majesty's Government.

It should be understood, however, that the Island is, as part of the arrangements secured to New South Wales, or the future federal body, when it is found expedient to ask for its annexation.

This will be a tangible basis for an annual vote out of Colonial Funds towards the expenses of the Island.

I may repeat that our main object in entering upon this matter at all was to meet the wishes and convenience of the Imperial Government,

being fully sensible of the great consideration shown to Colonial requests by the Home Government upon all occasions.

G .H. Reid

The Treasury, N.S.W.,

October 13, 1896.

Source: *Norfolk Island — Correspondence relating to the Transfer of Norfolk Island to the Government of New South Wales, 1897, No 14, Enclosure 2.*

Appendix 5



Government of Norfolk Island

Refusal of Whaling Companies Nos 3 and 4, to pay rental for occupation of Boat Sheds

The Boat Sheds in question are old stone buildings, which have been roofed and kept in repair by the respective Whaling Companies. They have been in undisturbed occupation for many years & consider that they own them. They are, however, the property of the Crown.

The late Mr Commissioner Alexander Oliver did not consider it necessary to take any evidence with regard to them, as they were not under residential occupation. Pursuant of the recommendations made in the supplementary report of the Deputy Administrator, & the Parliamentary Draftsman, a Board consisting of Messrs F.M. Nobbs, A. Anderson and M.V. Murphy, was appointed to report upon and assess the rentals, where necessary, of all buildings the property of the Crown.

These Boat Sheds were assessed by the Board at the nominal rental of [one pound] per annum, which the Whaling Companies in question decline to pay.

They were officially informed that they would either have to conform with His Excellency's decision or give up possession by the 20th Aug. last. In the event of non compliance, the Chief Magistrate was directed to authorise Corporal Buffett to take possession in the presence of the Supt. of Constabulary [The notation 'Deputy

Administrator' is written on the margin to indicate that he was the source of the authority for this direction]. This was done but Captain Drake verbally informed me that the Companies are still in occupation and Nos 3 and 4 decline to abide by His Excellency's decision.

M. V. Murphy

Officer in Charge

20/2/07

Source: NAA: A1 1915/16408, 'Report to the Deputy Administrator, W. Houston from Officer in Charge, M. V. Murphy, 20 February 1907'.

Appendix 6

Commonwealth of Australia Gazette

No. 35.]

WEDNESDAY, 17TH JUNE.

[1914.

AT THE COURT AT BUCKINGHAM PALACE.

The 20th day of March, 1914.

PRESENT:

The King's Most Excellent Majesty.

Lord President
Viscount Knollys

Lord Crolebrooke
Lord Emmott.

WHEREAS by the *Australian Waste Lands Act 1856*, it was among other things provided that it should be lawful for Her Majesty at any time by Order in Council to separate Norfolk Island from the Colony of Van Diemen's Land and to make such provision for the Government of Norfolk Island as might seem expedient;

And whereas by an Order in Council, dated the 29th day of June, 1856, made in pursuance of the said Act, it was ordered and declared that from and after the date of the Proclamation of the Order in New South Wales Norfolk Island should be separated from the said Colony of Van Diemen's Land;

And whereas by an Order in Council, dated the 18th day of October, 1900, Her Majesty Queen Victoria was pleased to order that the affairs of Norfolk Island should be managed, and until further order should be made in that behalf by Her Majesty, be administered by the Governor for the time being of the State of New South Wales and its Dependencies;

And whereas by the Commonwealth of Australia Constitution Act, it is provided that the Parliament of the Commonwealth of Australia may make laws for the government of any territory placed by the King under the authority of and accepted by the Commonwealth;

And whereas the Parliament of the Commonwealth of Australia has passed an Act No. 15 of 1913, entitled "An Act to provide for the acceptance of Norfolk Island as a territory under the authority of the Commonwealth, and for the government thereof";

And whereas it is expedient that the said Order in Council, of 18th of October, 1900, should be revoked, and that Norfolk Island should be placed under the authority of the Commonwealth of Australia;

Now, therefore, His Majesty, by virtue and in exercise of the power in this behalf by the *Australian Waste Lands Act 1856*, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

- (1) Norfolk Island is hereby placed under the authority of the Commonwealth of Australia.
- (2) The said Order in Council of the 18th day of October, 1900, is hereby revoked, but without prejudice to anything lawfully done thereunder.

(3) This Order shall be published by the Governor-General of the Commonwealth of Australia in the Commonwealth of Australia Gazette at such time as the Governor-General may think fit, and shall take effect from the date which shall be fixed by Proclamation by the said Governor-General for the commencement of the Act No. 15 of 1913 of the Parliament of the Commonwealth.

ALMERIC FITZROY.

PROCLAMATION

By His Excellency the Right Honourable Sir Ronald Crauford Mearns Ferguson, a Member of His Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Distinguished Order of Saint George, Governor-General, Michael and Saint George, Governor-General and Commander-in-Chief of the Commonwealth of Australia.

WHEREAS by the *Norfolk Island Act 1913*, it is enacted that that Act shall not come into operation until the King has been pleased in place Norfolk Island under the authority of the Commonwealth, and the Governor-General has been pleased, by Proclamation, to fix a day for the commencement of that Act;

And whereas by an Order of His Majesty in Council bearing date the thirtieth day of March, One thousand nine hundred and fourteen, His Majesty has been pleased to place Norfolk Island under the authority of the Commonwealth, and to order that the said Order shall take effect from the date which shall be fixed by Proclamation by the said Governor-General for the commencement of the said Act;

Now therefore I, Sir Ronald Crauford Mearns Ferguson, the Governor-General aforesaid, acting with the advice of the Federal Executive Council, do fix Wednesday, the first day of July, One thousand nine hundred and fourteen, as the day upon which the *Norfolk Island Act 1913* shall commence.

Given under my Hand and the Seal of the Commonwealth of Australia this seventeenth day of June, One thousand nine hundred and fourteen, and in the fifth year of His Majesty's reign.

(L.S.) By His Excellency's Command,
P. McE. GLYNN.

GOD SAVE THE KING!

Printed and Published for the GOVERNMENT of the COMMONWEALTH of AUSTRALIA by ALBERT J. MULLERY,
Government Printer for the State of Victoria.

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Commonwealth of Australia Gazette, 17th June 1914.
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A Short Biography

Maev O'Collins



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