

## APPENDIX A

### TERMS OF THE DEED OF CESSION\*

Deed of Cession, 10th October, 1874.

Instrument of Cession of the Islands of Fiji by Thakombau, styled Tui Viti and Vuni Valu, and by other high Chiefs of the said islands to Her Most Gracious Majesty Victoria...

Whereas divers of the subjects of Her Majesty the Queen of Great Britain and Ireland have from time to time settled in the Fijian group of islands and have acquired property or certain pecuniary interests therein;

And Whereas the Fijian Chief Thakombau styled Tui Viti and Vuni Valu and the other high native chiefs of the said islands are desirous of securing the promotion of civilization and Christianity and of increasing trade and industry within the said islands;

And Whereas it is obviously desirable, in the interests of the native as of the white population, that order and good government should be established therein; And Whereas the said Tui Viti and other high chiefs have conjointly and severally requested Her Majesty the Queen of Great Britain and Ireland aforesaid to undertake the government of the said islands henceforth; And Whereas in order to the Establishment of British Government within the said islands the said Tui Viti and other of the several high chiefs thereof for themselves and their respective tribes have agreed to cede the possession of and the dominion and sovereignty over the whole of the said islands and over the inhabitants thereof and have requested Her said Majesty to accept such cession, - which cession the said Tui Viti and other high chiefs, relying upon the justice and generosity of Her said Majesty, have determined to

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1\* As quoted in J.D.Legge. Op.cit. Pp. 284-286.

tender unconditionally, - and which cession on the part of the said Tui Viti and other high chiefs is witnessed by the execution of these presents and by the formal surrender of the said territory to Her said Majesty... and whereas Robinson is authorized and deputed to accept the cession on the Queen's behalf...

Now these Presents Witness

1. That the possession of and full sovereignty and dominion over the whole of the group of islands in the South Pacific Ocean known as Fijis (and lying between the parallels of latitude of fifteen degrees South and twenty-two degrees south of the Equator and between the Meridians of longitude of one hundred and seventy-seven degrees West and one hundred and seventy-five degrees East of the Meridian of Greenwich) and over the inhabitants thereof, together with the possession of and sovereignty over the waters adjacent thereto and of and over all ports harbours roadsteads rivers estuaries and other waters and all reefs and foreshores within or adjacent thereto, are hereby ceded to and accepted on behalf of Her said Majesty the Queen of Great Britain and Ireland her heirs and successors, to the intent that from this time forth the said islands and the water reefs and other places as aforesaid lying within or adjacent thereto may be annexed to and be a possession and dependency of the British Crown. \_\_\_\_\_

2. That the form or constitution of government, the means of the maintenance thereof, and the laws and regulations to be administered within the said islands shall be such as Her Majesty shall prescribe and determine. \_\_\_\_\_

3. That, pending the making by Her Majesty as aforesaid of some more permanent provision for the government of the said islands

His Excellency Sir Hercules George Robert Robinson, in pursuance of the powers in him vested and with the consent and at the request of the said Tui Viti and other high Chiefs the ceding parties thereto, shall establish such temporary or provisional government as to him may seem meet.

4. That the absolute proprietorship of all lands, not shown now to be alienated, so as to have become bona fide the property of Europeans or other foreigners or not now in the actual use or occupation of some chief or tribe, or not actually required for the probable future support and maintenance of some chief or tribe, shall be and is hereby declared to be vested in Her Majesty, her heirs and successors.

5. That Her Majesty shall have power, whenever it shall be deemed necessary for public purposes, to take any lands upon payment to the proprietor of a reasonable sum by way of compensation for the deprivation thereof.

6. That all now existing public buildings houses and offices, all enclosures and other pieces or parcels of land now set apart or being used for public purposes, and all stores fittings and other articles now being used in connection with such purposes are hereby assigned transferred and made over to Her said Majesty.

7. That on behalf of Her Majesty His Excellency Sir Hercules George Robinson promises (1) that the rights and interests of the said Tui Viti and other high chiefs the ceding parties thereto shall be recognised so far as is and shall be consistent with British Sovereignty and Colonial form of government, (2) that all questions of financial liabilities and engagements shall be carefully scrutinized and dealt with upon principles of justice.

and sound public policy, (3) that all claims to title to land by whomsoever preferred and all claims to pensions or allowances whether on the part of the said Tui Viti and other high chiefs or of persons now holding office under them or any of them shall in due course be fully investigated and equitably adjusted. \_\_\_\_\_

In Witness whereof, the whole of the contents of this instrument of Cession having been, previously to the execution of the same, interpreted and explained to the ceding parties hereto by David Wilkinson Esquire, the interpreter nominated by the said Tui Viti and the other high chiefs and accepted as such interpreter by the said Sir Hercules George Robert Robinson, the respective parties hereto have hereunder set their hands and seals. \_\_\_\_\_

(The signatures of Robinson and the Chiefs follow.)