

1913

NAT/SEA/1 # 2

<i>Industries</i>
No. <i>176</i>

Confidential.

The Governor.

(SUBJECT.)

1913

*2.3 April*

Draft lease to Messrs Salvesen & Coy of the Fur Seal Rookeries of the Colony.

Previous Papers.

*1+10/09*

*in 410/09 cc. by Hansen  
240/14 in respect of Rookeries  
1023/13 - reading from Hansen's application for*

(MINUTES.)

Office,

Please type draft lease in quadruplicate for S.S.

*W.L.G.*  
29 April, 1913.

*H.C. The Governor*

*Four fair copies of lease submitted.*

*Office*

*W.L.G.  
2/5/13.*

*For further particulars see*

*Conf. A & New, 1913 L.P.S.*

*W.L.G.  
10/5/13*

Subsequent Papers.

Draft.

FALKLAND ISLANDS.

THIS INDENTURE made this        day of        one  
thousand nine hundred and        BETWEEN His  
Most Gracious Majesty George V. by the Grace of  
God of the United Kingdom of Great Britain and  
Ireland and of the British Dominions beyond the  
Seas King, Defender of the Faith, Emperor of India,  
of the one part, and Messrs. Chr<sup>istian</sup> Salvesen and  
*Merchants, of twenty-nine Bernard Street, in*  
Company, ~~of~~ the town of Leith, in that part of the  
United Kingdom called Scotland (hereinafter called  
the Lessees) of the other part, WITNESSETH that His  
Majesty doth hereby lease unto the said Lessees and  
their assigns, all those lot~~s~~ or parcels of land  
situate in the Colony of the Falkland Islands, all  
which lot or parcels of land, containing <sup>x</sup> 4560  
acres, more or less, are more particularly  
delineated and described in the First Schedule  
hereto, to have and to hold the said lot or parcels  
of land hereinbefore expressed to be hereby leased  
unto the said Lessees and their assigns from the  
first day of October, one thousand nine hundred and  
fourteen, for the term of twenty one years, and  
His Majesty for himself his heirs and successors,  
agrees to grant to the Lessees, <sup>and their assigns,</sup> ~~for the said~~  
~~term of twenty one years,~~ the exclusive right,  
power, authority, and liberties by themselves  
their agents and servants to enter upon any or all  
of the lands hereby leased ~~and thereon~~ or upon  
the territorial waters thereof and there to take,  
kill, or remove any fur seal for and during the  
said term of twenty one years; And the Lessees

Shall.

x to be typed in words.  
1/19

subject to the conditions and  
reservations hereinafter contained,

shall likewise have the right to depasture horses, sheep and cattle on such lands; Yielding and paying for the lease and for the rights hereby granted yearly<sup>and</sup> every year during the said term hereby granted, the clear yearly rent or sum of one hundred and fifty pounds sterling, payable on the first day of January in every year to the Crown Agents for the Colonies, or the Treasurer of the said Colony of the Falkland Islands: And the <sup>said</sup> Lessees do hereby for themselves and their assigns covenant with His Majesty in the manner following (that is to say) That they the said Lessees or their assigns shall and will truly pay, or cause to be ~~xx~~ paid unto His Majesty, his heirs and successors, the said clear yearly rent or sum of one hundred and fifty pounds at the times and in manner hereinbefore appointed for payment thereof: And also shall not nor will at any time during the said term hereby granted without the previous consent of the Government of the Colony of the Falkland Islands assign, underlet, or part with the possession of the said lot or parcels of land hereby leased or any part thereof.

Provided that this lease <sup>is</sup> ~~(and these rights are)~~ granted subject to the reservations, conditions, and restrictions set forth in Section twenty one of "The Land Ordinance, 1903", being Ordinance No.9 of 1903 passed by the Legislative Council of the Colony of the Falkland Islands on the 16th day of December, 1903, and assented to by the Governor and given under the Public Seal of the said Colony on the 18th day of December, 1903, and <sup>provided</sup> that these rights are granted subject to the provisions of "The Seal Fishery Ordinance, 1899" being Ordinance No.1 of 1899 passed by

by the Legislative Council of the Colony of the Falkland Islands on the 27th day of March, 1899, and assented to by the Governor and given under the Public Seal of the said Colony on the 30th day of March, 1899, save and except as in so far as any reservations, conditions, restrictions, and provisions in whole or in part are herein expressly excluded and subject also to the covenants, reservations, conditions, and restrictions set forth in the Second Schedule hereto and Provided always that if it shall happen that the said yearly rent of one hundred and fifty pounds shall be behind, or unpaid, by the space of Sixty days next over, or after, any of the said days whereon the same is hereinbefore made payable (whether lawfully demanded or not), or if the said Lessees or their assigns shall not well and truly observe, perform, fulfil, and keep all and every the covenants, clauses, conditions, and agreements hereinbefore, and in the Second Schedule hereto, contained which on their part ought to be paid and performed according to the true intent and meaning of these presents, then and in either of the ~~the~~ said cases, it shall be lawful for His Majesty, his heirs or successors, into and upon the said leased lot or parcels of land or any part thereof in the name of the whole, to re-enter and the same to have again, retain, possess, and enjoy as in his and their first and former estate And His Majesty, for himself, his heirs and successors doth hereby covenant with the said Lessees and their assigns, that they the said Lessees and their assigns, paying the said yearly rent of one hundred and fifty pounds on the days and times and in manner aforesaid and observing, performing, ~~and~~ fulfilling and keeping all and every the covenants, clauses, conditions and agree-

ments

ments in this indenture and the Second Schedule hereto contained on their part to be observed, performed, fulfilled and kept, shall and lawfully may peaceably and quietly have, hold, use, occupy, possess, and enjoy the said lot or parcels of land hereby leased for and during the said term hereby granted.

IN WITNESS whereof His Excellency William Lamond Allardyce, Companion of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of the Falkland Islands and its Dependencies, hath with the special sanction of the Secretary of State for the Colonies hereunto set his hand for and on behalf of His Majesty and caused the Public Seal of the said Colony to be hereunto affixed at Stanley in the said Colony, and the said Lessees have hereunto set their hands and seal the day and year first above written.

Governor and Commander-in-Chief.

By His Excellency's Command,

Colonial Secretary.

*Christian* Signed, sealed and delivered by the said ~~Messrs. Chr.~~ Salvesen and Company, in the presence of

The FIRST SCHEDULE referred to in the above-written Indenture.

\* to be typed in words.

The lot or parcels of Land in the Colony of the Falkland Islands hereby leased are <sup>4560</sup> acres, more or less, and <sup>are</sup> ~~include~~ the following islands <sup>with</sup> ~~and~~ adjacent islets, namely:

- South Jason
- Flat Jason
- Elephant Jason
- North Fur Island
- South Fur Island
- Beauchêne Island
- Bird Island
- Volunteer Rocks.

30  
500  
20  
60  
4560

12/10/10  
20350  
2/10

The SECOND SCHEDULE referred to in the above-written Indenture.

The lot or parcels of land hereby leased are leased for the purpose of protecting and fostering the fur seal industry, ~~of the Colony of the Falkland Islands~~ <sup>s<sup>ic</sup></sup> ~~Islands~~, and of enabling the Lessees to carry on fur seal fishing in the territorial waters of the ~~said~~ Colony, ~~of the Falkland Islands~~.

2. The right to win and take mineral oil on the lot or parcels of land hereby leased is reserved to the Crown.

3. The Lessees hereby for themselves and their assigns covenant with His Majesty, ~~and~~ his heirs and successors, that they the Lessees and their assigns during the said term:

(a) Will not, from the first day of October one thousand nine hundred and fourteen to the <sup>y first</sup> ~~thirtieth~~ day of March one thousand nine hundred and seventeen, take or kill on, or remove from any lot or parcel of land hereby leased, any fur seal without the special permission of the Governor in Council, and in any case such permission shall extend only to a strictly limited number of male seals.

(b) Will, during the term of this lease, employ such number of vessels and men as shall, in the opinion of the Governor in Council, be sufficient to adequately protect and safeguard the rookeries against illicit sealing.

sending an Inspector to visit the rookeries and to determine what number of seals may be taken from each rookery during the open season following, namely, from the first day of April to the thirtieth day of September.

(d) Will furnish to the Governpr of the  
Colony of the Falkland Islands for the time being  
an annual report respecting their operations on  
an annual report respecting their operations on  
lot or parcels of land hereby  
and in the territorial waters of the ~~lands~~ leased.  
~~under this indenture~~



