acquaint you for the information of Lord Hobart, that My Lords 
have given directions for the arrangement suggested in your 
Letter, to be carried into execution, and that My Lords will 
appoint a proper person to be Deputy Surveyor of Norfolk Island. 
I am, etc.,
N. Vansittart.

[Enclosure No. 9.]

SECRETARY SARGENT TO UNDER SECRETARY SULLIVAN.

Sir,
Treasury Chambers, 22nd July, 1802.

Having laid before the Lords Commissioners of His 
Appointment 
Majesty's Treasury, your Letter of 30th March last stating that 
Governor Hunter has requested that Mr. James Williamson may 
be appointed a Deputy Commissary at New South Wales I have 
received their Lordships Commands to acquaint you for the 
information of Lord Hobart, that they have directed a Warrant 
to be prepared appointing Mr. Williamson as Deputy Commis­ 
sary of Stores etc. at New South Wales.
I am, etc.,
John Sargent.

[Enclosure No. 10.]

SECRETARY LEWIS TO UNDER SECRETARY SULLIVAN.

Sir,
War Office, 14th June, 1802.

Having laid before the Secretary of War your Letter of 
The pay 
the 28th Ulto. and the several papers enclosed therein I am 
directed to acquaint you for the information of Lord Hobart 
that the Men of the New South Wales Corps have never been 
subject to any stoppage on Account of Provisions while serving 
in that Settlement nor are they so at present; on the contrary 
they have continued to receive the full subsistence and consoli­ 
dated allowance of the Soldier as they existed on the 25th May 
1797 and now receive the same together with the respective net 
Sums then granted to the Non Commissioned Officers Drum­ 
mers and private Men, beyond what they had been previously 
titled to when serving abroad.—The enclosed Memorandum 
stating in detail the case of the Private Soldiers, will, it is con­ 
ceived explain this to Lord Hobart's entire satisfaction; and Mr. 
Yorke has only to observe, that the Stoppage for the Rations of 
Provisions is only Two pence halfpenny from the pay of each 
man and that on those Stations abroad when the Soldier is liable 
to stoppage on that account the Private Man's Net Pay is only 
Sixpence a day.
I am, etc.,
M. Lewis.
[Sub-enclosure.]

MEMORANDUM relative to the Pay of the Private Soldier at home and in New South Wales, referred to in Mr. Lewis's Letter to Mr. Sullivan dated 14th June 1802.

Received by the Private Soldier of Foot at home. | Received by the Private Soldier of Foot in N.S. Wales.
---|---
Full subsistence prior to the 25th May 1797 | 6d. pr. Diem | 6d. pr. Diem
Consolidated allowance Do | 2½ " | ½ "
Extra price of Bread and Meat | 1½ " | 2 "
Net addition made from above date | 2 " | 2 "
Augmented Pay of the Private Soldier of Foot when not subject to stoppages for Provisions | 1s. | 8½d.

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LORD HOBART TO GOVERNOR KING.

(Despatch No. 3, per H.M.S. Glatton; acknowledged by Governor King, 9th May, 1803.)

Sir, Downing-street, 30th August, 1802.

It having been determined, in consequence of the definitive Treaty of Peace, that a reduction should be made in the strength of the New South Wales Corps, as well as in the regiments of the line, I have received the King's commands to desire that, upon the reduction taking place in that regiment, and for which purpose directions will be sent by His Royal Highness the Commander-in-Chief, you do make it known in General Orders that such of the men as it may be intended to discharge from the service, and who may prefer staying in the colony to returning to this country, will be permitted to become settlers with the like privileges and advantages as those granted to the marines* who became settlers upon the expiration of their respective terms of duty previous to the formation of the New South Wales Corps.

In order that His Majesty's gracious intention in this respect may be clearly and explicitly understood by the men whom it may be intended to reduce, I am further to desire that you will take care to have it fully explained to them that they are entirely at liberty to make their election; and that they may all and each of them return Home, if they prefer it to a continuance in the settlement, by the first opportunity that may offer after the Corps shall be put upon a reduced establishment.

HOBART.

* Note 222.
LORD HOBART TO GOVERNOR KING.

(Despatch marked "Separate," per H.M.S. Glatton; acknowledged by Governor King, 9th May, 1803.)

1802.

30 Aug.

1802.

30 Aug.

Additional instructions.

Expense of the colony.

Necessity for economy.

Method of drawing bills.

Mistake made by Foveaux.

HOBART TO KING.

Lord Hobart to Governor King.

(Sir, Downing-street, 30th August, 1802.

In addition to my dispatch of the 29th instant, I think it right, in a separate letter, to call your particular attention to the expense of the colony, to the manner of drawing bills upon the Treasury, and to the internal state of the settlement under your government so far as relates immediately to its cultivation, produce, and live stock.

Upon the first of these points—viz., the expense of the colony—I cannot refrain from urging you in the strongest manner to use every possible endeavour to diminish the heavy charge with which this country has been hitherto burthened from the first establishment of the settlement of New South Wales.

Bills amounting to the sum of £10,460 2s. 10d., drawn by Commissary Palmer between the 31st of March and 3rd of July, 1801, upon the Lords Commissioners of the Treasury, I have already recommended to be paid upon account. The remainder of the bills, which it appears by your letters to the Duke of Portland you have authorized the Commissary to draw, have not as yet been referred for my opinion.

Altho' I do not wish you to conceive that I imagine there is any part of the expence incurred which has not been absolutely necessary, yet it is incumbent on me, in my official capacity, to point out to you the strict necessity of enforcing the most rigid economy in every branch of the public service under your management and control.

With respect to the manner of drawing bills upon the Treasury, I must desire that you will regularly transmit to me separate letters of advice, stating the number of the bill, together with the date, the amount, the service for which it is required, and the name of the person or persons in whose favor it may be drawn. Each bill must also be accompanied with a separate letter of advice from the Commissary or the person whom you may authorize to draw the same, which letter must be produced when the bill is presented for acceptance at the Treasury. This method will facilitate the business very much, for by drawing the bills in numerical order and beginning each succeeding year with number one, the annual charge of the settlement will be more readily seen. It will also shew at one view the increase or diminution on the different heads of expense.

In my general despatch I had occasion to observe to you upon an inaccuracy which Lieutenant-Governor Foveaux had committed relative to a date of a bill. As it is necessary that the
most minute exactness should be observed in all matters of this nature, you will take care to call the Lieutenant-Governor's particular attention to this circumstance,* and, in order that a mistake of this sort may not again occur, you will direct him to draw his bills after the manner herein pointed out to you.

Before I quit this part of the subject, I think it right also to desire that you will call upon Mr. Palmer to explain whether the two bills drawn by him in favor of Mr. Stewart and of Mr. Campbell, and of which letters of advice were received at the Treasury, dated 31st of March, 1801, are two of the four bills of which he sent advice in another letter of the 7th of May, two of these bills being in favor of the same persons and for the same sum.

Bills drawn by Palmer.

Bills amounting to the sum of £5,958 11s., drawn by Lieutenant-Governor Foveaux, or by his order, I have also recommended to be paid upon account; but this is not the total amount of the bills referred to in his letter to the Duke of Portland. I trust, however, that the expense he may find occasion to incur during the current year will not be so considerable as it was in the last.

With regard to the internal state of the settlement, as far as relates immediately to its cultivation, produce, and live stock, I have, with a view to the more easily and distinctly arranging the information His Majesty's Government is so desirous of receiving, caused a table or plan to be sketched out (of which I enclose a copy for your guidance), for the purpose of enabling you to make a return of the total number of acres either cultivated or held by the Crown, and by the civil and military officers and settlers within the colony.

Tabulated returns of agriculture and live stock.

In filling up this return I should recommend that the settlers be put in classes, according to the proportions of land which they may respectively hold; for instance, those holding 100 acres to be put together, and those holding more or less, according to the different gradations, in like manner. This would prevent the necessity of extending the return to an inconvenient length, and would thereby shew, at one view, the exact state of the settlement, as to its cultivation, its produce, and its live stock.

As little or no difficulty will, I apprehend, arise in carrying this plan into effect, I shall expect that you will hereafter continue to make similar returns twice in every year, by which the progressive advancement of the colony will be regularly seen. You will also instruct the Lieutenant-Governor of Norfolk Island to proceed in a similar manner, for which purpose you will furnish him with a copy of the enclosed paper.

Employment of convicts.

There is yet another point upon which I did but slightly touch in my general letter—that is, the manner in which the convicts are disposed of; but, as your predecessors were furnished with

* Note 223.
several instructions on this subject, I shall only call your attention generally thereto, and to the Duke of Portland's letters of the 3rd of December, 1798, and of the 5th of November, 1799, taking it for granted that you have been guided in this particular entirely by them, and that you have taken care that such of the convicts, above the number allotted to each settler, have been subsisted and cloathed by those persons, whosoever they may be, that have benefitted by the labour of these unfortunate people, and that they have not been suffered to remain a burthen on the public, while their services were appropriated to private advantage.

Having signified to you conditionally my approbation of the purchase which you propose to make of the flock belonging to Lieutenant-Governor Foveaux, and of the stock belonging to Mr. Balmain, I am very much disposed to recommend that you should distribute a certain proportion of the breeding flock and stock amongst such of the settlers as may be inclined to purchase. By this liberal proceeding the breed of sheep and other cattle will be more rapidly increased, and the appearance, which certainly at present exists, of monopolizing the stock by keeping it in so few hands, will, in a great degree, be done away with, whereby the public will derive material benefit. I have, etc.,

Hobart.

[Enclosure.]

[A copy of the form for returns is not available.]

GOVERNOR KING TO THE VICTUALLING BOARD.
(Per transport Atlas, viâ China.)

Gentlemen,

Sydney, Augt. 31st, 1802.

I had the Honor of receiving your Lettrs. by the Atlas Hercules Coromandel and Perseus with the Provisions put on board those Ships and have directed the Comy: to furnish the respective Masters with receipts for the Quantities delivered—A General Account of which I enclose, and have the Honor to be Gentlemen, etc.,

PHILIP GIDLEY KING.

[Enclosure.]

[A copy of this return is not available.]

GOVERNOR KING TO LORD HOBART.
(Per transport Atlas, viâ China.)

My Lord,

Sydney, New South Wales,

17th September, 1802.

Referring your Lordship to the duplicate of my letter No. 8 to the Duke of Portland, dated 9th June, 1802, also to those to
1802.
17 Sept.

Arrival of transports.

The French exploring ships.

Surgeon Thomson to return in the Naturaliste.

Convicts in the Hercules and Atlas.

your Lordship dated as p’r margin,* in which I informed of the necessity of purchasing a quantity of salt meat from the master of the American ship Arthur, accompanied by a voucher, and also of the arrival of the ships as p’r margin,† together with a statement of the very proper and laudable conduct of the masters of the Coromandel and Perseus, and the highly improper conduct of the masters of the Hercules and Atlas, to the convicts, &c., during their voyage from England and Ireland to this colony; also the quiet, peaceable, and healthy state of this colony at the latter date; enclosing the Commissary’s return of the quantity of salt meat we then had in store, and the time it would last; that we had sufficient grain in Government’s hands and that of individuals to continue two-thirds of the full ration to those supported by the Crown until next harvest; that the Geographe and Naturaliste, French ships on discovery, were here refitting, and that Capt’n Flinders, in His Majesty’s ship Investigator, with the Lady Nelson, sailed from hence the 22nd July last, to prosecute the service he was ordered on by the Lords of the Admiralty.

Having been disappointed in the whaler not returning to this port by which I intended to have sent my answer to your Lordship’s despatches dated 30th last January,‡ and not deeming the present a very safe conveyance, I defer sending it by this ship. Mr. James Thomson, Staff-Surgeon (who has my permission to return to England, for the recovery of his health and to arrange his private concerns, he having been nine years in this colony, and intended to go in the whaler), and as the Commodore of the French ships has signified his intention of dispatching the Naturaliste to France from hence, and having, in a very handsome manner, permitted Mr. Thomson and his family to have a passage in that ship, I am induced to send my answers to your Lordship’s despatches by that officer, as I have the Commodore’s promise that they will remain unmolested in his possession—a measure I should not have adopted was I not possessed of a printed copy of the definitive treaty being concluded between His Majesty and the French Republic.

As the subjects in the letters above alluded to will be fully stated in my letters by Mr. Thomson, I only shall inform your Lordship that the unfortunate survivors of the convicts sent in the Hercules and Atlas are in a state of convalescence, but too weak and debilitated to be ever of much use.

The master of the Perseus having (as he says, at the recommendation of Sir Roger Curtis) brought some cattle from the

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* July 23rd, 1802; August 9th, 1802.
† Coromandel, 13th June; Hercules, 26th June; Atlas, 6th July; Perseus, 4th August.
‡ Note 224.
Cape of Good Hope, which are very nearly of the English breed, and being landed in an excellent state, I directed the Commissary to purchase them for the use of Government, the price of which, by the enclosed voucher, your Lordship will observe is £35 a head, which purchase, together with that of 135 gallons of spirits at 7s. p'r gallon, for the use of the Colonial vessels, I hope will be approved of, as every head of female cattle we can obtain will hasten the time of supplying ourselves with animal food.

As I have not yet signed the bills for the grain and animal food delivered into His Majesty's stores by individuals who required payment during the last quarter, i.e., from March to June, and which amounts to £1,213 19s. 3d., I defer sending the vouchers for that payment until they accompany those for the quarter ending the 30th instant, which, with every other necessary document, will be transmitted by Mr. James Thomson, who will doubtless arrive before this comes to hand. I have a pleasure in informing your Lordship the colony remains in the same peaceable and healthy state as when I had the honor of writing last.

I have, &c.,
PHILIP GIDLEY KING.

[Enclosure.]

[Enclosure.]

A copy of the voucher has not yet been found.

THE VICTUALLING BOARD TO GOVERNOR KING.
(Per transport Cato; acknowledged by Governor King, 9th May, 1803.)

Sir,
Victualling Office, 28th Septr., 1802.

Referring to our Letter of the 25th of January last informing Your Excellency of the Order we had received from the Right Honble. the Lords Commissioners of His Majesty's Treasury for sending out a supply of Pork equal to four Hundred and Ninety two Thousand Four hundred and Twenty eight Pounds, or a proportionate quantity of Beef, Annually for Three Years, for the use of the Settlement at New South Wales: We beg to acquaint You, that, as the Second Years Shipment, we have laden the Cato Victualler, John Park, Master, with Four Hundred and Ninety two Thousand, Four Hundred and Eighty Pounds of Pork, and have consigned the same to you.

An Invoice of, and the Master's Bills of Lading for, the Pork so Shipped, will be conveyed to you by the Vessel; and we have therefore to request you will cause a Receipt to be granted to the Master for what he shall deliver.

We have, etc.,

JOHN MARSH.
G. P. TOWRY.
JOHN RODNEY.

FRANS. STEPHENS.
R. S. MOODY.

John Harrison.
Sir,

Transport Office, 11th October, 1802.

We beg to refer you to our letter of the 30th July last by His Majesty's ship Glatton and have now to transmit to you the undermentioned invoices and bills of lading for the remainder of the articles, Salt pans excepted, which we have purchased and consigned to your address by the ship Cato, John Park master, in pursuance of directions from the Right Honorable the Lords Commissioners of His Majesty's Treasury, signified to us by letter from J. H. Addington Esqr. of the 17th June 1802.

Vizt.

No. 1 Gledstanes and Co. for 9 pipes of wine ....... £522 0 0
2 Wm. Jones ironmongery 2 bills together ...... 1,466 13 8
3 { Miles and Co. slops etc. ...................... 2,512 10 0
4 { Thos. Courtney Do .......................... 1,890 12 6
4 { Brook Watson and Co. various articles 2 bills . 2,766 19 2

£9,158 15 4

The Salt pans are getting ready and will be sent by the first vessel after they are completed.

We are, etc., etc.,
AMBROSE SERLE.
WM. HENY. OTWAY.

[Enclosures.
Copies of the invoice and bill of lading have not yet been found.]
MR. A. MARSDEN TO GOVERNOR OF NEW SOUTH WALES.
(Per transport Rolla.)

Sir,

Dublin Castle, 16th October, 1802.

I enclose herewith a List of Convicts embarked on board the Ship Rolla—Cummings, Master, for New South Wales with the Lord Lieutenant's Warrant assigning to His Majesty's Governor there, the services of those Convicts for the Time they have been respectively sentenced or Transported.

I also enclose a Copy of the list of Convicts on board the Ship Atlas which sailed from Waterford for New South Wales in May last.

A. MARSDEN.

[Enclosures.]

[Copies of these indent papers are not available.]

GOVERNOR KING TO LORD HOBART.

(Despatch endorsed "General Letter No. 1," per Surgeon Thomson in the Naturaliste; acknowledged by Lord Hobart, 24th June, 1803.)

Sydney, New South Wales,

My Lord,

30th October, 1802.

By the arrivals as per margin* I had the honor of receiving your Lordship's despatches and enclosures dated 30th last January. By Lieut't McKellar and the Speedy, south whaler, I had the honor of transmitting to the address of His Grace the Duke of Portland my despatches, dated as per margin,† together with the accompanying duplicates; and as they contain every information respecting the state of this colony at those periods, I have to request your Lordship's general and particular reference thereto. As this will contain the purport of my letters by the Arthur, Coromandel, and Hercules, I shall not trouble your Lordship with these duplicates.

I beg to express the dutiful respect with which I received your communication that I might expect by an early opportunity His Majesty's commission naming me his Governor and Commander-in-Chief of this colony. To abide and regulate my conduct in this important trust by those instructions will be my study; and I trust that when the distance of this colony from His Majesty's Ministers, and the time is considered before answers to my communications can be received, any deviation from the general tenor of those instructions, as well as such prompt measures which circumstances and the local situation of this

* Coromandel, 13th June; Hercules, 26th June; Atlas, 6th July.
† No. 6 and eight Separate Letters, with their Enclosures, dated March 1st and 26th, 1802; No. 7 and five Separate Letters, with their Enclosures, dated May 21st—and June 9th, 1802.
1802.
30 Oct.

Motives of King's actions.

Pardons and emancipations.

Depredations of the natives.

colony and its inhabitants may render necessary will be considered, as I shall feel it my duty at all times, and on all occasions, to deviate as little as possible therefrom; and when circumstances require such a deviation, I shall not fail to assign my reasons, which, I humbly trust, will receive your Lordship's approbation, or that I may be informed wherein it may appear I have erred, which I respectfully hope (if such cases should occur) will be rather imputed to an error in judgement than intentional neglect.

I shall now proceed to answer the different paragraphs of your Lordship's letter No. 1* in the order they occur, with such explanations as may appear necessary.

Availing myself of the latitude given by your Lordship, I have granted conditional emancipations, and one free pardon, to the respites† left by Gov'r Hunter, which I judged would best accord with His Majesty's most gracious disposition towards those who become the object of his royal mercy.

Respecting your Lordship's remarks on the causes that urged the natives to commit the acts that drew on them the resentment of four of the respites above alluded to, I beg leave to state that by a former despatch‡ I communicated, the natives having shown a disposition to become troublesome to the settlers, who, resisting their depredations, all the natives left that district, and soon after plundered many of the settlers, wantonly murdered four white men, and cruelly used some of the convict women at different times. The natives about Sydney and Hawkesbury continued as domesticated as ever, and reprobated the conduct of the natives in the neighbourhood of Parramatta and Toongabbee, who were irritated by an active, daring leader named Pemulwye, and in the few intercourses we had with some of his companions they expressed their sorrow for the part they were obliged to act by the great influence Pemulwye had over them. From their extreme agility, lying in wait for them was out of the question. Decided measures therefore became necessary to prevent the out-settlers from being robbed and plundered, and to restore the natives to a friendly intercourse. With these views (founded on the opinions of the principal officers coinciding with mine), I gave orders for every person doing their utmost to bring Pemulwye in either dead or alive, and as it is a practice strictly observed among the natives that murder should be atoned by the life of the murderer or some one belonging to him, the natives were told "that when Pemulwye was given up they should be re-admitted to our friendship." Some time after two settlers, not having the means

* Marginal note.—Dated Jan. 30th, 1802.
† Note 137. ‡ Marginal note.—Par. 12 in No. 5, Nov. 14th, 1801.
of securing the persons of Pemulwye and another native, shot them. On this event they requested that Pemulwye's head might be carried to the Governor, and that as he (Pemulwye) was the cause of all that had happened, and all anger being dropped on their part, they hoped I would allow them to return to Parramatta. Orders were immediately given to that effect and not to molest or ill-treat any native. When I received your Lordship's opinion* on this subject I caused the enclosed proclamation to be immediately published, and made the natives fully sensible of the intention and meaning thereof. They expressed much joy and are now on more friendly terms than ever. I have stated this circumstance in corroboration of the remarks made by your Lordship, and I have every hope (as it will be my care) that we shall continue on good terms with them; still the out-settlers must be on their guard against their predatory dispositions.

I am sorry to say that at this moment many of the people who arrived by the Royal Admiral are in a state of great debility, nor do I apprehend they will ever recover the strength of men. Justice to the commanders and surgeons of the five last arrived ships† requires my mentioning in terms of the highest satisfaction, the excellent state of health and strength of body of both settlers and convicts who arrived by those ships. On the arrival of ships with convicts they are visited by the Naval Officer and Surgeon, who report whether there is any contagious disease in the ship. If their report is favourable, I go on board and enquire into the behaviour of the prisoners and passengers during the voyage, interrogating them respecting their treatment, if they have received the ration and other comforts allowed by Government, and finally whether they have any cause of complaint against any person in the ship, which is not only enquired into, but satisfaction made if requisite. After my inspection the convicts are removed to the Supply, hulk, where they remain two days, in which time they are well washed and new clothed, and are then drafted to the different settlements, placing each ship's convicts as much as possible by themselves. I have judged it necessary to enter into this detail to possess your Lordship of the manner in which the convicts have been received here. Copies of the returns your Lordship mentions, to guide my conduct in instituting enquiries respecting any bad treatment the convicts and passengers may meet with on the voyage, I have not yet received‡; otherways I should have acted on them on two occasions, rendered necessary by the conduct of the masters of the Hercules and Atlas, which arrived here after a passage of seven

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* Note 225. † Marginal note.—Canada, Minorca, Nile, Coromandel, and Perseus. ‡ Marginal note.—Received by the Buffalo since this was wrote (note 226).
months, with the whole of their convicts either dead or in a dying state. If justice to the masters of the ships who brought their convicts in such a state of good health requires approbation, my duty requires I should transmit to the Commissioners of the Transport Board the log books and surgeons' diaries of those ships, by which, and my letter to that Board, and its enclosures, left open for your Lordship's perusal, you will observe the dreadful diseases that raged on board those ships, and the consequent great mortality, exclusive of the numbers killed on board the Hercules in a mutiny. The miserable state of the survivors on board these ships, the filthy state they were in on their arrival, the great quantity of spirits and other private trade belonging to the master of the Atlas (which evidently deprived the convicts of air, and the means of being kept clean), joined to the complaints made against both masters, rendered an investigation necessary, the result of which is enclosed with my letter to the Transport Board, to which department I presume these reports should be made through your Lordship.

I have the honor to enclose the proceedings of a Court of Vice-Admiralty held on the master of the Hercules for shooting a number of convicts on the passage who were in the act of mutiny, and also for shooting one after it was alleged the mutiny had ended. Your Lordship will observe that on the first count the master was acquitted, and on the second he was found guilty of manslaughter. The Court sentenced him to pay a fine of £500 to the Orphan School, and to be imprisoned until it was paid. As it appeared by the practice of the Admiralty Court* "that in cases which would be manslaughter at land, the jury is always directed to acquit," &c., I therefore judged it advisable to give the master, Mr. Luckyn Betts, a conditional remission of that sentence, until His Majesty's pleasure may be signified thereon, for which purpose I have enclosed his trial, together with the trial of five seamen belonging to the Hercules for being implicated as principals in the mutiny on board that ship, who were acquitted. Should the sentence of the Admiralty Court be confirmed respecting the fine, I respectfully hope it may be transmitted to this colony for the benefit of the institution it was adjudged to. Before I quit this subject I must observe that in consequence of Henry Brown Hayes‡ (who was sent from Ireland a convict for life in the Atlas) having treated the Staff-surgeon, Mr. Thomas Jamison (who was a passenger in that ship), in a very improper manner, he was sentenced by a Bench of Magistrates to be confined six months in the jail.

His Majesty's pleasure respecting my conforming to the instructions given by the Lords Commissioners of the Treasury to

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* Marginal note.—See Foster, p. 288. ‡ Note 227.
the Commissary, has and will be punctually observed by me, as stated in my former despatches to the Duke of Portland.*

As one of the Frenchmen is sufficient to manage the vines until enough grapes are produced to make wine, which cannot be for two or three years to come (if they succeed), I have employed the other (who is a good cooper), making casks, as a wood fit for that purpose, as well as making hoops, has been found. The advantages that will attend the general cultivation of the vine will be great, but it must be individuals of a different description to those usually sent, who can be brought to attend to this desirable object; still, I hope, now the importation of spirits is nearly done away, that some of the more industrious settlers will turn their labor that way, which will depend upon the Frenchmen's success. Upwards of 12,000 vine cuttings are planted on the side of a hill at Parramatta, formed like a crescent, facing the north, which is the best exposition.

In my several despatches to the Duke of Portland, as well as in the reports of the entries and clearances, I have constantly noticed the quantity of spirits imported, landed, and sent away. Since my despatches of the 10th March, 1801, which your Lordship has received, I found it necessary to send another American ship away with upwards of 28,000 gallons of spirits and wines, and a brig with part of a ship's cargo from India, but last from the Cape of Good Hope, consisting of 8,000 gallons of spirits, after supplying their want of wood and water. By comparing the quantities received from Sep'r, 1800, to Dec'r, 1801, your Lordship will observe how much less in proportion has been brought in the last eight months, i.e., from Dec'r to this date:—

<table>
<thead>
<tr>
<th>Year</th>
<th>Gallons landed</th>
<th>Gallons sent away</th>
</tr>
</thead>
<tbody>
<tr>
<td>1801</td>
<td>39,851</td>
<td>22,000</td>
</tr>
<tr>
<td>1802</td>
<td>5,115</td>
<td>5,511</td>
</tr>
</tbody>
</table>

In the measures I have adopted I shall persevere, knowing it to be the only means of effectually rescuing this colony from the state it has so long been in, and I sincerely hope that my refusal of any spirits being landed from the American ship Follensby, and my letters to the American Ministers and His Majesty's Consuls,† may prevent supplies of spirits from that quarter, and in some measure put a stop to Americans frequenting this port. It is true that the fortuitous arrival of American ships has frequently saved this colony from experiencing great want. The timely arrival of the Arthur with salt provisions relieved us from the apprehension of immediate want, and being obliged to have recourse to our fine stock. Situated as the stores then were, with only twelve weeks meat at a very reduced ration, I could not with propriety decline directing the meat to be purchased,

* Marginal note.—No. 3—March 10th, 1801. † Note 228.
and I lament that the improper conduct of the masters of the Hercules and Atlas should have rendered it necessary for the price of that meat to pass into the hands of strangers, which they might have saved to the public had they not stopped so unnecessarily at Rio de Janeiro and the Cape.

Having in the course of my correspondence,* and more particularly in the "Present State of the Colony" detailed, the measures I was adopting to relieve the public of as much expense as possible, I hope their probable efficacy will be obvious. It is those only who are useful to the public that are victualled by the Crown, excepting the great proportion (i.e., civil, military, children and infirm), who are obliged to be victualled by the Crown, and whose labor is no ways productive, or tending to diminish the expences detailed in the above and other documents lately transmitted.

By the general state of the settlement† of this date, your Lordship will observe how little our numbers supported by the Crown are increased since the last return, notwithstanding 464 people have been landed since. After having adopted the measure, on my first taking the command, of striking those off the stores who had no pretension or claim to be fed at the public expense, I saw no reason why those convicts who are for fourteen years and life, and who have been here a term of years, behaved well, and industrious, might not be permitted to labor for their own support under proper restrictions, which (exclusive of the numbers assigned to individuals) has by experience so fully answered the purpose of "lessening the consumption of public stores, provisions, and clothing, greatly reduced the expenses of the colony, stimulated individual industry, and promoted the collective produce of private property," as remarked by your Lordship.

In noticing your Lordship's approbation of my conduct,‡ as well as that of Lieutenant-Governor Foveaux, I respectfully request your reference to the duplicate of my last despatches on that subject. The conduct of the United Irishmen has been bad; still I have no thought of any of their wild schemes being carried into execution, nor have a doubt but, if the lower class were not advised by those who think themselves clever and of consequence to the cause, that they would be quiet and happy. As these classes are kept as separate as possible there is no reason to apprehend their contrivances for some time past have gone beyond conversation. The United Irish arrived by the last ships, and those expected, will not diminish the hopes of these we

* Marginal note.—Dated 31st Dec'r, 1801, sent by L't McKellar, and p'r Speedy whaler.
† Marginal note.—Enclosure No. 3 in Separate A. (See note 229.)
‡ Marginal note.—Par. 9 in No. 4, Aug. 21st, 1801.
already have. Every precaution shall be used to counteract their ridiculous plans, and make them as useful as possible, nor do I see cause, with common precaution, to be under any serious apprehension. In a former letter* I communicated my reasons for dismissing the associations, which can be re-embodied on any emergency. I have transmitted that paragraph of your Lordship's observations respecting Major Foveaux to that officer, and I am certain your approbation of his conduct will be as satisfactory to him as it is pleasing to me to communicate.

In my different despatches since the 10th March, 1801, wherein I communicated the great losses of the settlers and the colony by the repeated overflowings of the Hawkesbury, I am happy to say that no flood has happened this year, and that the harvest was well got in, altho' much less ground was sowed than would have been the case had not the settlers suffered so much by the former floods. The same favorable appearances continuing, they continue the cultivation of their farms, which have been so expensive and laborious to clear of timber. The hope of escaping floods (which ensures a plentiful return) encourages them to persevere, which is well for the colony, as private labor has been generally applied to that quarter, where the produce is so great, and so necessary has it been to persevere and make the best use of that place, that from the chance of a good crop being got I was induced to rent an unoccupied farm on account of Government, from which a produce of near 5,500 bushels of wheat will be obtained at the price of 800 bushels. It has been cropped again on the public account, and will be continued until I have a sufficiency of ground cleared, and buildings erected about the new settlement at Castle Hill, to employ the convicts at Government labour, who are more than sufficient to cultivate the grounds at Toongabbee. For the quantity of ground in cultivation on the public account this year, and every other information on the head of cultivation and stock, I refer to the enclosure; and as we have now the advantage of manure, from an increasing herd of 1,200 head of cattle (which have an extensive range of fine pasturage secured to them), I am hopeful the ground cultivated for the public will increase in quantity and produce yearly, which cannot fail of diminishing the expenses of this colony in proportion to our present and future numbers. But I am sorry to repeat that many of the people now at Government labour (particularly those received by the Hercules and Atlas) are, and will continue, in such a debilitated state as to be of little or no use. To maintain them at the public expence is absolutely necessary to prevent their starving.

Respecting the advantage of rice being cultivated on the low

* Marginal note.—Par. 9 in No. 4, Aug. 21st, 1801.
grounds at the Hawkesbury,* which are so liable to be over-
flowed, there is a probability it might answer (altho' the climate
is rather cold for the cultivation of that grain), if we had the
means of giving the grounds the necessary irrigations; for altho'
the banks of the Hawkesbury are inundated twice or thrice in
some years, yet in others the river and creeks seldom rise above
the ordinary level, which is at least twenty feet from the top of its
lowest banks; consequently, irrigating the grounds could not be
done without more expence and labor than our settlers can at
present command or attain, and in case of a dry season, or even
moderately wet, the rice would fail from the opposite cause to the
failure of the wheat and maize; a crop of each being got in a year
has the advantage—if one fails the other may succeed. As I have
fortunately procured some seed rice from the French ships, a
trial is now making in different situations, the result of which I
shall inform your Lordship of. Your Lordship's remark respecting
removing the buildings to higher grounds out of the reach of
the floods has been fully anticipated in every situation that
admits of it. The dwellings of the first occupiers of those farms
were miserable huts, composed of logs covered with grass; barns
they could not afford to build; and since then they have been so
involved in debt, thro' the rapacity that existed here, and their
losses by floods, that they have neither had the means or encour-
agement to build more comfortable dwellings and convenient
offices. However, I am happy to say that the industrious part of
them are now emerging from these difficulties owing to the good
harvest they had last year, which enabled many to discharge
their debts, and considerably decreased the debts of the others,
who have been prevented from contracting more by so great a
stop being put to the importation of spirits with which this colony
was so long inundated. To these causes must be added the great
advantage the settlers, as well as every other description, has
experienced, in being able to purchase necessaries from the stores
at 25 and 50 per cent. advance, instead of satisfying their
domestic wants from monopolizing individuals, often at 400 or
500 per cent. between the ship and the shore. These, and other
regulations too numerous to detail in this place, has enabled
the industrious to distinguish themselves from the idle and
dissipated. And in order to continue that emulation, in my late
visit to the settlements at the annual general musters,† I have
distributed a portion of breeding stock to those whose exertions
during the last year appeared to merit that encouragement from
Government. To prevent them from making away with that
stock, I published the enclosed Order. And those to whom I have,
on the same account, given additional quantities of land, I have

* Note 230. † Marginal note.—In August last.
prevented them from leaving or making away with it, by granting it to their children, who are precluded from alienating it before they have attained the age of twenty-one years, and then not to dispose of it without the Governor’s consent first obtained. The numbers thus distinguished from among the settlers, I am sorry to say, are but few; however, I hope next year that my rewards on the part of the Crown will be greater. It is with this view I have offered the premiums contained in the enclosure, which I hope will stimulate industry more than all the seas of spirits that have inundated this colony. Before I quit this subject I feel it my duty to repeat the great expence it is to the Crown sending such settlers as have lately arrived, scarce one among them ever having seen the least cultivation. As I have detailed the expence and disadvantages of this description of settlers in former despatches, I most respectfully refer your Lordship thereto. I have given these settlers every inducement to benefit themselves and their large families, but I am sorry to say their abilities are but small, and their means still less, as several of them arrived here almost destitute of covering.

The details in former despatches respecting the cattle render it unnecessary to add much on that important subject, except that they are well looked after, and increase greatly. Since the arrival of the French ships on discoveries, and the Atlas and Hercules transports, it has been necessary to kill an ox once a week, to restore the survivors in those ships. The purchase of the American salt meat, and the arrival of a part of the supplies from England p’r Coromandel, Hercules, Atlas, and Perseus, has not only enabled us to restore the full ration of salt meat to those supported by the Crown, but has removed the apprehension of having recourse to the stock, which would last but a short time and be very inadequate to our wants. The measures taken to ensure a yearly supply of salt meat, and the increase of our cattle, will make a yearly decrease in the demand for salt meat, which can only be effected by the increase of the live stock we now possess, and the addition of such as we may be able to obtain either from masters of ships, or from India or Madagascar, whither I intend sending the Buffalo as soon as possible after her arrival. Sixteen months having elapsed since the contract was made with Mr. Campbell, I am inclined to think his partners in Calcutta do not mean to attend to it, as no penalty existed in case of non-performance. Those who have gone out fully persuaded of bringing in a part of the wild cattle have all been unsuccessful, owing to their ferocity. Future efforts may be more

*Marginal note.—Par. 11 in No. 5, Nov. 14th, 1801, and par. 17 in No. 6, March 1st, 1802.
† Note 231.
fortunate, but I cannot help thinking it will be more advantageous to leave them quiet on this side the mountains until they increase so much as to compel them to move towards the settlements. I am the more confirmed in this idea as the officer* I sent to endeavour to pass the mountains has returned from his first trial† with little hope of effecting it, or making any new discovery, except a very imperfect limestone and a better kind of iron ore than has yet been found. He saw two herds of the wild cattle, of about 200 in each herd, which were too ferocious to approach. His next journey, which he is now preparing for, I hope will be successful, as he is sanguine in his expectations of passing the mountains.‡

By former returns, and the Commissary’s statement of clothing on the 31st last December, since when two issues of slops have been made, which has so much reduced the remaining quantity that it has been necessary to use a part of the military clothing sent by the Coromandel for those at public labour. Such part as may be required by individuals I have directed the Commissary to sell on the terms prescribed, but, as they are mostly military dresses, they but ill suit the settler. The Commissary will keep a distinct account of these appropriations, which will be included in the annual accounts, a copy of which will be sent your Lordship, and on this head, as well as all others of public expenditure, I beg to refer to his last year’s accounts. In my separate letter, A, I have stated the slops we shall need before an answer to this can be received.§

The great quantity of articles brought to this colony by private adventurers has greatly lessened the demand for those provided by Government. The Commissary’s last year’s accounts|| will point out the great benefit resulting from that measure. Your Lordship’s directions respecting the price being raised to 50 p’r cent. I have directed the Commissary to comply with. By the different returns transmitted to the Duke of Portland and the Commissary’s last year’s statement of the public accounts of this colony, your Lordship will observe that the most particular accounts of the disposal of those articles abstracted from any others are kept, and that copies thereof have been regularly transmitted to the Duke of Portland, the latter of which must have come under your Lordship’s inspection. I have directed the Commissary to comply with your Lordship’s further instructions on this head. As this is an object of much consequence to the

* Marginal note.—Ensign Barallier.
† Marginal note.—He set off Nov. 1st, 1802.
‡ Note 232.
§ Marginal note in original.—A quantity has been received by the Buffalo.
|| Marginal note.—Sent with my letter No. 7 to the Duke of Portland, dated 26th May, 1802.
colony and the public, I conceive it necessary to possess your Lordship how this part of our public concerns is conducted. When these investments arrive they are placed under the direction of the Commissary; the price of each article, with the additional centage, is then printed and dispersed. As no article whatever of public stores can be issued but by notes bearing my signature, Mondays are appropriated for that purpose, when those who are in want of articles from the stores give in their requests, which I approve or not, according to the character of the applicant, the quantities wanted, and the probability of payment. The grain or other compensation to the stores is then delivered, unless payment is allowed to be deferred to the next harvest, when it is demanded. Hence the whole of the purchase goes to Government in grain, &c., and is generally received into the stores as the articles are issued; consequently any profit on those articles cannot be made as a separate or regarded as a future fund, the profit, as well as the prime cost, becoming the immediate advantage of Government, and prevents the necessity of drawing bills for the amount of grain received for the articles issued. When one ship's investment is disposed of the Commissary will then state the returns of the whole, particularizing the part thereof that has been expended for public purposes and given in exchange for grain, &c., which was transmitted for the last year by the Speedy,* from which I hope it will appear that issuing such articles from these investments as the orphans may need, and to give them the overplus of the profit after the other appropriations are made, will be considered the best mode of meeting your Lordship's wishes respecting a donation that will greatly assist our exertions in continuing this necessary and, I may add, indispensable institution, which will be obvious from the number of children (1,141), and that they alone can be regarded as fixed to the soil they have become natives of. During my late visit to the settlements I was happy to find the settlers at the Hawkesbury anxious for the education of their children, of which there are now in that quarter 216. They very commendably entered into a subscription to build a school-house, and, as their exertions have been aided by a few others, I hope soon to see a seminary of useful education rise on the banks of that river. Everything has and will be done by me, and those who assist me, to render the orphan institution permanent and useful, and when I quit the scene I shall form a sincere wish that it may be continued as it has so successfully been began, being well persuaded that nothing else can ever make the future inhabitants useful to themselves or creditable to the country they came from. In a late despatch to the Duke of Portland I transmitted the treasurer of the committee's last year's

* Marginal note.—No. 7, dated May 26th, 1802.
account of that fund; similar returns, as well as that of the goal fund, will be transmitted yearly for your Lordship's inspection.

Since writing the preceding part of this letter, the Alexander, transport, with 360,636 pounds of flour, arrived the 15th instant, and His Majesty's armed vessel Buffalo the 16th instant, by which vessels I was honored with your Lordship's letters as p'r margin.* I had the honor of receiving your Lordship's information (by duplicate) that my commission as Captain-General and Governor-in-Chief was sent and instructions, the former of which has not yet been received, and the latter I shall continue my obedience to them. This, I believe, has been fully anticipated, which your Lordship will observe by my General Orders that go with these despatches. I lost no time in making public the particulars of the definitive treaty of peace.

As several circumstances respecting the detail of this colony are stated in my separate letters attached to this, I must beg to refer your Lordship thereto. I have, &c.,

PHILIP GIDLEY KING.

P.S.—The Commandant of the French ship having prolonged his stay to observe the transit of Mercury, enables me to have most of the accounts made up to this date, and to inform your Lordship that we are now getting in our wheat harvest, and that the general behaviour of the inhabitants is quiet, regular, and industrious. PHILIP GIDLEY KING.

9th November, 1802.

[Enclosure No. 1.]

Proclamation.

By His Excellency Philip Gidley King Esq. etc.

WHEREAS a Despatch† by the Coromandel has been received from the Principal Secretary of State for the Colonies, containing His Majesty's Commands, That notwithstanding His permitting the Governor to Remit the Punishment of the five Persons tried by a Court of Criminal Judicature on the 18th of October, 1799,† for wantonly killing Two of the Natives, yet "It should, at the same time, be clearly understood that on future occasions any instance of Injustice or wanton Cruelty towards the Natives will be punished with the utmost severity of the Law"; And His Majesty having at the same time recommended that every means should (after the Receipt of those Despatches) be used to conciliate the Goodwill of the Natives, I do hereby strictly forbid any of His Majesty's Subjects, resident or stationary in this Colony, from using any act of Injustice or wanton Cruelty towards the Natives, on pain of being dealt with in the same manner as if such act of Injustice or wanton Cruelty should be committed

* Marginal note.—Dup. 28th Feb'y.; Dup. 31 Mar. 1802. (See note 233.)
† Note 234.
against the Persons and Estates of any of His Majesty's Subjects; but at the same time that His Majesty forbids any act of Injustice or wanton Cruelty to the Natives, yet the Settler is not to suffer his property to be invaded, or his existence endangered by them; in preserving which he is to use effectual, but at the same time the most humane, means of resisting such attacks. But always observing a great degree of forbearance and plain dealing with the Natives appears the only means they can adopt to avoid future Attacks, and to continue the present good Understanding that exists.

Given etc. this 30th Day of June, 1802.

PHILIP GIDLEY KING.

By Command of His Excellency

W. N. CHAPMAN, Secretary.

God Save the King.

[Enclosure No. 2b.]

[Enclosure 2a will be found on page 594.]

ACCOUNT of Spirits and Wine imported into His Majesty's Colony in New South Wales between the 31st December, 1801, and 30th September, 1802, with the Quantity Sent away and Remains of that landed being lodged in His Majesty's Stores, and Given out as the Governor grants permits.

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Arthur*</td>
<td>2,500</td>
<td>1,230</td>
<td>2,500</td>
<td>618</td>
<td>...</td>
</tr>
<tr>
<td>Atlas</td>
<td>2,166</td>
<td>120</td>
<td>...</td>
<td>...</td>
<td>2,166</td>
</tr>
<tr>
<td>Fanny*...</td>
<td>5,880</td>
<td>800</td>
<td>2,475</td>
<td>800</td>
<td>3,405</td>
</tr>
<tr>
<td>Perseus.....</td>
<td>140</td>
<td>200</td>
<td>140</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Between 31st Dec., 1801, and the 30th September, 1802.</td>
<td>10,686</td>
<td>2,350</td>
<td>5,115</td>
<td>1,418</td>
<td>5,571</td>
</tr>
<tr>
<td>Between 28th Sept., 1800, and 31st Dec., 1801, as per former Returns.</td>
<td>50,294</td>
<td>30,896</td>
<td>30,851</td>
<td>8,896</td>
<td>32,320</td>
</tr>
</tbody>
</table>

*American vessels.

Of the above Quantity of Spirits Landed there has been purchased on Account of Government, from the 31st December, 1801, to the 30th September, 1802, viz., for the use of Colonial Vessels, Constables, &c., 135 Gallons, at 7s. per Gallon.

SER. I. VOL. III—2 P
**[Enclosure No. 2A.]**

Account of Spirits and Wine Imported into His Majesty’s Colony in New South Wales between the 28th September, 1800, and 31st December, 1801, with the Quantity sent away and remains of that Landed being lodged in His Majesty’s Stores and given out as the Governor grants Permits.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>John Jay*</td>
<td>1,400</td>
<td>276</td>
<td>1,400</td>
<td>276</td>
<td></td>
</tr>
<tr>
<td>Diana*</td>
<td>374</td>
<td></td>
<td>374</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Royal Admiral</td>
<td>7,200</td>
<td>840</td>
<td>7,000</td>
<td>840</td>
<td>200</td>
</tr>
<tr>
<td>Trimmert</td>
<td>4,000</td>
<td></td>
<td>4,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harbinger</td>
<td>2,800</td>
<td>3,000</td>
<td>2,800</td>
<td>3,000</td>
<td></td>
</tr>
<tr>
<td>Follensbee*</td>
<td>13,000</td>
<td>15,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Margaret</td>
<td>3,000</td>
<td>700</td>
<td>2,800</td>
<td>700</td>
<td></td>
</tr>
<tr>
<td>Anne</td>
<td>7,500</td>
<td></td>
<td>7,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Britannia</td>
<td>300</td>
<td>240</td>
<td>300</td>
<td>240</td>
<td></td>
</tr>
<tr>
<td>Chance</td>
<td>480</td>
<td>480</td>
<td>480</td>
<td>480</td>
<td></td>
</tr>
<tr>
<td>Missouri*</td>
<td>7,000</td>
<td>7,600</td>
<td>600</td>
<td></td>
<td>7,000</td>
</tr>
<tr>
<td>Greenwich</td>
<td>240</td>
<td></td>
<td>120</td>
<td></td>
<td>120</td>
</tr>
<tr>
<td>John†</td>
<td>8,000</td>
<td>360</td>
<td>360</td>
<td></td>
<td>8,000</td>
</tr>
<tr>
<td>Harrington†</td>
<td>4,000</td>
<td></td>
<td>4,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Earl Cornwallis</td>
<td></td>
<td></td>
<td>2,400</td>
<td></td>
<td>2,400</td>
</tr>
<tr>
<td>Venus</td>
<td>1,200</td>
<td></td>
<td>1,200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hunter†</td>
<td>1,877</td>
<td></td>
<td>1,877</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nautilus†</td>
<td>1,200</td>
<td></td>
<td>1,200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minorca</td>
<td>1,200</td>
<td></td>
<td>1,200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nile</td>
<td>1,600</td>
<td></td>
<td>1,600</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Canada</td>
<td>1,800</td>
<td></td>
<td>1,800</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Caroline*</td>
<td>4,000</td>
<td></td>
<td>4,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| 59,294 | 30,896 | 26,974 | 8,806 | 32,120 | 22,000 | 1,049 | 4,856 |

* These vessels are from America. † Vessels from India.

Of the above Quantities of Spirits Landed there has been Purchased, on Account of Government, the following quantity, from 28th September, 1800, to 31st December, 1801, viz.:

- For the use of Colonial Vessels, Constables, &c. . . . . 982 1/2 Gallons.
- For the use of His Majesty’s Armed Vessel Porpoise, 2,574 . . .
  Average 6/7 per Gallon.

**PHILIP GIDLEY KING.**

[Enclosure No. 3.]

[The subject of this enclosure is unknown.]
**RETURN of Stock and Ground in Cultivation belonging to Government and Individuals in His Majesty's Territory of New South Wales as taken at the different Musters since the 15th of August 1800.**

<table>
<thead>
<tr>
<th>Date</th>
<th>To whom belonging</th>
<th>Sheep</th>
<th>Cattle</th>
<th>Horses</th>
<th>Goats</th>
<th>Hogs</th>
<th>Number of Acres in—</th>
<th>Number of Acres planting in Maize</th>
</tr>
</thead>
<tbody>
<tr>
<td>August, 1800...</td>
<td>Government ......</td>
<td>625</td>
<td>765</td>
<td>30</td>
<td>12</td>
<td>18</td>
<td>300</td>
<td>...</td>
</tr>
<tr>
<td></td>
<td>Individuals ......</td>
<td>5,499</td>
<td>279</td>
<td>173</td>
<td>2,170</td>
<td>4,008</td>
<td>4,365</td>
<td>...</td>
</tr>
<tr>
<td></td>
<td>Total ............</td>
<td>6,124</td>
<td>1,044</td>
<td>203</td>
<td>2,182</td>
<td>4,026</td>
<td>4,665</td>
<td>...</td>
</tr>
<tr>
<td>June, 1801 ......</td>
<td>Government ......</td>
<td>777</td>
<td>880</td>
<td>30</td>
<td></td>
<td>......</td>
<td>476</td>
<td>...</td>
</tr>
<tr>
<td></td>
<td>Individuals ......</td>
<td>6,269</td>
<td>362</td>
<td>211</td>
<td>1,259</td>
<td>4,766</td>
<td>4,857½</td>
<td>...</td>
</tr>
<tr>
<td></td>
<td>Total ............</td>
<td>7,046</td>
<td>1,242</td>
<td>241</td>
<td>1,259</td>
<td>4,766</td>
<td>......</td>
<td>...</td>
</tr>
<tr>
<td>August, 1802...</td>
<td>Government ......</td>
<td>1,044</td>
<td>1,265</td>
<td>37</td>
<td></td>
<td>......</td>
<td>422</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Individuals ......</td>
<td>7,588</td>
<td>478</td>
<td>256</td>
<td>1,146</td>
<td>5,233</td>
<td>4,523½</td>
<td>255½</td>
</tr>
<tr>
<td></td>
<td>Total ............</td>
<td>8,632</td>
<td>1,743</td>
<td>293</td>
<td>1,146</td>
<td>5,233</td>
<td>4,945</td>
<td>263</td>
</tr>
</tbody>
</table>
Sydney, 31st July, 1802.

Those Settlers to whom the Governor has, and may hereafter judge proper to allow Ewes, or any other Breeding Stock, will fully understand that they only hold that Stock in Trust from the Crown for the future Support of their Families; Therefore, the original Stock and its Increase are not to be made away with or sold but by Permission from the Governor. And should the Person to whom such Breeding Stock is allowed die, or be obliged to relinquish his Farm on any account, such Stock and its increase is to revert to the Crown on the Market Price being paid for it. On Conviction before Three Magistrates (one of whom to be the Governor, Lieutenant-Governor, or Judge-Advocate) both the Seller and Buyer will forfeit the original Stock and twice the Value of each Head of Stock sold, being the Increase of those first allowed the Settler for Breeding.

If the Buyer is anyways subject to Military Discipline he or they will be tried for a Disobedience of the above Orders.

[Enclosure No. 6.]

Agricultural Premiums to Settlers, excepting those who have Appointments, receive Salaries, or other remunerations from the Crown.

To Settlers who were Settled prior to the 1st of September 1800.

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>First 600 Bushels</td>
<td>3 Ewes</td>
</tr>
<tr>
<td>Next best 500 Bushels</td>
<td>2 Do</td>
</tr>
<tr>
<td>Next best 300 Bushels</td>
<td>1 Do</td>
</tr>
</tbody>
</table>

To Settlers of all Descriptions, who breed the Greatest Quantity of Swine, and return not less than 4,000 lbs. at 6d. per lb. into the Stores between the 1st March and 1st of August 1803.

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>First 3,000 lbs.</td>
<td>1 Heifer 1 Ewe 0 Lambs</td>
</tr>
<tr>
<td>Next best 2,000 lbs.</td>
<td>0 3 0</td>
</tr>
<tr>
<td>Next best 1,000 lbs.</td>
<td>0 1 1</td>
</tr>
</tbody>
</table>

To the Settlers Family, who Grows, Manufactures and Spins most Flax, within their own Family, in Two Years, from the 1st next December, and raise it from Seed, that will be Given at that Time to Six Candidates who may Offer.

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>First not under 1 lbs. of Yarn</td>
<td>1 1 0</td>
</tr>
<tr>
<td>Next not under 1 lbs.</td>
<td>1 0 0</td>
</tr>
<tr>
<td>Next not under 1 lbs.</td>
<td>0 0 3</td>
</tr>
<tr>
<td>Next not under 1 lbs.</td>
<td>0 0 2</td>
</tr>
</tbody>
</table>

To be Inspected Yearly and Reported by the Constable of the District and Adjudged.
KING TO HOBART.

To the Settlers, who Arrived by the Buffalo and Barwell, who reside and Raise on their Farms the Greatest Quantity of Wheat, during the Year 1803 (and are Clear of Debt).

Not being less than .... 400 Bushels ........ 1 Heifer 2 Ewes
Next not being less than 300 Do ............ 1 " 0 "
Next not being less than 200 Do ............ 0 " 2 "

to be Adjudged.

To the above, for the Greatest Quantity of Maize on their Own Farms (being out of Debt).

Not less than .... 600 Bushels ............. 1 Heifer 1 Ewe
Next, not less than 400 Do ............. 1 " 0 "
Next, not less than 300 Do ............. 0 " 2 "

to be Adjudged.

To the above Settlers,* who shall have the most Comfortable Dwellings, Convenient Offices and their Grounds in the best Order, provided it is approved by the Judges.

Two Oxen, Two Years Old.

To the Settlers, who Arrived by the Minorca, Nile, Canada, Coromandel and Perseus.

Those who are out of Debt, And Raise the most Wheat on their own Farms, and Reside thereon during the Year 1803.

Not being less than .... 300 Bushells ........ 1 Heifer 1 Ewe
Next, not being less than 250 Do ........ 1 " 0 "

to be Adjudged.

Those who Raise most Maize.

Not being less than ... 500 Bushells ........ 1 Heifer 0 Oxen
Next, not being less than 400 Do ........ 0 " 1 "

[Enclosure No. 7.]

ORDERS TO COMMISSARY PALMER.

By etc. etc. etc.

You are hereby required and directed to receive into your charge the Investment of Articles for Barter arrived by the Coromandel and Perseus Transports and to exchange them for Grain or Money with such of the Inhabitants as I may grant that Indulgence to; And in consequence of directions from His Majesty's Principal Secretary of State for the Colonies dated 30th January 1802, you will observe the following regulations:—

Vizt:

1st. You are to Publish a printed Notice stating the General price of each Article with the advance of 50 p. Cent. on the prime Cost.

*Marginal note.—The same Premium for the Settlers, who came in the Minorca, Nile, Canada, Covomande, and Perseus.
2nd. To issue no Article without my written Order.
3rd. Such Articles as are wanted for the Public use of this Colony, you will expend as such on receiving my Separate Order for that purpose, taking proper receipts for the same.
4th. You will Credit His Majesty's Treasury with the Amount of the Prime Cost and Charges of the Articles Sold or Bartered.
5th. You will deduct 5 p. Cent. from the Profit of the Sales and Exchanges, for this additional trouble to yourself and the Storekeepers charged with the Retail.
6th. After paying Salaries to the Two additional Superintendents, of £50 a year each from the profits arising from the Barter or payments of the said Investments you will deliver the Value of such over-plus profit arising from the said 50 p. Cent., into the hands of the Treasurer of the Orphan Fund, twice a Year, i.e. on the 20th of July and on the 20th day of February, taking the Committee's receipt for the same as your Voucher.
7th. You are to keep a particular and distinct statement of the disposal of the several Articles and the appropriation of the Profits thereof, Authentic Copies of which you will deliver me, half Yearly, to Transmit to the Principal Secretary of State for the Colonies, Duplicates of which you will forward to the Secretaries of the Treasury and Commissioners for Auditing Public Accounts. For which this shall be your Order.

Given etc. Augt. 10th 1802.

PHILIP GIDLEY KING.

Jno. Palmer Esqr., Commissary.

[Enclosure No. 8.]

GOVERNOR KING TO THE COMMITTEE OF THE ORPHAN INSTITUTION.
The Governor directs the following Extracts from Letters to him from His Majesty's Principal Secretary of State for the Home Department and the Colonies to be Communicated to the Committee for Managing the Orphan Fund.

Duke of Portland, June 19th, 1801. Paragraph 20th. [Here followed a literal repetition of the said paragraph.]

Lord Hobart, Jany. 30th, 1802. Paragraph 24th. [Here followed the whole of the said paragraph.]

In Consequence of which, the Governor requests the Committee will name an early Day, to examine how far any of the Children, now in the Orphan School, do not Come within the Description pointed out in the 20th Paragraph as above, that they may either be Removed to their Parents, Or an Yearly Sum Stipulated for the Payment of the Provisions etc.

He has also directed the Commissary after giving the Treasury Credit for the Prime Cost and Charge of the Investments Arrived by the Coromandel and Perseus, And deducting the Sum
of One Hundred Pounds Per Annum for the Two additional Superintendents and 5 per Cent. for the Commissary and Storekeepers additional Trouble to appropriate the Profit of such remains to the Benefit of the Orphan Fund which he is directed to Account for with the Committee twice a Year i.e. Once before the 20th July and 20th February until the appropriation is countermanded.

A true copy of the original.

W. N. CHAPMAN.

MR. RICHARD SAINTHILL* TO GOVERNOR KING.

(Per transport Rolla.)

Cork, Oct. 31st, 1802.

Sir,

I herewith Inclose you an Account of the Provisions and Stores Shipped in the Rolla,-Robert Cummings, by Order of the Government of Ireland, As also a Certificate from the Master, that all the Convicts have been Victualled on Fresh Provisions since being embarked, not Consuming any put on Board for the Voyage; The Cask of Cloathing No. 1 Contains 52 Setts Mens dresses to Complete them Sent by the Atlas, Musgrave, and No. 6 the Hats; a List of Convicts by this Ship and also those Sent by the Atlas, is Sent by the Lord Lieutenant to Your Excellency by Mr. Cummings.

I have, etc.,

RICH. SAINTHILL,
A.G.I.

[Enclosures.]

[Copies of the invoices, &c., are not available.]

GOVERNOR KING TO LORD HOBART.

(Despatch endorsed "Separate A," with general letter No. 1, Oct. 30th, 1802, per Surgeon Thomson in the Naturaliste; acknowledged by Lord Hobart, 24th June, 1803.)

My Lord,

Sydney, New South Wales, 9th Nov., 1802.

With this I have the honour of forwarding a duplicate of my separate letter A sent with my general letter No. 7† to the Duke of Portland, to which and its enclosures I have to request your Lordship's reference.

An abstract of the expences, the necessity of incurring them, the quantity of grain purchased from individuals (from the 1st January to the 30th September), who required payment by bills on the Treasury, also such other bills as have been drawn for the indispensable public use of the colony, are stated in the enclosure, with the value of what remains from purchases since the 1st of last

* Note 134.  † Marginal note.—May 21st, 1802, per Speedy whaler.
January. To that statement is also annexed an account of grain delivered into the stores from the above date, whether paid for in copper coin or received in exchange for articles from the public investments. By the enclosures Nos. 5 and 6 in my last letter, A.* and my letter No. 8 to the Duke of Portland, your Lordship will observe how much our salt meat was reduced, and the timely arrival of the American ship Arthur with a quantity for sale, which I directed the Commissary to purchase, giving my reasons for so doing. Altho’ I am loth to direct any purchase from strangers, yet the circumstances of the colony made it unavoidable, and as such I hope will meet your Lordship’s approbation. The master of the Perseus, transport, having brought some breeding cattle from the Cape, and as they are of a superior kind to most that come from that place, I directed the Commissary to purchase them for the Crown at £35 a head for the cows and £28 a head for the males. This purchase I directed, as the more cattle that are introduced into this colony the sooner we shall be able to supply ourselves with animal food. The original voucher for this purchase was sent by the Perseus. On the Alexander’s arrival the commandant of the French ships on discovery applied for 60 casks of flour and 25 casks of salt meat to enable him to dispatch the Naturaliste to France and the Geographe to continue her discoveries. The inclosed Order to the Commissary will inform your Lordship that I complied with his request, and you will observe that the price paid for it has been given to those who put grain into the stores in the last quarter, as stated in the abstract.

To these documents are added the last quarterly employment of the convicts maintained at the public expence, a return of the present general state of the numbers in the settlement, and the result of the annual musters taken in August last.

I also enclose the Commissary’s return of provisions remaining in store the 30th ult’o and an estimate thereon, by which your Lordship will observe we have now 57 weeks’ salt meat for our present numbers, which includes that received by the Coromandel, Hercules, Atlas, Perseus, Alexander, Buffalo, and Atlas, and that we have now 38 weeks’ flour and wheat in the store. By that return and Orders† respecting the ration, your Lordship will observe that two-thirds’ ration of grain, i.e., 10½ lb. to each man per week, was issued from 22nd June; that a full ration of grain was issued on the arrival of the Alexander, which will last until the harvest is got in without touching our flour. Although we have had much dry weather, yet every present appearance promises a good return for the ground sowed. As our second

* Marginal note.—June 9th.

† Marginal note.—See General Orders transmitted with this, Oct. 16th, 1802. (See note 235.)
windmill is now finished, we shall be able to grind the wheat grown here into flour, which will enable me to receive such quantities* as may be offered by private cultivators, and procure us a store in advance to meet any accident that may happen to future crops.

As several evil-disposed persons had endeavoured to propagate a report among the settlers that Government would continue to send out flour, and that they had no occasion to cultivate their grounds, in the Order that notified the increase of the reduced ration I noticed that subject and assured the settlers that their grain would be received as usual.

As the grain we now have will last five weeks without touching the flour there will not be more than £100 worth offered to the stores which will be received. But as your Lordship may wish to be informed of the amount of bills drawn for our contingent expenses since January 1st last I beg to refer you to the enclosure, which will not only point out for what purposes and the amount of bills drawn during the former year, i.e., 1801, but also for the year 1802, which is now nearly expired.

Notwithstanding 1,221 persons† have arrived since the former year (1801), making 1,100 full rations, yet our expenses for grain, &c., as stated in the enclosure, will be found much less in proportion for this year (1802), which I hope will prove the economy and saving that has been used and made. These circumstances will be more amply detailed after Dec’r 31st, when the Commissary’s final accounts for the year are closed, which will be transmitted by the first direct conveyance.

Respecting the quantity of flour now received, I observe by your Lordship’s letter No. 2‡ and its enclosure No. 2 that in consequence of my statement of the probable deficiency of grain before the harvest of 1801 could be got in, and the probability of my being necessitated to send to Madras or the Cape for supplies of grain, you had directed the quantity stated in the return (23,387 bushels of wheat) as wanted to compleat the year to be shipped on board the Atlas and Rolla, the latter of which is not yet arrived. I have the honor to enclose a copy of that return, by which your Lordship will observe in the last column it was stated that near 17,000 bushels of the deficiency might be obtained from the settlers and other private speculators, and I certainly ought to have added (to put the meaning of that return beyond a doubt) that the reduction I meant to make, and which was afterwards made in the ration, might spin our grain out till

1802.
9 Nov.

Report on the commissariat.

Grain to be received by government.

1802.

Bills drawn.

Arrivals during 1802.

The supply of grain.

* Marginal note.—Supposed about 13,000 Bushels; see Enclosure No. 4.
† Marginal note.—Including those who came by the Minorca, Canada, and Nile.
‡ Marginal note.—Dated 30th Jany., 1802.
the next harvest. As the 17,000 bushels stated in my return were
given into the stores, and the reduced ration having extended the
grain to the harvest, I am sorry Government has been at the
expense of sending flour hither. However, it will be advan-
tageous to have such a quantity before hand in case of future
accidents by flood; but I beg leave to state most explicitly
that this colony has not, nor can have further occasion for grain or
flour being sent from England whatever accidents may happen to
the crops, as the resources in vegetables are great, now that the
settlers are turning their attention to gardening, and long before
any supplies could possibly arrive the ensuing harvest of wheat
and maize could be got in, and having a crop of each at different
times of the year secures one if the other should fail.

The quantity of salt meat received by the ships as per margin* and
that expected from Otaheite in the Porpoise and Norfolk, as
well as a quantity which is expected by the Venus that sailed
from hence in November last (as stated in my letter No. 6, dated March 1st, 1802, to the Duke of Portland) will, if the latter
arrivals are fortunate, preclude any necessity for salt meat being
purchased in the colony from any American or other ship except
the Venus until the time stated in the return of provisions,† but
after that period a further supply of salt meat will be necessary
to prevent our live stock being began upon too soon. As all these
calculations are made for the numbers now in the colony, the de-
mands must increase in proportion as the numbers increase, altho'
from the arrangements that are made, and the attention paid to
public agriculture, a considerable part of the expences will be
saved.

The supply of grain.

The supply of salt meat.

The supply of general stores.

The return No. 8 contains an account of stores, clothing, and
provisions received, expended, and remaining in His Majesty's
stores from 1st January to 30th September last, and the return
No. 9 will possess your Lordship of the provisions, stores, cloth-
ing, investments, and passengers received from the ships as per
margin,* which have arrived since 1st January‡ last, also a con-
tinuation including those received by the Alexander, Buffalo, and
second Atlas, all which will furnish every information on those
heads, and from the liberality of the supplies received and those
I may expect, as required by my last dispatches (with the im-
mense quantity of all kinds of European goods in the hands of
individuals which are selling mostly at very little above the prime
cost), prevents our present wants being so considerable as they
have been. Some articles are particularly wanted, as stated in the
enclosed list of wants.

† Marginal note.—24th Jany., 1804. If the Rolla arrives safe. ‡ Note 236.
Referring your Lordship to the eighteenth paragraph of my general letter No. 1,* sent with this, respecting the appropriation of the public investments sent in the Earl Cornwallis, Perseus, Coromandel, and to the Commissary's last year's accounts of the disposal of those articles, as well as with this year's accounts, which will be settled at the end of the year, and of which an abstract will be sent, I shall only observe that the enclosure contains a list of those articles that I judge will be requisite and acceptable to the inhabitants by the first conveyance after your Lordship receives this despatch.

I directed the Commissary to pay the amount of the ten pipes of port wine, received by the Coromandel and Perseus, to those who had put grain into the stores, which reduced the sum necessary to be drawn for. I have made such observations on the demands respecting the way some of the things are sent out as I hope will prevent the losses we experience in finding many things damaged, particularly on board the Perseus, where much of the most valuable part of the investment was injured by oil leaking on it, as appears by the enclosed report of the surveys.

Requesting your Lordship's perusal and consideration of the enclosed documents.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

Abstract of Articles purchased by Mr. Commissary Palmer from the Masters etc. of Vessels for the Public Use of His Majesty's Colony in New South Wales pr. Order of Governor King, also Quarterly Payments for Grain Delivered into the Stores by Private Cultivators (to Supply those necessarily maintained by the Crown) who have Received Articles for their Domestic Use and Comfort from the Masters etc. in whose favor those Bills have been drawn from the 1st January to 30th of September 1802.

Purchased from Mr. John Harris Agent to Messrs. Bass and Bishop of the Brig Venus Decr. 31st 1801 as per Voucher No. 15.

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beef</td>
<td>10,000</td>
<td>416 13 4</td>
</tr>
<tr>
<td>Pork</td>
<td>15,120</td>
<td>567 0 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>£983 13 4</td>
</tr>
</tbody>
</table>

Purchased from Mr. Wm. Wilkinson Master of the Ship Canada, Jan'ary 6th 1802 As per Voucher No. 13.

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sugar</td>
<td>26,100</td>
<td>£707 1 10</td>
</tr>
</tbody>
</table>

* Marginal note.—Dated October 30th, 1802.
Purchased from Mr. W. N. Chapman Apr’l 3rd 1802 as per Voucher No. 17.

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Price</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ewes</td>
<td>50 in No</td>
<td>@ 40/s</td>
<td>£100.00</td>
</tr>
<tr>
<td>Lambs and Wethers</td>
<td>39 do</td>
<td>@ 30/s.</td>
<td>£58.10</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>£158.10</td>
</tr>
</tbody>
</table>

Purchased from Mr. Scott Jenkes Master of the Ship Arthur (American) June 7th 1802 as per Voucher No. 18.

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Price</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beef</td>
<td>64,635 Pounds</td>
<td>@ 7½</td>
<td>£2,693.26</td>
</tr>
<tr>
<td>Pork</td>
<td>33,600 do</td>
<td>@ 9d.</td>
<td>£1,260.00</td>
</tr>
<tr>
<td>Tarr</td>
<td>14 Barrels</td>
<td>@ 40/s.</td>
<td>£28.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>£3,981.26</td>
</tr>
</tbody>
</table>

Purchased from Mr. Jno. Davison, Master of the Ship Perseus September 17th 1802 as pr. Voucher No. 20.

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Price</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cows</td>
<td>25 in No</td>
<td>@ £35</td>
<td>£875.00</td>
</tr>
<tr>
<td>Bulls</td>
<td>4 do</td>
<td>@ £28</td>
<td>£112.00</td>
</tr>
<tr>
<td>Spirits</td>
<td>135 Gallons</td>
<td>@ 7/s.</td>
<td>£47.50</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>£1,034.50</td>
</tr>
</tbody>
</table>

Purchased from Mr. Wm. Campbell as per Voucher No. 21.

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Price</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oil</td>
<td>417 Gallons</td>
<td>@ 4/s</td>
<td>£83.80</td>
</tr>
<tr>
<td>To Ballance the Account of the Said Voucher</td>
<td></td>
<td></td>
<td>£70.50</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>£161.13</td>
</tr>
</tbody>
</table>

[Voucher No. 15.]

Sydney, New South Wales, 31st Decr., 1801.

John Palmer Esqr. Commissary to His Majesty’s Territory of New South Wales

Dr.

To Mr. John Harris Agent to Messrs. Bass and Bishop of the Brig Venus.

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Price</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pork</td>
<td>50 Barrels 10,000 Pounds</td>
<td>@ 10d.</td>
<td>£416.13</td>
</tr>
<tr>
<td>Beef</td>
<td>45 Tierces 15,120 do</td>
<td>@ 9d.</td>
<td>£567.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>£983.13</td>
</tr>
</tbody>
</table>

By etc. etc. etc.

You are hereby required and directed to draw a Set of Bills on His Majesty’s Treasury in Payment for Pork and Beef delivered into His Majesty’s Stores the 31st Decr. 1801 amounting to.
£983 13s. 4d. as pr. Voucher in favor of Mr. John Harris, proper Vouchers for which you will forward to the Secretaries of the Treasury, giving me Two Setts thereof.

For which this shall be your Order.

Given this 27th March 1802.

PHILIP GIDLEY KING.

Mr. John Palmer, Commissary.

[Voucher No. 13.]

Sydney, New South Wales,
January 8th, 1802.

Mr. John Palmer Commissary to His Majesty's Territory of New South Wales Dr.

To Mr. William Wilkinson Master of the Ship Canada.

Sugar ............ 26,100 Pounds @ 6½ ............ £707 1 10

[An order for payment of the usual type was attached to this account.]

[Voucher No. 17.]

Sydney, New South Wales,
March 15th, 1802.

Mr. John Palmer Commissary to His Majesty's Territory New South Wales Dr.

To Mr. Willm. N. Chapman.

Fifty Ewes @ £2 pr. Head ..................... £100 0 0
Thirty nine Wethers and Lambs @ £1 10s. do .... 58 0 0

£158 10 0

We the undersigned in Obedience to the Lieutenant Governor's Order bearing this days Date have taken a strict and careful survey and an account of Sheep the property of Mr. Willm. Neate Chapman and find as follows:

Fifty full Grown Ewes.
Thirteen Ewe Lambs.
Sixteen full Grown Wether Sheep.
One Ram and
Nine Wether Lambs all in a good state and healthy Condition.

Given under Our Hands at Norfolk Island this 14th Day of January 1802.

MARTIN TIMS, Supt.

JOHN BEST, Supt.

By etc. etc. etc.

WHEREAS Mr. William Neate Chapman late Storekeeper at Norfolk Island and now Deputy Commissary at this place, has represented to me, that he has some Sheep at Norfolk Island, which it would be running a great risque to attempt bringing over here; and having requested that I would Purchase them on account
of Government at the rate of Two Pounds a head for the Ewes, and One Pound Ten Shillings a head for the Wethers and Lambs; And whereas it appears by the Acting Deputy Commissary's receipt, that he has received on account of Government, at Norfolk Island 50 Ewes and 39 Lambs and Wethers, late belonging to Mr. Willm. Neate Chapman. You are hereby required and directed to pay Mr. Chapman for the same, agreeable to his proposals, furnishing me with Two Vouchers for the same. For which this shall be your Order. Given etc. this 15th March 1802.

PHILIP GIDLEY KING.

To John Palmer Esqr., Commissary.

[Voucher No. 18.]
Sydney, New South Wales, 7th June, 1802. Jno. Palmer Esqr. Commissary to His Majesty's Territory of New South Wales Dr. To Mr. Scott Jenkes Master of the Arthur American.

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Description</th>
<th>£ s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beef</td>
<td>64,635 Pounds</td>
<td>@ 7½d.</td>
<td>2,693 2 6</td>
</tr>
<tr>
<td>Pork</td>
<td>33,600</td>
<td>@ 9d.</td>
<td>1,260 0 0</td>
</tr>
<tr>
<td>Tar</td>
<td>14 Barrels</td>
<td>@ 40s. pr. Bar.</td>
<td>28 0 0</td>
</tr>
</tbody>
</table>

£3,981 2 6

[An order for payment of the usual type was attached to this account.]

[Voucher No. 20.]
Sydney, New South Wales, Septr. 17th, 1802. John Palmer Esqr. Commissary to His Majesty's Territory of New South Wales Dr. To Mr. John Davison Master of the Ship Perseus.

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Description</th>
<th>£ s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>To 25 Cows</td>
<td></td>
<td>@ £35 ea.</td>
<td>875 0 0</td>
</tr>
<tr>
<td>,, 4 Bulls</td>
<td></td>
<td>@ 28</td>
<td>112 0 0</td>
</tr>
<tr>
<td>,, 135 Gallons Spirits</td>
<td></td>
<td>@ 7½s pr. Gall</td>
<td>47 5 0</td>
</tr>
</tbody>
</table>

£1,034 5 0

[An order for payment of the usual type was attached to this account.]

Received this 20th day of September 1802, of John Palmer Esqr. Commissary, One Set of Bills of Exchange on the Right Honble. the Lords Commissioners of His Majesty's Treasury at Ninety days Sight for the Sum of £1,034 5s. Sterling being Payment for the above.
For which I have Signed Five Receipts of this Tenor and Date.

JOHN DAVISON.

We the undersigned do hereby Certify that the above Purchases were made on the most moderate Terms.

RD. ATKINS, J.A.
THOS. SMYTH, P.M.

I do hereby Certify that the above Live Stock and Spirits were purchased by John Palmer Esqr. Commissary for the use of the Colony agreeable to my Order.

PHILIP GIDLEY KING.

[Voucher No. 21.]

[A copy of this has not yet been found.]

Abstract of Grain and Animal Food Purchased from the 1st January to 30th September 1802.

<table>
<thead>
<tr>
<th>Article</th>
<th>Quantity</th>
<th>Rate</th>
<th>Amount.</th>
<th>Amount of bills drawn.</th>
<th>In whose Favor.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wheat ...</td>
<td>9,933½ Bush.</td>
<td>8/-</td>
<td>£ 3,973 5 0</td>
<td>£ 3,973 5 0</td>
<td>Sunter, MacKellar, Kearns, Campbell, Lord, Larra, Julian, Balmain, Hassall, &amp; Messrs. Enderbys Campbell, Cox, &amp; Wilshire. George Best.</td>
</tr>
<tr>
<td>Maize ...</td>
<td>1,053½ do</td>
<td>4/-</td>
<td>210 12 9</td>
<td>210 12 9</td>
<td></td>
</tr>
<tr>
<td>Animal Food ...</td>
<td>4,373 lbs.</td>
<td>6d.</td>
<td>109 6 6</td>
<td>109 6 6</td>
<td></td>
</tr>
<tr>
<td></td>
<td>...</td>
<td></td>
<td>4,293 4 3</td>
<td>4,293 4 3</td>
<td></td>
</tr>
<tr>
<td>Wheat ...</td>
<td>1,157½ Bush.</td>
<td>8/-</td>
<td>462 17 0</td>
<td>462 17 0</td>
<td>Paid for by Bills from the French Commodore for Articles Supplied from the Public Stores.</td>
</tr>
<tr>
<td>Maize ...</td>
<td>1,037½ do</td>
<td>4/-</td>
<td>207 11 6</td>
<td>207 11 6</td>
<td></td>
</tr>
<tr>
<td></td>
<td>...</td>
<td></td>
<td>670 8 6</td>
<td>670 8 6</td>
<td></td>
</tr>
</tbody>
</table>

Vouchers for the above have been regularly Transmitted to His Majesty’s Principal Secretary of State and the Right Honorable The Lords Commissioners of His Majesty’s Treasury.

| Wheat ...          | 1,100½ Bush. | 8/- | 440 3 6 | 440 3 6 | Purchased by Copper Coin. |
| Maize ...          | 385½ do      | 4/- | 77 0 6 | 77 0 6 |                                                     |
|                    | ...          |      | 517 4 0 | 517 4 0 |                                                     |
| Wheat ...          | 2,417½ Bush. | 8/- | 966 19 6 | 966 19 6 |                                                     |
| Maize ...          | 972½ do      | 4/- | 194 9 9 | 194 9 9 |                                                     |
| Wheat ...          | 111½ do      | 8/- | 44 10 6 | 44 10 6 |                                                     |
| Maize ...          | 196½ do      | 4/- | 39 4 9 | 39 4 9 |                                                     |
|                    | ...          |      | £1,245 14 6 | 1,245 14 6 |                                                     |

Abstract and vouchers of stores and grain purchased for the public use.
### Historical Records of Australia

[Enclosure No. 2.]

**Quarterly Employment.**

<table>
<thead>
<tr>
<th>Month</th>
<th>Settlement</th>
<th>1802</th>
<th>Agriculture and Stock</th>
<th>Buildings</th>
<th>Boat Builders, &amp;c.</th>
<th>Various Employments</th>
</tr>
</thead>
<tbody>
<tr>
<td>September</td>
<td>Sydney</td>
<td>8</td>
<td>8</td>
<td>16 10 2 12 14 23 4 23 1 4</td>
<td>9 0 3 4 4 4 4 1 3</td>
<td>2 3 2 11 1 7</td>
</tr>
<tr>
<td></td>
<td>Parramatta</td>
<td>23</td>
<td>131 49</td>
<td>7 15 6 23 15 7</td>
<td>40 12 6 3 6 4 1 2</td>
<td>2 8 2 3</td>
</tr>
<tr>
<td></td>
<td>Hawkesbury</td>
<td>3</td>
<td>31 12</td>
<td>2 2</td>
<td>1</td>
<td>1 1 1</td>
</tr>
<tr>
<td></td>
<td>Toongabbe</td>
<td>6</td>
<td>154 10</td>
<td>10</td>
<td>10</td>
<td>1 1 1</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>40</td>
<td>316 58</td>
<td>22 23 34 8 35 14 20 40 1 11</td>
<td>9 6 8 44 27 10 2 4</td>
<td>9 8 6 14 4 15 4</td>
</tr>
</tbody>
</table>
### Quarterly Employment—continued.

<table>
<thead>
<tr>
<th>Month</th>
<th>Settlement</th>
<th>Various Employments</th>
<th>Servants</th>
<th>Recapitulate</th>
<th>General Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Natural History Painters and Botanists</td>
<td>Tanners, Toolmakers, and Thatchers</td>
<td>Bakers</td>
<td>Blind, Insofar, and Invalids</td>
</tr>
<tr>
<td>September</td>
<td>Sydney</td>
<td>1</td>
<td>2</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>Parramatta</td>
<td>10</td>
<td>5</td>
<td>5</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>Hawkesbury</td>
<td></td>
<td>15</td>
<td>17</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Toongabbie</td>
<td></td>
<td>9</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>2</td>
<td>10</td>
<td>1</td>
<td>7</td>
</tr>
</tbody>
</table>

Since this Return was made out 194 convicts have arrived by the Second Atlas.

---

**Philip Gidley King.**
<table>
<thead>
<tr>
<th>Date</th>
<th>People not Yield from the Stores</th>
<th>Conveys Yield from the Stores</th>
<th>Weeks Provisions in the Store</th>
<th>General, Deputy Secretary, &amp;c.</th>
<th>Number of Poults, &amp;c. from the Stores</th>
<th>Number of Poults, &amp;c. Yielded from the Stores</th>
<th>Number of Poults, &amp;c.</th>
<th>Number of Poults in the Store</th>
<th>Number of Poults that Number of Poults in the Store</th>
</tr>
</thead>
<tbody>
<tr>
<td>1802</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30th Oct.</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

General Statement of the Inhabitants of His Majesty's Settlement in New South Wales.

Military Department, New South Wales.

Governor.

1802.

9 Nov.

General state of the settlement.

[Enclosure No. 3.]
<table>
<thead>
<tr>
<th>Quality</th>
<th>Quantity remaining in the Stores</th>
<th>Weekly Issue for 2,627 full Rations now Victuald from the Stores</th>
<th>Number of Weeks each kind will last.</th>
<th>Quantity wanted for the present Number Victuald to complete to 31st Decr., 1803.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beef</td>
<td>111,609 lbs.</td>
<td>20,786 lbs.</td>
<td>5 Wks. 2 1/2 Days, 475 lbs. over</td>
<td>23,361 lbs.</td>
</tr>
<tr>
<td>Pork</td>
<td>501,580 lbs.</td>
<td>10,764 lbs.</td>
<td>52 Wks. 2 Days</td>
<td></td>
</tr>
<tr>
<td>Flour</td>
<td>778,517 lbs.</td>
<td>22,728 lbs.</td>
<td>34 Wks. 1 1/4 Days, 995 lbs. over</td>
<td></td>
</tr>
<tr>
<td>Wheat</td>
<td>1,886</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wheat belong'g to Govt., Supposed in Stacks</td>
<td>-2,286</td>
<td>28,325 lbs.</td>
<td>4 Wks. 2 1/4 Days, 29 lbs. over</td>
<td></td>
</tr>
</tbody>
</table>

When the Rolla arrives there will be Salt-meat to last until the 24th Jan., 1804, for the Numbers now victuald which may be prolonged by the Arrival of the Porpoise and Norfolk from Otaheite; also Salt Pork may arrive by the Venus (Mr. Bass), which will be purchased at 6d. per lb.; But a Year's Supply, after the 4th January, 1804, and to arrive here before this time will be necessary as per Demand.

When the Rolla arrives, there will be enough Flour and Wheat now in Store to last until the 13th October, 1803. To which must be added the following Statement, viz.:—

There are 422 Acres of Wheat now reaping belonging to the Crown: Averag'd at 16 Bushels per Acre will yield 6,752 at 8/- £2,700 16 0

There will be about 5,000 Bush. Maize, 5,000 at 4/- 1,000 0 0

A Saving of £3,700 16 0

From upwards of 4,000 Acres Cultivated and now reaping by Individuals will be raised at least of Wheat 55,000
more than half of which will be Consumed by those who support themselves. 27,500
Judging by last Year there will at least be offered to the Store and will be Received Wheat at 8/- per Bushel. 14,000 £6,400 0 0
Do Maize at 4/- 4,000
### Statement of Provisions remaining in His Majesty's Stores in New South Wales, &c.—continued.

<table>
<thead>
<tr>
<th>Quality</th>
<th>Quantity remaining in the Stores</th>
<th>Weekly Issue for 2,627 full Rations now Victualled from the Stores</th>
<th>Number of Weeks each kind will last</th>
<th>Quantity wanted for the present Number Victualled to complete to 31st Decr., 1803</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maize remaining and Belonging to Government.</td>
<td>1,806...</td>
<td>...........</td>
<td>18 Wks. 4 Days, 164 lbs. over</td>
<td>4,023 Bush’s.</td>
</tr>
<tr>
<td>Sugar</td>
<td>22,203 lbs.</td>
<td>270 lbs.</td>
<td>82 Wks. 1 Day, 23 lbs. over</td>
<td>...........</td>
</tr>
<tr>
<td>Pork</td>
<td>74,412 lbs.</td>
<td>10,764 lbs.</td>
<td>6 Wks. 6 Days, 600 lbs. over</td>
<td>...........</td>
</tr>
<tr>
<td>Flour</td>
<td>230,496 lbs.</td>
<td>22,728 lbs.</td>
<td>10 Wks. 1 Day...</td>
<td>...........</td>
</tr>
<tr>
<td>Sugar</td>
<td>22,344 lbs.</td>
<td>270 lbs.</td>
<td>82 Wks. 5 Days, 9 lbs. over</td>
<td>...........</td>
</tr>
</tbody>
</table>

N.B.—The Hospital and Colonial Vessels will be Supplied from the Sugar.

The Proportion of Salt Pork for 2,700 full Rations for Fifty Two Weeks from the 4th of January, 1804, as per Statement above, Including the Addition of Six Ounces of Pork to the Military, is 574,964 Pounds.

The Quantity of the Cheapest Spirits that can be sent for the Use of the Watchmen, Constables, etc., etc., Colonial Vessels, for One Year is 2,114 Gallons.

(Jno. Palmer, Commissary.)
### Enclosure B.

List of every Civil and Military Officer (including Storekeepers and Superintendents) in His Majesty's Territory of New South Wales holding Land by Grant or Lease, or in Possession of Stock, with the Quantity of Ground Cropped, Stock, &c., as Mustered in 1802.

<table>
<thead>
<tr>
<th>Appointment</th>
<th>Names</th>
<th>Grants or Leases in their own names</th>
<th>Quality and Quantity of Stock</th>
<th>No. of Convicts assigned to them</th>
<th>No. of Convicts on ground</th>
</tr>
</thead>
<tbody>
<tr>
<td>CIVIL.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Governor</td>
<td>Philip Gidley King</td>
<td>3</td>
<td>1 G., 2 H.</td>
<td>May, '93</td>
<td>254</td>
</tr>
<tr>
<td>Judge Advocate</td>
<td>Richard Atkins</td>
<td>3</td>
<td>2 G., 1 K.</td>
<td>Feb'y, '93</td>
<td>170</td>
</tr>
<tr>
<td>Commissary</td>
<td>John Palmer</td>
<td>3</td>
<td>1 G., 2 H.</td>
<td>June, '93</td>
<td>660</td>
</tr>
<tr>
<td>Prov. Marshall</td>
<td>Thomas Smyth</td>
<td>2</td>
<td>H.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chaplain</td>
<td>Rich'd Johnston</td>
<td>3</td>
<td>1 G., 2 H.</td>
<td>Oct., '94</td>
<td>201</td>
</tr>
<tr>
<td>Do</td>
<td>William Balmain</td>
<td>3</td>
<td>1 G., 2 H.</td>
<td>Oct., '94</td>
<td>102</td>
</tr>
<tr>
<td>As't do</td>
<td>Charles Grimes</td>
<td>2</td>
<td>1 G., 1 H.</td>
<td>Dec't, '94</td>
<td>1255</td>
</tr>
<tr>
<td>Do</td>
<td>James Thomson</td>
<td>1</td>
<td>G.</td>
<td>Dec't, '94</td>
<td>100</td>
</tr>
<tr>
<td>Do</td>
<td>D'Arcy Wentworth</td>
<td>2</td>
<td>H.</td>
<td>Nov'y, '94</td>
<td>98</td>
</tr>
<tr>
<td>Surveyor-General</td>
<td>Augustus Alt.</td>
<td>1</td>
<td>G.</td>
<td>Feb'y, '94</td>
<td>100</td>
</tr>
<tr>
<td>Do</td>
<td>James Williamson</td>
<td>3</td>
<td>H.</td>
<td>Sept., '96</td>
<td>97</td>
</tr>
<tr>
<td>Storekeeper</td>
<td>William Sutton</td>
<td>3</td>
<td>1 G., 2 H.</td>
<td>Apr'ly, '94</td>
<td>100</td>
</tr>
<tr>
<td>Do</td>
<td>Rowland Hassall</td>
<td>2</td>
<td>H.</td>
<td>Apr'ly, '94</td>
<td>101</td>
</tr>
<tr>
<td>Magistrate</td>
<td>William Baker</td>
<td>2</td>
<td>1 G., 1 H.</td>
<td>Dec't, '94</td>
<td>70</td>
</tr>
<tr>
<td>Chief Constable</td>
<td>Thomas Arndell</td>
<td>2</td>
<td>1 G., 2 H.</td>
<td>July, '92</td>
<td>231</td>
</tr>
<tr>
<td>Do</td>
<td>George Barrington</td>
<td>1</td>
<td>H.</td>
<td>Sept'y, '96</td>
<td>30</td>
</tr>
<tr>
<td>Do</td>
<td>James Bloodworth</td>
<td>1</td>
<td>G.</td>
<td>Dog'y, '94</td>
<td>50</td>
</tr>
<tr>
<td>Do</td>
<td>Rich'd Fitzgerald</td>
<td>3</td>
<td>1 G., 2 H.</td>
<td>Apr'y, '94</td>
<td>190</td>
</tr>
<tr>
<td>Do</td>
<td>John Jameson</td>
<td>1</td>
<td>H.</td>
<td>Apr'y, '94</td>
<td>100</td>
</tr>
<tr>
<td>Do</td>
<td>Nicholas Divine</td>
<td>2</td>
<td>1 G., 1 H.</td>
<td>Jan'y, '94</td>
<td>218</td>
</tr>
<tr>
<td>Mast' Boats Builder</td>
<td>Thomas Moore</td>
<td>3</td>
<td>H.</td>
<td>Oct'y, '99</td>
<td>470</td>
</tr>
</tbody>
</table>

* P," Governor Philip; "G," Lieutenant-Governor Grose; "H," Governor Hunter; "K," Governor King.

Return of Officers of the civil and military staffs, 9 Nov. 1802.
List of every Civil and Military Officer (including Storekeepers and Superintendents) in His Majesty's Territory of New South Wales holding Land by Grant or Lease, or in Possession of Stock, &c.—continued.

<table>
<thead>
<tr>
<th>Appointment</th>
<th>Names</th>
<th>Grants or Leases in their own names</th>
<th>By whom <em>Given.</em></th>
<th>Date of first Grant</th>
<th>No. of Acres</th>
<th>No. of Acres Purchased from Settlers, &amp;c.</th>
<th>Total No. of Acres held.</th>
<th>No. of Acres Clear, in Wheat and Malt.</th>
<th>No. of Horses</th>
<th>No. of Cattle</th>
<th>No. of Sheep</th>
<th>No. of Goats</th>
<th>No. of Hogs</th>
<th>No. of Convicts assigned supported since April last.</th>
</tr>
</thead>
<tbody>
<tr>
<td>MILITARY</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lieut.-Colonel</td>
<td>William Paterson</td>
<td>1</td>
<td>G.</td>
<td>Oct., '94</td>
<td>100</td>
<td>...</td>
<td>100</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>9</td>
</tr>
<tr>
<td>Major</td>
<td>George Johnston</td>
<td>5</td>
<td>1 P, 2 G, 2 H.</td>
<td>Decr., '92</td>
<td>568</td>
<td>...</td>
<td>568</td>
<td>200</td>
<td>165</td>
<td>10</td>
<td>40</td>
<td>110</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Captain</td>
<td>John McArthur</td>
<td>4</td>
<td>2 G, 2 H.</td>
<td>Feb'y, '93</td>
<td>320</td>
<td>...</td>
<td>3,500</td>
<td>399</td>
<td>30</td>
<td>20</td>
<td>195</td>
<td>2,750</td>
<td>6</td>
<td>19</td>
</tr>
<tr>
<td>Do</td>
<td>Edward Abbott</td>
<td>2</td>
<td>H.</td>
<td>Decr., '99</td>
<td>704</td>
<td>...</td>
<td>704</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Do</td>
<td>J. Townson</td>
<td>2</td>
<td>2 G, 2 H.</td>
<td>Jan., '93</td>
<td>124</td>
<td>...</td>
<td>124</td>
<td>12</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Do</td>
<td>Anthony F. Kemp</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Do</td>
<td>Ralph Wilson</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Do</td>
<td>John Piper</td>
<td>3</td>
<td>1 G, 2 H.</td>
<td>Nov'r, '94</td>
<td>110</td>
<td>...</td>
<td>140</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Do</td>
<td>Neil Mackellar</td>
<td>2</td>
<td>G.</td>
<td>Oct., '94</td>
<td>100</td>
<td>150</td>
<td>250</td>
<td>70</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>22</td>
</tr>
<tr>
<td>Lieutenant</td>
<td>Thomas Davies</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>100</td>
<td>120</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Do</td>
<td>John Brabyn</td>
<td>1</td>
<td>K.</td>
<td>Oct., 1801</td>
<td>200</td>
<td>...</td>
<td>200</td>
<td>100</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>22</td>
</tr>
<tr>
<td>Do</td>
<td>William Moore</td>
<td>1</td>
<td>K.</td>
<td>1801</td>
<td>148</td>
<td>...</td>
<td>148</td>
<td>180</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>22</td>
</tr>
<tr>
<td>Do</td>
<td>Nicholas Bayly</td>
<td>3</td>
<td>H.</td>
<td>Oct., '99</td>
<td>631</td>
<td>...</td>
<td>631</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>22</td>
</tr>
<tr>
<td>Ensign</td>
<td>William Minchin</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>100</td>
<td>120</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Do</td>
<td>William Lawson</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>100</td>
<td>120</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Paymaster</td>
<td>William Cox</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,440</td>
<td>350</td>
<td>220</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Surgeon</td>
<td>John Harris</td>
<td>5</td>
<td>1 G, 4 H.</td>
<td>Feb., '94</td>
<td>153</td>
<td>...</td>
<td>153</td>
<td>303</td>
<td>120</td>
<td>66</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Quartermaster</td>
<td>Thomas Laycock</td>
<td>5</td>
<td>1 P, 2 G, 2 H.</td>
<td>Feb., '92</td>
<td>448</td>
<td>...</td>
<td>900</td>
<td>1,348</td>
<td>160</td>
<td>40</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
</tbody>
</table>

* "P," Governor Phillip; "G," Lieutenant-Governor Grosse; "H," Governor Hunter; "K," Governor King.
STATEMENT of the Number of Men, Women, and Children on and off the Stores in New South Wales, as appeared at the General Musters taken between the 5th and 17th of August, 1802:

<table>
<thead>
<tr>
<th>Settlement</th>
<th>Men on Stores</th>
<th>Men off Stores</th>
<th>Women on Stores</th>
<th>Women off Stores</th>
<th>Children on Stores</th>
<th>Children off Stores</th>
<th>General Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sydney</td>
<td>468</td>
<td>641</td>
<td>101</td>
<td>461</td>
<td>114</td>
<td>378</td>
<td>2,163</td>
</tr>
<tr>
<td>Parramatta, &amp;c.</td>
<td>802</td>
<td>519</td>
<td>139</td>
<td>214</td>
<td>149</td>
<td>237</td>
<td>2,060</td>
</tr>
<tr>
<td>Hawkesbury</td>
<td>120</td>
<td>398</td>
<td>12</td>
<td>173</td>
<td>18</td>
<td>216</td>
<td>937</td>
</tr>
<tr>
<td>Civil</td>
<td>29</td>
<td></td>
<td>11</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Military</td>
<td>573</td>
<td></td>
<td>50</td>
<td></td>
<td>74</td>
<td>5</td>
<td>697</td>
</tr>
<tr>
<td>Settlers</td>
<td>200</td>
<td>398</td>
<td></td>
<td>15</td>
<td></td>
<td></td>
<td>433</td>
</tr>
<tr>
<td>Colonial &amp; coasting</td>
<td>47</td>
<td>81</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>128</td>
</tr>
<tr>
<td>Total</td>
<td>2,059</td>
<td>2,037</td>
<td>302</td>
<td>874</td>
<td>355</td>
<td>836</td>
<td>6,453</td>
</tr>
</tbody>
</table>

[Enclosure No. 5.]

[This was a copy of the last paragraph of the general order, dated 27th September, 1802.]

[Enclosure No. 6.]

REMARKS on the Bills drawn in the Year 1801.

Bills drawn between 31st March and 3rd July 1801 (alluded to in Lord Hobart’s Letters) amount to the Sum of £7,267 1s. 1d., and the whole Amount of Bills drawn for that Year ending 31st Decr. 1801 was £10,232 3s. 6d.

The Value of the Articles purchased as above, and remaining in the Stores on the 31st Decr. 1801 for the Service of the Year 1802, as stated in the annexed Abstract No. 4, amounted to £3,297 12s. 4d. which limits the Value of Bills appropriated to the Service of the Year 1801 to £6,934 11s. 2d.

REMARKS on Bills drawn for the Year 1802.

It is to be premised that early in the Year 1802 948 Males and 207 Females and 87 Children arrived in the Colony, making an increase of 1,126 Full Rations many of whom from their debility have remained a useless Burthen which consequently increased the demand for Grain, and it is to be observed that during that Year a quantity of Salt Meat was necessarily purchased amounting to £7,102 13s. 10d. The whole Sum drawn for during the Year 1802, as stated in the Commissary’s Year Account, and abstract was £14,105 13s. 11½d. out of which £3,763 8s. 0d. remained for the Service of the present Year 1803, which reduces the Expence of the Year 1802 to £10,342 as stated in the Abstract No. and Commissary’s Yearly accounts now transmitted.

* Note 237.
HISTORICAL RECORDS OF AUSTRALIA.

[Enclosure No. 7.]
Copy of a Return in Separate Letter B in General Letter No. 2, dated 10th March, 1801.
[See Enclosure No. 1 of that despatch.]

[Enclosure No. 8.]
Abstract of Stores, Provisions and Slop Cloathing, received, Expended and remaining in His Majesty's Stores between 1st Jan'y. and 6th Nov. 1802.
[A copy of this return is not available.]

[Enclosure No. 9.]
Account of Provisions received into His Majesty's Stores between 20th June and 4 Nov. 1802.
[A copy of this return is not available.]

[Enclosure No. 10.]
List of Articles remaining in His Majesty's Stores Nov. 9th 1802. The quantity required for what use wanted and remarks thereon etc.
[A copy of this return is not available.]

[Enclosure No. 11.]
List of Articles for Barter during the year 1804.
[A copy of this return is not available.]

[Enclosure No. 12.]
Report of Survey on the Investment shipped on the Perseus. Pursuant to an Order from His Excellency Governor King etc. etc. to us Directed.

We Whose Names are hereunto Subscribed, do hereby Certify upon Oath, that we by the Order of His Excellency Governor King of New South Wales, have taken a Strict, Careful and Impartial, Survey on Dry goods, Received into His Majesty's Stores at this Place from the Perseus Mr. John Davison Master and find them as follows:—

Vizt:—Printed Callicoes (No. 4) 20 Pieces Contain'g 424\frac{1}{4}
Yds. or 50/ pr. Pc.

Wildbores ............. 12 do. ............. 29/6
Duck ................. 14 do. ............. 55/

The above Stated Goods appear to us to have been Damaged from their having been Stowed with Oil, which has injured them in Our Opinion at least One Fourth of their Value; The
Goods were said by Mr. John Davison to have been Received and stowed at Deptford under the Inspection and Direction of the Naval Agent in the Month of November 1801 Previous to his taking the Command of the said Ship.

Given under Our hands this 27th Day of September, 1802.
THOS. JAMISON, Acting Surgeon-Genl.
THOS. LAYCOCK, Qr. Master, N.S.W. Corps.
THOS. MOORE, Master Boat Builder to the Colony.

[Enclosure No. 13.]

REPORT OF SURVEY ON OIL SHIPPED ON H.M.S. BUFFALO.

Pursuant to an Order etc. etc. etc.
We whose Names are hereunto Subscribed, have been on Board His Majesty’s Armed Vessel Buffalo and there taken a Strict and Carefull Survey on the leakage of Linseed Oil Complained of and do find as follows, One Cask Containing Forty Seven Gallons, entirely leaked out and Thirty Eight Gallons of another Cask, Containing Forty Six Galls. Amounting in the Whole to Eighty Five Gallons, Owing in Our Opinion to the Oil being put in unfit Cask for that Service; And we do further Declare that we have taken this Survey, with Such Care and Equity, that we are Willing (if required) to make Oath to the Impartiality of our Proceedings.

Given etc. this 8th Novr. 1802.
THOS. MOORE, Master Builder.
JAMS. BLOODSWORTH, Master Bricklayer.
JOHN GOWEN, Storekeeper.

[Enclosure No. 14.]

GOVERNMENT AND GENERAL ORDERS.

March 9th, 1802.
A Criminal Court of Judicature will assemble to-morrow morning at 9 O’Clock for the trial of such persons as may be brought before it.

March 12th, 1802.
The Regiment under Arms will attend the execution of the Convict now under sentence of death on Monday morning next at 10 O’Clock.

[March 16th and 19th, 1802.]
618  HISTORICAL RECORDS OF AUSTRALIA.

20th March, 1802.

THERE being a small quantity of Molasses in the Store, Half-a-Pint will be issued weekly to the Children of the Non-Commissioned Officers and Soldiers that are now victualled. To apply for it every Monday morning at the Dry Store until further Orders.

22nd March, 1802.

THE Tap-too Beating is altered to 8 o'clock until further Orders.

29th March, 1802.

A General Court Martial will assemble on Thursday next, the 1st of April, at 10 o'clock in the forenoon, for the trial of such prisoners as may be brought before it.

Proclamation.

2nd April, 1802.

WHEREAS two attempts have lately been made to revive Seditious Meetings composed of those deluded people sent to this Country for the commission of the most diabolical crimes, resulting from the anarchy and confusion aimed at by their silent and concealed employers. And whereas the punishments inflicted on those who were implicated in the design of subverting all Order, and attempting a general massacre of those who might resist their intentions during the year 1800, in this Colony, not having been sufficient to prevent a few turbulent characters from renewing their former attempts, it appears necessary to remind the inhabitants of this Colony of the existing Laws for the prevention and punishment of Sedition, viz.:

By the 36th of George III, Chap. 8.—"No meetings of more than fifty persons (in this Colony twelve) to be holden; Such meetings without permission and public notice will be deemed unlawful assemblies."

"If twelve or more persons (two in this Colony) who may have assembled contrary to this Act, shall continue together one hour (in this Colony half-an-hour) after having been required by a Magistrate to disperse (or in this Colony any person of the description of a free-man), they shall suffer Death."

By the 37th George III, Chap. 123.—"If any person shall administer, or cause to be administered, or to be present at and consenting to the administering, or taking any oath, purporting to bind the persons taking it to engage in any mutinous or seditious purpose, or to disturb the public peace, or to be of any association formed for any such purpose, or to obey the orders of any committee or body of men not lawfully constituted, or of any leader or other person not having authority by law for that purpose, or not to inform against any associate or other person, or not to discover any unlawful combination, or any illegal act or oath done or to be done or taken, shall on conviction be adjudged guilty of felony, and be transported" (besides which in this Colony shall receive a corporal punishment of 1,000 lashes, and the gaol gang during their term of transportation).

"Compulsion shall not justify any person taking such oath, unless he shall, within four days" (in this Colony one day) "after taking it, declare the same, with the whole of what he knows touching
the same, together with the persons who were concerned in or present at the administering such oath.” This information to be given to the nearest Magistrate or other Officer.

“Persons present at, assisting in, or consenting to the administering such oaths shall be deemed principal offenders.

“Any engagement in the nature of an oath, in whatever manner taken or entered into, shall be deemed an oath.”

By the 37th Geo. 3, ch. 70—“Any person who shall attempt to seduce any person serving in His Majesty’s Forces from his Duty and Allegiance shall suffer Death without Benefit of Clergy.”

Exclusive of the above, it is hereby ordered that if any person or persons shall use words or actions of a seditious tendency they are immediately to be apprehended, and, upon conviction, will suffer the most exemplary punishment. And if any person hearing such words or seeing such action tending to sedition shall not immediately inform the Magistrates, or nearest Officer in Command thereof, they will be punished as Accomplices in such practices.

Any Houses wherein such Meetings may take place will be raised to the ground.

Benjamin Carroll and John Courtney, two of the deluded people mentioned in the above Proclamation, having been detected as active promoters (under the direction of persons at present unknown, but not unsuspected) of attempting to get together a number of offensive weapons for the most destructive purposes, and having been detected in seditious conversation, tending to the destruction of Government, order, and humanity, they are ordered to receive 500 lashes each, in equal proportions, at Sydney, Parramatta, and Toongabbee, and confined in the Gaol Gang during the remainder of their term of transportation. An example which, it is hoped, will deter others from committing those crimes.

God save the King.

2nd April, 1802.

It having been represented to the Governor that some of the Settlers at the Hawkesbury are making a traffic of the Cedar growing on or about that River, he strictly forbids any Cedar being cut down but by his particular permission to the Officer Commanding at that place; And if any Cedar Logs or Planks are brought from any part of that River to any other Settlement without the Governor’s permission, such Logs or Planks will be seized for the purposes of Government, and the Boats or Carts containing them confiscated to the public use.

The time of granting Certificates to those whose term of transportation are expired is necessarily deferred till after the seed-time is over, when further Notice will be given thereof.

April 5th, 1802.

The execution of the Convict now under Sentence of Death is appointed for Saturday next at 11 O’Clock. The New South Wales Corps will attend under arms.

April 6th, 1802.

The Officers living in Barracks and who are possessed of farms, assigned whose servants were called to public labour by the Orders of Dec. 16, 1801, will be allowed the labour of one Convict each in lieu of the Barrack Allowance of Coals etc.
THOSE Male and Female Prisoners who have served their terms of transportation, and are victualled from the Stores, will give in their names, and the ships they came in, to the Secretary's Office at Sydney; the Rev. Mr. Marsden, at Parramatta; C. Grimes, Esq., at Toongabbie; and T. Arndell, Esq., at Hawkesbury; on or before Thursday next, the 15th instant, informing whether they wish to go off the stores. The lists will be transmitted to the Governor's Secretary, when orders will be given accordingly.

Proclamation.

9th April.

WHEREAS great confusion will occur hereafter in ascertaining the boundaries of the Allotments of Lands granted to individuals, owing to the smallness of the scale on which they have hitherto been delineated, and the different hands through which the writings have passed (many of which are totally effaced), and many allotments being partially or totally connected together by the verbal agreements of the possessors, which must in a short time cause that confusion and litigation which it is so necessary to provide against, as well for the present and future interests of the Colony as for securing to each person the property he has acquired or become possessed of.

On this consideration I have judged necessary to direct the Surveyor to delineate separate Plans of the Allotments of Land granted in each District, agreeable to the boundaries described in the Registers, on the scale of a mile to an inch. These Plans will accompany the General Chart of the Settlements, directed to be sent to the Secretary of State, Copies of which will be kept in the Secretary and Surveyor's offices. And it is likewise recommended to individuals to obtain from the Surveyor a Copy of the Grounds allotted, or held by Grant, which they are possessed of. And as these Plans, and the Registers, will ever be resorted to for settling all disputes or litigations respecting the Boundaries of such Lands, the Roads by which the possessors have access to their different Settlements, and to Water, either for their domestic purposes, or to the sides of the nearest Navigable Creek, or Banks of the Harbours, Rivers, &c. It is necessary that these several objects should be all clearly defined, for which purpose the Surveyor is directed to give a Week's Notice of the Districts in the order that he delineated the Allotments therein, that individuals may (if they are ignorant of their Boundaries, or that it appears other Farms have been measured into them), attend the Surveyor, who is directed in such cases to re-trace the Boundary lines agreeable to the description contained in the Register of the Grant. And it is to be clearly understood, that no revision of those Allotments will hereafter be allowed of, as the original Register and those Plans must definitely settle all disputes and litigations that may hereafter arise thereon, and of which the Courts of Justice, Magistrates, and all others concerned, are to take Notice and conform to, agreeable to the Tenor of this Proclamation.

God Save the King!

Notice.—The Surveyor will proceed to delineate the different Allotments of Ground held by Grant in the Districts of Sydney, Bullanaming, and Petersham Hill, on Monday, the 19th instant.
The execution of the Prisoner under Sentence of Death, that was to have taken place to-morrow, is countermanded until further Orders.

April 11th, 1802.

A Criminal Court of Judicature to assemble at 10 o'clock to-morrow morning for the Trial of such Offenders as may be brought before it.

Proclamation.

12th April, 1802.

Whereas, in consequence of the unsuccessful attempts that have been made by certain desperate characters to stir up tumult and confusion, I have judged it necessary to direct a general search throughout the dwellings and other premises of the inhabitants of this Colony, this day, at seven o'clock in the morning, for the discovery of all Offensive Weapons.

These are therefore to require the Magistrates to proceed to that search with all possible diligence, taking all the Arms (except those belonging to the Regiment), which they may find in the Towns of Sydney and Parramatta, leaving one Musquet in each settler's possession, which they will insert in a List, together with all other Arms found.

As the Officers' Houses and Barracks have been exempted from this search, they as well as those whose premises have not been searched, are required to deliver Lists of the Arms and other Offensive Weapons they or their Servants are possessed of, to the Governor's Secretary, on or before Saturday next the 17th instant.

God Save the King.

17th April, 1802.

The Orders of June 1st, 1801, being disobeyed by several individuals who have been allowed to take prisoners off the Stores, Notice is once more given that if any person to whom the labour of prisoners is assigned do let them be on their own hands, turn them over to any other person, or let them out for hire, they will on conviction incur the fine directed by the above Order, and other notice will be taken thereof, according to their situation; and any prisoner thus assigned, who does not give himself up to Government labour if the person to whom he is assigned cannot maintain him, or allows him to be on his own hands on any consideration whatever, will receive 100 lashes and remain in the Gaol Gang for 12 Months.

A search for Arms having taken place, and a number of extra Musquets, &c., found among Settlers, and several in the possession of those who have no occasion for them, it is to be understood that those who retain Arms (which are registered) are to be accountable for them, and every person who gives or exchanges his Arms, or allows any to be taken from them, without acquainting the nearest Magistrate or Officer in Command thereof, will receive a most exemplary punishment as conspiring against the Peace of this Colony.

A pike, completely finished, being found in the possession of two known rebels to the King's authority, exclusive of the handles, made by Benjamin Carroll, Notice is hereby given that if any person hereafter is found with any weapon of that kind, the security of
1802.
9 Nov.
Orders re
Military honours for French officers.
Visits to French ships.
Regulations for French boats.
Persons not giving the countersign.
Boats landing at the Governor's wharf.
Agricultural returns from officers.
Prisoners in custody.
Certificates for expirees.

the Colony will require the instant execution of every one concerned in the making or concealment thereof. And, as there is much reason to suppose that many other weapons of that kind are concealed, a Pardon and the most desirable reward will be given to the discoverer.

LIEUT.-COLONEL PATerson will direct the Centinels to make themselves acquainted with the persons of the Captain and Commissioned Officers of the French Ship Naturaliste, and pay them the compliments due to their rank in the Army, when in their uniform, with side-arms, according to the Regulations of this Garrison.

No person whatever is to go on board the French Ship without the Governor's or Lieutenant-Governor's permission, except Commissioned Officers, Civil or Military; the latter will not go on board but in Regimentals.

No boat belonging to the French ship is to land at any other part of the Cove but the Governor's Wharf. The Centinel on that post is not to suffer any person whatever belonging to the Settlement to pass his centry-box while any French boats are at the Wharf, unless they have permission from the Officer of the Guard, who will direct a Non-Commissioned Officer to accompany the person to the boat and back again. A Non-Commissioned Officer of the Guard will order all French boats from the Wharf at sunset, unless the Governor allows of their remaining after that hour for any particular reason, which will be communicated to the Officer of the Guard.

All Centinels and Constables will stop and confine every person whatever who does not give the Countersign after Gunfire. Commissioned Officers, Civil and Military, will make themselves known to the Centinels as usual.

No boats to land at the Governor's Wharf except the Governor's gig; boats belonging to His Majesty's ships, with Officers, the Government long boat, and boats belonging to the French Ship Naturaliste.

THE Officers, Civil and Military, cultivating ground, are requested to give in an account to the Governor's Secretary, on or before the 16th instant, of the quantity of wheat and maize in their possession, and the quantity they can spare to the public stores.

THE Constables are to take any Prisoner into their charge and lodge them in the Gaol until delivered by due course; And they are strictly forbid releasing any prisoner whatever whom they have taken or received in charge, but by order of the Governor, Lieutenant-Governor, or a Magistrate.

Those prisoners whose Terms of Transportation will be expired on the 26th of May are to attend at the Secretary's Office on Monday, the 31st May, for their certificates.
A General Muster will be made about the 10th of July.

The Governor feels it necessary to remind those Officers possessed of Stock (who drew their Ration of Salt Meat on Saturday last) of the convenience that leaving it in the Public Stores would be of at this time.

17th May, 1802.

The former Orders respecting no Wheat, Flour, Biscuit, Fresh or Salted Meat, being sent from the shore to any ship or vessel without the Governor's permit is to be strictly attended to by the Centinels, and whoever else it may concern.

19th May, 1802.

His Majesty's ship Porpoise sails for Norfolk Island on Sunday next. The Lieutenant Governor of Norfolk Island's suspension of H.M.S. Mr. Fane Edge, from the duty and pay of Provost Marshall of Norfolk Island being approved of, Mr. Martin Tims is to act, and receive the pay as Provost Marshal, until His Majesty's Pleasure is known.

22nd May, 1802.

The pay of Mr. Martin Tims, as Provost-Marshal of Norfolk Island, commences the 13th March, 1802. Mr. Nathaniel Lucas is appointed Master Carpenter, and Robert Jones Superintendent of Norfolk Island, the 13th of March, 1802.

The Governor has limited the Commander of the American ship Arthur to 100 per cent. advance on the Invoice Price of the Articles he has for sale, on condition of not demanding more than 7s. 6d. per gallon for the 3,000 gallons of rum, and 15s. per gallon (duty on both included) for the 3 pipes of Hollands gin, which he is allowed to sell by the Governor's Permits.

The supply of Salt Provisions purchased from the Master of the Arthur will enable the Governor to direct the Commissary to make an increase in the Ration of Salt Meat next Saturday.

24th May, 1802.

The Governor has directed the following distribution of Spirits arrived by the Arthur, to be made, viz:—

The Governor and Lieutenant-Governor ... 60 Gallons each.
Officers, Civil and Military ................. 33 do. do.
Officers at Norfolk Island .................... 100 do.
Non-Commissioned Officers and Privates ... 300 do.
Licensed People .............................. 20 do. do.
Superintendants ............................. 10 do. do.

Ann Marsh has this day been convicted of selling Spirits without a license on the Sabbath, and bribing a Constable to say she had in her house when she had eight gallons. Exclusive of the forfeiture of the Spirits and the bribe of £5, she has incurred the different Penalties amounting to £20 sterling, which has been levied on her effects. This example, it is hoped, will deter others from incurring similar losses. It is the Governor's express Orders that no Spirits are even to be given by any person, or sold by any licensed person, on the Sabbath.
WHEREAS Andrew Thompson (Settler and Constable) has been at a great Expence in constructing a Floating Bridge over the South Creek, at the Hawkesbury, leading from the Parramatta Road to the Green Hills, which is of great convenience to the Settlers and Inhabitants in this Colony; and as the Subscriptions for carrying on that Work have been very inconsiderable in comparison to the expence, he has requested that a permanent Toll may be established by Authority, for Persons, &c., passing that Bridge, as may compensate him for the expence he has been at, and to enable him to keep it in repair. In consequence of that just claim, the following Toll is established, for the Term of 14 Years from this Date, provided he keeps the said Bridge in constant Repair (Accidents by Flood or Fire excepted), viz.: For each Foot Passenger, 4d. or 10s. per annum; For each Horse, 2s. 6d., or £2 10s. per annum; for every Cart or Carriage, 1s. 6d., or £1 10s. per annum.

Government having subscribed £15 and two Men for three Months towards erecting the said Bridge, Constables and Government Men going or returning from public labour, who have a Pass signed by the Magistrate at Parramatta, Toon-Gabbee, or Sydney, or from the Magistrate at Hawkesbury, as well as every Officer and Soldier in the actual execution of public duty, are to pass free of any Toll; But if any person whatever endeavours to impose by passing under these pretexts, they will, on conviction, forfeit £5 to the Proprietor of the said Bridge.

The Governor having given to Andrew Thompson the exclusive priviledge of keeping and maintaining the Bridge, and the Receipt of the Tolls arising therefrom, for the space of 14 years, from this Date, any Person keeping a Passage-Boat, or using any other mode of carrying or conveying Passengers, Horses, or Carts across the South Creek, will, on conviction before two Magistrates, forfeit the sum of £5 for each offence to the Proprietor of the Bridge.

Henry Kable, having misbehaved in the execution of his Duty, as Chief Constable, at Sydney, is removed from that situation. The Constables are to be under the Provost-Marshal's directions till further orders.

Thomas Parsonage, Constable, having extorted money from the prisoners under his charge, is punished with 50 lashes.

Notwithstanding the repeated Orders to the contrary, yet the indulgence given to individuals of purchasing articles from the Stores for their domestic uses are still abused, by being converted into an extortonate traffic, for which Daniel Parnell has this day been punished with 50 lashes. If any person is detected in turning that advantage to such improper purposes, they will be punished according to the situation of the delinquent, and ever after be deprived of that and every other advantage of the same kind.

[The last paragraph of this order was forwarded as Enclosure No. 2 to the despatch of Governor King to Under Secretary King, dated 26th May, 1802.]
at the Main Guard, going on to Bennelong’s Point, Dawes’s Point, and the Field Pieces in front of the Barracks, making up the deficiency from Dawes’s Point: His Majesty’s Ship Investigator will fire a Royal Salute at one o’clock, and such of the Merchant vessels as salute are to begin when the Investigator has fired her second gun.

3rd June, 1802.

To-morrow being the Anniversary of His Majesty’s Birth Day, the Governor will be ready to receive the Compliments of the Officers Civil and Military, and those of His Majesty’s Ships, at half-an-hour past one o’clock.

4th June, 1802.

His Excellency the Governor has been pleased to grant the following Pardons and Conditional Emancipations, viz., Four Free Pardons; Twenty-nine Emancipations.

No Free Pardons or Emancipations, except on extraordinary occasions, will be granted or application attended to in future but on the King’s Birthday; and it is to be understood that the Candidates for a participation in His Majesty’s mercy will be confined to those alone whose behaviour, merit, and industry may render suitable objects.

6th June, 1802.

A Criminal Court of Judicature to assemble at 10 o’clock on Thursday morning next, for the trial of such offenders as may be brought before it.

Maize shelled, well dried and cleaned, to be received into His Majesty’s Store at the Hawkesbury at 4s. per Bushel, deducting 3d. per Bushel for freight and carriage.

11th June, 1802.

The Governor has directed the Commissary not to take up any Quarterly Receipts for Grain given into the Stores for payment for a longer settlement time than Seven Days after the Quarters expire, and that he Closes the Quarterly Accounts by the 20th of the Month following the Quarter Day, after which time no Public Claims are to be made, or attention paid to them.

It is once more directed that those who have not paid their Debts due to Government Debts do make immediate Payment in Maize or Wheat to the utmost of their ability; otherwise it will be necessary for the Commissary to procure the Payment by means which will not be resorted to without much reluctance.

Such a proportion of slop Clothing as the stores may admit of will be issued to those prisoners who labour for Government, at 2 clothing. O’Clock on Tuesday afternoon, the 15th instant, at the respective settlements.

The former Orders respecting no Slops or Articles issued to those at Public Labour being sold or purchased are to be strictly attended to.

Those who have obtained absolute emancipations, and who leave the Colony, will do well to enquire if the Counterpart of such Pardons has been sent to England, otherwise they may be taken up.
1802.
9 Nov.

Orders re Appointments of King as governor and Atkins as judge-advocate.

Pardons.

Rations.

Distribution of port wine.

Stores for barter.

Import duty.

His Majesty’s Principal Secretary of State for the Colonies has communicated His Majesty’s Commands and Appointment of Captain Philip Gidley King, of the Royal Navy, to be his Governor and Commander-in-Chief of the Territory of New South Wales in the room of the late Governor Hunter; And also that His Majesty had been pleased to confirm the Appointment of Richard Atkins, Esq., to the Office of Judge-Advocate of the Territory; And that His Majesty had been pleased to allow of the Respite left under Sentence of Death and Transportation by Governor Hunter to be pardoned on such Terms as His Excellency may judge proper for the ends of Justice; and on taking into consideration the length of time Isaac Nicholls, William Collins, John William Lancashire, Edward Powell, Simon Freebody, James Metcalf, William Timms, William Butler, and Chapman Morris have been in a state of suspense, and from their general good conduct in that period, His Excellency is pleased to direct a Free Pardon to be made out forthwith for Isaac Nicholls, and Conditional Emancipations for the other persons abovenamed.

13th June, 1802.

The Governor is instructed to direct the Commissary to conform to the following Weekly Proportion as a full Ration for those necessarily provisioned from the public Stores, whenever the state of the Stores will admit thereof, viz.:

- Beef, 7 Pounds, or Pork 4 Pounds;
- Flour or Meal, 8 Pounds, or the addition of a quarter of a pound of Wheat for each pound of Flour if the Wheat cannot be ground.
- Pease or other Pulse, 3 Pounds;
- Sugar, 6 Ounces, in lieu of 6 Ounces of Butter to the Civil and Military establishments.

Five Pipes of Port Wine are received by the Coromandel which the Commissary is directed to distribute in the following proportions to the Commissioned Officers, Civil and Military, at this place and at Norfolk Island.

**SYDNEY.**

- To the Governor ................. 1 pipe.
- Lieut.-Governor .................... 1 hhd.
- Military Officers .................. 1½ pipe.
- Civil Officers ..................... 1 pipe.

**NORFOLK ISLAND.**

- Lieut.-Governor .................... 1 hhd.
- Officers, Civil and Military ........ 1 hhd.

A person to be appointed by Lieut.-Col. Paterson to receive the proportion for the Military Officers, who is to give the Commissary an order on the Paymaster for £42 15s. for each Pipe delivered. The Officers of the Civil Department to give the Commissary their notes-of-hand on delivery of the Wine. A similar quantity being on board the Perseus will be divided in the same proportion.

Half the Investment of Articles of Use for the Inhabitants (to be exchanged for Grain), is arrived in the Coromandel, and the other half is expected in the Perseus, which will be disposed of at the advance of 50 per cent. on the prime cost in exchange, agreeable to the directions of the Secretary of State for the Colonies.

Goods of all kinds brought for sale by individuals, from any Port to the Eastward of the Cape of Good Hope, are to pay a Duty of 5 per Cent. *ad valorem* on the price they were laid in at, which
must be attested before the Governor, exclusive of the Wharfage; and the Duty on Spirits and Wines, Goods of all kinds, except of British manufacture, brought from any part of the World, are to pay a similar Duty. The monies arising from this Fund to be appropriated to the Orphan Establishment of this Colony, which, the Governor is happy to inform the Inhabitants, has received His Majesty's Most Gracious Support and Assurance of Protection.

The Governor has it in Command to prevent and prohibit any person in this Government from paying more than 80 per cent. on the prime cost of all articles.

The Principal Secretary of State for the Colonies having notified Peace with the happy event of a Peace being established between His Britannick Majesty and the French Republick, His Majesty's Proclamation on that behalf is this day made public.

The Issue of Slops, which was to have taken place to-morrow, is deferred till Saturday, the 26th Instant, a Proportion being arrived which will enable the Commissary to make the Serving more complete.

17th June, 1802.

Those who have been allowed to take Prisoners off the Stores, and who are in want of slop clothing, in the proportion of one suit for each Man, are to deliver to the Governor's Secretary a List of their Names, on or before Saturday, the 19th Inst., and to lodge Wheat or Maize in the Store equal to the value of the slops, before the first Friday in July, when slops will be issued to that description of people. The receiving days will be Mondays and Fridays for the Maize or Wheat.

No Officer's Servant, or Prisoner allowed to Superintendents, Overseers, &c, will be allowed to receive slops, unless those to whom they are allotted give their Names in to the Governor's Secretary on or before Thursday, the 25th instant.

No Persons victualled from the Public Stores throughout the Colony (the Civil and Military alone excepted) will be allowed a Ration, unless they draw it personally on the three Saturdays succeeding the Date hereof.

21st June, 1802.

A Court of Criminal Judicature is to be convened on Wednesday morning next, the 23d Instant, at ten o'clock, for the trial of such offenders as may be brought before it. The Court to consist of the Judge-Advocate, and six Officers of the New South Wales Corps.

The General Orders of the 27th and 28th of April, respecting the Naturaliste, are to be observed respecting the Geographe.

23rd June, 1802.

John Redman is appointed to act as Head Constable of Sydney, Civil in the room of Henry Kable.

24th June, 1802.

The following Proportion of Slops will be issued to the Male Prisoners victualled by Government and at public Labour, To-morrow (Friday) and Saturday Afternoons, at 2 o'Clock, at the respective Settlements, viz.:

A Shirt or Frock.
A Jacket.
A Pair of Trowsers or Breeches.
A Hat.
Two Pair of Stockings.
A Pair of Shoes.
The Overseers are to give a List of their Gangs in to the Secretary's Office, at Sydney, and to the Rev. Mr. Marsden, at Parramatta, before 12 o'Clock To-morrow, and to have their Men at the Dry Stores at 2 o'Clock, when they will receive their Proportions.

The Officers' Servants will be served their Proportions on Tuesday next, the 29th inst., at 10 o'Clock.

And those who have Prisoners off the Store, and have delivered Wheat or Maize into the Stores in Payment for the Slops, will receive their Proportions on Friday the 2nd and Saturday the 3rd of July next.

25th June, 1802.

The Commissary is directed to charge those who may be allowed to receive slops for the prisoners assigned to them, £2 4s. 7d. for each suit, or in that proportion, for such articles as the stores may afford, agreeable to the Treasury Directions.

It is to be observed that when any prisoner is sent from one Settlement to another as a punishment by a Magistrate, they will not be removed until the time limited by the Magistrate expires.

As the Magistrates exert themselves in a very laudable manner for the preservation of order and regularity in the different Settlements, it is the Governor's determination not to allow of any deviation from their decisions which he may approve of; Therefore, no applications on that behalf will in future be attended to, as the dissolute and vicious alone will become the objects of those punishments.

John Bowman and Wm. Skinner, settlers at the Hawkesbury, are fined £5 each for harbouring and employing the Convict servants of an Officer, and in disobedience of the Public Orders on that behalf.

28th June.

Lieutenant-Colonel Paterson will direct a Captain to take Post at Parramatta.

It is His Majesty's Pleasure that Mr. Thomas Jamison, Staff-Surgeon of this Territory, shall, on the resignation or death of Mr. Wm. Balmain, succeed to the situation of Surgeon-General of New South Wales, without any reference to the date of his present Commission. Mr. Jamison, being arrived, is to act as Surgeon-General during the absence of Mr. Balmain.

Mr. James Thomson, Staff-Surgeon, is to hold himself in readiness to embark for Norfolk Island as Surgeon to that Settlement.

In consequence of the intercession of the Commandant of the French Expedition of Discoveries, His Excellency has granted a Pardon to Wm. Russell, now under Sentence of Death, conditionally on his being transported to Norfolk Island for life.

1st July, 1802.

As an opportunity (which may not occur for some time) will offer in the course of a month, for relieving Capt. Abbott, and such other officers of the Corps now at Norfolk Island as Lieutenant-Colonel Paterson may judge proper, the Officers he may order for that service are to hold themselves in readiness to embark about that period.
A COURT of Vice-Admiralty will assemble on Monday next, the 9th Instant, at half-past Nine in the Morning, at Sydney, for the Trial of the Master of the Hercules, Transport, for shooting, and causing to be shot, Fourteen Convicts, who, it is alleged, were attempting to take the Ship Hercules under his command.

The Salt Meat purchased from the American,* and that since received, admits of the Full Ration of Salt Meat being issued Tomorrow.

From the increased Numbers in the Colony, and a Number more being expected, a Retrenchment in the present Ration of Grain will be expedient, as soon as the quantity in hand can be ascertained, which may be by next Week. On this occasion the former Advice is repeated, for those who possess Ground to cultivate a Portion of it with Potatoes and Esculent Plants, which will be of great benefit before the ensuing Harvest is got in.

It having been determined by the Magistrates, and accepted by the Bakers, that 3 lbs. of Wheat fully compensated the latter for a Loaf weighing Two Pounds when One Day old, as stated in the Orders of the 8th, 14th, and 19th of May, 1801 †; Notwithstanding this Arrangement the Governor is informed that the Bakers are in the habit of demanding Fourpence per Pound for Bread, which attaches a further Gain of 4s. on a Bushel of Wheat, making in the whole 6s. 7½d. Profit to the Baker on a Bushel of Wheat at 8s. per Bushel. To account for this excessive Charge the Bakers urge the exhorbitant Price they pay for Wheat, viz., from Twelve Shillings to a Guinea per Bushel. That Reason can only hold good respecting what they purchase from Individuals (whose Avarice appears to be greater than their Humanity), but cannot be admitted with respect to the Weekly Quantity of Wheat issued from the Stores.

To prevent those starving Extortions it is hereby ordered that no Person whatever do Buy or Sell Wheat or Maize for more than the Store Price, viz., 8s. per Bushel for the former and 4s. for the latter, except in the Season for Sowing, when an additional Price may be demanded for Seed. And every Baker is strictly forbid charging more than 3d. per Pound for Bread made of Wheat, according to the Ordinance on that Behalf, which allows of 2s. 3d. in a Bushel (exclusive of the Bran) Profit to the Baker. It is to be fully understood that in this, as well as in all other Payments of a similar nature, the Sterling Value of Gold, Silver, and Copper money, or good Bills, is alone considered; but when Articles are given and taken in Exchange the General Order of the 1st of October, 1800,‡ is sufficiently binding. Nor can any Person within this Government refuse taking Copper, or any other Coin described in the Proclamation of Nov. 19, 1800.‡

The Magistrates and Courts of Judicature are hereby directed to decide all Causes and Complaints coming within the Meaning of this Ordinance, according to its Purport, By which it is the Governor’s Intention To place Bread within the Reach of those who need it most.

MR. JAMES THOMSON, Staff-surgeon of Norfolk, having obtained the Governor's permission to return to England by an early opportunity for the recovery of his health and on his private concerns, with one Year's leave from his arrival in England till he re-embarks for this Settlement, Mr. D'Arcy Wentworth, next in seniority, will

* Note 200. † Note 239. ‡ Note 240.
As the number of Gentlemen in the Medical Department in the Colony will not admit of Mr. Thomson's leaving it without finding a person to do his duty, and having engaged Mr. Charles Throsby* for that purpose, that Gentleman is allowed to do Mr. Thomson's duty until his return.

Mr. D. Wentworth will hold himself in readiness to embark for Norfolk Island in about three weeks.

It is to be understood that not less than three Commissioned Staff-Surgeons are to be resident in this Colony and one at Norfolk Island, which Regulation will allow of two being absent on leave.

Mr. D. Wentworth will be recommended for the pay of Staff-Surgeon of Norfolk Island from the day he takes that charge until superceded by Mr. Jamison or Mr. Thomson.

22nd July, 1802.

As the reduced Quantity of Wheat and Maize renders it necessary to go to Two-Thirds of the Full Ration of Grain, the Commissary is directed to Issue the following Ration till further Orders, viz.:

The full Ration of Meat to continue to all Males; Flour 4 lbs. or Wheat 5 lbs., and Maize 2 lbs. and a half, and 3 lbs. of Maize in lieu of Pease; Women and Children in proportion.

To the Civil and Military 6 Ounces of Sugar.

The Commanders and Masters of all Ships needing Supplies of Grain are desired to put their respective Ships' Companies on a reduced Ration similar to the above.

A General Muster of all the Male Prisoners off or on the Stores, Also Free Men of all Descriptions (except those who hold Ground by Grant, Lease, or Renting,) on or off the Stores, will be taken at Hawkesbury, Parramatta, and Sydney, on Thursday, the 5th of August, at 8 o'clock in the Morning.

Those at Sydney and in its Districts are to assemble at the Yard of the Orphan House; Those at Parramatta, George's River, and its Districts, at the Court-house at Parramatta; And those at Hawkesbury and in its Neighbourhood, at the Magistrate's in Command there.

The Women Prisoners, and those who are Free, of all Descriptions, with their Children, whether on or off the Stores, are to be present at the above Places, on Thursday, the 12th of August.

The Settlers of all Descriptions will be Mustered as soon after as possible, Notice of which will be given.

All Persons not appearing at those Musters will be taken up as Vagrants, and punished to the utmost Extent of the Law, if free; and if Prisoners they will be sentenced Twelve Months' confinement in the Gaol-Gang. Attempts to impose false Accounts of any Person, absent or present, will be punished with the utmost Severity.

23rd July, 1802.

His Excellency is pleased to direct that in all Spiritual, Judicial, and Parochial Proceedings, Transactions, Deeds, Instruments, and Registers, that the Districts of Sydney, Petersham, Balanaming, Concord, and Liberty Plains, be comprised with a Parish to be henceforward named "Saint Phillip," in honor of the first Governor of this Territory; and that the Districts of Parramatta, Banks' Town, Prospect Hill, Toongabbie, Seven Hills, Castle Hill, Eastern

* Note 241.
Farms, Field of Mars, Northern Boundaries, Ponds, and Kissing Point, be comprised with a Parish to be henceforward named "St. John's," in honor of the late Governor, Captain John Hunter; and that the Churches now building at Sydney and Parramatta be respectively named Saint Phillip and Saint John.

24th July, 1802.

JOHN MARSH, John Campbell, Samuel Wilcocks, and William Kimber have been punished with 100 lashes each for robbing the French ship Geographe of a quantity of Canvas; for which crime the Gunner and a Soldier belonging to that Ship have been condemned to the chain by the Sentence of a Court-Martial held on board the Geographe.

William Kimber, principal in the above Robbery, exclusive of the above punishment, has forfeited his hut and boat to the public use, in which and by which this robbery has been carried on.

James Hardwick has also received 100 lashes, and is ordered to work in the Gaol Gang for purchasing Gunpowder and Ball, contrary to the Orders on that behalf, and selling the same to the Inhabitants.

As the strictest enquiry is making for a quantity of Gunpowder stolen from the Geographe, all persons who have purchased any since the arrival of that Ship are to inform the nearest Magistrate thereof, on pain of being dealt with as receivers of stolen goods with the aggravation of landing Powder being totally prohibited.

Masters and Officers, &c., of Ships will recollect that landing an ounce of Gunpowder or any Arms without the Governor's written Permit subjects them to the immediate forfeiture of their Bond and Charter-party.

29th July, 1802.

Mr. RICHARD FITZGERALD is directed to act as Inspector and Director of all the Agricultural Settlements belonging to the Crown.

31st July, 1802.

[A copy of this order was also forwarded as Enclosure No. 5 to the general despatch of Governor King, dated 30th October, 1802.]

Parramatta, 1st August, 1802.

The Governor has allowed the Supercargo of the Fanny, American Brigg, to dispose of 2,700 Gallons of Spirits in the following Proportions, viz.:—

To Licensed Persons, 3 Hhds. of New England and 2 Hhcls. of West India Rum.

To Civil Department, 3 Hhds. of New England Rum, 2 Hhds. of West India do. and 1 Pipe of Brandy.

To Military Department, ditto, do. do.

and the remainder to be bonded for the purpose of being disposed of by Permits to whomsoever the Governor may think proper. Not more than 7s. per gallon for the New England Rum, and 15s. for the West India Rum, Brandy, and Geneva (including the Duty) is to be paid.
1802.
9 Nov.

Orders re Muster of settlers.

THE Settlers and other Persons cultivating or occupying Grounds, either by Grant, Lease, Renting, or Permission, will be mustered by the Governor at the following times and places, viz.:

Those in Sydney and its Districts, at Government House, Sydney, on Tuesday morning, the 10th inst., at 8 o'clock.

Those at Parramatta and in its Districts, at Government House there, on Friday morning, the 13th, at 8 o'clock.

Those at Hawkesbury, at Government House there, on Monday morning, the 16th, at 8 o'clock.

Officers, Civil and Military, holding Ground as above are directed to give an account of their farms, stock, &c., according to the Forms left with the Governor's Secretary, the Rev'd Mr. Marsden, and Thomas Arndell, Esqr. Those Forms to be filled up previous to the day of Muster at the respective Settlements where the farms may be placed.

6th August, 1802.

Distribution of port wine.

THE other Five Pipes of Port Wine, arrived by the Perseus, will be distributed in the following proportions to the Civil and Military Officers, viz.

No. 1. To the Governor and Lieut. Governors of the Territory and Norfolk Island, One Pipe.

Nos. II and III. To Civil Officers, two Pipes.

Nos. IV and V. To Military Officers, two Pipes; including both descriptions at Norfolk Island.

A Mistake having been made in the General Orders of the 14th of last June, in calculating the Advance of 50 per Cent, on the Prime Cost of the Wine i.e., £32 10s. the Commissary is directed to demand the sum of £48 15s. for each of the ten Pipes brought by the Perseus and Coromandel.

8th August, 1802.

Prince of Wales' To-morrow being the Anniversary of His Royal Highness the Prince of Wales's Birth Day, the New South Wales Corps will fire three Rounds at Noon in Honour of the Day.

11th August, 1802.

Officials to wait on the governor.

The Judge Advocate, Commissary, Principal Surgeon, and Provost Marshal, are directed to wait on the Governor every Morning at nine o'clock; or in his absence from Sydney, on the Lieutenant Governor, or Officer in Command, for his Orders.

24th August, 1802.

Medical staff.

THAT part of the Order of the 6th of July last relating to Mr. D. Wentworth's going to Norfolk Island as Surgeon is countermanded at his own request, and Mr. Charles Throsby, engaged by Mr. James Thomson to do his Duty as Surgeon of Norfolk Island during his absence, will hold himself in readiness to embark on board the Harrington for that place.

10th September, 1802.

Conviction of Robinson for perjury.

MICHAEL ROBINSON, a Convict for Life and Conditionally Emancipated, acting as Clerk to the Judge-Advocate and Magistrates, having been convicted on the clearest evidence before His Excellency, when sitting as Judge of the Court of Appeals,* of wilful and corrupt Perjury, evidently intended to mislead the Governor's

* Note 242.
KING TO HOBART. 633

1802.
9 Nov.

Orders re Conviction of Robinson for Perjury.

On this occasion the Governor considers it necessary to say he has had frequent occasion to think this infamous practice has been often resorted to in this Colony for the worst of purposes, that of screening guilty persons from the punishment which the Law directs to be inflicted on offenders; and as a caution to those who may be led or advised to commit a crime so destructive to Society and the administration of Justice, he is determined to bring every offender of that description to the most condign punishment which the Law authorises. And as it appeared on the above Appeal that a Gallon of Rum had been most unjustifiably and oppressively demanded as a fee for the delivery of a Bail Bond, the Governor judges it necessary that the Costs attending Civil Actions should be published for the information of every person under his Command, and to require that every other Demand should be resisted, viz.:—

**Fees allowed to the Provost-Marshal on Civil Actions.**

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s.</th>
<th>d.</th>
</tr>
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<tbody>
<tr>
<td>For every Writ or Warrant of Execution above £10, and not exceeding £20</td>
<td>0</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>To the Judge-Advocate's Clerk</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>For every Writ and Warrant of Execution above £20, and not exceeding £50</td>
<td>0</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>To the Judge-Advocate's Clerk</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>For every Writ and Warrant of Execution above £50</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>To the Judge-Advocate's Clerk</td>
<td>0</td>
<td>2</td>
<td>0</td>
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</tbody>
</table>

**On Summons:**

Two-thirds to the Provost-Marshal, and One-third to the Judge-Advocate’s Clerk.

If under 40s., Fourpence; If above 40s. and under £5, Sixpence; and if above £5, Ninepence.

**To Witnesses.**

For Travelling Expenses to Sydney from the Hawkesbury | 0  | 10 | 0  |
Ditto from Sydney to the Hawkesbury | 0  | 10 | 0  |
Allowances per Day while attending the Civil Court | 0  | 2  | 6  |
For Travelling Expenses to Sydney from Parramatta | 0  | 5  | 0  |
Ditto from Sydney to Parramatta | 0  | 5  | 0  |
Allowance per Day while attending the Civil Court | 0  | 2  | 6  |
Ditto at Sydney while attending ditto | 0  | 2  | 6  |

**Court of Appeals before the Governor.**

To the Provost-Marshal, £1 1s.; to the Secretary or Clerk, £1 1s.; to the Doorkeeper, 5s.

No Person will pay Fee or Reward to any Person whatever under Government. except such Fees as the Governor allows his Clerk (who receives no Salary from Government) to demand, a Table of which is hung up in the Secretary’s Office for the Information of those who wish to see them. 21st September.

**The Tap-too will beat at 9 o’clock at night, and the Guard will mount at 8 o’clock in the morning until further Orders.**
24th September.

A COURT of Criminal Judicature to assemble at Sydney on Monday next, the 27th Instant, at 9 o'clock in the Morning, for the trial of such offenders as may be brought before it.

The Rents of Leases and Quit-Rents due from the 28th Sept' r, 1800, to the 28th Sept' r, 1802, are to be paid into the hands of D. D. Mann, at the Secretary's Office, on or before the 28th of October next.

The Grants and Leases not yet delivered are lodged with the said D. D. Mann, at the Secretary's Office, Sydney; the Rev. Mr. Marsden, Parramatta; and T. Arndell, Esq., Hawkesbury, where those to whom they belong will apply and pay the fees previous to their delivery. It is expected that no further Notice on these heads will be necessary, as the Governor has appropriated the above Rents and his Fees on Grants and Leases to the Benefit of the Orphans.

No application to be made for any person going off the Stores until after Harvest.

The Governor has directed the Commissary to exchange One suit of Military Dresses for Two suits of Boys' Cloathing, which he is to dispose of for Grain to those whom the Governor may approve.

27th September, 1802.

The Governor judges it necessary for the present and future Information of this Garrison and the Inhabitants of the Colony, to insert the following Articles from the French Marine Instructions, as far as it respects the Place. His Majesty's Colours were shown on board the French Ships now in this Port on the Anniversary of their New Year, viz.:

"The Flags of Foreign Nations that are intended to be distinguished, are to be hoisted at the starboard Main Yard-arm, and when there is no necessity for that distinction, no other than the French Flag is to be hoisted in that place."

It having been the Constant Practice of the Governor to sign the Initials of his Name to the many Orders and Permits which he has an hourly occasion to give, for the delivery of Articles from His Majesty's Stores, and as it has equally been an allowed and known Practice for the Commissary and Deputy Commissaries at Sydney and Parramatta to sign the Initials of their Names to the Notes for the delivery of the Rations of Grain on issuing days, all such Signatures that are not disavowed on Oath by the Governor, Commissary, and the said Deputy Commissaries are to be accounted as Real Signatures, the Forgery or Falsification of which, as it tends to Defraud and Rob the Public Stores, will be prosecuted as the Law directs, and has amply provided for.

Rowland Hassall, Storekeeper at Parramatta, not having discovered the constant Frauds practised by the Repeated Forgeries of the Deputy Commissary of Parramatta's initials, to obtain Wheat from His Majesty's Stores, is discharged from that Situation, to which a Successor will be appointed.

The Stores at Hawkesbury being full of Maize, and the Government Vessels mostly refitting, no more Maize can be taken into the Store at that place, but any Quantity in Cobb will be received into the Stores at Sydney.

28th September.

A COURT of Criminal Judicature to assemble on Thursday next, the 30th Instant at 10 o'clock in the Forenoon for the trial of such offenders as may be brought before it.
MICH'LI KNOWLAND is appointed Superintendent of Convicts in the room of Rowland Hassall.

The Acting Deputy Commissary at Parramatta is directed in future to serve the Prisoners their Ration of Provisions as soon after Daylight as possible on Saturday Mornings; to the Civil and Detachment on Monday Mornings at 8 o'clock. Those issues to be at the upper Store. A Centinel is to be placed at the upper Store during the time of issue, which a Non-Commissioned Officer will always attend.

The Days for Grain being received into the Stores from individuals at Sydney, Parramatta, and Hawkesbury, are Fridays.

The foregoing are True Copies from the Original General Order Books. PHILIP GIDLEY KING.

GOVERNOR KING TO LORD HOBART.

(Despatch respecting Entries and Clearances, per Surgeon Thomson in the Naturaliste; acknowledged by Lord Hobart, 24th June, 1803.)

Sydney, New South Wales, 9th November, 1802.

My Lord,

By Lieut'n Neil McKellar, of the New South Wales Corps, I had the honour of transmitting, to the address of His Grace the Duke of Portland, the entries and clearances of vessels into and from this port up to the 31st December, 1801. I now transmit the Naval Officer's half-year's report of entries and clearances of vessels into and from this port from the 31st December, 1801, to 30th June, 1802, as well as a report from the latter period up to the 30th September, and continued to the present date.

Respecting the importation of spirits and wines, I beg to refer your Lordship to my general letter of this date.

The spermacceti whale fishery has answered extremely well, and the ships sent out from England have been for the most part successful. It appears a very desirable object to the masters to be enabled to follow the course of the whales, which invariably go a N. or N.E. course. From what enquiries I have made, I find none of them have gone beyond the limits, altho' the temptation has been very great. In my last I had the honour of transmitting a set of queries, with the answers of the masters of the vessels then in this port, which I hope will operate in obtaining them the object of their pursuits, as it is so intimately connected with the welfare of this colony.

The small vessels that catch seals about the islands in Basses Straits and Van Dieman's Land belong to individuals of this place. A quantity of seal skins and oil has been brought by those vessels. The former they sell or barter with masters of ships going to China, but as their value has considerably fallen in China, they get very little for them at present. However, as this is the most considerable among the very few natural productions...
of this country that can be esteemed commercial, and as they will always be received in China, I have, and shall, encourage that pursuit as much as possible to those who may be of industrious and enterprising dispositions among the inhabitants.

On the 9th September a French schooner* arrived in six weeks from the Isle of France, from whence she sailed with an intention of sealing on the Islands of St. Paul and Amsterdam. Missing those islands, it was their intention to have sealed about Llewen's Land, but having received much damage they came here to repair, and asked leave to catch seals in and about Basses Straits. As I could not but regard this visit as a prelude to a number more of the same nation coming here, after allowing him to refit and supply his wants of wood and water, I directed the letter (of which the enclosed is a copy) to be written to him, and I humbly request being furnished with such instructions as may be judged necessary to guide my future conduct on this head, particularly respecting French and American vessels.

Of the natural productions of this country, I am sorry our present discoveries do not extend beyond coals and fustick. Of the former, several vessels going to India have taken a quantity. A brig* has also taken a quantity to the Cape of Good Hope, which I am informed sold for £7 per ton. How far they will be an object of trade to India I am not informed. Samples of fustick have been sent to Sir Joseph Banks, but as it is so cheap in the West Indies I doubt its being of any commercial value.

The introduction of some half-bred Spanish rams among the increasing flocks of individuals, and the consequent improvement of their fleeces, will in the course of a few years produce sufficient wool to cloath the inhabitants. This manufacture, as well as that of flax, is carried on, altho' to no great extent for want of two overseers who are free men and properly qualified to superintend and direct these manufactures.

I have directed a duty of 5 per cent. to be laid on all wares and merchandise brought from any port to the eastward of the Cape, as well as all other goods not of British manufacture, which is to be appropriated to the Orphan Fund. My reasons for this measure are the necessity of encouraging English manufactures in preference to those which come from India, on account of their being more durable and of better quality; and preventing the great intercourse of Americans, whereby the money drawn for the necessary contingent expences passes into the hands of strangers, exclusive of the evils arising from the great quantity of spirits hitherto brought from that quarter.

I have, &c.,

PHILIP GIDLEY KING.

* Note 243.
**Enclosure No. 1.**

**Shipping Return, Inwards.**

*(The appendix to this table is on page 641.)*

A list of Ships and Vessels which have enter'd Inwards in the Harbour of Port Jackson, in His Majesty's Territory of New South Wales, between the 1st day of Jan'y, 1802, and the 30th day of June, following, with the particular quantity and quality of the lading of each vessel.

<table>
<thead>
<tr>
<th>Time of Entry</th>
<th>Vessel's name</th>
<th>Master's name</th>
<th>Built.</th>
<th>Number of Tons.</th>
<th>Where and when Built.</th>
<th>Where and when registered.</th>
<th>Owner's name</th>
<th>General cargo</th>
<th>From whence.</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Venus</td>
<td>B. Gardner.</td>
<td></td>
<td>295</td>
<td>County of Dorset</td>
<td>Endery &amp; Co.</td>
<td>See Appendix D</td>
<td>See Appendix E</td>
<td>Providence.</td>
</tr>
<tr>
<td>12</td>
<td>Britannia</td>
<td>Rt. Turnbull</td>
<td></td>
<td>265</td>
<td>Providence</td>
<td>Brown &amp; Co.</td>
<td>See Appendix C</td>
<td>See Appendix E</td>
<td>Seattle.</td>
</tr>
<tr>
<td>1 June</td>
<td>Harrington</td>
<td>Wm. Campbell.</td>
<td></td>
<td>100</td>
<td>Calcutta</td>
<td>Calcutta</td>
<td>Chace &amp; Co.</td>
<td>See Appendix F</td>
<td>Sealing.</td>
</tr>
<tr>
<td>26</td>
<td>General Boyd.</td>
<td>— Bunker</td>
<td>Foreign</td>
<td>382</td>
<td>America</td>
<td>Watson &amp; Co.</td>
<td>See Appendix I</td>
<td>See Appendix J</td>
<td></td>
</tr>
</tbody>
</table>

KING TO HOBART.
**SHIPPING RETURNS.**

*The appendix to this table is on page 641.*

A list of ships and vessels which have entered inwards in the harbour of Port Jackson, in his Majesty's territory of New South Wales, between the 1st day of July, 1802, and the 31st day of December following, with the particular quantity and quality of the lading of each vessel.

<table>
<thead>
<tr>
<th>Time of Entry</th>
<th>Vessel's Name</th>
<th>Master's Name</th>
<th>Built.</th>
<th>Number of Tons.</th>
<th>Where and when built.</th>
<th>Where and when registered.</th>
<th>Owner's Name.</th>
<th>General Cargo.</th>
<th>From whence.</th>
<th>Where and when bond given.</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 ,, ...</td>
<td>Fanny (brig)</td>
<td>E. Smith</td>
<td>Foreign</td>
<td>185</td>
<td>Newbury, America.</td>
<td>Portsmouth, America.</td>
<td>Harris and Smith.</td>
<td>See Appendix F</td>
<td>Boston</td>
<td></td>
</tr>
<tr>
<td>11 ,, ...</td>
<td>Harriet</td>
<td>Sam'l Chace</td>
<td>Foreign</td>
<td>227</td>
<td>Prize</td>
<td>,,</td>
<td>Messers. Mathers.</td>
<td>840 barrels oil</td>
<td>Whaling</td>
<td></td>
</tr>
<tr>
<td>9 Sept....</td>
<td>Surprise</td>
<td>Alex'r Le Corre</td>
<td></td>
<td>90</td>
<td>Isle of France</td>
<td></td>
<td>See Appendix H</td>
<td>Isle of France</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16 Oct. ...</td>
<td>Alexander</td>
<td>Js. Norman</td>
<td></td>
<td>278</td>
<td>Quebec</td>
<td>London</td>
<td>Jno. Locke</td>
<td>See Appendix I</td>
<td>London</td>
<td></td>
</tr>
<tr>
<td>16 ,, ...</td>
<td>Buffalo</td>
<td>Wm. Kent</td>
<td></td>
<td>278</td>
<td>Quebec</td>
<td>London</td>
<td>H. M. S.</td>
<td>Stores</td>
<td>,,</td>
<td></td>
</tr>
<tr>
<td>30 ,, ...</td>
<td>Atlas</td>
<td>Thos. Musgrave</td>
<td>Foreign</td>
<td>543</td>
<td>Quebec</td>
<td>London</td>
<td>Beatson &amp; Co.</td>
<td>See Appendix J</td>
<td>Ireland</td>
<td></td>
</tr>
</tbody>
</table>
**Shipping Return, Outwards.**

A List of Ships and Vessels which have clear'd Outwards from the Harbour of Port Jackson in His Majesty's Colony of New South Wales, between the 1st day of Jan'y, 1802, and the 30th day of June following, with the particular quantity and quality of the lading of each vessel.

<table>
<thead>
<tr>
<th>Time of clearing</th>
<th>Ship's name</th>
<th>Master's name</th>
<th>Built.</th>
<th>Tons</th>
<th>Guns.</th>
<th>Where and when built</th>
<th>Where and when registered</th>
<th>Owner's name</th>
<th>General cargo</th>
<th>Whither bound</th>
<th>Where and when bond given</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nile</td>
<td>Jn. Sunter</td>
<td></td>
<td>322</td>
<td>10</td>
<td>30</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Minorca</td>
<td>Jno. Leith</td>
<td></td>
<td>407</td>
<td>10</td>
<td>36</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Fly</td>
<td>- Turner</td>
<td>Foreign</td>
<td>200</td>
<td>24</td>
<td>107</td>
<td>Bombay</td>
<td>Bombay</td>
<td>Hon'ble E. I.</td>
<td>Cruiser</td>
<td>Bombay</td>
</tr>
<tr>
<td>20 Mch</td>
<td>Snow - Harrington</td>
<td>Wm. Campbell</td>
<td></td>
<td>100</td>
<td>6</td>
<td>39</td>
<td>Calcutta</td>
<td>Calcutta</td>
<td>Swain &amp; Co.</td>
<td>Ballast</td>
<td>Sealing</td>
</tr>
<tr>
<td>1 May</td>
<td>Nautilus</td>
<td>R. Simpson</td>
<td></td>
<td>60</td>
<td>14</td>
<td>19</td>
<td>Calcutta</td>
<td>Fort William</td>
<td>Rt. Berry</td>
<td>&quot;</td>
<td>Eastw'd</td>
</tr>
<tr>
<td>18</td>
<td>Naturaliste</td>
<td>E. Hamelin</td>
<td></td>
<td>350</td>
<td>8</td>
<td>100</td>
<td>France</td>
<td>France</td>
<td>Republik</td>
<td>On discoveries</td>
<td></td>
</tr>
<tr>
<td>5 June</td>
<td>Brig Margaret</td>
<td>Jno. Buyers</td>
<td>British</td>
<td>121</td>
<td>10</td>
<td>28</td>
<td>Nov., 1797</td>
<td>London</td>
<td>Turnbull &amp; Co.</td>
<td>Ballast</td>
<td>Sealing</td>
</tr>
<tr>
<td>12</td>
<td>Britannia</td>
<td>R. Turnbull</td>
<td></td>
<td>301</td>
<td>6</td>
<td>24</td>
<td>C. of Dorset, 1783</td>
<td>London, 1787</td>
<td>Enderbys</td>
<td>1,300 barrels, do.</td>
<td></td>
</tr>
</tbody>
</table>
**SHIPPING RETURN.**

A List of Ships and Vessels which have clear'd Outwards from the Harbour of Port Jackson in His Majesty's Territory of New South Wales, between the 1st day of July, 1802, and the 31st day of Dec'r following, with the particular quantity and quality of the lading of each Vessel.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Investigator</td>
<td>M. Flinders</td>
<td>''</td>
<td>20</td>
<td>83</td>
<td></td>
<td></td>
<td>H. M. Ship</td>
<td>Messrs. Enderby</td>
<td>1,000 barrels oil Whaling.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>General Boyd</td>
<td>Owen Bunker</td>
<td>Foreign</td>
<td>302</td>
<td>4</td>
<td>24</td>
<td>America</td>
<td></td>
<td>Watson &amp; Co.</td>
<td>50 ton</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Hercules</td>
<td>Luckyn Betts</td>
<td>British</td>
<td>395</td>
<td>10</td>
<td>35</td>
<td>Newcastle</td>
<td></td>
<td>Sim. Semple</td>
<td>Ballast</td>
<td></td>
</tr>
<tr>
<td>4 Oct'r</td>
<td>Schooner Surprise</td>
<td>Alexr. Le Coq</td>
<td>''</td>
<td>90</td>
<td>12</td>
<td></td>
<td></td>
<td>Isle of France</td>
<td>Ballast</td>
<td></td>
<td>Sealing.</td>
</tr>
<tr>
<td>8</td>
<td>Harrington</td>
<td>Wm. Campbell</td>
<td>''</td>
<td>180</td>
<td>6</td>
<td>40</td>
<td>Calcutta</td>
<td>Calcutta</td>
<td>Chace &amp; Co.</td>
<td></td>
<td>Coast Peru.</td>
</tr>
</tbody>
</table>
APPENDIX TO SHIPPING INWARDS.

January to June.

A.—General Cargo of the Brig Margaret. 40 bales Cloths. 1 invoice Trunk threads. 1 Do. Sundries. 8 boxes Nails. 1 bale Fans. 24 pack'ges Tortoise Shells.

B.—General Cargo of the Ship Speedy. 170 Tons Sperm Oil.

C.—General Cargo of the Ship Venus. 550 Barrels Sperm Oil.

D.—General Cargo of the Ship Britannia. 1,300 Barrels Sperm Oil.


F.—General Cargo of the Ship Harrington. 500 Galls. Elephants Oil. 5,200 Seal Skins.

G.—General Cargo of the Ship Coromandel. 5 Casks Shot. 4 trunks. 2 Casos Callo's and Dimities. 3 Bags Corks. 2 Cases Shoes. 1 Case Telescopes. 1 Case 8 Boxes Medicines. 1 Case Cotton and Worst'd Hose. 1 Chest Tea. 1 Box Surgeons Instruments. 2 Cases Linnens.

H.—General Cargo of the Ship Greenwich. 1,000 Barrels Sperm Oil.

I.—General Cargo of the Ship General Boyd. 5 Tons Sperm Oil.

J.—General Cargo of the Ship Hercules. 10 Casks Glass Ware. 1 Do. Earthen Do. 1 trunk Haberdashery. 1 trunk Cottons.

APPENDIX TO SHIPPING INWARDS.

July to December.

E.—General Cargo of the Ship Atlas. 1 Bale Cloth. 1 trunk Thread. 2 Casks Leather. 2 Cases Sadlery. 1 Do. Whips. 4 trunks Stationary. 2 Cases Copper. 3 trunks Shoes. 30 Boxes tin plate. 1 Box Brushes. 1 Case Guns. 9 Cases Hardware. 1 Case Pistons.

F.—General Cargo of the American Brig Fanny. 52 Hhd. Rum. 18 Do. Molasses. 225 Barrels Beef and Pork. 9 Pipes M. Wine. 3 Cases Hatts. 1 Do. Hosiery. 50 Boxes Chocolate. 60 Cases Noyan. 5 trunk Shoes. 16 Boxes Brown Sugar. 4 Boxes Slops.
1802.
9 Nov.

Invoices of cargoes of ships.

1 Case Hatts. 3 Bags Snuff. 1 Box Salt Fish. 1 Do. Glass Ware.
49 bags Shot. 50 Barrels Tar. 40 Do. Flour. 60 Boxes Candles.
4 packag's Duck. 70 Boxes Soap. 2 Hhd's 31 Kegs and 10 double
Do. Butter. 44 Boxes China. 11 Chests and 4 Boxes Tea. 2 Bales
Cotton Cloths. 1,970 Feet Oars. 10 Crates Ware. 3 Boxes Glass
Do. 74 Boxes Cheese. 2 dozn. Cases razors. 8 Barrels Rum,
2 pipes Brandy. 2¼ Barrels Rum. 150 Cases Gin. 20 Casks Pt.
Wine. 2 Barrels Gin. 2 Barrels Brandy. 6 Patent Logs. 1 Chest
Slops. 13 Hds. 31 Barrels 57 Kegs Negro head Tobacco.

G.—General Cargo of the Ship Perseus. 3 trunks Cotton. 2
Chests Slops. 15 Kegs Lead. 5 Barrels Pitch. 5 Do. Tar. 2 Boxes
Arrow Root. 1 Chest Tea. 4 Casks Shot. parcel ribb'n. 4 bags
Corks. 1 trunk Stockings. 2 Boxes Hatts. 4 Casks Butter. 240
Gall. Rum. 200 Do. Wine. 300 lbs. Coffee. 400 Do. Sugar. 6 Kgs
Tripe. 30 Hd. Horned Cattle 4 Sheep 3 Goats. 20 Casks Beef and
Pork. 1 Box Spy Glasses.

H.—General Cargo of the Schooner Surprise. 12 Barrels Naval
Stores. 10 Boxes Soap. 12 Chests Tea. 8 Ton Salt. 20 Cwt. Rice.
4 Casks Wine. 3 Do. Rum. 30 Musketts.

I.—General Cargo of the Ship Alexander. 3 trunks. 1 Box. 1
Bale Haberdash'y. 4 trunks Shoes and B. 7 Casks. 2 Bags. 10
Jugs. 8 Barrels of Ship Chandlery. 4 Boxes Toys. 6 trunks.
4 Bales Woollen drap'y. 1 trunk Gloves. 1 Case perfum'ry. 2 Do.
Mustard. 5 Do. and 2 Casks Oils and Stores. 27 bags Sugar.
16 Cases Cheese. 24 Hams. 3 trunks Hoisery. 13 Cases. 1 Hhd.
1 Cask Glass Ware. 8 Cases Stationary. 12 Firkins Butter. 11
Cases Hatts. 5 rolls Tobacco. 3 Cases. 1 Chest. 2 Bundles
Cutlery etc. 400 Gall. Wine. 78 dozn. Porter. 1 trunk jewellery.
1 Do. Millinery.

J.—General Cargo of the Ship Atlas. Large Assortment Tin and
plated Ware. Japan Do. Do. Brushes Combs Wts. and Scales etc.
Looking Glasses. Tobacco. Musical Instruments. quantity Glass
Stationary, and Haberd'y. Cutlery. Paints. Soap. 5 Mills Grind,
and etc. Corn Shoes and Boots. Shalls and Muslins. Wooden
Dainties and Irishes Cross Cut Saws. Smiths Anvils and Bellows.
Sodder and Glue. 4 Cases Stafford Ware. Quantity ribbons. 188
2 Cases Sugar. 36 Doz. M. Wine 1 Punch 1 Hhd. Rum. 1 Do.
Wiskey. Sugar and Coffee.

[Enclosure No. 2.]

JOHN HARRIS TO COMMANDER LE CORRE.

Sir,

Sydney, New South Wales, 20th September, 1802.

His Excellency the Governor, in consequence of your letter
of the 10th instant, and the report of survey taken on the
defects of your vessel, allowed her to enter the Cove, and every
assistance given towards repairing those defects, and to sell such
of the articles, stated in the manifest, as may be necessary to pay
for the same. He directs me to inform you that, observing by
your clearance from the Isle of France you are bound on a sealing
voyage on the coast of New Holland, and from thence to China,
he feels it his indispensible duty to inform you that as he has no
OFFICIAL INSTRUCTIONS RESPECTING FOREIGNERS FISHING OR SEALING ON THE COASTS AND ISLANDS OF HIS BRITANNIC MAJESTY'S TERRITORY OF NEW SOUTH WALES (THE LIMITS OF WHICH ARE DESIGNED AS PER MARGIN*), HE DOES NOT CONSIDER HIMSELF AUTHORIZED TO GRANT ANY GENERAL PERMISSION UNTIL HE HAS RECEIVED INSTRUCTIONS ON THAT HEAD FROM HIS MAJESTY; BUT, AS IT APPEARS THAT YOUR VESSEL HAS BEEN FITTED OUT ON A SPECULATIVE VOYAGE, THE FAILURE OF WHICH BY ANY INTERDICTION OF HIS MIGHT INJURE THOSE CONCERNED IN YOUR VESSEL INDIVIDUALLY; AND, UNDER THE CIRCUMSTANCES IN WHICH YOU CAME HERE, HE DOES NOT WITHHOLD HIS PERMISSION FOR YOUR VESSEL SEALING ON THE COASTS OF THIS COUNTRY, WHICH IS TO BE CLEARLY UNDERSTOOD AS CONFINED TO YOUR VESSEL ALONE AND NOT AS A GENERAL PERMISSION, UNTIL THE GOVERNOR RECEIVES INSTRUCTIONS, WHICH HE WILL SOLICIT BY THE FIRST OPPORTUNITY. IN THE MEANTIME, IT IS NECESSARY TO ADVISE YOU THAT HE HAS GIVEN AN EXCLUSIVE PRIVILEDGE TO SOME INHABITANTS OF THIS COLONY TO SEAL ON CAPE BARREN AND THE ISLANDS ADJACENT THEREUNTO; AND THAT HE HAS GIVEN OTHER ENGLISH VESSELS AND COMPANIES PERMISSION TO SEAL ON KING'S ISLAND, AT THE WEST ENTRANCE OF BASSES STRAITS, WHICH WILL NECESSARILY PRECLUDE YOUR UNDERTAKING TO CATCH SEALS ON THOSE PLACES.

I AM, &c.,

JOHN HARRIS, NAVAL OFFICER.

GOVERNOR KING TO LORD HOBART.

(S Despatch marked "Superintendents and Storekeepers, No. 1," per Surgeon Thomson in the Naturaliste; acknowledged by Lord Hobart, 24th June, 1803.)

SYDNEY, NEW SOUTH WALES,

9TH NOVEMBER, 1802.

WITH THIS I HAVE THE HONOR TO ENCLOSE A RETURN OF THE SUPERINTENDENTS AND STOREKEEPERS, ALSO AN ACCOUNT OF THOSE WHO HAVE BEEN DISCHARGED, WITH THE APPOINTMENTS IN THEIR STEAD, TOGETHER WITH A RETURN OF THE OFFICERS PRESENT AND ABSENT ON THE CIVIL ESTABLISHMENT,† AND A LIST OF SUCH OFFICERS AS DO EXTRA DUTIES AND RECEIVE NO SALARIES.

IN MY FORMER DESPATCHES I HAVE POINTED OUT THE GREAT INCONVENIENCE FELT BY GOVERNMENT IN THE GROUNDS ABOUT TOONGABBEE, WHICH GOVERNOR PHILLIP ORIGINALLY INTENDED AS A PUBLIC AGRICULTURAL SETTLEMENT, BEING GRANTED AWAY TO INDIVIDUALS, AND THE NECESSITY I WAS UNDER TO MAKE A NEW SETTLEMENT, WHERE UPWARDS OF 100 ACRES ARE CLEARED AND CROPPED, AND SEVERAL USEFUL BUILDINGS ERECTED; AND HAVING NEAR 300 ACRES IN CULTIVATION‡ ON ACCOUNT OF THE CROWN AT HAWKESBURY, UNTIL MORE GROUND IS CLEARED AT THE NEW SETTLEMENT, THERE IS AN ABSOLUTE NECESSITY FOR A PERSON VERSED IN CULTIVATION TO HAVE THE GENERAL INSPECTION AND SUPERINTENDANCE OF THOSE DIVIDED PUBLIC FARMS AT TOONGABBEE, HAWKESBURY, AND

* The margin is blank. † Note 244. ‡ Marginal note.—171 in wheat, 120 in maize.
Castle Hill, where so great a proportion of Government servants are employed. For that purpose I fixed on a person who has conducted the settlement at Toongabbee for eleven years past, agreeable to the enclosed order, which I hope will meet your Lordship's approbation, as it will make the publick labor much more productive.

From the distance of those settlements from each other, it has also been necessary to appoint a steady, careful man, as an extra superintendent over the settlement at Castle Hill, whose salary as well as that of another extra superintendent to inspect and construct public buildings, I have directed the Commissary to pay as stated in the enclosed order. These are additional expences I should not have put the public to, but for the great utility I am certain they will be of in directing the public labor to advantage and consequent saving to the Crown.

In my several letters I have detailed the good state and the great care taken of the public stock by the superintendent, from whose attention and abilities the Crown has received considerable advantage. His charge and the great value of it to the Crown daily increasing, I took upon myself to make an increase of £50 per annum to his salary as superintendent, as stated in the enclosed order. I did hope for this necessary addition to his salary (he having a large family) being aproved of, but as yet I have had no information on that subject. Should this application remain still unanswered, I hope when your Lordship reflects on the great service this person has been of and is to the public, that my further request of being authorized to give him £150 a year may not be deemed premature, as I cannot expect him to continue his exertions without some adequate recompence for the whole of his time which he gives up to this important trust, and discharges it very much to my satisfaction and the public advantage.

I have, &c,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

RETURN of Superintendants of Convicts Storekeepers etc. Employed in New South Wales, October 10th, 1802.

[This return is similar to that forwarded as the first part of Enclosure No. 5 to the despatch marked No. 7, and dated 21st May, 1802, from Governor King to the Duke of Portland, subject to the omission of all officers at Norfolk Island and the following alterations and additions.]

William Baker.—Storekeeper at Hawkesbury.
William Sutton.—Ditto at Parramatta and Acting Deputy Commissary in the Room of Mr. James Williamson.
Richd. Fitzgerald.—Superintendent of Agriculture at Toon Gabbee and appointed Inspector of all Government’s Agricultural Concerns at Toon Gabbee Hawkesbury and Castle Hill Vide Separate Letter now sent.

Jno. Jamieson.—Has the Care and Superintendance of the whole of Government’s Stock of Cattle Horses and Sheep from Sepr. 28th, 1800. Vide Separate Letter on the Head now sent.

The dates of appointment were omitted from:

- Rowd. Hassall
- Martin Mason
- Peter Hodges
- John Whitter

ACCOUNT of former Superintendants and Storekeepers Discharged since the 27th September 1800 in New South Wales.

[This return is similar to that forwarded as the second part of the said Enclosure No. 5, subject to the omission of the officers on the staff at Norfolk Island and the following alterations.]

Andrew Hume.—The appointment of his successor is not noted.

Willm. Broughton.—The appointment as Actg. Dy. Commissary is not noted.

Jas. Luckey vice Jas. Puckley.

[Enclosure No. 2.]

RETURN of Officers on the Civil Establishment of His Majesty’s Colony of New South Wales absent on leave in England with a reference to the places where they may probably be heard of, Sept. 30th 1802.


Chas. Haddock, Chaplain, Norfolk Island.—Has never appeared in the Colony.

Jas. Thomson, Staff Surgeon.—Goes in the Naturaliste with Governor King’s leave for Twelve Months after his arrival.

[The return of civil officers present at their respective duties was also transmitted but is not available.]

[Enclosure No. 3.]

ORDER re SALARY of PRINCIPAL SUPERINTENDENT.

By etc. etc.

WHEREAS from the increase of Convicts sent to this Colony, And it having been necessary to Commence another Agricultural
Settlement at Castle Hill for the employment of the Convicts at Public Labour; And as Government has been prevented from having its Cultivated Grounds Connected, by Reason of the Grants that have been made about Toongabbee; And as the Public Benefit requires that there should be a Principal Superintendent to inspect into the Public Cultivation carried on at the Different Settlements,—I have judged it proper to appoint Mr. Richard Fitzgerald, Superintendent to that Trust, to whom you will pay an Additional £50 per Annum out of such Monies or Stores as you may have in your Charge belonging to the Crown, including the same in your Accounts with The Lords Commissioners of His Majesty's Treasury, Accompanied with its proper Vouchers. And there being an equal necessity for having an Additional Superintendent to reside at Castle Hill, And another additional Superintendent to Superintend and Construct Public Buildings, You are hereby required and directed to pay each of the above Two additional Superintendents £50 per Annum, Commencing from the 31st of last March, from the Fund pointed out by my Order of the 10th instant.

For which this shall be your Order.

Given etc. August 11th, 1802.

John Palmer Esq., Commissary.

PHILIP GIDLEY KING.

GOVERNOR KING TO LORD HOBART.

(S Despatch endorsed "Military No. 1," per Surgeon Thomson in the Naturaliste; acknowledged by Lord Hobart, 24th June, 1803.)

Sydney, New South Wales,

My Lord,

9th November, 1802.

In referring your Lordship to my Military Letter No. 4,* and its Documents, to the Duke of Portland, I sensibly feel the trouble that will be occasioned by being once more compelled to make those representations which neither my situation nor the Subject can allow me to conceal or repress.

In the above Letter it fell to my Lot to detail the measures rendered necessary by the Conduct of Capt'n McArthur of the New South Wales Corps—Lieut.-Col. Paterson's secession from the decided Opposition, and Public Insults I met with on the part of several Officers of the Corps; His Duel with Capt'n McArthur; The latter's refusing to come out of the Arrest he was placed in, until the event of the Wound Col'l Paterson received was decided, or giving any security for keeping the Peace, which imposed on me the necessity of sending the former to England. Also the necessity Col'l Paterson was under of Trying Ensign

* Marginal note.—Dated Mar. 1st, 1802.
Bayly by a General Court-Martial for disobedience of his Orders; My having Tried the same Officer for having disobeyed my General Orders, and Capt'n. Piper for the Charges preferred against him by me,—As I was the prosecutor, the Proceedings and Sentence of the Two latter Courts-Martial were referred to His Majesty's decision.

I hoped the impression of these events on Col. Paterson would have ensured the good understanding they procured, which I am sorry to say has been interrupted by recent circumstances, previous to detailing which I must inform your Lordship what I believe is no secret, either in the Department your Lordship has succeeded to, or to His Royal Highness the Commander-in-Chief, namely, that several Officers, Civil and Military, had made Fortunes by the infamous Traffic in Spirits, which was so long carried on in defiance of every honorable consideration that ought to attach to those who hold their Sovereign's Commission. Repeated information of these enormities, and the heavy Sums drawn, occasioned a representation being made to His Royal Highness the Commander-in-Chief (by your Lordship's Predecessor), who ordered Colonel Paterson (then in England) to rejoin the Corps.* I was soon after dispatched in a Whaler on the most unpopular Errand—To Supersede the then Governor, Put a Stop to Officers Trading and dealing in Spirituous Liquors, Destroy the oppressive Monopolies that had so long existed, and to make a total reform in the expensive and dishonorable plans which had prevailed so long. To possess your Lordship of what I had to contend with, I have enclosed a copy of that part of your predecessor's letter on that head to the Governor I was to supersede, and which was to guide my conduct, to which I request your Lordship's reference in this place.

On arriving I found the same practices prevailing, and as soon as decency towards the late Governor admitted I took the measure stated in the Enclosure to inform the Officers of the Instructions I was to conform to, which I presume will be considered the most delicate mode I could have adopted. Added to this, the General Orders, as p'r margin,† will assure your Lordship that my exertions were as strenuous and firm as ill calculated to gain popularity among the different descriptions of those I had to Command, where the Interest of one part was so closely attacked, and the propensity of the other Classes to obtain Spirits at any rate prevailed to so great a degree as to require the most decided but cautious Conduct to carry my Instructions into effect.

My returns have informed your Lordship of my sending a great quantity of Spirits away and that the purchase of what I permitted to be landed was easy to the Individual, profitable to

*Marginal note.—Nov. 13th, 1799.  † The margin is blank.
the Community, and the quantity to each person small, but sufficient for their domestic use. This did not satisfy the Monopolizers; their Market was spoiled. The Settlers, &c., were not allowed to Mortgage their growing Crops, and, to compleat the disappointment of those Vultures who enriched themselves at the Expence and Existance of their fellow-creatures, Government wisely adopted the measure of supplying the Inhabitants (at 50 p'r Cent. advance) with such necessaries as they could not purchase from the Monopolizers for less than 1,000 p'r Cent. on the prime Cost.

These Regulations, together with the stop that has been put to Vessels bringing spirits from India, the little encouragement given to Americans, and the Restrictions pointed out in the Port Orders, has nearly, if not quite, done away the importation of that destructive Article from all Quarters. However, from the time of the above Regulations and many others taking place (which commenced with my taking the Command) began the partial discontent, Secret opposition, and difficulties thrown in my way; All which I certainly expected. They are too Numerous and Contemptable to wound your Lordship’s Ears with their detail; But as they have occasioned the Contents of the Book of General Orders* that accompanies this letter, And a reference had to the index will be a faint Sketch of what I have had to contend with.

In this place I respectfully request your Lordship’s reference to my General Letter† now sent, and the Enclosures to the Transport Board for the Inhuman treatment on the Voyage of the Irish Convicts who came by the Atlas; The quantity of Spirits and bulky private Trade, the Master had on board having greatly contributed to the Mortality that prevailed in that Ship I forbade any of the Spirits being landed—For what has followed I humbly request your Lordship’s candid perusal and consideration of the enclosed Correspondence and my further remarks thereon.

On receiving the French Commodore’s Letter No. 1, Lieut.-Col’l Paterson being then at Parramatta, I communicated the Circumstances to him as contained in the Letters Nos. 1 and 2, and hoped he would have seen Capt. Kemp’s conduct in such a point of View as to require his making an Apology to the French Officers and Myself, without convening and consulting the Officers of the Corps, the Mischief of which had been but too visible on former occasions. I was sorry to find by his Letter No. 3 that he had called a Meeting of the Officers of the Corps, and requested me to Order a meeting of the Civil and Military Officers for the purpose of satisfying me of the zeal he has had to support me in the Government etc.

* Note 185.  † Marginal note.—No. 1, Dated 30th October, 1802, Par. 7 and 8.
Former Examples now convinced me that all hopes of this business being settled by the Commanding Officer of the Corps himself, was at an end; And knowing what was to be expected from former meetings of that kind, where several Officers of the Corps were inimical to the Colonel as well as myself, I sent Adjt. Minchin the Note No. 5 to which I received the answer No. 6 and soon after Colonel Paterson’s Letter No. 7 enclosing an Apology No. 8 which the Officers of the Corps required Captn. Kemp to make the French Officers; whose Answer is contained in No. 24—which I presume is sufficient proof of the Idea the Officers of the Corps and the French Officers had of Captn. Kemp’s improper Conduct towards the latter, who had every claim to Hospitality and undeserving insult. Thus the Explanation and reparation required by the Commodore and the French Officers ended—The paper No. 9 signed by the Officers of the Corps, containing a Mutilated Extract of my Letter to Col. Paterson of the 4th October, by introducing the word “Complaint” as stated in my Letter, No. 14,* joined to Adjt. Minchin’s declaration on his Honor in No. 10 which totally contradicts the express sense conveyed by his words in his note No. 6 in answer to mine of No. 5 appeared so much calculated to throw doubt on what he had advanced to be true, as contained in the four first Paragraphs of my Letter No. 2 to Col. Paterson that I found it necessary to write Col. Paterson the Letter No. 11 which with the Depositions taken in consequence thereof and my Letter No. 14 I hoped would enable him to judge of himself and for himself, as stated in the 8th 9th and 10th Paragraphs of my Letter No. 14—How far these substantiated Proofs may operate on your Lordship’s mind I shall not presume to anticipate, as it appears Col. Paterson by his Answer No. 16 instead of using his own Opinion, refers it to a General Court-Martial to determine which of the Two Officers had Acted with Candor or otherwise.—Col. Paterson having in No. 16 repeated his request of a meeting being convened of the Officers Civil and Military for their Testimony etc. I declined that measure for this reason: That had I consented my presence must have been necessary—To have stated (whatever that Testimony might have been respecting the support Col. Paterson has given me etc.) His and the other Officers of the Corps’s decided Opposition to my endeavours to do justice in the case of Lt. Marshall, which is now before your Lordship and brought on my being treated with Public Insult by those Officers ’till Col. Paterson found it necessary to act for himself, but not ’till he had been prevailed on to sign a Public Letter insinuating Complaint against me, addressed to His Royal Highness the Duke of York’s Secretary, and a private Letter to our

* Marginal note.—Par. 6.
mutual Friend Sir Jos. Banks, both endeavouring to traduce my Public Character unknown to me 'till they were sent away—The artfull manner in which these dark attacks were communicated to me, (by those Col. Paterson had consulted in writing both) and his quitting the Combination entered into against me, which drew on him the Duel with Capt'n. McArthur of the Corps must have become Subjects of consideration and animadversion had I allowed of such Meeting as he requested, and in which I must have stated, these and other Circumstances in contradiction of his assertions in giving me every assistance etc. Delicacy to the situation he holds prevented my allowing any such Meetings, having from Experience and recent proof known the evil tendency of them—But in stating these my reasons for declining his request; I feel it an indispensable justice to say, that in my Testimony in occasional absences on the Public Service from Sydney that I have generally found every thing well managed under Lt-Governor Paterson's directions assisted by Mr. Harris as I have hitherto been, and I am well convinced and warranted in asserting that whenever Col. Paterson Acts from his own Sentiments he does what is justly right and strictly Honorable.

Soon after taking the Command I found it necessary to seek the assistance of an Officer to manage the Police of this Settlement as a Magistrate under my direction, and that of the Lt-Govrs. in my absence—Mr. Harris Surgeon of the New South Wales Corps, who had ever maintained the most respectable Character as a Gentleman, joined to an unwearied Activity and intelligence, was anxious to give that unpopular and unrewarded assistance—Col. Paterson highly approved the Choice I had made and gave his hearty consent to it.—On the Naval Officer's situation becoming vacant Mr. Harris succeeded to that Office and collector of the assessments, which has enabled me to carry on several useful and extensive Public Works at no Expense to the Crown he was also an Active Member of the Jail and Orphan Committees and was in every respect a valuable assistant to me, and to the Lt.-Govr. in my absence from Head Quarters, where Mr. Harris's duty requires his attendance as Surgeon of the Corps. The Naval Officer's duty, (which may in this Settlement be more properly termed Captn. of the Port) consists in giving Masters of Ships the Port Orders; Receiving their Bonds; and enforcing the Orders relating to Shipping, all this he did, much to mine and Lt.-Govr. Paterson's satisfaction, and To the evident Public benefit and conspicuous General Good of His Majesty's Service without neglecting an Hours duty as Surgeon of the Corps.
Ens'n Barrallier of the New South Wales Corps, being a good Navigator, Surveyor and Engineer, with Col. Paterson’s entire approbation and permission went in the Lady Nelson to Basses Straits, a part of which and Western Port he very accurately Surveyed and brought several objects of Natural History from thence, which have been transmitted to the President of the Royal Society—He went with Col. Paterson to Survey and explore Hunter’s River and afterwards acted as Engineer and Artillery Officer having charge of the inspection and direction of the Military defences, Batteries, and Cannon in this Settlement, with Col. Paterson’s previous approbation—Since then he has made One journey into the Mountains and is the Officer I have mentioned in my General Letter sent with this*—The different things he has collected have been sent to Sir Joseph Banks, and his Charts to your Lordship as well as the Admiralty.

I have stated the public Services these Officers have been of, and the assistance I have received from them, to possess your Lordship how sensibly I felt Lt.-Col. Paterson’s remarks, contained in the Documents as p’r Margin,† which I could not but consider as withdrawing Ens’n Barrallier and Surgeon Harris, from the Offices they had so usefully performed; nor did I see any other mode of preventing the Secret representation that Experience told me would be made and my future Humiliations than by dispensing with every assistance, that interfered with the Military duty of the Corps, excepting the Choice of an Aid-du-Camp an Orderly Serjeant at Head Quarters, and an Orderly Private at Parramatta who were named with Col. Paterson’s previous Sanction.

In consequence of Lt.-Col. Paterson’s request a General Court-Martial was Ordered to be held on Surgeon Harris and Adjutant Minchin on the Charges stated in the Appendix, which were to decide, which of those Two Officers had acted with Candour—Previous to the Court’s meeting I received a Message by the Officiating Deputy Judge-Advocate from the Officers with the Approbation of Lt.-Col. Paterson requesting that the Court-Martial might be postponed—This I readily complied with, But was sorry to find it, unproductive of the desired end.

Mr. Harris being first tried—The Second Charge against him being withdrawn in Court, by the Prosecutor (Col. Paterson). No part of the remaining Charge being proved, The Court having judged any defence unnecessary, and its Sentence having pronounced the Charge against him Groundless, and unanimously and most Honorably acquitted him, I approved the Sentence, as

* Marginal note.—No. 1, dated Oct. 30, Par. 17th.
† Marginal note.—Par. 4 of No. 16, Par. 6 of No. 17, No. 18, No. 19.
Mr. Harris's Integrity, Honor, and Propriety of Conduct was too Notorious to be doubted. To the Minutes of that Court-Martial and my remarks thereon I have to request your Lordship's reference—Adjt. Minchin was afterwards Tried—As I did not feel myself justifiable, in the Situation I have the Honor to hold, or the knowledge I had of the events to approve the sentence, I directed a Revisal of it, and the proceedings; stating my reasons for it—As the Court adhered to its Sentence, I am obliged to refer it and the proceedings to the Royal decision, for which purpose, I have transmitted it with my further observations thereon, to the Judge-Advocate General by the bearer of this Despatch, who officiated on that occasion as Deputy Judge-Advocate.

Had Captain Kemp been guided by any prudent consideration, (knowing how much every Soldier and Convict thirsted for a moments Intoxication and the length they would go to obtain it,) he certainly ought to have informed his Commanding Officer or me of the inflaming reports he so industriously Circulated, instead of which he attacks my Conduct in a manner concealed from me, (until occasion might make a discovery useful to him) but Public to every one else, and that at the unjustifiable Expence of Insulting strange Officers, who by their conduct and Situation, had every claim to our good Offices, while under our protection—To those highly injured Officers he was compelled to make an Apology*—To me as Govr. every redress was denied by the Commanding Officer excepting his avowal that Captn. Kemp did wrong in not reporting what he had heard to his Commanding Officer—Had he done this perhaps I might have been informed of it—But neither was done and on my repeatedly stating these Circumstances, I am told by the Commanding Officer that he has urged Captn. Kemp for an answer—How far No. 22 could be satisfactory to me, but rather an additional Insult I shall make no other Comment on, than what is stated in Letters Nos. 23, 26, and 27.

Respecting Mr. Harris he has long been the object of Secret resentment for his assiduity in assisting me to carry the King's Instructions respecting Spirituous Liquors into effect—I was sorry to find Col. Paterson in his Letter No. 20,† and in the same Paragraph where he avows the impropriety of Captn. Kemp's Conduct, censure Mr. Harris (The Naval Officer) in such harsh and contradictory terms—In answer to Col. Paterson's censure contained in those Paragraphs—The charge on which Mr. Harris was Tried; The Circumstance attending his Trial and Honorable

* Marginal note.—Enclosure B. Nos. 8, 24 and 25; No. 14, par. 2, 3, and 4; No. 16, par. 2; No. 17, par. 3, 5; No. 20, par. 2, 3, 5; No. 21, par. 3; No. 22.
† Marginal note.—Par. 2, 3, 4, 5.
Acquittal without being asked for a Defence is the only comment I shall trouble your Lordship with, to evince that Mr. Harris had Acted with Candour, Integrity and strict propriety of Conduct throughout the business; and should any further proof be requisite, the conviction that must have dwelt on Col. Paterson's mind of Mr. Harris's good conduct, when he applied by his message No. 31 (joined to the Inhabitants Petitions No. 32 and 34*) for his being reinstated as a Magistrate, after the censure he had applied to him in the above Paragraph appears the most unequivocal Proof of the General Estimation Mr. Harris was and is held in.

As those Courts-Martial were to decide whether Mr. Harris or Adjt. Minchin had been acting with candour or told the Truth, and as I have referred the proceedings and Sentence of the latter's Court-Martial to His Majesty's decision, I shall make no further observation, but humbly and respectfully to request your Lordship's candid perusal and consideration of this Letter.

And as I am obliged in this distant part of His Majesty's Dominions to act on my own Ideas in forwarding his Majesty's Instructions, enforcing obedience thereto and attaining the object required of me, I am hopeful of meeting that support, which my situation encourages me to solicit, for the better enabling me to persevere in executing the duties of the Office I hold, with Honor to His Majesty's Service and benefit to the Public Intrest.

I have forwarded to the Secretary of War the Monthly Returns of the New South Wales Corps, from the 31st Decr. 1801 to the 1st November 1802—The last Monthly return I enclose for your Lordship's information.

My reason for making the necessary alterations in the Ration, (now that we can issue it complete), and the Arrangement of those supported by the Crown, I have made the Subject of a Separate Letter attached to this.

Many of the Irish Convicts lately arrived having been persuaded, that a Settlement of Europeans, exists beyond the Mountains, I have sent an Officer to explore them, and convince those thoughtless People of their Folly, and as the abilities of Ens'n Barrallier, (who now acts as my Aid-du-Camp) points him out as the most eligible Person to send on that service, I have established Two Depôts† of Provisions in different parts of the Mountains, which will enable him to persevere, and obtain a more perfect knowledge of the interior of this Country.

In my former Letters I stated that in consequence of the trouble given by the Irish Convicts, I had with the coincidence of Lt.-Col. Paterson formed Two associations‡ which were of the

* Note 245. † Note 246. ‡ Note 247.
utmost use, until the cause for apprehension was done away, when they were disembodied as stated in a former Letter. On the late Arrival of 400 Irish Convicts, (Mostly Rebels,) I conceived it advisable, (in consequence of the Duke of Portland's approbation of that measure, And your Lordship's strong recommendation to the same effect,*) to rename the Officers and to re-embody the Men for One Week to deliver them, their Cloathing and Arms after which they will be dispersed, But ready in case of any emergency to assist the New South Wales Corps—I have the Honor to enclose a return of their Numbers.

As a great Expence has attended keeping the Barracks appropriated to the Civil and Military in repair, being neglected when uninhabited, as well as to prevent waste I have taken it upon me to appoint Capt'n. Thomas Rowley late of the Corps to act as Barrack Master for which Service he is remunerated from the Public Stores.

Agreeable to your Lordship's directions on Major Johnston's Arrival, I Communicated your Letter, as well as that of Col. Brownrigg to Lt.-Col. Paterson, to that Officer, and released him from his Arrest agreeable to your directions, as stated in my General Orders, and as I wished to Settle the difference that existed between Col. Paterson and Major Johnston, they arranged their differences in my presence, and left Government House good Friends—In undertaking this Office, I considered it a duty incumbent on me, altho' I have not been so fortunate as to experience that attention and support I conceive I have a right to expect from Col. Paterson, in the late events that have happened here.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure A.]

EXTRACT from the Duke of Portland's Letter to Governor Hunter, dated 5th Novr. 1799.

[This extract consisted of the seventh paragraph of the despatch.]

COMMUNICATION of Governor King's Instructions respecting Officers Trading.

[This enclosure consisted of the letter from Lieutenant-Governor King to Lieutenant-Colonel Paterson, forwarded as Enclosure No. 1, in the despatch of the former to the Duke of Portland, dated 18th September, 1800.]

* Marginal note.—19th June, 1801, Par. 17; 30th Jan., 1802, Par. 16.
LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING.

Monsieur le Gouverneur,

Géographe, 4 Octobre, 1802.

La plainte que vous avez portée ces jours passés, et dont vous avez eu la bonté de me donner connaissance, était de nature à ne pas vous laisser douter que je ferois tous mes efforts pour découvrir jusqu'à quelle point elle était fondée, et qu'ils pouvoient être ceux des officiers qui servent dans l'expédition dont le commandement m'est confié qui avoient osé enfrindre vos ordres et les miens d'une manière si contraire aux lois d'honneur de notre marine militaire, lois qui vous sont parfaitement connues.

Les renseignements de toutes espèces que je me suis procuré m'ont convaincu qu'aucun officier français, soit à bord du Géographe, soit à bord du Naturaliste ou du Casuarina, ne s'est rendu coupable du délit dont il a été accusé; mais comme des informations qui m'étoient personnelles ne satisfaisoient l'accusateur de mes officiers, j'ai donné ordre à Messieurs St. Crig et Freycinet de se rendre immédiatement chez vous, pour répondre en personne de leur conduite, ces deux officiers ayant été particulièrement designé. Ce qu'ils ont de vous dire vous aura mis à même de juger s'ils ont mérités d'être cités en public.

J'espère que vous aurez la complaisance de vouloir bien me faire savoir si, véritablement, ils se sont rendus coupables de désobéissance; et s'il est prouvé qu'ils ayent vendus du rum pour de l'argent, j'en ferai un exemple qui apprendra au public jusqu'à quelle point nous portons la délicatesse à ce sujet, mais aussi, dans le cas contraire, je réclamerai votre justice pour que celui qui les a calomnies auprès du colonel Paterson et de vous soit tenu à des réparations analogues à celles que doivent attendre les officiers français et militaires, quand après avoir exposé en public leur conduite il est démontré qu'ils ont été injustement accusés ou malicieusement compromis. Toute affaire qui attaque l'honneur d'un officier est délicate. Vous savez que le soupçon, même sans fondement, est une injure qui se pardonne difficilement, et je ne vous dissimulerais pas que j'ai été obligé d'employer l'autorité pour éviter une scène dont les suites seraient infiniment désagréable, quelqu'en fussent les événements. Soit indiscretion, soit méchanceté, il n'en est pas moins vrai que tous mes officiers et moi-même nous sommes trouvés compromis dans cette affaire. J'en ai fait peu de cas pour ce qui me concerne, et vous savez que, bien loin de donner du rum à sa valeur dans le pays, je l'ai placé sur le prix de 10
schelin, afin que les personnes qui m'ont procuré des objets d'histoire naturelle ou des remplacements en vivres y trouvassent un bénéfice qui put les engager à nous bien servir.

Je puis également vous assurer sur ma parole d'honneur qu'il n'a pas été descendu à terre une pinte des 800 gallons d'eau-de-vie que vous avez permis de prendre à bord de l'Atlas. Cette quantité est uniquement réservée pour nos consommations en mer.

Si celui ou ceux qui se sont plaints avoient réfléchi aux suites de leur démarches, je dois croire qu'ils auraient été plus circonspects dans leur conduite, comme plus réservés dans leur propos; mais puisqu'il en a été autrement, j'attends les réparations qu'on doit à l'honneur outragé, car vous ne pouvez pas douter que si quelqu'un de mes officiers venoit à s'écarter des égards réciproque que tous les hommes se doivent les uns aux autres, je ne les coumisises à tous ce qu'on doit attendre dans pareilles circonstances.

J'ai l'honneur d'être, etc.,

N. BAUDIN.

[Translation of Enclosure No. 1 by Governor King.]

COMMODORE BAUDIN TO GOVERNOR KING.

Sir, On board Le Géographe, 4th October, 1802.

The complaint which has been made to you a few days ago and which you have had the kindness of communicating to me, was of such a nature as to convince me that I should not let it pass without doing all I could to find to what extent it was founded, and to ascertain who could be those of the officers serving in the expedition, the commanding of which is entrusted to me, who had dared to disobey your orders and mine in a manner so contrary to the laws of honour of our Navy—laws with which you are fully acquainted.

The information I have collected from all sides has convinced me that no French officers, either on Le Géographe, Le Naturaliste, or Le Casuarina, are guilty of the offence they have been charged with committing; but as that information is only personal to me, and did not satisfy the accuser of my officers, I have ordered Messrs. Saint Criq and Freycinet to go at once and see you to answer personally for their conduct, as these two officers had been particularly pointed out. What they have to say will enable you to see whether they have merited being thus called before the tribunal of public opinion.

I hope you will let me know really whether they have been guilty of disobedience, and whether it is proved that they have sold rum for money, and I shall make such an example that the public will learn how scrupulous we are on such a matter; but, also, should it prove to be otherwise, I should claim from your sense of justice, that he who has calumniated them to Colonel Paterson and yourself, should be compelled to make such reparation as those French officers expect when, after having made their conduct public, it is demonstrated that they were unjustly accused and maliciously compromised. Every matter which attacks the honour of an officer is a very delicate one. You well know, also, that suspicion, even if unfounded, is an insult not easily forgiven; and I shall not conceal
from you the fact that I have been compelled to make use of all my authority to avoid a scene, the consequences of which would be infinitely disagreeable, whatever the result of it might be. It is none the less true that, be it out of thoughtlessness or of wickedness, all my officers and myself are compromised in this affair. As far as I am concerned, I do not take much notice of it, as you know that, far from giving the rum for its own value in the country, I have quoted it at 10s., so that those who have procured me specimens of natural history and provisions should get a profit which would induce them to serve us well.

I can also give you my word of honour that not one pint of the 800 gallons of brandy that you allowed me to take from the Atlas has been landed, the whole of that quantity being kept for consumption when at sea.

If he or they who have complained had given a thought to the consequences of their action, I have reason to believe that they would have been more circumspect in their conduct and more discreet in their conversation; but as it has been otherwise, I am awaiting for the reparation which is due to outraged honour, for you cannot doubt that, were my officers to ignore the reciprocal regards which men owe to one another, I would compel them to submit to them.

I am, &c.,

N. Baudin.

[Enclosure No. 2.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir, Sydney, 4th October, 1802.

1. I enclose for your inspection and consideration a translation of a letter from Monsieur Baudin, Commander-in-Chief of the ships belonging to the French Republic, now lying in this port.

2. Before I make any observation on that letter, it is necessary I should inform you that on Thursday last, in consequence of a message I received from Monsieur Baudin, by his captain, respecting a supposed irregularity in the Naval Officer's department with respect to himself, which on explanation proved to be an error in his clerk in carrying a message he was not authorized to do, on this occasion the Naval Officer informed me that he had heard so much lately about the French officers and spirituous liquors, in which my conduct as well as his own was concerned, that he found it necessary to inform me that the officers of the New South Wales Corps made many reflections on the Commodore and the French officers being allowed to purchase spirits from the Atlas, whilst they could not be allowed any from that ship; that Adjutant Minchin had informed him publicly that Col. Paterson had made observations on Lt St. Crig, of the Naturaliste, paying away spirits at 25s. per gallon; that Capt'n Kemp had informed some of the officers of the Corps, and had sent for a man named Chapman* to confirm it in their presence, and on the parade that he had told Capt'n Kemp that he

* Marginal note by Governor King.—"Has been a convict and a bad character."

1802. 9 Nov.

Correspondence and papers re Kemp's charges against the French officers.
Correspondence and papers re Kemp’s charges against the French officers.

1802.
9 Nov.

(Chapman) had bought eight bottles of spirits from the first lieutenant of the Geographe, for which he had paid him in money at 5s. per bottle.

3. On receiving this information, which I could not but consider as an attack on my conduct in allowing the French officers that privilege and denying it to the officers under my immediate command, and giving me reason to suppose that the French Commodore had broken the word of honor he gave me before any intercourse took place with his ships, that nothing with respect to spirits should happen that could anyways deviate from the allowed rules and customs observed by the officers belonging to the colony.

4. Impressed with these ideas, I sent for the Commodore and expostulated with him upon the impropriety of his officers’ conduct and his deceiving me, if privy to any such transaction. To the latter charge he assured me of his total ignorance, and that he would send the officers complained of to me. Soon after L’t St. Crig came, when I sent for the Adjutant and Naval Officer. He positively denied, on his word of honor as an officer, ever having paid spirits away at that rate, being never possessed of any but his daily ration, which he did not drink, but exchanged it for vegetables, eggs, and such other things as he wanted.*

Adjutant Minchin said that the Naval Officer must have misunderstood him respecting Colonel Paterson’s having given the information respecting Mr. St. Crig, but that he said it was some time ago talked of in the Colonel’s viranda among some officers of the Corps in the presence of Colonel Paterson; he also said that a man (who had been a convict) named Chapman informed Capt’n Kemp that he had purchased spirits for 5s. per bottle from a French officer, describing the first lieutenant of the Geographe, which Chapman afterwards confirmed on the parade, on being called up and questioned by Capt’n Kemp before him (Adjutant Minchin) and several other officers of the Corps. On hearing this L’t St. Crig requested that Chapman might be sent for, who, on the question being put to him, whether he had purchased any spirits from the lieut. of the Geographe, said not from him, but that he had from another officer, describing First Lieutenant Freycinet, of the Naturaliste, who now commands the Casuarina. I requested the Commodore to send for this officer who came the following day, and in the presence of the Adjutant, Naval Officer, Judge-Advocate, and Chapman, he heard the latter’s assertion which he denied on his honor as an officer, and stated, “that when the Naturaliste arrived here Chapman went

* Marginal note by Governor King.—“About the time the permit was granted (17th Aug’t) to the Commodore for 800 gallons of spirits from the Atlas.”
on board to offer his services to supply the etat major (lieutenant mess) with vegetables, and every other article they wanted during their stay; that they offered him their daily ration of spirits at the same rate it was allowed the officers on shore to exchange for articles for their domestic use, i.e., 20s. per gallon; that he supplied them for some time, and about five weeks ago, Chapman having conducted himself improperly, they declined having anything further to do with him, and the person who conducts the affairs of the mess (who is not an officer) was directed to settle with Chapman, when it appeared that he had drawn two gallons of spirits more than he had furnished articles for, which he required Chapman to settle, and that he (Lieut. Freycinet) has since been informed that 20s. per gallon was paid for that deficit.” This being interpreted to Chapman, he asked L’t Freycinet if he had not taken him to his cabin, and offered him eight bottles of spirits at 5s. per bottle, which he (Chapman) declared he could not do, as he would not be able to get his price for it on shore. To this the officer gave his word of honor, and everything that was dear to him as an officer, that no transaction of the kind alluded to had ever taken place. Chapman then asked whether he did not purchase such a quantity from his (L’t Freycinet’s) domestic? He said no, not from his domestic, but that he knew a domestic belonging to an under officer had sold him some.* Lieut. Freycinet was asked by the Judge-Advocate to declare on his word of honor as an officer whether he either directly or indirectly received any payment for it. He declared that he never did, and should consider himself unworthy to hold the commission he does if he ever did any thing of the kind. Chapman persisted that what he had advanced was truth. He was asked to produce any proof of what he had advanced respecting those officers. Said no other person was privy to it. He then produced a written note from Mr. Colas, a surgeon’s mate of the Naturaliste to Mr. La Tour, his messmate, to require from Chapman 20s., for which he said he received a gallon of spirits. Mr. Colas being sent for, in the presence of the above officers, says that he gave Chapman a four-pound note to pay for some articles he had furnished to the mess he belonged to, and that there was a deficiency of 20s. which Chapman could not pay, and as he (Colas) was going to Hawkesbury the next morning, he gave Chapman a written note to give his messmate the ballance, but declares he never sold any spirits to Chapman, or any other person, and defies him to prove it. Such, sir, is the result of an examination that has cost me much time, when it ought to have been otherways employed. It now remains for me to state my opinion on these subjects, which I have already done to the

*Marginal note by Governor King.—“For which he was punished.”
French Commodore. Respecting L’t St. Crig, you best know how far such an observation came from you. The high character he has borne among the officers of this colony warrants my firm belief of his assertions that he is totally innocent of what may or what may not have been said against him.

5. Lieut. Freycinet has always been noticed as an amiable officer and gentleman by those I have ever conversed with respecting him. His clear and unequivocal account of the transaction has been such that I place the fullest confidence in its veracity, and his being innocent of the foul and unsupported charge brought against him by a miscreant whose villainy was roused and put in action by being disgraced, and no longer employed, for his malpractices in the bargain he had made. And, as a last resource, he accuses a person who is not an officer of a similar transaction; to support it he brings a bill drawn for 20s. May not every officer and man in this colony be made the victim of such infamous accusations if such a character could bring creditable proof to support his assertions? Still this inventive genius is not at a loss for resources. He then complained of what he had said to Capt’n Kemp being in an unguarded moment, when Capt. Kemp had two servants in his store-room, listening to what he (Chapman) said. Here I dismissed the parties, and directed the Adjutant to inform you of Chapman’s last assertion respecting Capt’n Kemp, and that I requested you would take the proper steps.

6. The preceding part of this letter being read before the Judge-Advocate, Adjutant Minchin, and the Naval Officer* (who were present at these examinations, and gave the information that produced them, and acknowledged to be true), will be the most eligible persons to clear up any doubt that may arise of their validity.

7. What Capt’n Kemp’s motives were (as far as concerns the French officers) for questioning Chapman in his house, and afterwards calling him on the parade and questioning him before the adjutant and other officers of the Corps, I shall make no other comment on than that it most certainly has occasioned the present misunderstanding between the Commodore and the French officers, with myself, and every other military officer in the garrison, a misunderstanding which can only tend to do away the sense they may entertain of the attentions they have hitherto acknowledged, cause an opinion but little honorable to the character of British officers, and ultimately become the subject of representation between His Majesty and the French Republic, a circumstance that cannot be pleasing to any. It is to obviate, if possible, these mischiefs that I transmit you the

* Note 248.
enclosed, no ways doubting but you will cause that justice to be done which the laws of honor and hospitality, due to officers belonging to ships putting in here in a state of distress, demands.

8. Having thus far discharged my duty in what regards the honor of our country (an honor equally committed to the charge of every officer holding his Sovereign's commission as to mine), I shall proceed to remark on such subjects in these proceedings as immediately concern my conduct as His Majesty's Governor of this territory; and had not the information been given by the Naval Officer as stated in the first part of this letter, my conduct and that officer's would most probably have become the open subject of animadversion, when the power of clearing it up rested with neither of us—I mean until after the French ships' departure—as no officer or other person were disposed to give me this information, and was it not for the explanation required by me of the Naval Officer respecting the irregularity complained of by the French Commodore, I make no doubt but I should have remained ignorant of it until some circumstance had brought it to light, or rather obscurity, after the French ships' departure. If you was present at any time when the hardships of the officers of the Corps said they laboured under (according to their public assertions, in your varanda and in your presence, as Adjutant Minchin says) in being prevented from having any spirits from the Atlas, while the French officers were allowed to have 800 gallons to bring on shore to sell, ought I not to have been informed of it by some officer? And whether it was before or after these reflections were used I cannot say; but as you had my unsealed answer to the master of the Atlas from Hawkesbury, where I then was, stating my reasons why I refused him permission to land his spirits, possessed as you were of that official information, and the natural idea you must have had of the disapprobation with which the impropriety of my conduct would have been viewed by Government, whose instructions I have to render every assistance to the French ships, and every thinking man in the world, had I prohibited the French Commander from purchasing 800 gallons of those spirits to enable him to prosecute his voyage. Had all this occurred, if you heard those reflections used, you surely would have silenced those public remarks injurious to my honor as Governor of this territory, which, it appears, was not done, or that Captain Kemp has very improperly conducted himself.

9. Waiting your answer on those points, and the measures you my judge it necessary to pursue for affording that justice which Monsieur Baudin claims.

I have, &c,

PHILIP GIDLEY KING.
Correspondence and papers re Kemp's charges against the French officers.

[Enclosure No. 3.]

**Lieutenant-Colonel Paterson to Governor King.**

Sir,

Sydney, 5th October, 1802.

I had the honor to receive your letter of yesterday, and have ordered a meeting of the officers of the Corps to enquire how far Capt'n Kemp was justified in using the expressions alluded to in that letter. As soon as their opinions are given, I shall report them to your Excellency.

2. What respects myself of having made use of Lt. St. Crig's name, I believe I have explained to that gentleman's satisfaction; but, to prevent any misconstruction being put upon that explanation, I intend addressing the Commodore on the subject, and also to convince that I have not been wanting in attention to him or his officers, or ever deviated from the situation I have the honor to be placed in; and I hope I shall be fortunate enough to assure your Excellency that the conversation which passed in my varanda was not of that nature to be noticed by me.

3. That I may be enabled to satisfy your Excellency of the zeal I have had to support you in the government (after the court of enquiry has taken place), may I request you will order a meeting of the civil and military officers in the colony, for the purpose of my asking them that question.

I have, &c,

W. Paterson.

[Enclosure No. 4.]

**Governor King to Lieutenant-Colonel Paterson.**

Sir,

Sydney, 5th October, 1802.

I have received yours of this date in answer to mine of the 4th instant, to which I shall reply when I am possessed of the result of the measures you have judged it necessary to adopt.

I have, &c,

Philip Gidley King.

[Enclosure No. 5.]

**W. N. Chapman to Adjutant Minchin.**

Government House, 5th October, 1802.

The Governor requests Adjutant Minchin will do him the favor to acquaint him of the time (as near as he can recollect) when the conversations took place in the Colonel's varanda on the hardships the officers of the colony laboured under, and also the day on which Chapman was called on the parade by Captain Kemp, and questioned before yourself and several other officers respecting his purchasing spirits for money from the French officers.

W. N. Chapman.
KING TO HOBART.

[Enclosure No. 6.]

Adjutant Minchin to Governor King.

Sir,

Sydney Barracks, 5th October, 1802.

I have just received your Excellency's note, desiring me to acquaint you of the time (as near as I can recollect) of the conversations which took place respecting the hardships the officers of the colony laboured under, which happened (to the best of my knowledge) about the time your Excellency granted a permit for the Commodore to have spirits from the Atlas, and I think the questions put by Capt'n Kemp to William Chapman were about the same date.

I am, &c.,

W. Minchin,
Adj't, N. S'h W. Corps.

[Enclosure No. 7.]

Lieutenant-Colonel Paterson to Governor King.

Sir,

Sydney, 6th October, 1802.

I have the honor to enclose you the opinions of the officers,* who I assembled this morning for the purpose of investigating in Captain Kemp's conduct, respecting the expression he made use of, as stated in your Excellency's letter of the 4th inst., to me, and hoped the enclosed apology,* addressed to Commodore Baudin, will be satisfactory to him as well as the French officers; and that the accompanying declarations of the officers assembled will exculpate me in not having reported to you a private conversation which I could not conceive to be a complaint, or in any degree injurious to your Excellency's character as Governor of this territory.

I have, &c.,

W. Paterson.

[Enclosure No. 8.]

Captain Kemp to Commodore Baudin.

Sir,

Sydney, 6th October, 1802.

As the conversation relating to the officers of the French ships which you have the honor to command, respecting their selling spirits was mentioned by me as a general conversation, I therefore could have no intention of bringing a charge against either of them, and I beg leave to assure you I did not first mention it to the Governor, nor have I only related but what has been asserted by Chapman.

I beg you, sir, and the French officers under your command, will be fully assured how much I am concerned that any occurrence brought forward by me should be considered as done with a view of injuring their honor, as it is so totally different from my wishes and so unconnected with my ideas of them, which I trust my attentions to several of them has fully proved. I am further

* Note 249.
Correspondence and papers re Kemp's charges against the French officers.

requested by my brother officers to say that the officers on board the French ships will be considered by them in the same estimation as they were on their arrival in the colony.

I am, &c.,

ANTHONY FENN KEMP,
Capt'n of the N. S. Wales Corps.

Endorsement by Governor King.—I conceive the within apology to be highly honorable to the officers of the New South Wales Corps in requiring its being made, and that it appears a sufficient apology to those officers who have conceived themselves injured, as represented by the French Commodore's letter to me of the 4th instant.

P. G. KING.

[Enclosure No. 9.]

OFFICERS TO GOVERNOR KING.

In answer to the following extract from a letter sent by Governor King to Lieut.-Col. Paterson, the undersigned officers totally deny making any such complaint* in his presence:—

"If you were present at any time when the hardships the officers of the Corps said they laboured under, according to their public assertions in your verander and in your presence, in being prevented from having any spirits from the Atlas, while the French officers were allowed to have 800 gallons to bring on shore to sell."†

RALPH WILSON, Captain.
ANTHONY FENN KEMP, Capt.
JOHN PIPER, Capt.
THOS. DAVIES, Lieut.
THOS. HOBBY, L't.
WM. MOORE, L't.

[Enclosure No. 10.]

ADJUTANT MINCHIN'S DECLARATION.

Sydney, 6th October, 1802.

I DECLARE on my word of honor that I do not recollect ever hearing any officer complain to Colonel Paterson of their labouring under any hardships from not being allowed to have spirits from the Atlas, nor did I assert anything of that kind to Governor King, but that I told the Governor of having heard of Mr. St. Crig's paying away spirits at twenty-five shillings per gallon, in a general conversation in the Colonel's verander, where he was, I will admit, but nothing more.‡

I have, &c.,

W. MINCHIN,
Adj't, N.S.W.C.

* Note by Governor King.—"Vide my letter of the 4th, No. 2. No such word appears; proved by my letter No. 14."

† Note by Governor King.—"For what but an improper purpose could the omission (as Adj't Minchin says) be made? See letter No. 2, par. 8."

‡ Note by Governor King.—"Is not this a pointed contradiction of what he asserts in his letter No. 6, and his avowal of the truth of my letter No. 2, as far as para. 6, and that also?"
GOVERNOR KING TO LIEUTENANT-COLONEL PATTERSON.

Sir,

Sydney, 6th October, 1802.

I have received your letter of this date and its enclosures.* Adjutant Minchin will no doubt be able to account for the different tenor of the paper enclosed with yours to his declaration of yesterday, a copy of which I enclose.* When I receive an explanation on that head, I shall proceed to answer yours.

I have, &c.,

PHILIP GIDLEY KING.

ADJUTANT MINCHIN TO LIEUTENANT-COLONEL PATTERSON.

Sir,

Sydney, 6th October, 1802.

On perusing Governor King’s letter to you of this day’s date respecting me, I find that His Excellency wishes me to account for the different tenor of my letter to him of yesterday, and my declaration to you of this day, and on that head I can only observe that mine of yesterday to Governor King was in answer to a note I received from His Excellency, a copy of which I have the honor of enclosing, in which you will see that the Governor desires me to acquaint him with the time, as near as I can recollect, when the conversation took place in the Colonel’s verander, on the hardships that the officers of the colony laboured under.† As I was unacquainted with that conversation having taken place in your verander, you will observe, in my answer to the Governor, that I only mention at what time such conversation took place, but do not particularise where; and when I answered Governor King’s note yesterday, I had not the smallest doubt but that His Excellency would have taken it as I really meant,‡ which was that I had heard such conversations, that they were publick, but at what particular place I could not possibly inform him.

I trust, sir, this explanation will prove to the Governor, and to you, that I have not in my letter to His Excellency yesterday, or in my declaration to you to-day, either deviated from the truth or contradicted myself.

I have, &c.,

W. MINCHIN,
Ens’n and Adj’t, N.S.W. Corps.

* Note 250. † Note by Governor King.—“ Has he not said in the first four lines of this page, in his declarations on honor, that the conversation did take place, &c.? "
‡ Note by Governor King.—“ Does he not say in his declaration, as above, that it was in the Colonel’s veranda and in his (the Colonel’s) presence? "

[Enclosure No. 11.]

[Enclosure No. 12.]
[Enclosure No. 13.]

Governor King to Lieutenant-Colonel Paterson.

Sir,

Sydney, 6th October, 1802.

To elucidate truth, I have to request you will compare with my Secretary the rough draft of my letter to you of the 4th inst. with the original in your possession, and that you will allow the Naval Officer and Judge-Advocate to be present; and if the copy and original are the same, and satisfactory to them, you will, as a magistrate of this colony, have the goodness to take their depositions in proof of the tenor of the second, third, and fourth paragraphs of the above letter.

I have, &c.,

Philip Gidley King.

[Enclosure No. 14.]

Governor King to Lieutenant-Colonel Paterson.

Sir,

Sydney, 7th October, 1802.

1. I received yours of yesterday and the day before in answer to mine of the 4th inst., with their enclosures.

2. Captain Kemp's apology to the French officers appears to me as just as it was necessary. I have forwarded it to the Commodore with the enclosed letter.

3. Had Capt'n Kemp done his duty as an officer he would have instantly informed me of Chapman's assertions in his house. I should have been much obliged to him and would have made an instant enquiry why the King's Instructions and my General Orders were treated with contempt by strangers in violation of their Commander's word of honor. Instead of Capt'n Kemp taking that proper step, he questions Chapman again publicly on the parade so long ago as about the 17th last August (for so Adjutant Minchin says to me in his letter of the 5th instant, a copy of which you have), including a period of six weeks. What motives Captain Kemp had for this conduct I will not prejudge; but I cannot forget that on Monday, the 13th Sept'r last, Captain Kemp, in the presence of the Naval Officer, applied to me for some of the Atlas's spirits, and that I told him if any were landed he should have an equal proportion with myself and the youngest ensign in the Corps. Here was surely a time for Capt'n Kemp's giving me the information of Chapman's assertion, which, as Adjutant Minchin says, was about a month before. No, such information I never got 'till by the accident stated in my letter of the 4th, and remarks thereon.

4. I trust, sir, you will discover the impropriety of that officer's conduct in not informing me the instant he heard it asserted
that the French officers were selling spirits for money, knowing it to be a disobedience of my General Orders, consequent on the Royal Instructions.

5. As to the explanation you have made to the French Commodore respecting Lt. St. Crig being ignorant of it, I can make no observations thereon, nor can I doubt but you have investigated the truth, and that a proper censure has fallen on those who have denied what they once asserted, which must be the case either with the Naval Officer or Adjutant.

6. For what purpose the word "complaint" is conceived and used in the officers and Adjutant Minchin's declaration transmitted by you, I cannot tell; no part whatever of my letter warrants it. Had open "complaint" been made, I most certainly should have heard of it, conceived myself obliged, and would have instantly explained or redressed it; but it has been conversations and assertions in public places that I notice, such as are stated in my letter to you of the 4th instant.

7. I cannot conceive any conversation before you, as Lieutenant-Governor, in your viranda,* and in the hearing of a centinel, who might put and convey what construction he pleased on it to the barracks, to be private, when it related to the objects stated in the Naval Officers and Adjutants information to me on the 3rd instant, confirmed by both to be true when my letter to you of the 4th instant was read to them in the presence of the Judge-Advocate and my Secretary; again confirmed by his answer to my Secretary's letter to him of the 5th, copies of which you have. With these proofs (which I must further elucidate) either the Naval Officer or Adjutant has not been acting with candour, and it rests with you to which of the two you ought to give the greatest credit.

8. It might be wished that a full transcript had been made, in your officers opinion, who you convened yesterday, when they quoted the paragraph of my letter, in which they left out the parenthesis "as Adjutant Minchin says"; and that he did say so I will faithfully adduce and transcribe the following proofs:—

1. The whole of my letter to you of the 4th instant, which you consequently have.

2. The depositions of the Naval Officers, Judge-Advocate, and my Secretary.

3. My Secretary's letter to Adjutant Minchin, of the 5th, and his answer to me.

4. His written declaration on his honor before the officers, which of course you are possessed of.

* Marginal note by Governor King.—"Experience shows that soldiers and sailors have taken advantage of less cause to be troublesome, exclusive of what might be expected from the other inhabitants of this colony."
9. Examine these documents, sir, I beseech you, of yourself and for yourself. Does not the last contradict the incontrovertible evidence of the other six documents? Where am I to look for truth? I desired an explanation of the contradiction in his letter to me of the 5th, and his declaration of the 6th instant. He says in that attempt "that he only mentioned at what time such conversations took place, but did not particularize where." Here, sir, he is wrong; for does he not say in his declaration that he does not recollect ever hearing any officer complain (instead of assert) to Col. Paterson of their labouring, &c. Where does he find that in any part of my letter? But you may discover that he avows in his letter of the 5th to me, that he quotes the time those conversations took place respecting the hardships, &c. You will also discover what he says in the latter part of his declaration which may or may not (as he chooses to interpret it), constitute the conversation he alludes to in his letter to me of the 5th, for it only relates to two subjects—that, and Captain Kemp's questions to Chapman.

10. Now, sir, I request you to cast your eye on my Secretary's letter to him of the 5th.* Is not the positive word "varanda" used? Why, then, did he not at that time, and in his answer, deny either the place or the subject of conversation? But acknowledging the latter to the full extent of the question, and passing the other over in silence, does not refute it. It carries too great a conviction with it.

11. With these documents it rests with you to take a proper notice of him who has deceived you, or me, as the veracity of the information I proceeded on, to render justice to the French officers, and to set my conduct in what regards the Atlas's spirits in a true light, must rest with the Naval Officer, who is surgeon of the Corps you command, and the Adjutant, in doing which you will render me and yourself justice.

12. I have now only to observe that in the measures I have pursued respecting the Atlas's, as well as all other spirits brought to the colony, I have faithfully and honorably discharged the obedience I owe my Sovereign's Instructions, without neglecting the unasked and impartial convenience of every description of people under my command. How far that has been most impartially considered by me, with respect to the officers of the colony, will appear from the Naval Officer's report, which I have directed him to prepare and deliver to you.

I have, &c,
PHILIP GIDLEY KING.

* Note 251.
Sir, 7th October, 1802.

In answer to yours of the 4th, I beg to express the concern I feel that any circumstances should happen for a moment to suspend the good intelligence that has existed between yourself, the officers under your command, and every officer of this garrison.

I have the honor to inform you that, after a mature investigation, it appears that as far back as about the time I gave you the permit to furnish the Geographe with 800 gallons of spirits, Captain Kemp, of the New South Wales Corps, was told by Chapman, in his house, that the French officers were in the habit of selling spirits on shore for money, and that he questioned the said Chapman afterwards, on the public parade, before Adjutant Minchin and other officers of the Corps, whether he had not told him so.

Had this circumstance ever been communicated to me before the 2nd inst., when I sent for and taxed you with a breach of your word of honor, I should certainly have informed you of it the instant I heard it; but my ignorance thereof was as great as that of you or your officers, till your message respecting the Naval Officer brought it to light.

You will observe that I lost no time in profiting by your condescension in submitting your officers to an examination before a foreign authority. The result has been highly honorable to them, which I have the honor to enclose for your information and, if you judge necessary, for their satisfaction.

Col. Paterson having judged necessary to convene a meeting of the officers under his command to decide on Captain Kemp’s conduct, I have the honor to enclose Captain Kemp’s letter of apology and my remarks thereon, which I submit to you and your officers.

I have, &c,

PHILIP GIDLEY KING.

Lieutenant-Colonel Paterson to Governor King.

Sir, Sydney, 8th October, 1802.

1. I had yesterday the honor to receive your letter with the enclosures, and have studiously perused the contents and compared the documents you allude to.

2. What respects Captain Kemp, Mr. Harris, and Adjutant Minchin I have communicated to them this morning. As your Excellency very justly observes, altho’ Mr. Harris and Adjutant
Minchin were unanimous in your presence, they most certainly have been very contradictory since, and as Mr. Harris publicly said that Adjutant Minchin's declaration to me (a copy of which your Excellency has) was correct, I could not suppose it was otherwise, and I have no other means of proving whether both of these officers have acted like gentlemen in this instance but that of bringing them to trial by a General Court-Martial. If your Excellency is pleased to order it I shall do myself the honor of furnishing you with the charges I have to bring against them; but, whatever may be the result, I hope you will not afterwards deny me what I requested in my letter, dated the 5th inst., viz., a meeting of the officers, civil and military, that I may have their testimony how far I have acted wrong in not reporting to your Excellency a circumstance which could not in any way effect your character as Governor of this territory; and from the state of discipline the regiment is in which I have the honor to command, allowing the centinel to have heard the conversation said to have passed in my varanda, it could not have been of that consequence to apprehend any danger from its being carried to the barracks, otherwise I most assuredly should have taken serious notice of it at the moment, and reported it to your Excellency.*

3. I have nothing further to observe at present, sir, not having been fortunate enough to satisfy your Excellency on this point, than this: that I have had the honor to hold His Majesty's commission unsullied for these twenty-three years, and have served in the most honorable and confidential situations in His Majesty's service. I have also had the honor to be placed in the same situation your Excellency holds, and conducted myself with satisfaction to the colony, and had the approbation of His Majesty's Ministers. And it is also pleasing at this moment my being in possession of testimonials of my good conduct in the situations I have had the honor to be placed in, and was never suspected but by your Excellency of withholding anything from those I have had the honor to serve under, where their characters was in question, or the tale-bearer of conversations for the sake of creating mischief, which can be done with no other view than to ingratiate themselves and to give trouble to others, which in this instance has been completely effected.

4. I hope your Excellency will do me the justice that I have not been wanting in giving you every assistance in support of His Majesty's Government, in doing which I may have acted contrary to the instructions I have received from His Royal Highness the

* Marginal note by Governor King.—"A week after the date of this, the regiment refused their ration because it was necessary to issue the wheat, spoiling in the stores, before the flour; their conduct was so mutinous that the ringleader was sentenced to 200 lashes by a Regimental Court-Martial."
Commander-in-Chief.* This, sir, I have done with no other view than to give you every assistance that lay in my power.

I have, &c.,

W. PATERSON.

[Enclosure No. 17.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir, Sydney, 8th October, 1802.

1. Yours of this date is now before me. I beg leave to observe that I do not notice therein any explanation from you as Commanding Officer of the New South Wales Corps in answer to my representation of Captn. Kemp's conduct, which rests with you to inform me whether you conceive he was right or wrong in not communicating to me the assertions made use of by Chapman in his house, as stated in my letter of yesterday. If he is wrong, I certainly ought to have expected the most ample apology before now. At any event I look up to you on that behalf.

2. The necessary measures respecting a General Court-Martial will be taken when I am favored with the charges you mean to bring against Adjutant Minchin and Mr. Harris.

3. Having stated so much in my letter of the 4th, and my letter of yesterday, respecting the necessity of my being informed of every subject that could give a shadow of cause for discontent, it is unnecessary for me to make any further comment on that business than to refer it [to] that authority which will judge impartially of both our conduct.

4. Having been unfortunate enough to be present at several mutinies of serious import, where the leading causes, by being neglected in their rise, produced consequences that all concerned in them saw with regret how easily they might have been stopped had the primary cause been remedied in time.

5. Would you have had me pass over unnoticed the open and honourable information I received from the Naval Officer on a point that, if neglected, constituted a neglect of duty on my part? Was I to tell the French Commodore that I would not attend to his claims for justice on behalf of his officers, who were determined to call Captain Kemp to a private account had not

*Marginal note by Governor King.—"Why was not this remark made when the instructions were received?"
the Commodore prevented it? Had I, sir, neglected all this I should most justly have merited those representations which experience tells me would no doubt have been made.

6. How far any instructions you may have received from His Royal Highness the Commander-in-Chief can in any ways be a hindrance to your supporting His Majesty's Government and rendering me assistance, I am as yet to learn; but that I may not put any improper constructions thereon, I must request the favour of being informed what those instructions are; and in the meantime, to evince the high respect and veneration I have for anything that can be construed into a wish of His Royal Highness the Commander-in-Chief, I do, sir, as His Majesty's Captain-General and Commander-in-Chief of this colony, require your instant compliance and enforcement of every Order and instruction you may be possessed of from His Royal Highness, which I am well convinced will not militate against His Majesty's Government, or your inclination to support me in the due administration of the important trust delegated to me.

I have, &c,

PHILIP GIDLEY KING.

[Enclosure No. 18.]

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir,

Sydney, 8th October, 1802.

1. I have this moment the honour of your Excellency's letter of this date, and transmit you the following paragraph of His Royal Highness the Commander-in-Chief's instructions to me, dated 4th of August, 1801, respecting the officers under my command, viz.: "Not being permitted on any account whatever to engage into the cultivation of farms, or in any occupation that are to detach them from their military duty."

2. What I meant being contrary to my instructions, as stated in the above paragraph, has been for the welfare of the colony and not to frustrate your Excellency's wishes.

3. In the latter I mean Mr. Harris and Ensign Barrallier, as they have both been frequently detached from their military duties, which I admitted of purposely for the good of His Majesty's service as well as an accommodation to your Excellency.

4. What respects officers being engaged in the cultivation of farms, when I received these Instructions,† I ordered that as soon

* Marginal note by Governor King.—"It appears Colonel Paterson received these Orders 10th July last, a period of three months, and this is the first time he made the objection or hinted that the duties performed by those officers militated against that Instruction."

† Marginal note by Governor King.—"Was not that a proper time for any suggestions being made respecting those officers?"
as the present crop was off the ground they must desist from the cultivation of farms in future, as stated in my regimental orderly book, dated the 10th July last.

5. The charges against Mr. Harris and Adjutant Minchin I shall do myself the honour of transmitting to your Excellency to-morrow.

W. Paterson.

[Enclosure No. 19.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir, Sydney, 8th October, 1802.

I had the honor to receive yours in reply to mine of this day, enclosing His Royal Highness the Commander-in-Chief's instructions to you; and as you construe those instructions as having a retrospect to Ensign Barrallier and Surgeon Harris, I have to request that you will instantly order the former gentleman to his duty, and that you will consider how far Surgeon Harris's doing the duty of Naval Officer interferes with his military duty. Your answer on the latter point will be necessary as soon as possible, to enable me to shew with what prompt attention I honor His Royal Highness's commands, altho' your inference of Ensign Barrallier supercedes the Royal instructions communicated by His Majesty's Principal Secretary of State for the Home Department.

I beg to assure you, sir, I have no accommodation unconnected with the interest of His Majesty's service in the zealous and highly useful duties the above two officers have hitherto so honorably performed with your entire approbation.

I have received no elucidation yet respecting Captain Kemp.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 20.]

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir, Sydney, 9th October, 1802.

1. I had the honor to receive your Excellency's letter of last night, wherein you request me to order Ensign Barrallier to do his duty in the regiment, and to know how far the Naval Officer and magistrate interferes with Surgeon Harris's military duties. When I mentioned those two officers I did not mean to deprive the public of their services; but from the unfortunate misunderstanding that at present exists between your Excellency and me, I must beg that you will take the responsibility of their holding any other occupations than their military duties upon yourself.*

*Marginal note by Governor King.—"How could I agree to this, and subject myself to future humiliations?"

Ser. I. Vol. III—2 U
2. I must now come to a point, and to explain to your Excellency why the present misunderstanding exists. It takes its rise from Captain Kemp, and is reported to your Excellency by Mr. Harris, with blame attached to me, which has occasioned the reflections and unpleasant constructions upon my conduct, and consequently wounded that good understanding between us which once existed.

3. Captain Kemp did wrong in not reporting to his Commanding Officer what he had heard officially from Chapman,* which, I am confident, would have been settled by the officers of the regiment in an honourable manner, without the risque of its being made a private business, and would not have occasioned any explanation between yourself and Commodore Baudin. Mr. Harris's conduct is, in my mind, much worse than the former gentleman's. He gets Captain Kemp's assertions, as also another information, wherein his Commanding Officer is concerned, and carries the whole to your Excellency, and you give him the credit of having acted openly and honorably to you, altho' you allow but for your having had occasion to blame him in another instance, no such information would have been given. But place yourself, sir, in my situation as his Commanding Officer. He is going with information,† "that the officers of the New South Wales Corps had made many reflections of the Commodore and the French officers being allowed to purchase spirits," &c., &c., as stated in your Excellency's letter of the 4th instant, and with another information with my name attached to it. I say, sir, in this instance he has neither acted openly or honorably to me; he has acted, sir, with contempt and disrespect to me as his Commanding Officer. Altho' I was not at head-quarters I might have had the information in two hours.

4. If any officer is allowed to act unnoticed as Mr. Harris has done, there is an end to all discipline, command, and respect which is due to me as his Commanding Officer. I am conscious, when your Excellency considers that part of Mr. Harris's conduct, as surgeon of the Corps|| I have the honor to command, you will judge how far he has acted with propriety towards me.

5. I have the honor to enclose the charges against Mr. Harris; also those against Ensign and Adj't Minchin,‡ with a letter from

* Marginal note by Governor King.—"Which he publicly and most industriously circulated (see letter No. 2, Captain Kemp's apology, No. 8, and French officer's reply, No. 24)."
† Marginal note by Governor King.—"Certainly, and in the just discharge of his duty as Naval Officer."
§ Marginal note by Governor King.—"As Naval Officer, which appears on his Court-Martial."
¶ Marginal note by Governor King.—"He was acting then as Naval Officer."
∥ Note 252.
the latter.* I have urged Captain Kemp for an answer to that part of your letter which relates to him, and have the honor to enclose it.

6. I beg now to assure your Excellency that, notwithstanding the unpleasant existing misunderstanding, I shall not relax in any shape, either in my civil or military situations, and shall continue to render every assistance that lies in my power for the welfare of the colony, and to support your authority as the Governor of this territory.

I have, &c.,
W. Paterson.

[Enclosure No. 21.]

Adjutant Minchin to Lieutenant-Colonel Paterson.

Sir, Sydney Barracks, 8th October, 1802.

I am much obliged by the extract which you did me the honor to favor me with from a letter of the Governor.

With respect to His Excellency's allusion, what I have said is truly just and critical, and altho' I feel hurt that such an attempt could be made towards my dishonor, I am more surprized at its cause.

To you, sir, as my Commanding Officer, I now complain of being so unjustly accused, and doubt not but you will afford me an opportunity of convincing you and my brother officers that my veracity is not to be doubted, and that I have not deviated from either the character of an officer or a gentleman.

I have, &c.,
W. Minchin,
Ens. and Adj't.

[Enclosure No. 22.]

Captain Kemp to Lieutenant-Colonel Paterson.

Sir, Sydney, 9th October, 1802.

I received yours this morning, and in answer thereto take the liberty of remarking that in my own opinion it would be very unbecoming me to be carrying tales backwards and forwards on such subjects as the French officers being accused of selling spirits.†

To you, sir, as my Commanding Officer, I beg leave to apologize for any part of my conduct that appears to you to be contrary to the etiquette of the service.

I have, &c.,
Anthony Fenn Kemp,
Captain of the N. S. Wales Corps.

*Note 253. †Marginal note by Governor King.—"Then why did Capt'n Kemp take such uncommon pains to substantiate and publicly assert it?"
[Enclosure No. 23.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir,

The enclosed two letters I have just received from Mons'r Baudin, to which I annex a translation. The Commodore having furnished me with duplicates, you can retain the originals, which you will observe is the French officers' answer to Capt. Kemp's apology to them.

As you judged it necessary to convene the officers of your Corps to decide on Capt'n Kemp's conduct in that respect, which produced the apology, you will have the goodness to reconvene those officers, and cause to be read to them the enclosed letter, in the original and translation.

I have just received yours in answer to my note of last night. You will observe by the General Orders of this day, that the Court-Martial you desire is ordered for Tuesday next, when the addition of the 6th instant is made to the charges, and that, so far from taking any responsibility on myself, contrary to the meaning you attach to the Duke of York's instructions to you, I refer you to the arrangements I have this day made in consequence of your representation. I also observe Capt'n Kemp's letter to you (by no means satisfactory to me). I wished to be possessed of your opinion as a military officer, whether I can with propriety, as Commander-in-Chief (issuing the warrant for a General Court-Martial), personally prosecute Capt'n Kemp.

The remaining subjects of your letter having been so fully anticipated in my letters to you of the 4th and 6th instants, I must not only refer you to them on every point contained in yours of this date, but also request that you will lay my letter of the 6th, as well as the 4th, with their respective documents, before the members of the Court-Martial, for which purpose I have returned the charges to have the 6th instant inserted as well as the 4th instant.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 24.]

LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING.

Géographe,

Monsieur le Gouverneur,

11 Vendémaire, an 11.

La lettre que m'a adressé Monsieur Kemp,* capitaine au régiment de la Nouvelle-Galles du Sud, ayant été communiquée

* Note 254.
aux états-majors assemblés, j'ai l'honneur de vous transmettre une copie de la réponse qu'ils ont jugés convenable d'y faire, et qui est ainsi conçue:

A bord du Géographe,

Citoyen commandant,

le 11 Vendémiaire, an 11.

D'après vos ordres, j'ai appelé à bord tous les officiers de la division en appuyant le signal d'un coup de cannon. Je leur ai communiqué la lettre que vous a écrite Monsieur Kemp, capitaine au régiment de la Nouvelle-Galles.

Tous les officiers français, persuadés que Monsieur Kemp avait le premier donné lieu à l' accusation fausse portée contre eux, et avoir employé tous ses moyens pour en fournir des preuves, avaient sentis d'autant plus vivement la déloyauté de ce procédé qu'ils devaient moins s'y attendre de la part d'un officier anglais. Ils ont vus avec plaisir que Monsieur Kemp n'a jamais eu l'intention de porter atteinte à leur honneur. Ils en reçoivent l'assurance, parce qu'il entre dans leur principes de ne jamais douter de la vérité d'un officier. Ils eurent désirer que Monsieur Kemp, connaissant mieux la délicatesse des officiers français, n'eut pas en les répétant, accrédité les propos d'un homme obscur qui ne fussent jamais parvenu ni à Monsieur Le Gouverneur ni à nous s'ils n'eurent passés par une bouche qui devait leur donner de la vraisemblance.

Les officiers de l'expédition française sont sensibles aux témoignages d'estime de Messieurs les officiers du régiment de la Nouvelle-Galles, et les assurent que celle qu'ils leur portent en retour ne saurait être atterré par des torts particuliers.

RONSARD.
FREYCINET aîné.
FREYCINET jeune.
ST. CRIG.
etc., etc., etc.

[Enclosure No. 25.]

COMMANDANT BAUDIN TO CAPTAIN KEMP.

Monsieur,

j'ai Reçu la lettre que vous m'avez fait l'honneur de m'écrire et vous transmet la Réponse que les officiers qui sont sous mes ordres y font. Comme l'affaire dont il est question leur est plus particulière qu'à moi; j'ai pensé que leur Réponse pourroit mieux vous Convenir que la miene.

j'ai l'honneur d'être très parfaitement.

Monsieur,

votre Serviteur,

N. BAUDIN.
LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir, Sydney, 10th October, 1802.

In answer to your Excellency's letter of yesterday, wherein you request my opinion as a military officer whether you can, as Commander-in-Chief issuing the warrant for a Court-Martial, personally prosecute Capt. Kemp.

I find no difficulty to inform your Excellency that it is customary for the accuser to prosecute against a prisoner. How far that may be consistent with your situation as Governor concerning Captain Kemp does not rest with me as a military officer to instruct you.

With the greatest respect to your Excellency's authority, I beg leave to state, as commanding the New South Wales Corps, that the detail of the regiment rests with me alone, and in not noticing this I should be remiss in my duty, in consequence of your Excellency naming the officers for the Court-Martial in your General Orders of yesterday. I have, &c.,

W. PATERSON.

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir, Sydney, 10th October, 1802.

I have received yours of this morning. From your answer to my question contained in my letter yesterday I can only guess that if you mean it as an opinion it coincides with mine, that it is not consistent for me to prosecute Captain Kemp personally; and as experience has dearly taught me the fallaciousness of deputing another person to prosecute in my stead, having failed in my application to you as Commanding Officer of the Corps on the subject of Captain Kemp, I must represent that officer's whole conduct to an authority from which I hope for that justice I cannot obtain here.

I can assure you, sir, that I had no intention of doing yesterday what I have never attempted—interfering with the detail of the regiment under your command. As it appears wrong to you, I request you will regard it as unintentional, as I thought your being the prosecutor it would be more delicate your not having anything to do with the detail that might on that occasion put in or exclude any officer from sitting. To that error I beg you would impute any seeming impropriety on that head. I believe the only person omitted was Lieut. Brabyn. My reason for it was his being on the Parramatta detachment under Captain Piper, who, being of superior rank to Lieut. Brabyn, I named him. But that anything I have done may not be construed into impeding the course of justice I send you the precept I meant
to issue, and have to request you will make such alterations as you may deem proper; and that as many officers as possible may be assembled, I dispense with the officers on my guard attending during the days of the trials.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 28.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSOII.

Sir,

Sydney, 11th October, 1802.

... The hitherto well-conducted police of this settlement being now abandoned by the removal of Mr. Harris, it is incumbent on me, and necessary for the welfare of this settlement, that I should charge you with the administration of that department.

You will observe by the General Orders* of this day that every person concerned with the police do make their daily and constant occasional reports to you in the first instance, which you will enquire into; and in all cases where punishments are necessary you will convene the magistrates and report your decision to me if at Sydney; but if I am at Parramatta, or any other out-settlement, you will consider yourself at liberty to inflict any punishment under 100 lashes. Any arrangements you may judge necessary to offer for my approbation, and which you may judge conducive for preserving the good order of this settlement, I shall most readily attend to it.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 29.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSOII.

11th October, 1802.

GOVERNOR KING, in answer to Colonel Paterson's message by Lieut. Hobby, requests the names of the officers in writing for to-morrow's Court-Martial, with the exception of Capt'n Kemp, for the reasons stated in the General Orders of to-day*; of one officer for the command of the Parramatta Detachment, where there are 2,980 convicts and inhabitants; and of Ensign Laycock, if he is not of age to sit at a Court-Martial.

The officer of the guard who does not choose to dine with the Governor is at liberty to quit his guard from 3 o'clock 'till the evening parade.

Members for the General Court-Martial ordered to assemble to-morrow:—

CAPT. RALPH WILSON, President.
CAPTAIN JOHN PIPER. LIEUT. THOS. DAVIES.
LIEUT. THOS. HOBBY. LIEUT. WM. MOORE.
ENSIGN N. BAYLY. ENSIGN F. BARRALLIER.
T. HOBBY,

Lieut. and Act'g-Adj't, New South Wales Corps.

* Note 255.
1802.
9 Nov.

Correspondence and papers re Kemp’s charges against the French officers.

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680 HISTORICAL RECORDS OF AUSTRALIA.

[Enclosure No. 30.]

* TO LIEUT.-GOVERNOR PATERSON.

Sydney, 12th October, 1802.

Sir,

I am Commanded by the Governor to inform you, that in Order to prevent your being interrupted, in your present Prosecutions, he has given directions that no Reports respecting the Police, or Applications on that head are to be made to you until after the Military Trials are finished. I have, etc.

[Enclosure No. 31.]

LIEUTENANT-COLONEL PATERSON TO MR. THOMSON.

Sydney, 13th October, 1802.

L’T.-COLONEL PATERSON requests Mr. Thomson will deliver to His Excellency Governor King the following message:

That tho’ it appeared to the Colonel that His Royal Highness the Duke of York might see an impropriety in Mr. Harris, surgeon of the New South Wales Corps, holding the situation of Naval Officer, and that it might be contrary to his instructions.

Yet at the same time there did not appear to him the same impropriety in his doing the duty of a magistrate, and which he could fill without in any way being considered as detaching him from regimental duty; and as Mr. Harris had already filled that office with great credit to himself and with much benefit to the police of the colony and the good of His Majesty’s service in general, the Colonel, as Lieut.-Governor and Commanding Officer of the New South Wales Corps, has to request his Excellency the Governor will reinstate him again in the office of magistrate, but that the Colonel does not ask this from any view of throwing on Mr. Harris any duties which might fall upon himself as Lt.-Governor.

W. PATERSON.

[Enclosure No. 32.]

PETITION TO GOVERNOR KING.

The most humble petition of the inhabitants of Sydney,—

Respectfully sheweth:

That they feel it a duty incumbent upon themselves to address you, and represent that, from the first moment John Harris, Esq’re, was appointed a magistrate, they have to return him thanks for his assiduity in administering justice, and his unremitting attention to the high situation he held; his vigilance in detecting vice, and his faithful representation of all such matters as came before him. Under his magisterial eye we have enjoyed perfect security in person and property. We could lay down in safety, knowing that Mr. Harris was always awake. His ear was always ready to hear the tale of the unfortunate, and the public voice is, that he administered justice most impartially.

* Note 256.
Your Excellency's petitioners are induced thus to trouble you in acknowledging the goodness, the rectitude of conduct, the fair and impartial decisions of John Harris, Esq're, as a magistrate and Naval Officer; and if they are allowed a voice, they crave to observe that none can exceed that gentleman in discharge of the important Colonial duties entrusted to his care and management.

The petitioners unanimously join in request that your Excellency will be pleased to hear thus their brief prayer, wishing that John Harris, Esq're, may be still continued in his magisterial capacity to rule over us under your Excellency's directions, because under his directions we have lived happy and protected; his vigilance has guarded us in person and property, and we trust that the voice of a few, tho' greater in power than us, will not affect the character of a gentleman that we suppose and have every reason to think invulnerable.

That he may not feel the least diminution of your Excellency's confidence, but that he may be restored and enjoy the highest honors you can bestow, we most respectfully and most ardently pray, &c.

[Enclosure No. 33.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERNON.

Sir, 16th October, 1802.

Before I answer your written message delivered me by Mr. Thomson, containing your request for Mr. Harris to be reinstated as a magistrate, I have to request being informed whether you consider his receiving the rents, assessments, &c., being one of the committee for managing the Gaol and Orphan Funds and institutions, as militating against the meaning you have attached to His Royal Highness the Commander-in-Chief's instructions to you, as all this business is transacted at Sydney where his duty as surgeon of the New South Wales Corps requires his attendance.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 34.]

LIEUTENANT-COLONEL PATERNON TO GOVERNOR KING.

Sir, Sydney, 16th October, 1802.

In answer to your Excellency's letter respecting Mr. Harris holding the different situations therein contained, I do not conceive that either of them detaches him from his military duties, and it will give me great pleasure to find him reinstated in all those situations.

I have, &c.,

W. PATERNON.
Governor King to Lieutenant-Colonel Paterson.

Sir,

Sydney, 16th October, 1802.

I have the honor of answering your written message to me by Mr. Thomson of the 13th inst.

Persuaded as I am and ever have been of the honor, integrity, and unparalleled assiduity of Mr. Harris in the different offices he has filled with your consent and approbation, yet, sir, when I recur to the last paragraph of your first and the third paragraph of your second letters to me of the 8th instant, and to the first, third, and fourth of yours of the 9th instant, with my answers thereto; and when I consider the duty of a magistrate may eventually call Mr. Harris to Parramatta or Hawkesbury, which would certainly interfere with his duty as surgeon of the Corps you command, I am sorry, on reflecting over those circumstances, that I cannot consider myself justifiable (without subjecting that officer to censure and myself to experience fresh humiliations on that head), in acceding to your request, and the petition of the inhabitants of this settlement to reinstate Mr. Harris as a magistrate, which office, as you justly observe, he has already filled with great credit to himself, and with much benefit to the police of the colony, and the good of His Majesty’s service in general.

I have, &c.,

Philip Gidley King.

Affidavit of Secretary Chapman.

Mr. William Neate Chapman came before me this day, and after having read and compared a Copy of a Letter from Governor King to me dated 4th Octr. 1802, with the Original now in my possession, voluntarily deposes, “That on the 4th Inst. October Govr. King sent for Adjutant Minchin, and the Naval Officer, (Mr. Harris) and read to them in his presence that part of the above Letter now produced, containing the information of Mr. John Harris, Naval Officer, and Adjutant Minchin respecting the Assertions and Conversations used by some Officers of the New South Wales Corps, on the subject of the French Officers being allowed to purchase Spirits and sell for Money, while they could get none as stated in the 2nd, 3rd and 4th Paragraphs of that Letter—That after having read the first or Second Paragraph, Govr. King addressed himself to those Gentlemen and said “If there is any thing wrong you will Correct me”—That after finished reading the above Statement, He, Govr. King again addressed those Gentlemen and asked them twice if what he had read was true and Correct; Adjutant Minchin Answered
“Yes, perfectly”—and the Naval Officer, “Yes I will take my Oath of it”—Mr. Chapman further deposes that the Judge Advocate was present at reading the latter part of the Statement, which referred to his Examination of Lieutenant Freycignet and the Surgeon’s Mate—That the Judge Advocate was present at finishing reading that statement and to the Governor’s interrogations to the Naval Officer respecting the Truth of the Contents, he Answered in the affirmative.

W. N. Chapman,
Secy. to the Governor.
Sworn before me this 7th day of October, 1802.

W. Paterson.

[Appendix No. 2.]

Affidavit of Surgeon Harris.

Mr. John Harris Surgeon of the New South Wales Corps and Naval Officer came before me this day and after having read and compared a Copy of a Letter from Governor King to me of the 4th Octr. 1802, with the Original now in my possession, Voluntarily deposes, That on the 4th Instant Octr. Governor King sent for Adjutant Minchin and himself and read to them in the presence of Mr. Chapman, the Secy., that part of the above Letter now produced containing the information which I had given and that of Adjutant Minchin respecting the Assertions and Conversations used by some of the Officers of the New South Wales Corps on the subject of some of the French Officers being allowed Spirits and to Sell on Shore for Money while they could not get any as stated in the above Letter; That His Excell’y the Governor after he had read over the Letter asked Adjt. Minchin if it was true and Correct, that if it was not he would be obliged to him (Adjt. Minchin) if he would correct him—to which the Adjt. replied it was perfectly Correct—that the Governor then asked me if what related to me was true, that I replied, that I would take my Oath of it if required—that some time afterwards the Adjt. remarked to me what a tenacious Memory the Governor had, that he had taken no Notes of the preceding days Conversation, and that he had not forgot a word, to which I replied, he had.

That the Judge Advocate was present when the latter part of the Governor’s Letter was read, who also replied that as far as came within his knowledge it was true and Correct.

J. Harris,
Surgeon N.S.W. Corps and Naval Officer.
Sworn before me this 7th Octr. 1802.

W. Paterson.
Came before me this day Richard Atkins Esquire Judge Advocate and Voluntarily deposed that the part of the Letter His Excellency the Governor read to me was perfectly Correct, and that I was desired by him to retire while the first part of the Letter was read.

Rd. Atkins, J.A.

Sworn before me this 7th October 1802.

W. Paterson.

[Appendix No. 4.]

INDICTMENTS OF SURGEON HARRIS AND ENSIGN MINCHIN.

Charge 1st.—John Harris Esqr. Surgeon New South Wales Corps Charged by the Commanding Officer with ungentlemanlike Conduct in accusing Ensign and Adjt. Minchin of having advanced a Circumstance which Ensign and Adjt. Minchin denies, viz.—That of having informed His Excellency Governor King that some of the Officers of the Corps had Complained of their labouring under Hardships in the Commanding Officer’s presence.

2nd.—For disrespect to his Commanding Officer in not informing him of a Circumstance “As stated in the first Charge” —which effected his Character and has occasioned a very serious Misunderstanding between him and His Excellency the Governor.

Charge 1st.—Ensign and Adjt. Minchin of the New South Wales Corps Charged by the Commanding Officer with ungentlemanlike Conduct in denying that he ever told Governor King that the Conversations of the Officers of the Corps labouring under Hardships passed in the Commanding Officer’s Varanda and in the Commanding Officer’s presence as asserted by John Harris Esqr. Surgeon in the same Corps, and in His Excellency’s, Govr. Kings, Letter to me of the 4th and 6th Inst. October.

W. Paterson,
Lt.-Col. Comdg. N.S.W. Corps.

[Appendix No. 5.]

DEPUTY JUDGE-ADVOCATE THOMSON TO GOVERNOR KING.

Sir,

Sydney, Tuesday, 12th October, 1802.

I applied this morning to your Excellency (with the approbation of Lieut.-Colonel Paterson) to postpone the General Court-Martial which was to have sat this day on John Harris, Esqr., Surgeon, and Ensign and Adjutant Minchin, of the New South Wales Corps, at the particular request of the officers who were to compose that Court, and who were of opinion that an
explanation might prevent the disagreeable necessity of a Court-Martial, and, also, that I myself might have an opportunity of examining more minutely the charges against those officers, the nature of the evidence in support of those charges, and the defence the prisoners meant to advance.

I have now to inform your Excellency that the efforts of two officers who were selected for the purpose of effecting the explanation required have proved unsuccessful, and, from what I have myself seen, I am clearly of opinion that the charges are so grounded that a General Court-Martial must take place, which I have communicated to Colonel Paterson, who desires me to request your Excellency to put it in orders for the General Court-Martial to sit to-morrow.

Jas. Thomson,
Officiating Deputy Judge-Advocate.

The preceding Papers were read by the Judge Advocate in the presence of the parties concerned, and acknowledged by them to be true and faithful copies of the Originals.

Richard Atkins, J.A.
Thos. Jamison, J.P.

[Enclosure C.]

Order for Court-Martial.

By etc. etc.

Ir being expedient for His Majesty's service that a General Court-Martial should forthwith be assembled, for the purpose of trying John Harris, Esquire, surgeon of the New South Wales Corps, on the following charges, to be exhibited against him by Lieutenant-Colonel William Paterson, commanding the said Corps, viz.:—

Charge 1st.—"John Harris, Esquire, surgeon, New South Wales Corps, charged by the Commanding Officer with ungentlemanlike conduct, in accusing Ensign and Adj't Minchin of having advanced a circumstance which Ensign and Adj't Minchin denies, viz.:—'That of having informed His Excellency, Governor King, that some of the officers of the Corps had complained of their labouring under hardships in the Commanding Officer's veranda, and in the Commanding Officer's presence.'"

Charge 2nd.—"For disrespect to his Commanding Officer, in not informing him of a circumstance, 'as stated in the first charge,' which effected his character, and has occasioned a very serious misunderstanding between him and His Excellency the Governor." And also for the purpose of trying Ensign and Adjutant Minchin, of the New South Wales Corps, on the following charge, to be exhibited against him, by Lieutenant-Colonel
William Paterson, commanding the said Corps, viz.:—"Ensign and Adj’t Minchin, of the New South Wales Corps, charged by the Commanding Officer, with ungentlemanlike conduct in denying that he ever told Governor King that the conversations of the officers of the Corps labouring under hardships, passed in the Commanding Officer's varanda, and in the Commanding Officer's presence, as asserted by John Harris, Esquire, surgeon in the same Corps, and in His Excellency's, Governor King's letters to me of the 4th and 6th instant, October."

By virtue of the powers delegated to me, I do hereby nominate, constitute, and appoint you, the undermentioned officers, to compose such General Court-Martial; and do direct and require you severally, respectively, and personally, to attend at the quarters of Captain Ralph Wilson, in Sydney, on Wednesday next, being the thirteenth day of this instant, October, then and there, after guard mounting in the forenoon of the same day, to proceed to the tryals of the said John Harris, Esquire, and Ensign and Adjutant Minchin.

Given etc. this 9th day of October, 1802.

PHILIP GIDLEY KING.

To Captain Ralph Wilson, President; Captain John Piper, Lieutenant Thomas Davies, Lieutenant Thomas Hobby, Lieutenant William Moore, Ensign Nicholas Bayly, Ensign Francis Barrallier.

To James Thomson, Esquire, Staff-Surgeon, appointed to officiate as Deputy Judge-Advocate on this especial occasion.

A true copy.

RALPH WILSON, Capt’n and President.
JAS. THOMSON, Officiating Dep’y-Judge-Advocate.

PROCEEDINGS OF COURT-MARTIAL.

13th October, 1802.

At a General Court-Martial, held at Sydney, in His Majesty's territory called New South Wales, on the 13th day of Oct'r, 1802, by virtue of a precept under the hand and seal of His Excellency Philip Gidley King, Esq’r, Captain-General and Governor-in-Chief in and over the said territory and dependencies, &c.

Present:—Captain Ralph Wilson (president), Captain John Piper, Lieutenant Thomas Davies, Lieutenant Thomas Hobby, Lieutenant William Moore, Ensign Nicholas Bayly, Ensign Francis Barrallier (members of New South Wales Corps).

James Thomson, Esq’r., officiating Deputy Judge-Advocate.
The precept for assembling the Court, and also the warrants constituting and authorizing Capt'n Ralph Wilson to sit as President of the Court, and James Thomson, Esq're to officiate as Deputy Judge-Advocate for the occasion, being read.

The Court and Judge-Advocate being sworn.

John Harris, Esq're, Surgeon of the New South Wales Corps, charged by Lieut.-Colonel William Paterson, commanding the New South Wales Corps, with:

Charge 1.—Ungentlemanlike conduct, in accusing Ensign and Adjutant Minchin of having advanced a circumstance, which Ensign and Adjutant Minchin denies, viz., that of having informed His Excellency Governor King that some of the officers of the Corps had complained of their labouring under hardships in the Commanding Officer's varanda and in the Commanding Officer's presence.

Charge 2.—As stated in the precept and warrants, being withdrawn by the wish of Lieut.-Colonel Paterson and desire of the prisoner.

The charge being read, and the prisoner asked whether he is guilty or not guilty of the matter of accusation, pleads he is Not Guilty.

Lieutenant-Colonel Paterson, being called on to substantiate the charge, produced to the Court some correspondence with the Governor, which he adduces to support the prosecution.

The prisoner made objections to any written documents or papers being produced in evidence against him.

The Court cleared on the question to deliberate on the propriety of admitting as evidence the written papers, are of opinion, that the written documents produced by Colonel Paterson as prosecutor, should be admitted as the best evidence that can be had.

Mr. William Neate Chapman, Secretary to His Excellency, being called on and sworn, deposed to the following questions from Lieut.-Colonel Paterson:—

Q. 1.—Examine those depositions, letters, and documents, and say whether they are originals or exact copies of them, as they have either been wrote by you or passed through your hand as the Governor's Secretary?

A.—The letters endorsed on the back No. 1 of the 4th October, No. 8 of the 6th October, and No. 9 of the 7th October, to be originals; and the several depositions, No. 10, are true copies.

The Court being cleared, and on opening, required of Colonel Paterson to produce to them such extracts from the papers before the Court, as he may find necessary to substantiate the charge.
The Colonel produced the following extract from His Excellency's letter of the 7th October, viz.:—"Either the Naval Officer or Adjutant Minchin has not been acting with candour, and it rests with you to which of the two you ought to give the greatest credit."

Mr. Chapman, being again called in, deposed to the following questions from the prisoner:—

Q. 1.—Can you take it on you to say I ever informed the Governor that the officers of the New South Wales Corps had complained to the Lieut.-Colonel of any hardships they laboured under, as stated in his charge against me?

A.—No; never.

Q. 2.—Did you consider what I said to the Governor as a complaint tending to involve Colonel Paterson in any difficulty whatever, or as an information incumbent on my duty as Naval Officer, which concerns the Governor's General Orders in respect to spirits?

A.—I conceive it as information incumbent on you to give to the Governor officially as Naval Officer.

Q. 3.—The length of time I have been about the Governor's person, have you ever heard me repeat or give any information respecting any officer whatever to their prejudice?

A.—No; on the contrary, I always observed Mr. Harris studiously avoided using any officer's name, excepting in endeavouring to do him a service.

Q. 4.—Have you not heard the Governor, as well as the Lieut.-Governor, express themselves in terms of high approbation at my conduct as a magistrate, and other offices I have held with their approbation?

A.—Yes; I have heard them both more than once speak to that effect.

The Colonel stated he had nothing farther to bring forward in support of the prosecution.

The Court being cleared, and having considered the evidence in support of the prosecution, are of opinion there is no necessity for putting the prisoner to the trouble of making any defence; and it appears to the Court that the charge exhibited against John Harris, Esqr., Surgeon of the New South Wales Corps, is groundless, and do therefore unanimously and most honorably acquit him.

Ralph Wilson, Capt., N. S. Wales Corps, President.

I approve the above sentence of honorable acquittal.


Ralph Wilson, Capt. and President.

**Enclosure D.**

**Monthly Return of His Majesty’s New South Wales Corps, commanded by Colonel Fra’s Grose,**

Sydney, 1st November, 1802.

<table>
<thead>
<tr>
<th>Companies</th>
<th>Officers Present</th>
<th>Effective Ranks</th>
<th>File</th>
<th>Wanting to complete</th>
<th>Alterations since last return</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Commissioned</td>
<td>Staff</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colonel Grose’s</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Lt-Col. Paterson’s</td>
<td></td>
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<td></td>
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<tr>
<td>Major Foveaux’s</td>
<td></td>
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</tr>
<tr>
<td>Johnston’s</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td></td>
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<tr>
<td>McArthur’s</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Townson’s</td>
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<tr>
<td>Abbott’s</td>
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<tr>
<td>Wilson’s</td>
<td></td>
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<tr>
<td>Kemp’s</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Total</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>4</td>
<td>1</td>
</tr>
</tbody>
</table>

**N.B.—** Two sergeants, two corporals, to Supernau’s List; one corporal to private; one corp’l from Super’y List.
MONTHLY RETURN of His Majesty's New South Wales Corps, &c.—continued.

<table>
<thead>
<tr>
<th>Absent Officers' Names and Rank</th>
<th>From what time</th>
<th>By whose leave</th>
<th>To what time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colonel Grose</td>
<td>15th December, 1794</td>
<td>His Majesty's</td>
<td></td>
</tr>
<tr>
<td>Captain Townson</td>
<td>15th February, 1800</td>
<td>Do</td>
<td></td>
</tr>
<tr>
<td>Lieut. Patullo</td>
<td>25th August, 1801</td>
<td>Resignation given in</td>
<td></td>
</tr>
<tr>
<td>Captain McArthur</td>
<td>16th November, 1801</td>
<td>Under arrest, by His Excellency Governor King.</td>
<td></td>
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</tbody>
</table>

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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Lieut. Hobby, do</td>
<td>Serjeants on furlough, 1.</td>
<td>Ensign Bayly.</td>
</tr>
<tr>
<td>Lieut. Brabyn, do</td>
<td></td>
<td>Captain Wilson.*</td>
</tr>
<tr>
<td>Ensign Lawson, at Norfolk Island.</td>
<td></td>
<td>Ensign Barrallier.</td>
</tr>
<tr>
<td>Ensign Maundrell, do</td>
<td></td>
<td>Captain Kemp.</td>
</tr>
<tr>
<td>Ensign Piper, do</td>
<td></td>
<td>Paymaster Cox.</td>
</tr>
<tr>
<td>Ensign Anderson, do</td>
<td></td>
<td>Lieut. Davies.</td>
</tr>
<tr>
<td>Assist. Surgeon Roberts, do</td>
<td></td>
<td>Qr.-Master Laycock.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lieut. Moore.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Surgeon Harris.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ensign Laycock.</td>
</tr>
</tbody>
</table>

* Embarked for Norfolk Island.

W. Paterson, Lt.-Col.
KING TO HOBART.

[Enclosure E.]

GENERAL ORDER.

28th October, 1802.

The Governor has for some time been informed of a Report, as wicked as it is false, and calculated to bring the believers of it to Destruction, that a Settlement of White People exists on the other side of the Mountains, &c., And that several of the Prisoners were so far deluded as to concert means for reaching that Settlement, in consequence of which, several have lately absconded from their Labour, Nine of whom have been apprehended, and on the Examination before the Magistrates, it appeared that some of them, instead of taking the course to the Mountains, had gone to the Sea-side, others had reached near the Nepean, whilst those less instructed than the latter, had wandered about near the place they had left, after being absent Ten Days, most of them nearly starved, and living on Grass for Five Days out of the Ten.

Exclusive of former unhappy examples, The fate which befell those who took the Norfolk, the dismal end of the unfortunate Lime-burners, who were killed by the Natives on landing a few Miles from hence, and the folly of the late Land adventurers, joined to the punishment they have already received in being nearly starved, and the Corporeal Punishment awarded by the Magistrates as an example, it is hoped that what has occurred to those ignorant and infatuated People may have its effect upon others, and prevent such Schemes, as wild as they prove unsuccessful and destructive to those concerned in them.

A few simple and ill-informed People have been led into these ridiculous Plans, the consequences of which have been that those among them who pretended to a greater share of Wisdom than the rest have sacrificed the others by forcing them ashore, where they have been destroyed by the Natives, and a part of them executed for Piracy; Nor is there a doubt that if the present adventurers could have reached the foot of the Mountains, they must have languished and died for want of Food before they could have got a Mile into them.

Let those who are invited to such mad and inconsiderate undertakings reflect upon these things, and they will easily discover the risque attending such ill-judged enterprises.

[Enclosure F.]


Captain Thomas Rowley

Serjeants James Bloodsworth John Gowen

Lieutenant Thomas Smyth John Griffiths

* Note 52.
Corporals
- Thomas Collier
- Richard Robinson

Privates
- John Ansip
- Thomas Allwright
- John Arnes
- Geo. Atkinson
- John Anson
- James Bartram
- John Burgess
- Wm. Bruce
- Wm. Chapman
- Francis Cox
- Thomas Caldwell
- Edward Collins
- Daniel Chambers
- John Davis
- Charles Evans
- William Fielder
- Edward Gould
- James Hanks
- Edward Holt
- William Hollis
- Samuel Heckley

Privates
- Joseph Inches
- William Jenkins
- Murty Kearnes
- John Lewis
- Fredk. Meredith
- William Miller
- John Marsden
- Thomas Mansfield
- Edward Pales
- William Peachy
- Thomas Randall
- Thomas Radley
- Wm. Roberts
- Thomas Raby
- Wm. Sparks
- John Sparrow
- James Spooner
- Thomas Salmond
- Walter Scott
- Samuel Thorley
- John Tucker
- James Underwood
- Willm. Wall

T. Rowley, Captain.

List of the Loyal Parramatta Association 9th Novr. 1802.

Captain James Thomson
Lieut. John Jamieson
D'Arcy Wentworth
Serjeant James Larra
Corporal John Stephenson
Drummers Richd. Collier
Richd. Calcutt

Privates
- James Beane
- Benjm. Cowen
- Thomas Coseur
- William Cole
- Willm. Goodwin

Privates
- Tim'y Hollister
- Wm. Hubbard
- Thomas Joyce
- Willm. Mounslove
- Jos. Maund
- Richard Mortimore
- Thos. McEnzie
- Ladoc Pettitt
- Jos. Saunders
- Andrew Snowdon
- Humphry Thorn
- Jos. Ward
- James Wright
- Charles Wright
- John Whitter
- Daniel Welling
- John Weavers

Jas. Thomson, Captain.

GOVERNOR KING TO LORD HOBART.

(Despatch endorsed "Separate, with Military Letter No. 1," per Surgeon Thomson in the Naturaliste; acknowledged by Lord Hobart, 24th June, 1803.)

Sydney, New South Wales,

My Lord,

On the arrival of the ample supply of flour and salt meat by the late transports, and His Majesty's ship Buffalo, which arrived here the 16th ult'o, and being enabled thereby to issue a
full ration to the military, agreeable to the Commissary's instructions from the Lords of the Treasury, I judged it incumbent on me to take some steps respecting the deductions to be made on the military ration, as pointed out by His Majesty's warrant on that behalf. In this place I must refer your Lordship to my letter to His Grace the Duke of Portland, of which I enclose the copy of a paragraph, and correspondence that related to this object. As Col'l Paterson received the instructions contained in the Secretary at War's letter to him on September 27th, 1800, and did not judge it necessary to take any steps then, as we could not serve a complete ration, I deferred taking any steps until I might receive instructions in answer to the above paragraph; but as the deductions were dispensed with by the orders of my predecessor, and as it is now in our power to continue the complete ration, I judged it necessary to submit the choice to Lieut't-Col'l Paterson, as stated in the General Orders of the 22'd October, a copy of which, with my correspondence, and the final regulations on that head, I have the honor to enclose, with a statement showing that the complete ration and deductions gives a saving to Government of £3,491 16s. 8d. per ann.*

What I have done in this case, your Lordship will observe, has been to free myself of a future responsibility; and from the necessity of issuing a complete ration to the military now it is in my power, agreeable to the directions received from the Treasury, and in conformity to His Majesty's warrant in that behalf, which do not mention any deductions from the commission and staff officers of troops serving abroad, your Lordship will observe that I have continued the Treasury ration to the latter descriptions until I receive instructions on that head.

The orders I have given the Commissary consequent on the above regulation I hope will be approved of, and found sufficient to recover the amount of the deductions.

Your Lordship will also observe, by the first part of the General Orders of the 22'd ult'o, that from the number of families on the store, I found it necessary, in conformity to my instructions, to order the wives, children, and female servants belonging to commissioned officers on the civil establishment (which consequently includes my own), to be struck off the stores; and, altho' I can find no army regulations, or obtain information which warrants any wives or families of officers or soldiers being supported at the public expense, yet, for the convenience of the New South Wales Corps, I have continued the Treasury ration to five women and their families in each company, limiting that indulgence to those who came free and married from England, being in my opinion a

* Marginal note.—656 rank and file, as per monthly return for Nov., 1802.
necessary distinction, as many of the convicts who are married to
private soldiers are too depraved and wicked to be allowed any
indulgence whatever.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1]

EXTRACT FROM GOVERNOR KING'S MILITARY LETTER NO. 3.
to His Grace the Duke of Portland, dated Augt. 21st, 1801.

[This extract comprised the third paragraph of the despatch.]

[Papers forming Enclosure No. 2.]

EXTRACT FROM GENERAL ORDER, dated 22nd October, 1802.
The following Regulations are to be made respecting those
hitherto victualled from the public stores, viz.:—
The Wives, Children, and Female Servants of the Commissioned
Officers of the Civil Department are to be struck off the Stores;
Not more than Five Women (who never have been Convicts),
Wives of Officers or Soldiers, are to be victualled at the Public
Expence for each Company of the New South Wales Corps.
The following Limitation of Servants victualled by the Crown
is to take place to-morrow:—
To the Governor, 10 Domestic Servants;
To the Lieutenant-Governor, Five ditto;
To Commissioned Civil Officers living in Barracks, Two ditto;
To Commanding Officer of Troops, Three ditto;
To Captains living in barracks, Two ditto;
To Subalterns living in barracks, One ditto.
The Civil and Military from this date are entitled to have their
arrears of sugar made good when any can be purchased.

As the measures taken by Government to supply a full Ration,
and as the Governor is pointedly instructed to issue a full Ration
to the Troops and Convicts as long as the Stores will allow of it,
which lays the Governor under the necessity of conforming to the
King's Warrant of the 25th May, 1797, with regard to the full
Military Ration, whereby a stoppage is made of 3d. per diem from
each Private and 3d. from each Non-Commissioned Officer; But
whilst he has received the most pointed instructions respecting the
distribution of the Rations and keeping the Troops at a full Allow­
ance, yet he has received no official directions respecting the
stoppages. It therefore remains with the Commanding Officer to
determine whether the Regiment should receive the full Rations,
subject to the stoppages, as prescribed by the King's Warrant,
as above, or whether the Treasury Ration for the Settlement at
large should be continued until Orders are received on that head.
The Commanding Officer of the New South Wales Corps will
inform the Governor of the names of the five Women and their
Children for each Company whom he wishes to have victualled;
Also a list of the servants that the Officers of the Military Department wish to retain, agreeable to the above Orders, for the purpose of supplying their barracks with wood, etc.

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir,

Sydney, 22nd October, 1802.

Considering your Excellency as Commander-in-Chief of this colony, I cannot take upon me any responsibility respecting the ration for the military more than what I have advanced to your Secretary, and a reference to His Majesty's warrant of the 6th Feb'y, 1799; also the Secretary of War's letter to me, dated the 27th Sept'r, 1800, a copy of which is enclosed.

Any orders your Excellency may please to give on this head I shall cheerfully attend to.

I have, &c.,

W. PATERSON.

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir,

Sydney, 23rd October, 1802.

I have received yours, and as you inform me that you decline being responsible respecting the ration for the military more than what you have advanced to my Secretary, and referring to the King's Instructions of Feb'y 6th, 1799, and the Secretary at War's letter to you of the 27th Sept'r, 1800.

If the Warrant of Feb'y, '99, does not differ from that of May, 1797, there can be no doubt the Secretary at War's letter confirms that order, which, joined to my instructions as stated in the General Orders of yesterday to issue the military a full ration, requires an obedience to the letter of the King's Warrant of May, 1797, to which the Secretary of War alludes.

I have to request you will have the goodness to inform me as soon as possible how far your responsibility goes, as you communicated to my Secretary yesterday. I will also thank you for your opinion respecting the officers' ration, as the warrant only expresses the commissioned officers and privates.

I have, &c.,

PHILIP GIDLEY KING.

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir,

Sydney, 23rd October, 1802.

I have the honor to enclose the warrant of the 6th Feb'y, 1799, which your Excellency can compare with that of May, 1797. When the full ration is issued I consider myself responsible for the deduction of threepence halfpenny for each non-commissioned officer, drummer, and private, in the regiment, and my opinion is that the officers ought to receive a ration, as animal food cannot be had but at a most exorbitant price.
In the course of to-day I shall give your Excellency the names of the servants the officers retain, and also a list of the soldiers' wives and children.

I have, &c.,

W. Paterson.

[Enclosure No. 3.]

ORDERS TO COMMISSARY PALMER RE MILITARY RATIONS.

By etc. etc. etc.

Commissary's WHEREAS it is necessary in Consequence of the Instructions you have Received from the Lords Commissioners of His Majesty's Treasury, that the Troops on this Service, should have a full Ration of Provisions as long as the Stores will admit thereof.

You are hereby required and Directed to Deliver to the Quarter Master of the New South Wales Corps, a Sufficient Quantity of Provisions Weekly, to Issue the following Ration to the Non-Commissioned Officers and Privates in Conformity to the Regulation on that head And agreeable to the General Orders of the Day (i.e. Ten Pounds and a half of Flour or Thirteen Pounds of Wheat And Ten Pounds and a half of Beef or Four Pounds Six Ounces of Pork to each Man per Week).

And as it is necessary that you should transmit a Correct Account, of the Rations so issued, you are to Observe the following Regulations on this Behalf.

Vizt. To Require the Quarter Master to Deliver to you a monthly list of the Military for Rations, Distinguishing Officers at Treasury And Non-Commissioned Officers and Privates at Military Ration, Signed by the Quarter Master And approved by the Commanding Officer.

Any Alteration that may be necessary to be made Weekly, to be Signed by the Quarter Master, in writing to you, Signed and Approved of as above.

The Monthly list to be Delivered to you on the 24th of each Month And the Weekly alterations on Thursday Mornings.

The Monthly lists to be inspected and Signed by the Commanding Officer, Quarter Master and yourself previous to the 31st of December Annually, when they are to be made up for the Twelve Months and sent with a Statement of the Numbers Victualled for the Year to the Secretaries of the Treasury and Auditors of Public Accounts, Delivering me a Copy of the Same.

Against each Non-Commissioned Officers etc. and Privates Name Contained in the lists, you will set off the Amount of their Years Deduction, as pointed out by the following Paragraph of His Majestys Warrant, bearing Date the 6th February, 1799. Vizt:—

"AND IT IS OUR WILL and PLEASURE, that there shall be taken a Deduction of Three pence halfpenny, a day from the full Pay
of each, Serjeant, Corporal, Trumpeter, Drummer, Fifer, and Private Man of our said Corps, when Stationed in Jamaica in New South Wales at Gibraltar etc."

For which this shall be your Order.

Given etc. this 23rd Ochr. 1802.

Philip Gidley King.

Governor King to Lord Hobart.

(Despatch marked "Marine Letter No. 1," per Surgeon Thomson in the Naturaliste; acknowledged by Lord Hobart, 24th June, 1803.)

My Lord, Sydney, New South Wales, November 9th, 1802.

1. Referring you to the Duplicate of my Separate Letter to the Duke of Portland by the Speedy, I have to inform you, that His Majesty's Sloop Investigator and the Lady Nelson, sailed the 22nd last July to continue the Survey of the Coasts of this Country, Capt'n Flinders having communicated his intentions to the Lords of the Admiralty, I shall only observe, that his first object was to examine and Pass thro' Endeavour Strait.

2. In the above Letter I informed that the Naturaliste, one of the French Ships on discovery had put in here for refreshments and sailed again; Monsieur Baudin, Commander of the Geographe, and of the Expedition arrived here the 22nd June, with only Twelve Men able to work the Ship, having lost several by Death (Both Ships lost 47 Men by Death since they left France) and all the rest in the last Stage of Scurvey. Twenty Eight of the worst were admitted into our Hospital, who, with the assistance of Vegetables and Fresh Meat, all recovered.— The Geographe having lost some Copper off her bottom the Commandant requested permission to heave her down, which I complied with.—The Naturaliste returned the 3rd July having got round the South Cape, and proceeded as far to the Westward as 136° E. of Green'h when the continuance of Westerly Gales and want of Provisions, prevented her going to the Isle of France, which I find was intended—Those Ships' wants of Salt Meat and Spirits were amply provided for by the Arrival of the American,* and the full quantity of Bread and Grain they demanded was furnished by Individuals—As the Numbers on board the Geographe were so much reduced and the Commandant having signified his intention of sending the Naturaliste to France, with Men just sufficient to work her, he applied for permission to purchase a small Vessel of Twenty Tons belonging to an Individual to accompany him, during the remainder of his Voyage which I complied with, and I hope his situation will procure me your Lordship's Approbation for having granted that request. This Vessel is to be commanded by One of his Lieutenants and

* Note 238.
Restrictions placed on officers and crew.

Proposed movements of Baudin.

Examination of the coast of West Australia.

Probability of a settlement by the French.

manned from the Two Ships—In my Letter already alluded to, I communicated the restrictions I judged it necessary to lay the Captain and Officers of the Naturaliste under, which were extended to the Geographe on her Arrival, those restrictions and the Ships having constantly lain in Neutral Bay, except when the Geographe was heaving down, has secured the most unexceptional conduct of our Visitors whose intercourse with the Inhabitants was thereby entirely prevented, and I have every reason to give the most satisfactory Approbation of the good Conduct of Monsieur Baudin his Officers and Ships Companies during their Stay here.

3. On leaving this I understand Monsieur Baudin intends to repass through Basses Straits, from thence he sends the Naturaliste to France with the very extensive collections in every Branch of Natural History that he has made on the different Coasts of this Country, he intends examining that part of the South Coast, where Captn. Flinders has preceded him, from thence he intends examining the W. and N.W. Coasts and the Gulph of Carpentaria in which I have no doubt he will be long preceeded by Captn. Flinders, I understand, he then means to visit the Moluccas and from thence to return to France.

The Bay he discovered on the Land of Lyons and Named by him “Bai de Geographe” is the only opening they saw either on Llewen’s Edle’s or the Land of Endraght except Shark’s Bay, and Swan River; Monr. Baudin as well as his Officers describe the Coasts on the S.W. and W. sides hardly accessible from the number of small Islands and Rocks with which they are lined, and every appearance of Sterility which is verified by the drawings made of every part of the Coast he has Visited, which I have seen, and are most accurately delineated; Notwithstanding the very great collection he has made in every branch of Natural History, yet I am inclined to think from his Geographical pursuits that collecting alone is not the principal object of his Mission, as it has very forcibly struck me that they have an intention of looking for a place proper to make a similar Establishment to this, on the W. or N.W. Coast, it has also occurred to me, that they may have some intention of laying claim to Van Dieman’s Land, now it is known to be insulated from New Holland; my only reason for this supposition is the length of time, and the very accurate and extensive Survey he has taken of what is called by us “Storm Bay Passage” and by the French “Le Canal D’Entrecasteaux” to whom they attribute the discovery of that passage—How far either or both these conjectures may be probable I cannot say but I judge it necessary to communicate my thoughts thereon and to request Instructions for my Conduct in case the latter conjecture should be verified.
I have already stated my Ideas respecting the Policy of forming a Settlement at Port Phillip, in Basses Straits, and in Storm Bay Passage, or Derwent River, on the East side of Van Dieman's Land, reflection on this subject confirms me in the necessity of forming Settlements at One or both those places, unfortunately I have no person I can at present Name to such a situation—Should One offer equal to that charge I shall take it upon me to Settle One or both those places for the reasons stated in my former Letter on that Subject.

His Majesty's Ship Buffalo arrived here the 16th Ulto. when I received a Letter from my Lords Commissioners of the Admiralty appointing me Principal Commander of that Ship, she is now unloading, and when clear, will be immediately refitted for Sea; I also received their Lordships' Directions to consider the Lady Nelson as a Tender, attached to that ship, and to bear fifteen Supernumeraries on her Books for Provisions and Wages to man the Lady Nelson.—Altho' that Vessel is now absent with the Investigator, and probably will not return 'till next June, yet I have withdrawn her from the Colonial list of Vessels.

I intended sending Captain Flinders' Despatches to the Admiralty containing his Charts etc. as far as he has gone by the Whaler I mentioned In my General Letter of this date, but as that Vessel did not call here, I have been necessitated to send this by Mr. Thomson, who takes his passage in the Naturaliste, and as I consider it necessary to preclude Capt'n. Flinders present Surveys from the most distant probability of falling into other hands, I shall defer sending them until the Greenwich Whaler sails which will be about next February, and may be expected in England about next July—But as their Lordships, may expect some account of his progress, I have related his Verbal Communications to me, in my Letter to their Secretary.

I am much concerned to say that the Norfolk Colonial Brig, which sailed from hence in November last for Otaheite in quest of a Cargo of Salt Pork, in not being returned, makes me apprehensive for her safety, which I hope to find unfounded when the Porpoise returns, As she sailed in May last on the same Service I look for her next month.

I have the Honor to enclose a Return of His Majesty's Ships and Colonial Vessels, by which your Lordship will observe that the Buffalo is fitting as fast as possible for Sea but as she is just clear of her Cargo, I have not yet determined whether she will be able to go to Bombay or Bengal for Cattle and Horses, as it is too late to send her to the Cape.

I have, &c.,

PHILIP GIDLEY KING.
### Enclosure.

**His Majesty's and Colonial Vessels Employed for the Public Service in N. S. Wales, 9th November, 1802.**

<table>
<thead>
<tr>
<th>Names</th>
<th>Rigged.</th>
<th>Built or Purchased</th>
<th>No. of Officers and Men</th>
<th>Pay per Month</th>
<th>Pay per Annum</th>
<th>In what State</th>
<th>General Employment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buffalo ......</td>
<td>Ship</td>
<td>On the Establishment of the Navy. Do.</td>
<td>...</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
<td>...</td>
<td>Fitting for service.</td>
</tr>
<tr>
<td>Porpoise ......</td>
<td>Do</td>
<td>... Paid as a Contingent Expenditure of the Colony to the 16th Oct., 1802, then as a Tender to the Navy, by order of the Admiralty.</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>Condemned In good repair</td>
</tr>
<tr>
<td>Supply .......</td>
<td>Hulk</td>
<td>60 Paid as a Contingent Expenditure of the Colony to the 16th Oct., 1802, then as a Tender to the Navy, by order of the Admiralty.</td>
<td>Lt. and Comm'r, Chief Mate, 2nd do, 12 Petty and Able Seamen</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Lady Nelson ...</td>
<td>Brig</td>
<td>60 Paid as a Contingent Expenditure of the Colony to the 16th Oct., 1802, then as a Tender to the Navy, by order of the Admiralty.</td>
<td>Master, 1 Mate, 6 Able Seamen</td>
<td>6 0 0 16 10 244 0</td>
<td>78 0 109 4 78 0 109 4</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Norfolk ......</td>
<td>Brig</td>
<td>56 Purchased in May, 1801. Built in 1797 of Quebec oak.</td>
<td>Master, 1 Mate, 6 Able Seamen</td>
<td>6 0 0 16 10 244 0</td>
<td>78 0 109 4 78 0 109 4</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Francis ......</td>
<td>Schooner</td>
<td>40 Came in from England, per Pitt, in March, 1798.</td>
<td>Master, Chief Mate, 2nd do, 5 Able Seamen</td>
<td>4 0 0 15 10 201 0</td>
<td>52 0 91 0 52 0 91 0</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Cumberland ...</td>
<td>Do</td>
<td>26 Sydney, 1801</td>
<td>Master, Mate, 3 Able Seamen</td>
<td>4 0 0 15 10 201 0</td>
<td>52 0 91 0 52 0 91 0</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>Bee ...........</td>
<td>Sloop</td>
<td>11 Long Boat, Decked</td>
<td>Master and 3 Men who receive an Extra Ration from Stores.</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>2 Long boats</td>
<td></td>
<td></td>
<td></td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>Do Sailed for Otaheite, November the 8th, 1801, for Salt Pork.</td>
</tr>
<tr>
<td>3 Pinnaces ..</td>
<td></td>
<td>Very old ...</td>
<td></td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>Do Has been very Actively Employed in going between Port Jackson and Norfolk Island, bringing Grain from Hawkesbury, &amp; Coals from Hunter's River: Now gone to Norfolk Island.</td>
</tr>
<tr>
<td>3 Small boats</td>
<td></td>
<td></td>
<td></td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>Do Bringing Grain from Hawkesbury.</td>
</tr>
<tr>
<td>1 Large flat</td>
<td></td>
<td></td>
<td></td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>Do A very useful Vessel for bringing Grain, &amp;c., from the different Settlements, and many other very useful Public purposes. Variously Employed in the Harbour.</td>
</tr>
</tbody>
</table>

**Vessels Building.—** Portland, brig, 160 tons, in Frame: no Shipwrights to work on her. Integrity, sloop, 51 tons. Two Boats.  

**PHILIP GIDLEY KING.**
My Lord, Novr. 9th, 1802.

Mr. Thomas Jamison, Staff Surgeon of Norfolk Island, and now acting principal Surgeon to this Territory, having sent me the enclosed Letters with a request that they might be forwarded to your Lordship, I beg leave to transmit them by this conveyance and have etc.

PHILIP GIDLEY KING.

[Enclosure No. 1.]

SURGEON JAMISON TO LORD HOBART.

My Lord, Sydney, 8th November, 1802.

His Majesty’s Service being materially concerned in the Subject which I am now about to submit to your consideration, I cannot doubt that you will deem my inducement hereto some apology for the liberty I take in trespassing on your patience.

Were I tacitly to pass over the complicated abuses committed on board the Atlas Transport, I should consider myself highly reprehensible. A due sense of moral duty urges the information contained in this letter, and I shall neither exaggerate or diminish the facts it states, but detail the circumstances I communicate truly as they occurred, in the hope that if attended to I may be the instrument of future benefit to His Majesty’s Service, in preventing a repetition of abuses disgraceful to humanity, by bringing the offender in the present Instance to such just punishment as the nature and extent of his offences (on due investigation) may seem to deserve.

The principal matter of complaint I have to enter into against Mr. Rich’d Brooks, Master of the Atlas (and whence originates various causes of accusation), is that he shipped on board said Vessel under his command a far greater quantity of goods and Merchandize for his own private trade than could be possibly warranted by the usage of the Service he was engaged in. By such conduct the Ship was so deeply laden that it became necessary to keep the air Scuttles in general closed, and the deadlights frequently shut in. His Ideas totally absorbed in commercial speculations for his own individual Emolument, every duty he owed to Government was disregarded. The ship during the Passage was suffered to continue in a State of accumulating filthiness which exceeds description. The usual modes of preserving health and cleanliness on shipboard was seldom attended to,—even the Hammocks and bedding were as permanent fixtures, the Salubrious custom of airing them upon deck being generally omitted. From the above circumstances, and the humidity...
created by the confined state of the Convicts, the air became noxious to such a degree as to extinguish the candles burning in the cabin. The just observation that foul air and filth generate disease was verified in the Atlas. A dangerous fever and dysentery appeared amongst the Convicts, to which numbers fell victims; nor were the necessary means adopted to check the progress of this destroying Malady used; on the contrary it should seem, from the conduct pursued, that it was intended to aid the baneful influence of this harbinger of Death, for one half the hospital was occupied as a sail room, and by this arrangement the Sick were some of them obliged to sleep in the Prison with other Prisoners who were in health. The prevailing disease being contagious in its Kind, the Infection extended, from the causes above recited, and the Malady became almost general. I have further to remark upon the above head that when the ship lay at Rio, the Prisoners being kept on shore presented a favourable opportunity to expel Infection from on board by washing and fumigation; but the Surgeon could do neither to effect, the Prison being almost filled with Sundry Kinds of Lumber, principally Mr. Brooks's private property. Having in the foregoing remarks touched chiefly on the calamitous situation of the Prisoners on board the Atlas, I shall proceed with and conclude what relates to those unhappy People, ere I make a summary recapitulation of the other enormities of their unfeeling persecution.

On the upper deck the Spars were raised three or four feet high on each side in the waist, and the long Boat placed in the centre; the main Hatchway was stowed full of casks, that not a breath of air could pass down into the Prisons, and the stantions of the after Hatchway was boarded up so close that it was impossible that a breath of air could pass that way; the wind Sails were without hoops to expand the canvas of which they were formed; and being also never repaired, or otherwise attended to, that it was only the name, being every way uncalculated to answer the purposes of utility for which they were intended; and from the combination of circumstances that I have thus endeavoured to describe, it was impossible that the Prisoners could continue healthy. The afflictions of these Ill-fated beings (the Convicts) did not cease here. The water daily issued, and called three pints, did not exceed a beer quart (infinitely too little for men on a constant salt regimen), and that the thirst and hunger they endured might bear some proportion to each other, they were defrauded of a great part of their ration of Provisions; all the Sick were confined to what they termed a vegetable diet, which consisted of Pease, Barley, Rice, and Oatmeal; their animal food...
entirely withheld, altho' the full Ration is charged to Government; their being deprived of their Beef and Pork, and curtailed in the species given as an equivalent in lieu by false weights and measures, together with the filthy wretchedness of an insupportable durance, soon induced that debility which eventually terminated in a Typhus Fever and Scurvy; and as it should seem that avarice and cruelty were the predominant features in the character of Mr. Brooks, he carried the further exercise of cruelties on these pitiable objects to a degree that almost exceeds the bounds of credibility. It was no uncommon spectacle to behold these suffering people labouring under the extraordinary incumbrance of two pair of heavy Irons on their legs and one round the neck, with a large padlock as an appendage that weighed at least a pound and a half. The poor creature, almost strangled and sinking under his burden of afflictions, must perforce remain thus situated night and day, till a capricious change in the disposition of his tormentor should lead him to remit the punishment.

Amongst other incentives to Sickness, as also a preventative to a recovery of the afflicted, was a rule adopted on board the Atlas to extinguish the fire (used for dressing the Provisions) at the hour of dinner, which rendered it impossible for the Surgeon to cause drinks, or other comfortable aliments, to be prepared for his patients. The situation of the Passengers was unpleasant in the extreme. The after ladder was built up; the communication with the Deck was by the After Hatchway, and when the Seamen were employed in the After Hold, which was frequently, ascent or descent was almost impossible; the Steerage—in fact every dry and secure part of the Vessel—was stowed with private Investments of the Master and his creatures, so that the Passengers have to creep under hammocks and over the chests to gain their Cabins, and when there incommoded in such a manner as to be every way uncomfortable, their baggage being crowded therein with themselves; the tonnage allowed to them by the Commissioners of Transport, which ought to have been stowed in the hold, was deposited as above; the Stores belonging to Government occupied the place in the Vessel that was so ill adapted to their Security that numberless packages were adrift about the Vessel, their contents trampling under foot, and others were damaged and destroyed by the oozing of the water from the Hatchways and Scuttles. Any respect or attention in Mr. Brooks to the accommodation of the Official Servants of the Crown was entirely out of the question. A Prisoner on board, Henry Brown and from whom he had extorted three or four hundred Guineas, was the only person who had any pre-eminence with Mr. Brooks. This person messed with him, enjoyed a part of the Round-House,
1802.
9 Nov.

Treatment of Jamison.

Fraudulent retention of spirits and provisions.

Private investments on the Atlas.

and the cabin allotted for the Passengers was in part stowed with his Baggage. The striking contrast in Mr. Brooks's conduct in relation to the Prisoner alluded to above and his deportment towards me was so Singular and unprecedented, that I cannot pass it over unnoticed. My bed-place where I Slept was rather on a contracted Scale, and underneath was stowed four casks of Sugar, which were usually required on deck twice a week. My cases were as constantly cast loose, and in danger of being broke to pieces. In the opposite side of the Cabin was a Scuttle, and under it Mr. Brooks had stowed a number of his packages, which underwent a frequent examination, so that my peace and rest were eternally disturbed. These, with the other circumstances of personal disrespect and ill-treatment, rendered my situation so highly disagreeable that I was compelled to leave the ship at Rio Janeiro. (Mr. Carstairs, Supercargo of the Martha, who is to be heard of at No. 50, Lime-street, London, can give your Lordship some information on the filthy and encumbered state of the Atlas at Rio, and the abuse I received at that place.)

I have already remarked on the fraudulent retention of the Convicts' Provisions. The Passengers, Troops, &c., felt a similar Imposition in the Spirits issued as a part of their allowance from Government, it being constantly adulterated before it was served to them. This is a truth that can be averred in the testimony of a number who were on board.

The immense quantity of private trade in the Ship was a Source of Calamity to all on board, as it served to take up the Stowage required for water and other necessary purposes, prevented the circulation of the air between decks by the means used for its Security, and marred the necessary progress of the Passengers and others throughout the Ship, exclusive of the loss and damage sustained by the Crown in the disposition made of the Government Stores, whose Security and preservation were objects infinitely beneath Mr. Brooks's consideration. A minute Schedule of the private property which I have had occasion so often to allude to would far exceed the bounds I have prescribed to myself in this letter. I shall, therefore, only observe that Mr. Brooks's investment alone, had it met a good market, would have gone near to defray the expences for the voyage to New South Wales, exclusive of the above. Mr. Byron, the first Mate, had a considerable share of Merchandize on board. Mr. Wellen, the Second Mate, had also an Investment, but in a lesser proportion. The former is a relation of the Owners, and both devoted to the Master, Mr. Brooks. Should an enquiry into the atrocities I complain of from the Information herein Stated, I must advise caution in the degree of credit that may be given to the Testimony of Mr. Byron and Wellen, for the reasons already urged.
Could Mr. Walker, the Ship's Purser and Steward, be applied to with caution and address ere the Subject in question should be too loudly rumoured, particular and essential Information might be obtained from him, as he copied the Invoices of all or the greater part of the Investments on board, and was privy to the greater part of all his fraudulent practices. Mr. Walker, the Surgeon, can make every necessary communication in the Medical department.

The protracted and circuitous Passage of the Atlas to New South Wales is a further Subject of Censure, as the rout taken was evidently pursued with no other view but to obtain a Sale for the private trade. A part was disposed of at Rio Janeiro, where Mr. Brooks, meeting a Master of a Vessel (lately from New South Wales), was by him informed that the Colony was overstocked with all kinds of European Goods. This information suggested as an alternative the Cape of Good Hope. Thither he sailed and disposed of Such Articles as suited that market. His proceeding to this place with the residue at length became a matter of necessity. Should these delays and consequent miseries and Deaths of Seventy of the Convicts, several of whom were in the last Stage of Scurvy and were suffered to die in their Irons on board the Atlas—should this fatality be deemed to have arisen in consequence of the Prisoners being kept longer than necessary on board the Ship—become a matter of charge against Mr. Brooks, I must give you some hints relative to a letter which may be introduced as a subterfuge from the accusation of protracting his voyage to suit his own private purpose. The letter alluded to was written and forwarded by Lukyn Betts, Master of the Hercules, to Mr. Brooks, of the Atlas, expressing a wish that the two vessels should consort with each other from Rio (where this letter was written) to the Cape. This could be no more than a mere collusion to afford the latter a pretext for touching at the Cape, for Mr. Brooks paid no attention to the course steered by the Hercules, and parted company at Midday five days after sailing from Rio. I refer you to the Log Book of the Hercules for a confirmation of the above remark. To conclude, should the flagitious conduct of Mr. Brooks in the various instances here mentioned, and that can be further enumerated, incline His Majesty's Ministers to consider such a man deserving the censure of the Laws he has so basely violated, and, further, should they deem my return to Europe necessary on the occasion, I have only to declare my readiness to obey their intimation to such effect, it being a cause of Humanity and Justice. I should feel happy to bear an unerring testimony to the truth of what is here asserted.

I have, &c.,

THOS. JAMISON.
Sir, Sydney, November 12th, 1802.

Your regard to the impartial administration of Justice will doubtless lead Your Excellency to deem worthy your attention the Subject on which I now address you, and should the result of your deliberations, thereon, coincide with my wishes herein stated I shall rest assured of your compliance with my requests specified in the Sequel of this Letter.

I must first remind you (as being immediately necessary to my present purpose) that I instituted a Process in a Civil Court of Jurisdiction convened on the occasion in this Colony, against Mr. Richd. Brooks Master of the Ship Atlas, founded on and comprised under ten distinct Charges of accusation: the most material of which was one complaint, for Violent Outrage and Assault committed on my Person by Mr. E. Brooks and his adherents on board the Ship abovementioned, then lying in the Harbour of Rio Janeiro; on this offence (so highly Militant to every existing Law for the safety and preservation of the Subject) The Court of Civil Jurisdiction whom the Charge was brought before, declared their Incompetency to decide, such declaration grounded on the circumstance, that the aggression complained of was committed at a Place without the limits of their Authority: for the same reason the expences incurred on my being left at Portsmouth was not taken cognizance of: The Eight other Charges were recognised and received by the Court, and fully substantiated by the concurring testimony of Witnesses; and the leading Article of Charge tending to prove a preconceived Intention in Mr. Brooks to leave me behind at Portsmouth was not even by him contraverted, satisfying himself with simply saying that it was not his duty to give me notice to embark, altho' it fully appeared, that I had been previously recognized by Mr. Brooks as a Kings Officer, and intended Passenger in the Ship he commanded by the Order of Government, in who's service the Atlas was then engaged: whether or not Mr. Brooks' conduct in the above Instance may be deemed reprehensible, thus much I can say, that by his neglect to apprize me of his intention to Sail I was consequently left on Shore; and being myself at the same time under Orders (which I felt bound to obey) to proceed to this Colony, I incurred a extra expence of more than One Hundred Pounds in following the Ship Atlas from Portsmouth to Waterford and Cork, at the latter I embarked with Mr. Brooks and thence proceeded to Rio—Mr. R. Brooks' conduct towards me between the two ports abovementioned, being replete with fraud, Insolence, and degradation,
and afterwards succeeded by the Assault alluded to in a former part of this Letter, I was compelled to quit the Atlas at Rio, and from thence procure for myself a Passage on board the Hercules to this Colony; and in addition to the reasons already urged for leaving the Ship, I was advised by Letter from Capt'n. Willson of the New South Wales Corps, that my life was in imminent peril if I proceeded further in a situation, subject to the avowed malice of Mr. Brooks—who had declared to him (Capt'n. Willson) his Inimical intention on board the Atlas; at Rio before my leaving the Ship, I aimed to embark my effects the Hercules with me on board the Hercules. In this I was prevented by Mr. R. Brooks, and on my arrival here, and on bringing on Shore my Baggage from the Atlas, I found I had sustained much loss in my property, from Pillage and their being removed from my Cabin to a place of less security in the fore hold amongst the Water Casks, and other circumstances, all originating in, and proceeding from the flagitious, and unprincipaled conduct of Mr. Brooks—Thus on account of the expence I incurred in following the Atlas from Portsmouth to Waterford and Cork, and Abuses, Indignities, and fraud practised on me by Mr. Brooks on my Passage from thence to Rio, my ultimately leaving the Ship and engaging a new conveyance from the latter place to this Colony, tending to the Injury of my Health, and loss of my property—these Circumstances are clearly proved under Eight separate heads; I moderately stated my damages at Three Hundred Pounds (reserving to myself the intention of a future prosecution against Mr. Brooks for the Assault on my Person and the expences incurred in following the Atlas to Cork) when the Court made an award in my favour of One Hundred Pounds and Costs; from this decree Mr. B. appealed to Your Excellency, when you was pleased to set aside the Verdict of the Court, In part allowing me only Fifty Pounds with Costs and five per Cent. thereon, being the Expences I had incurred in Obtaining a Passage on board the Hercules from Rio Janeiro to this Colony—On the ground that an Action of Remuneration for damages sustained could not lay against the Master of a Transport Ship, but must attach to the owners thereof—Now as Your Excellency's determination does by no means do away the propriety on my part, of still pursuing legal means of redress, for the personal injuries I have received, and losses that I have sustained; and it being my fixed Intention to obtain Justice as well for my Personal satisfaction, as for future example to others in like Case offending, which latter inducement I feel as a duty I owe to Society—to aid the accomplishment of my wishes in the above particulars I request that you will be pleased to transmit to the Commissioners for conducting His Majesty's Transport Service,
the Papers herewith inclosed, as doubtless there are some certain provisions made by the Board for the proper conduct of owners, and Masters of Transports in all engagements by them entered into with Government, therefore these necessary communications being made to the Commissioners, (as far as relates to the subject in question) will enable them to Judge if there is cause of blame, and to whom it must attach; I further solicit in addition to the information I may receive from the Commissioners of Transport (in answer to the above suggestions) to know if a Process can be instituted and followed in the Courts at Home, in my Name, and on my behalf on written Testimony only, and should such be impossible, and my Personal appearance be Indispensably necessary for obtaining that Justice I may be deemed entitled to expect, I must then hope you will Cause the substance of my complaints (with such comments thereon as may seem proper and necessary) to be laid before His Majesty's Ministers in who's providence it is to grant me leave to return to Britain that I may be enabled to procure that redress of my grievances which from the Circumstances already recapitulated, I cannot possibly obtain in this Colony.

Sir, I have, etc.,

THOS. JAMISON.

[Sub-enclosure No. 1.]

AFFIDAVIT OF SURGEON JAMISON.

Thomas Jamison Esqr., Acting Surgeon General for the Territory of New South Wales at the time being, Maketh Oath and saith.—

I came rather late in the Evening on board the Ship Atlas; on Saturday the Twentieth day of February in the Year One Thousand eight hundred and two, said Vessel then Lying in the Harbour of Rio Janario, on descending the After Ladder, I found the Steerage so blocked up that the way to my Cabin was utterly impeded by Packages stowed there; I endeavoured with my foot to remove them, but not succeeding in my efforts to obtain a Passage; by pushing out of my way a Case which effectually prevented my progress, I laid hold of it with my hand, when the part I held broke off,—and with much difficulty, I at length reached my Cabin.—Shortly afterwards (having undressed) I put on my dressing gown and went on deck, Mr. Byron first Mate of the Atlas addressed himself to me Ironically saying he was much obliged to me for breaking open his Case, (meaning the Case I had removed) and exposing his property to the Sailors in the Steerage: I told him in reply that he was not
obliged to me, and that there was no personality intended by me, in removing the Case in question, as it prevented my going into my Cabin; Mr. Byron, in a style of much haughtiness and contumely, demanded to know, If I wanted to Command the Ship; I replied that I neither wanted to command, or to interfere in anything relating to the Ship; but as the Atlas was in His Majesty’s Service, and myself a King’s Officer, and ordered a Cabin in her for my accommodation, I of consequence expected a passage to it: and that I further should require in future, that my access to my Cabin, should not be obstructed by packages stowed in the way thereto as had been hitherto the Case. Mr. Richard Brooks Master of the Atlas being then in his bed, called out from the Cabin where he lay, and asked what noise that was on deck; Mr. Byron replied that some words had taken place between him and Mr. Jamison, Mr. Brooks then said, Mr. Byron put that mutinous Scoundrel (meaning me) in Irons; irritated by such illiberal language I told Mr. Brooks he lied, and that I was neither Mutinous, nor a scoundrel, without further altercation Mr. Brooks came out of his Cabin, struck me repeatedly and to prevent all possibility on my part of resistance or defence, whilst thus assaulted, I was forcibly held by Mr. Byron, Mr. John Willen, and others; I was knocked down on the deck by Mr. Brooks, and being down, then overpowered by him and his adherents, in such defenceless situation, with unmanly violence he made repeated blows at me, until he had vented his savage, and brutal passion, when he returned again to his Cabin.

THOS. JAMISON.

Sworn before me One of His Majesty’s Justices of the Peace for the Territory aforesaid this 27th day of Octr. 1802.

JAS. THOMSON.

[Sub-enclosure No. 2.]

Affidavit of Matthew White.

Cumberland J Matthew White Private Soldier in the New to Wit South Wales Corps: Maketh Oath and saith.—

I was embarked on board the Atlas on my passage to this Colony: on the Evening of Saturday the Twentieth Day of February in the Year One Thousand eight Hundred and two, said Vessel then Lying in the Harbour of Rio Janeiro—and being below in the birth allotted me in the Ship I heard some loud words passing on Deck, curiosity compelled me to ascend to learn the cause of dispute: when I came on deck I saw Mr. Jamison Surgeon for the Territory of New South Wales, a Passenger on board, and Mr. Byron Chief Mate of the Atlas, talking
to each other with some warmth; the Subject I could not distinctly hear, for on the instant, I heard Mr. Richd. Brooks Master of the Atlas from his Cabin where he lay, call out: Mr. Byron put that mutinous Scoundrel in Irons, I then heard Mr. Jamison immediately say to Mr. Brooks, you lie; I am neither mutinous, nor a Scoundrel; Mr. Brooks then came out upon the Deck and struck Mr. Jamison several times, and whilst so beaten, and abused, Mr. Byron held Mr. Jamison, Mr. Byron perceiving me to notice the transaction, ordered me off Deck, I obeyed, a Noise as of a Person struggling to escape from Violence, and the voices of different people succeeded for some time after I had gone below.

MATTHEW X WHITE.

Sworn before me One of His Majesty's Justices of the Peace for His Majesty's Territory of New South Wales—at Sydney in the said Territory this 27th day of October, 1802.

JAS. THOMSON.

GOVERNOR KING TO LORD HOBART.

(My Lord, Sydney, New South Wales, Nov. 9th, 1802.

With this I have the Honor to forward copies of my Letters to the Governor-General of India and the Company's Supercargo at Canton, the object of which is more effectually to lessen the Emigration of People from this Colony to India.

I also enclose Copies of the New Bonds and two copies of the last Port Orders—It is adviseable to print off a number of Copies, and one or more of each to be given the Masters of Ships when taken up, as a guide for their conduct.

I also enclose the General Orders which respect the Police and have issued since my last Despatch. I have also enclosed a Book* and some separate Sheets, which is provided with an Index containing all the Orders from my taking the Command, 'till the present period.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

GOVERNOR KING TO THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

(My Lord, Sydney, New South Wales, Septr. 28th, 1802.

With this I have the Honor of Enclosing a Copy of my Letter to the Honble. Company's Supercargo at Canton, as I am

* Note 185.
well persuaded, that notwithstanding the former Bonds entered into by Masters of Ships going to India and China, yet that your Lordships views and my Exertions on that head are thwarted by the connivance of the Masters of Ships, their Officers and Men, secreting Prisoners.

This Colony is in a very peaceable State and every thing going on well.

I have, etc.,

PHILIP GIDLEY KING.

[Enclosure No. 2.]

GOVERNOR KING TO THE EAST INDIA COMPANY'S SUPERCARGO AT CANTON.

Sydney, New South Wales,

Sept. 28th, 1802.

Sir,

His Excellency the Governor General of the Honble. East Indian Company's Territories having by his Letter in Council of 11th Nov: 99, (a Duplicate of which is Enclosed) strongly recommended the necessity of people who ever have been Convicts not being allowed to be received on board any Ships bound to India or China; in consequence of which the Masters of Ships bound to India or China have always entered into Penalty Bonds—but from the nature of this Harbour, and the various means Convicts whose Terms of Transportation are not expired have of secreting themselves on board Ships, I have judged it necessary to cause fresh Bonds to be entered into, and beg to suggest whether it would not be entering more fully into the Governor General's Ideas for the Passengers allowed to go from hence to England in those Ships being Mustered on their Arrival at Macou* and again Mustered on their departure, and any person whose Names are not expressed in the List that will always be forwarded to you of those who have my leave, to be confined, and the Master of the Ship obliged to take them on to England at his own Expence; These precautions I have no doubt will greatly prevent the Emigration of those whose terms are expired to the Honorable Company's Settlements; I request your care and forwarding the Enclosed to His Excellency the Governor General in Council, which Contains a Duplicate of this Letter.

I have, etc.,

PHILIP GIDLEY KING.

[Enclosure No. 3.]

[A copy of the new bond is not available.]

* Note 257.
Regulations to be observed

By the Commanders of English or Foreign Merchant Vessels, arriving in Port Jackson; and by all Merchants, Importers, and Consignees, resident in His Majesty's Territory called New South Wales.

I.—Only the Pilot, or Officer sent by the Governor, is to board any Vessel arriving at this Port, until an Union or Ensign is hoisted on board such Vessel Foreign Vessels to lie in Neutral Bay.

II.—A Guard will be sent on board, to prevent any articles from being landed, until permission is given. The Guard to be as comfortably lodged as Circumstances will allow of, and not to be interrupted or insulted in their duty.

III.—When the Vessel is secured, the Master is to make his report at the Naval Officer's Office, and enter the Vessel; to produce a Manifest of his Cargo, specifying the different Articles in the Vessel for sale. He is then to give Bond of Security, in the penalty of £200 sterling, that neither himself, or any other person whatsoever, sends from the Vessel any articles for sale, until the Permit is given for that purpose; and not to send from the Vessel any spirits, wine, beer or other strong drinks, after that General Permission is given, without a written Permit, signed by the Governor, and countersigned by the Naval Officer; nor to send from the Vessel, or to sell, any arms or ammunition to any person, without the Governor's permission as above, on pain of the Bond being forfeited, together with the Charter-party, if in Government Service.

IV.—Liquors, etc. thus permitted and purchased, are to be landed at the Hospital Wharf (and no where else in this Harbour): The Master to be responsible to the Naval Officer for the Assessments.

V.—In case the Obligation of the Bond is forfeited, half the penalty goes to the Orphan Fund, and the other half to persons informing, prosecuting, or suing for the same; and the whole of the seizure will be the property of the person or persons making it.

VI.—Masters, bound to India or China, to give Bonds before they are cleared out, not to take away any Convict or Convicts from hence, or to land any that have ever been Convicts, in any part of the Company's Territories.

VII.—Vessels leaving this Port, or persons going in them, to advertise a week previous to sailing.
VIII.—Strong Drinks are not to be given to Natives, on board ships.

IX.—Masters to cry the Credit of their Seamen down, immediately on their arrival.

X.—Masters are to give a security of £200 (previous to their Permission to Trade being granted) not to take any person from this Colony, but by the Governor's written Permission. They are also to give Bond, binding themselves, their Officers, and Ship's Company respectively, in the sum of £50 a head, for each Convict or other person secreted on board, contrary to the Eleventh Article of these Instructions: This sum to be levied upon conviction, before a Bench of Magistrates, on the Officer or Seaman secreting such person; in default of which the penalties of the Bond to be paid by the Commander. And if any Convict should be discovered on Board after the Vessel has left this Port, the Master is enjoined to deliver him, her, and every such Convict, to the Commanding Officer at the first English Port he touches at, as having absconded from hence.

XI.—No Convict, either Male or Female, is to be received on board any Vessel in the Harbour without a Pass from the Governor, Officer in Command, or officiating Magistrate. No Boats are to remain on shore after 8 o'Clock. No Seamen are to go into the Country without a Pass; and, if found on shore after Dark without such Pass or Permission from a Magistrate, they will be confined until the Morning, and otherwise dealt with as the case may require. No Boat is to go up or down the Harbour without a trusty Person in the command of her.

XII.—Boats landing in any part of the Cove but the Hospital Wharf, except such as belong to the Hospital, Salt Pans, or to Kings Ships, without permission being first obtained from the Governor, or Lieutenant-Governor, will be fired on by the Centinels and seized.

XIII.—No Boats to land on Garden Island, without the Governor's permission.

XIV.—Masters and Officers of Merchant Vessels to carry a Lantern, if they are on Shore after Tap-too Beating; and to make themselves known to the Centinels, when hailed.

XV.—If Merchant Vessels' Boats do not answer when hailed by Centinels, or from any Ship whatever, they are to be fired at, and detained until they are reported. When Sailors abscond from Vessels they belong to, or are taken up after hours, the Masters must receive them on board again, unless for a temporary Punishment, they wish them to be confined in Gaol; In
which case they must be victualled from the Vessel, and may be worked in the Gaol Gang, or kept in confinement, as the Masters may choose: Masters will be held responsible for all Gaol, and other incidental Fees. The Constable and Gaoler's established Fee, for each Seamen taken up or lodged in the Gaol, is 10s. per night.

XVI.—The Watering Place on the North Shore, and the adjacent Grounds, being granted to the Trustees of the Orphan Fund, those Merchant Vessels that Water or Wood, there or in any other part of the Harbour, are to pay for permission.

XVII.—All Soldiers Necessaries and Bedding, as well as the Slop Cloaths issued to the Convicts, and every other description of King's Stores, being the property of the Crown both before and after they are issued, none of those Articles are to be purchased, under pain of the Purchaser being prosecuted for receiving stolen Goods.

XVIII.—If any of the Natives are killed, or Violence offered to their Women, the Offenders will be tried for their Lives.

XIX.—Persons dying on board are to be buried ashore. No Stones, Gravel, Ballast or Iron-Hoops are to be thrown overboard below High Water Mark, on the penalty of Five Pounds Sterling for each Offence, Two Thirds to the Informer and One Third to the Orphan Fund.

XX.—No Merchant Vessel is to attempt leaving this Port, without the Naval Officer's Certificate, countersigned by the Governor, or Lieutenant-Governor in his absence; that the Master, Owner, Importer, or Consignee has fully complied with the preceding Regulations. This Certificate is to be given to the Officer ordered to smoke or search the Vessel for Deserters; who will deliver it to the Master previous to his leaving the Vessel; which will be communicated to the Battery at George's Head by signal from the Officer, sent to search for Deserters: Otherwise, the Ship or Vessel will be fired at and detained, until these necessary Regulations are fully complied with.

** A Table of the Fees, Assessments etc. to which Masters of Vessels, etc., are liable, is hung up in the Naval Officer and Secretary's Offices.

Masters, and all Persons concerned in Shipping, having business with the Governor, are to be at Government House any Morning (Sunday excepted) at half past eight o'Clock.

By Command of His Excellency.

W. N. CHAPMAN, Secretary.

Sydney, Oct. 10th, 1802.
[Enclosure No. 5.]

**GENERAL ORDER RE THE POLICE.**

10th October, 1802.

The Provost-Marshal, Head Constable, Gaoler, and every other Person concerned in the Police, will make their daily and occasional Reports to the Lieutenant-Governor, to whom all complaints respecting breaches of the Peace are to be made in the first instance, and in his absence from Headquarters, to the Judge-Advocate or nearest Magistrate.

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**GOVERNOR KING TO SECRETARY NEPEAN.**

(Per Surgeon Thomson in the Naturaliste.)

Sir, Sydney, New South Wales, Novr. 9, 1802.

Referring you to the Duplicate of my Letter by the Speedy, I have to inform you that his Majesty's Sloop Investigator and the Lady Nelson sailed the 22nd last July to continue the Survey of the Coasts of this Country, Capt. Flinders (whose Dispatches go by this Conveyance) having communicated his future intentions to the Lords of the Admiralty, I shall only observe, that his first object was to examine and pass through Endeavour Straits.

[The second and third paragraphs of this letter were duplicates of the corresponding paragraphs in the despatch of Governor King to Lord Hobart, marked “Marine Letter No. 1,” and dated 9th November, 1802.]

In the first Paragraph of this Letter you will observe that it was my intention to have forwarded Capt. Flinders' Box of Dispatches to you by this conveyance, which I then concluded would be by the Britannia Whaler, but as that Vessel went off the Coast without calling here as the Master promis'd, I am determin'd on not sending it by this conveyance least any accident should happen, as this goes by one of our assistant Surgeons going home on leave, who, Commodore Baudin has order'd a passage on board the Naturaliste—And as I consider it necessary to preclude Capt. Flinders' present Surveys from the most distant probability of falling into other hands, I shall defer sending them until the Greenwich Whaler sails, which will be about next February, and may be expected in England about next July. But as their Lordships may expect some account of his progress* I shall relate his verbal communications to me.

After leaving the Cape of Good Hope he made the extremity of the South Cape (of Vancouvre) on the East point of the Land of Lyons, He went into King George the Thirds Harbour

*Note 258.
which he survey'd, and from thence he coasted along the S.W. Coast, examining every part most minutely, particularly the numerous Archipelago of Islands which extend as far to the Eastward as 136° 20' E. in the Latitude of 35° 24' S. Longitude 135° E. nearly, he fell in with two immense Gulphs, which went in the direction of North nearly 200 Miles* (if I am correct in my recollection) he went as high as he could go in the Ship and traced round the heads of these deep Gulphs or Inlets in his Boats—These Inlets are within the Archipelago—He afterwards discovered a small Island with abundance of Salt on it, he then stop'd some time at the Eastern Island, nam'd by him Kangaroo Island, which is of very great extent, and where his Ship’s Company were quite refreshed by the numerous Kangaroos and other Animals which it abounded with, the day after leaving it, he fell in with the Geographe, from thence he trac'd the remainder of the S.W. Coast, which he found a strait barren shore, until he got to the west entrance of the Straits when he went into Port Philip (which was two months before discovered by Acting Lieut. Murray in the Lady Nelson, and consequently a new discovery to Capt. Flinders). This Port he survey'd, and afterwards examin'd the East side of Kings Island which had previously been surveyed by Mr. Murray in the Lady Nelson.

Capt. Flinders having given me a Copy of the Northernmost part of the Archipelago in case I should have it in my power to send a Vessel for Salt, and also a Copy of his Survey of Port Philip, I have had them retrac'd and have the honor to enclose them—Exclusive of his Box, which I mean to send by the Greenwich, he has left sealed Duplicates in case any accident should happen to the Investigator.

His Majestys Ship Buffalo arriv'd here the 16th ulto. when I received your letter, enclosing a Commission appointing me principal Commander of that Ship, she is now unloading and when clear will be immediately refitted for Sea. In obedience to their Lordships' directions I have deliver'd Lt. Wm. Kent his Commission, which I dated the day of the Buffalo's arrival, the 16th Octr. and have enter'd him on the Buffalo's Books for Wages and Victuals as Second Commander. I also receiv'd their Lordships' directions to reduce the Porpoise to her former establishment, which shall be complied with the instant she returns from Otaheite for which place she sail'd 27th last May, in quest of another Cargo of Salt Pork and may be expected back next Month—I also receiv'd the Navy Board Notice that their Lordships had approv'd of the Lady Nelson's being considered as a

*Note in original.—On this Coast the Investigator's Boat with the Master, a Mid and Seven Seamen were lost, suppos'd to have overset in a Squall.
KING TO HOBART.

Tender to the Buffaloe, while employ'd upon the business of Surveying; and that the Buffaloe should be allowed 15 supernumerary Seamen for Victuals to enable her to lend that number to the Tender—which regulation I have complied with by bearing that number on the Buffaloe's Books as directed by their Lordships' orders to the Navy Board, in consequence of which the Lady Nelson was discharged from the Colonial List of Vessels on the 16 Octr.

As the Buffalo came from England one Lieutenant short of Complement, and on Capt. Kent's recommendation of Mr. Alexr. Forsyth's attention and diligence in doing the duty of 2nd Lieut. from England to this place, and as he has passed for a Lieut. I took it upon me, to give him an Acting Order, of which I have the honor to enclose a Copy, to which is added Capt. Kent's Certificate of his conduct and an attested Copy of his passing Certificate, all which I respectfully Submit to their Lordships' consideration.

I have, &c.,

PHILIP GIDLEY KING.

I have the honor to enclose the weekly account of His Majesty's Armed Vessel Buffalo, and the detention of the French Ships enables me to inform their Lordships that the Porpoise arriv'd at Otaheite the 28th July last and was procuring a Cargo of Salt Pork for the Colony when the Venus sail'd from thence.

Novr. 15, 1802.

[Enclosures.]

[Copies of the papers relating to Acting-Lieutenant Forsyth and the weekly account of H.M.S. Buffalo have not yet been found.]

GOVERNOR KING TO THE RT. HON. THE SECRETARY AT WAR.

(Per Surgeon Thomson in the Naturaliste.)

Sir,

Sydney, N. South Wales, Nov. 9th, 1802.

By Lieut. Neil McKellar I had the Honor of transmitting the Monthly Returns of His Majesty's New South Wales Corps serving in this Colony from July to the 31st December 1801, I now transmit those from the last date to the 1st November 1802.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure.]

[This return was similar to Enclosure D in the despatch of Governor King marked "Military No. 1," and dated 9th November, 1802.]
GOVERNOR KING TO TRANSPORT COMMISSIONERS.

(Per Surgeon Thomson in the Naturaliste; acknowledged by the Commissioners, 14th November, 1803.)

Gentlemen,

Sydney, 9th November, 1802.

As the whaler mentioned in my last has left the coast without calling here, I have made application to Commodore Baudin (who commands the French expedition of discoveries that have been some time past repairing and refitting in this port), to allow Mr. James Thomson, staff surgeon, who has my leave to return to England, to take his passage on board the Naturaliste, which ship the Commodore intends to despatch to Europe, when he gets through Bass’s Straits. That gentleman I hope will arrive safe with my letters, &c.

Referring you to the enclosed duplicate of my last letter (9th August, 1802), and as the following subjects may eventually come before your Board, I judge it necessary to inform you that actions in our courts of justice have been instituted by Mr. Thomas Jamison, Surgeon of Norfolk Island, and acting as Principal Surgeon here, who embarked as a passenger in the Atlas for this country, against Henry Browne Hayes, a convict on board that ship, who lived with the master, and against the master himself, for assault, and having suffered considerably by his property being damaged. H. B. Hayes was sentenced by the magistrates to six months imprisonment for his threatening and improper conduct to Mr. Jamison. The Court of Vice-Admiralty and the Court of Civil Jurisdiction, not considering the master of the Atlas within the jurisdiction of those Courts, have declined trying him for the assault. Mr. Jamison commenced an action of damages against him for the recovery of the value of the goods he had damaged, in consequence of their improper stowage, also for the losses he sustained on being obliged to leave the Atlas at Rio Janeiro, in consequence of the ill-treatment he received, and paying for his further passage in the Hercules, remuneration of all which he craved. The Civil Court, after sitting near a fortnight, gave a verdict against the master of £100 and costs. From this verdict he appealed to me, and as the proceedings of the Civil Court are extremely voluminous, it is next to impossible for me to get them transcribed. I enclose a copy of my award in consequence of the appeal, and which will inform you of my reasons for that opinion. I also enclose my correspondence with the master of the Atlas respecting the quantity of spirits, &c., which he brought here for sale. He was allowed to land every article but the spirits, to which I at last gave permission for the reasons stated in the enclosures. But he did not land any that remained after supplying the French Commodore with 800 gallons for the
use of the expedition. Perhaps he will call at Norfolk Island and dispose of [it] there, which I cannot prevent, as he declared he was not bound thither.

Previous to the Atlas's departure I rec'd the information contained in the enclosure, and much other to the same purpose, respecting the master's having appropriated to his own use a quantity of the provisions put on board that ship at Cork for the use of the convicts and passengers on the voyage. An investigation thereof was publicly made which I enclose for your information, and as the magistrate who took the depositions (Mr. James Thomson) will wait on your Board, I beg to refer you to him for any further information. As far as my own opinion goes, there is certainly great reason to suspect foul-play.

I also enclose the Report of a Survey on a part of the Public Investment brought out in the Perseus, which has materially injured a great part of the most valuable things.

As similar circumstances may arise in this colony, I beg to request you will allow the following questions to be put to your solicitor, and his answers sent to me, if it can be done with propriety, viz.:—As the charter-parties are made between the Commissioners for conducting His Majesty's Transport Service on the part of His Majesty, and the brokers on the part of the owners, is any infringement of the charter-party cognizable and recoverable before and by the Courts of Judicature in this colony?

If so, in what manner is a verdict of damages to be recovered—on the ship, or by masters bills on the owners?

If these actions are not cognizable in this colony, I beg to be informed whether the present mode I have adopted, in what respects the complaints of the master of the Atlas having purloined some of the provisions put on board for the use of the convicts on the passage, and the survey on the damaged part of the Perseus's investment, are sufficient information for your Board to act upon?

The Alexander arrived here the 15th Ulto. and is now Clearing, by that Ship and the Buffalo, I received your Letters as pr. Margin,* informing me of the several Articles shipped on board the latter Ship, the mistake in the Invoice of Blankets, and the Alexander's Charter Party.

Besides the Articles damaged on board the Perseus, almost the whole of the Paint Oil was lost by leaking through the Staves of the Casks it was sent in—And the Seives which are most valuable here, are arrived totally useless owing to their being packed in a Matt, which did not exclude the rusting effects of the Salt-water—I beg to suggest that when any of the above Articles

* Nov. 12, 1801; Nov. 19, 1801; Jany. 2, 1802; Jany. 19, 1802.
are sent out, it would be advisable to have the Oil in Glazed Jars, and the Seives in Water-tight Casks, by which means both these Articles will arrive in a useful State.

The Atlas (Musgrave) arrived here the 30th ultimo, after a five-months' voyage from Waterford. He lost no convicts on the passage, and the whole were in perfect health and fit for immediate labour, and expressed the greatest thanks to the master and surgeon for their attention and kindness to them. This is a proof that the masters of the Atlas (Brooks) and Hercules might have brought their cargoes equally as well and expeditious.

From Lieut. Sainthill I received the necessary information respecting the Prisoners, Provisions, Clothing, and other Articles put on board the Atlas—a great part of which he has returned into the Store here, which is very uncommon, as timely care is taken to expend it.

I have, &c.,
PHILIP GIDLEY KING.

[Enclosure No. 1.]

Copy of Award on an appeal Brooks v. Jamison.

[The copy of this award* has not yet been found.]

[Enclosure No. 2.]

This consisted of seven letters, of which six are not available, viz.:—

From the Master of the Atlas Transport to Gov. King to obtain permission for the Sale of his Spirits and another requesting leave to compleat certain repairs to His Ship previous to quitting the Port.

From Rd. Brooks, Master of the Atlas to Governor King, 10th Sept. 1802.

From Rd. Brooks to the Naval Officer, 25th Sept., 1802, with his answer thereto.

From Mr. J. Harris, Naval Officer, to Mr. E. Brooks, 12th September, 1802.

The seventh letter was the following:—

GOVERNOR KING TO CAPTAIN RICHARD BROOKS.

Sir,

Hawkesbury, 3rd August, 1802.

I have received yours of Yesterday, enclosing copies of two Papers Certifying the Spirits on board the Atlas were duly shipped in London and at Portsmouth. Your omitting the Shipment of other Spirits at the places you touched at on your Passage will be supplied by your Entries being transmitted to the Transport Board.

* Note 259.
KING TO TRANSPORT COMMISSIONERS.

You state having received a Letter from Captain Eains, by order of the Secretary of State, dated 14th July, 1801. If that Letter and the other information you must have received did not absolutely forbid your bringing Spirits here, Ought it not to have prevented you taking so great a Quantity, exclusive of the quantity of private Trade put into a Vessel carrying a Number of Prisoners from one Corner of the Globe to the other, And that, as far as relates to the Spirits, on the more than probable chance of your not being allowed to land any part of it, much less the whole?

Had you employed the time between the date of Captain Rains's letter and your Shipment of Spirits in procuring the Transport Board's permission for taking the quantity of Spirits and bulky private Trade that you have brought here, I am convinced that the Humanity and Wisdom of that Hon'ble Board would have had the discernment to have withdrawn half the Number of Prisoners Contracted to be sent in the Atlas, As it would have occurred to them that the Health and existence (which events have justified) of so many people kept in Confinement must be greatly endangered by their accommodations being encroached on so much as it appears they have been on board the Atlas.

You express your sorrow “That the personal Errors imputed to you should prejudice the Interest of your Owners, who, you say (and I know), are Merchants of the highest respectability, and for whom you act merely as an Agent.” I have too high an Opinion of their respectability to suppose they directed you to receive the quantity of Spirits and bulky private Trade which made it necessary to store the 'tween Decks with Lead (which prevented its being Cleaned), and the Hospital and Prison with the Ship's Sails, Rope, &c., in direct violation of the Charter Party; And if I were inclined to Credit that your Owners directed all this, Yet I am sure their Humanity would have recoiled with horror at the dreadful Mortality that prevailed on your Voyage, and the Inhuman situation of a great part of the dying remains of your Cargo when the Atlas arrived here, and which I have no hesitation in declaring my belief that much of these Miseries were owing to your deviation from the Charter Party, which so amply provided for the Health and Comfort of the unfortunate Creatures committed to your Charge. However, until I am informed to the contrary, I shall disbelieve that either the Transport Board or your Owners sanctioned such a quantity of Spirits and private trade being put on board, to the manifest injury of the Prisoners and the Public Welfare.

You say “That you look up to my protection in a concern of so much magnitude, and request my permission to dispose of your
Spirits and Porter,” in reply to which I must remark that had you consulted your Owners or your own Interest, you would not have brought any, particularly after the receipt of Captain Rains’s letter; But as you have judged proper to bring such a Quantity of Spirits, I do not feel myself justified, under every Circumstance, to grant any Permit whatever, except for the Porter, nor shall a drop of the Spirits you have brought be landed in this Colony, to prevent the Inhabitants being beggared thereby. And I am the more particular in this refusal, as Permits have just been given for landing what I deem a sufficient quantity for the present use of the Inhabitants. I am, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 3.]
Copy of Proceedings on the Examination of Mr. R. Brooks, Master of the Atlas, for purloining provisions sent on board that vessel belonging to Government.

[This enclosure has not yet been found.]

[Enclosure No. 4.]
[This consisted of a return as to the expense of provisions on board the Atlas on her voyage to New South Wales, a copy of which has not been found, and the report of the Survey on the damaged part of the Perseus’ Investment, which was also forwarded as Enclosure No. 12 to the despatch of Governor King to Lord Hobart, marked “Separate A,” and dated 9th November, 1802.]

GOVERNOR KING TO THE COMMISSIONERS OF THE NAVY.
(Per Surgeon Thomson in the Naturaliste.)
Nov. 9th, 1802.

[A copy of this despatch has not been found.]

GOVERNOR KING TO THE VICTUALLING BOARD.
(Per Surgeon Thomson in the Naturaliste.)

Gentlemen, Sydney, New South Wales, Nov. 9th, 1802.

By the Coromandel, Hercules, Atlas, Perseus, Alexander, and Atlas Transports, and His Majesty’s Ship Buffalo, I have the honor of yours as per Margin*—Communicating the Quantity of Provisions, they brought for the Use of the Colony and His Majesty’s Sloop Investigator, which the Commissary has received into his Charge, And has given the Master Receipts, for what they have landed, including the Remains from that put on board for the Convicts on their Voyage and after their Landing.

By the Atlas and Hercules† which Stopped at the Cape of Good Hope, The Commissary Received Fifty Tierces of Beef by each

* The margin is blank. † Marginal note.—One Hundred Tierces in both Ships.
GOVERNOR KING TO SIR STEPHEN COTTRELL.

(Per Surgeon Thomson in the Naturaliste.)

Sir, Sydney, New South Wales, Nov. 9th, 1802.

[For the 1st, 3rd, 4th, 5th, 6th, and 7th paragraphs of this letter see the 1st, 3rd, 4th, 6th, 7th, and 8th paragraphs of the despatch to Lord Hobart respecting Entries and Clearances, dated 9th November, 1802, with the addition of the following to the first paragraph.] By the Entries now sent as well as those alluded to, you will observe the great quantity of Merchandize brought here for sale, several Vessels have taken the greatest part of their Cargoes away again and those that remain are selling at a very small advance on the prime cost.

2d. You will observe by the Enclosure the quantity of Spirits and Wine Imported here and sent away during the year 1801. The prevention of Spirits being sent from India the restrictions on Masters of Transports coming here with Spirits and the discouragement given to Americans bringing such quantities will soon rid this Colony of the Seas of Spirits with which it has been inundated so long. This you will, Sir, observe is nearly effected, by comparing the quantities imported during the last Nine Months and that Imported in 1801.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

[The shipping returns were duplicates of those forwarded to Lord Hobart, as Enclosure No. 1 to the despatch respecting Entries and Clearances, dated 9th November, 1802.]

[Enclosure No. 2.]

[The return relating to spirits and wines was also forwarded as Enclosure No. 2 in the despatch to Lord Hobart, dated 30th October, 1802.]

GOVERNOR KING TO MR. WM. CHINNERY.

(Per French ship Naturaliste.)

Sir, Sydney, N.S.W., Nov. 9th, 1802.

With this I enclose a List of the Officers on the Civil Establishment of this Colony, present and absent on leave; also a list of Superintendents and Storekeepers.
I have found it necessary to appoint a General Superintendent of all Government's Agricultural concerns and have given to the Commissary an Order to pay him £50 pr. Ann: in addition to his Superintendants Pay.

I have informed my Lord Hobart of this Circumstance, and the necessity, as well as an addition to be made to the Superintendent of the Stocks salary, which I hope you will forward as much as is in your power.

I have, etc.,

PHILIP GIDLEY KING.

[Enclosure.]

[A copy of this return* has not yet been found.]

GOVERNOR KING TO LORD HOBART.

(Despatch per Surgeon Thomson in the Naturaliste; acknowledged by Lord Hobart, 24th June, 1803.)

My Lord,

Sydney, N.S.W., Nov. 10th, 1802.

With this I have the Honor to transmit a list of the persons Tried by the Criminal Court of Jurisdiction of this Territory since I took the command up to the present date, in which I hope it will appear that I have not abused the prerogative, His Majesty has been pleased to delegate to delegate to the Governor of this Territory.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure.]

[A copy of this return has not yet been found.]

GOVERNOR KING TO LORD HOBART.

(Despatch per Surgeon Thomson in the Naturaliste; acknowledged by Lord Hobart, 24th June, 1803.)

My Lord,

Sydney, New South Wales,

15th November, 1802.

The French ships being detained until this date by contrary winds enables me further to inform your Lordship that Mr. Bass arrived here with the Venus the 14th inst., from Otaheite, with 57 tons of salted pork. By a reference to my letter, No. 5,‡ to the Duke of Portland, your Lordship will observe the contract entered into with Mr. Bass to bring pork here at 6d. per lb. Had not the late supplies arrived from England we should have been destitute now of salt meat, and of course must have had recourse to stock; that misfortune the arrival of this vessel would have prevented. I therefore feel it incumbent on me to comply with

* Note 260. ‡ Marginal note.—Dated Nov. 14th, 1801.
the terms of the contract—to receive all that he cannot dispose of to individuals, at 6d. per lb. What that quantity will be, or the condition it is in, I am unable to say at present, as the Venus is but just arrived, and the French ships on the point of sailing.

By that vessel I received the information contained in the enclosures from the Porpoise and Norfolk, brig. The loss of the latter I cannot but regret. However, as no means have been left untried by me to attain the grand object of reducing the expences of the colony, had not a hurricane thwarted my measures we should have had the vessel as well as the cargo of salt pork she had procured. The latter comes by the Porpoise, but the former is irrecoverable. The Porpoise was procuring a cargo, which there is little doubt of her compleating. She may return previous to the whaler's departure, when I shall state the quantity of salt pork received by that ship, and the quantity purchased from Mr. Bass, both which supplies will save a great expence.

By the Venus I have received a journal of the transactions at Otaheite. As it contains matter of public curiosity, I shall do myself the honor of transcribing and forwarding it by the Greenwich, whaler.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

REV. JOHN JEFFERSON TO GOVERNOR KING.

Matavia, Otaheite,

Augs. 9th, 1802.

Your Excellency's by Capt'n Scott was Received July 31st: And every Assistance Rendered for Accomplishing the end of the Porpoise's Second Voyage; The Unhappy Civil War that this Island is embroiled in, and has been for Ten Weeks before the Vessel's Arrival appeared to give but little hopes of Success here. Capt'n Scott was desirous of trying Eimeo; But Otoo and Pomarre were extremely averse to the Porpoises going from Matavia, And were not inclined to Remove the Raphove that was in force there, and without that he would not have succeeded. The King and Pomarre promised, that, if the Ship remained here, they would Dispatch Canoes Directly for hogs. On August 1st The Porpoise Anchored in the Bay And the next Day, upwards of 30 Canoes were sent off to Eimeo for hogs. This Day 82 Arrived And were given in the name of Otoo and Pomarre, 60 as a present to his Majesty King George And the Governor of N. S. Wales and 22 to the Commander of the Ship, besides the above More are expected from Eimeo and Others from Yyarraboo, which are to be Considered as presents from Pomarre's Family, exclusive of what or Can be Obtained by Barter.

* Note 261.
The Political State of the Island And the fate of the Norfolk, Your Excellency will no doubt hear from Captn. Bishop should he live (for at present he is very ill) to see Sydney, And also from a Journal that Your Excellency will find enclosed, and etc.

We thank your Excellency, for your Continued Attention to Our Affairs. Mr. Marsden’s Letter on the Subject we received; And as we found a Mistake of some Consequence in the Accounts transmitted us, we have Written back to him to endeavour to get it rectified. Your Excellency’s Interference, if requisite, will encrease our Obligations.

We are also indebted to your Excellency for your kind Offer of Attending anew to the relief of our Wants; But at present we have no particular Call for anything: We have Requested Mr. Marsden to Send us a little Tea and 12,000 Shingles, if Opportunity Serves; we are in expectation of Seeing Soon a Vessel from our Friends.

The Book Your Excellency mentions as being in Mr. Shelley’s hands, Mr. Shelley says that Your Excellency promised to lend him such a Book; But supposes, that thro’ the great hurry of Business, it slipt Your Memory And therefore he never got it.

As for the Furmerick and Ginger, Your Excellency requests us to procure for you—a little Furmerick we shall use our Efforts to Collect as a Sample; but a large Quantity we Cannot Promise. Ginger, we believe, there is none in the Island; what has been thought that, proves to be only another kind of Furmerick Shells and Seeds, such as we can get, shall be sent by the Porpoise.

As Otaheite is involved in Commotion, Pomarre cannot be Spared from the Island; So that Your Excellency will be Saved from Trouble and Inconvenience on his Account. Wishing your Excellency health, Peace and Prosperity.

We Remain, etc.,
JOHN JEFFERSON,
for the Missionaries.

[Enclosure No. 2.*]

REV. JOHN JEFFERSON TO GOVERNOR KING.

Sir,

Matavia, Otaheite, Aug. 12, 1802.

Your Excellency’s favour by Captn. House Came to hand Jany. 19th And as with the Porpoise, so with the Norfolk, all the Assistance in our Power was rendered her. But things were much Alter’d at the Norfolk’s Arrival, to what they were at the Porpoise’s; Hogs were very Scarce, and Capt. H. had great Trouble to procure the Major part of those he did get; The National Affairs of the Island were in a very unsettled State*

* Note 261.
and some Idolatrous Ceremonies Called for the attendance of Otoo and Pomarre etc. So they did not and Could not agreeably to their Ideas of the Importance of those Ceremonies exert themselves As I doubt not they otherwise would.

Your Excellency's presents by Capt. H. were given According to Order.

The Venus Anchored in Matavia Bay about a Week after the Norfolk, Capt. Bishop and five men remained here to procure and Salt Pork, while Mr. Bass proceeded with the Vessel to the Sandwich Islands to do the same.

Mr. and Mrs. Shelly after a long and distressing Voyage arrived in good health. Your Excellency's kindness to Mr. S. and attention to our Affairs demand our Warmest thanks; Your Excellency's investment of myself with Magisterial Authority* I accepted not to please myself, but that I may be an Instrument for good to others.

What has befallen the Norfolk, with Certain Transactions, Loss of that have been brought forth since Jany. 19th are Recorded in the Journal, to which I must refer your Excellency for Satisfaction.

I am, etc.,

JOHN JEFFERSON.

[Enclosure No. 3.†]

LIEUTENANT SCOTT TO GOVERNOR KING.

Porpoise, Matavia Bay, Otaheite, 18th August, 1802.

I beg leave to inform you His Majesty's Armed Vessel Porpoise, having performed the Service you was pleased to enjoin off Norfolk Island, arrived in the Bay the first Instant; Since which I have been using my utmost exertions to put your further Orders into Execution. On Account of a Civil War existing on the Island, it is impossible for me to inform you whether I shall be able to Obtain the Quantity of Pork, I may want at this Island or not. If not it is my Intention to visit the Islands named in your Orders. This doubt leaves it out of my Power to inform you with any Degree of Precision when you may expect the Porpoise at Port Jackson.

The fate of the Norfolk Mr. House's Communication, which Accompanies this Letter will fully inform you of. The Pork he has Collected and Cured, I shall take on board the Porpoise as well as the Materials saved from the Wreck, together with himself and Ship's Company.

I am, etc.,

WM. SCOTT.

* Note 262. † Note 261.
MR. W. HOUSE TO LIEUTENANT SCOTT.

Hon'd Sir,

August 17th, 1802.

I am very sorry that I have to inform you that the Hull of the Armed Colonial Brig Norfolk is now laying on Shore upon Matavia Beach, and for want of sufficient Strength and principally Materials I fear she may remain where she now lays.

Accompanying this you have the Norfolk's Journal for your Perusal likewise a Copy of the Protest sworn to by all the Ships Company (Peter Robinson and the Centinels on Shore duty at the time excepted).

I am, etc.,

W. HOUSE.

On shore at Matavia upon the Island of Otaheite.

The Quantity of Pork that I have Collected and saved I conceive to be about Ten Tons.

EXTRACTS from the Log Book of the NORFOLK Armed Colonial Brig, respecting the Wreck of that Vessel in Matavia Bay, Otaheite.

1802. Tuesday, March 23rd.—Strong Breezes, with Constant rain, Wind N.W. and a very heavy Swell roling into the Bay, about 4 A.M. parted the small bower Cable 4 or 5 fms. from the Anchor, in Consequence of which, she swung to the best Bower, And the Wind Northering at the same time, brought her to ride Open to the Channel between Dolphin Bank and the Reef, and where she Rode very hard. The Wind, Sea encreasing having no other Anchor to let go nor more than 5 or 8 fms. of the Best Bower Cable on board, there was no more than what was necessary to freshen hawse.

Accordingly we bent the Main Sail and Forestay Sail, in Order that if she should part to Run her upon the Beach if possible and Save our lives.—expecting nothing less than to drive on Shore under One Tree Hill among the Rocks.

Wednesday, 24th.—An encreasing Wind and Sea the Vessel riding very hard and Shipping a Great deal of Water, riding and expecting every Pitch she takes that the Cable must part.—Afternoon excessive heavy Squalls with hard Rain and for some Minutes an interval of Calm—So that the very Strong Streams that runs out of the River, cant the Vessel across the Stream, And she rides between both, In the Calms she Rolls the Water in on the One Side and out on the Other, the Gale still encreasing and an incessant rain, the Wind at N.N.W.

Thursday, 25th.—Excessive hard Gales and mountainous Seas, the Vessel rides very hard And labours very much, the Sea breaking repeatedly over her all Night—At Daylight the gale and Sea encreasing with heavy Squalls and hard Rain, the Sea Still breaking over Us—about 9 A.M. finding that one Strand of Best Bower Cable was gone, about 2 or 3 fms. from the hawse and that we Could not ride much longer, in our Situation, I Called the Ships
Company Aft and pointed out to them the Situation we were in etc.—Vizt. If the Vessel should part when her head, was in the Eastward. I Could Run on Shore, upon some part of the Beach, where we might Save our Lives and the Vessel’s Property and probably get the Vessel off again and Repair the Hull so as to Carry us home—And if she should part with her head to the Westward nothing Could save her from being among the Rocks, under One Tree hill, the Stream was running so rapidly to the Westward, if that was the Case the Vessel would soon be in Peices, And no Assistance could be given Us, so as to Save our Lives.

The Opinion of the Ship’s Company (Peter Robertson excepted) was to Run her on Shore, while we should have Daylight to Save all that we Could—About 10 A.M. Seeing no Symptoms of the Gale or Sea abating; The Fore Stay Sail was set and the Remaining two Strands of the Cable was Cut. And in about 5 Minutes after the Vessel took the Ground, about half a Cables length of the Sandy Beach And she soon beat herself high enough to Walk on Shore, between the Surf, Capt. Bishop and Men the Missionaries and Natives were down upon the Beach and gave me all the Assistance in their Power to Save the things out of the Vessel And in about 3 hours every thing was out of her except the Pork; about half an hour after she took the Ground, I observed the Copper was Coming off the larboard Bilge. And at the same time some of the Sheathing came on Shore from her Starboard Bilge. And the Bilge of her appeared to me to be Started inwards, the Water flowing into her very fast and the Vessels Striking exceedingly hard, I expected she must part or go to Peices in a Short time And the Sea encreasing all the Time; After Advising with Captain Bishop, I had the Mast Cut away, which seemed greatly to ease her, but the Surf beating over her still.—In the Evening has the Water fell, the Surf abated, and she lay with a very little Motion, having made a bed for herself in the Sand and full of Water.—Placed a Centinel on the Beach all Night, to prevent the Natives from Plundering.—The Mission’s offered me a Room in their House for myself, but Capt. Bishop offered me and the Ship’s Company, room in his House until we Could Suit Ourselves better, therefore his Offer I accepted.—Every Assistance in the Power of all Parties was given And the Natives kept from Theiving by Mr. Lewin and Pulpit, One of Captain Bishop’s Men who took everything under their Care, as they Came on Shore, they being Armed for the said Purpose; And about Dark in the Evening every thing was Housed that Came on Shore.—The Ship’s Company lay at Capt. Bishop’s this Night, How Providential it was for so many Englishmen to be upon the Island, at that time Otherwise our lives would hardly have been safe.

Friday, 26th.—At Midnight a Decreasing Gale and a falling Sea. Employed Stripping the Masts And getting the Rigging under Shelter at the Salting House And Stowing the Spars outside likewise bringing the Sails from the Missionaries’ House And Spreading them to prevent their Rotting, by laying in a heap as to Dry them it is impossible, for it is Constant Rain And the Wind about North—Found the Vessel’s Hull bedded in the Sand And the Surf beating over her. No Work done on board—This afternoon I took the Ships Company with me to Mr. Jefferson’s where they all swore to the Protest voluntarily (Peter Robertson excepted).—Went on Board the Brig this Evening and found her in a Solid body of Sand And nearly full of Water.
1802.
Log-book of the Norfolk.
15 Nov.

Saturday, 27th.—Very heavy Squalls of Wind and Rain, the Surf breaking over the Vessel, the most of this 24 hours, so that Nothing can be done on Board; However she is well bedded in the Sand that she can take but little more harm, than what she has already got.

Wednesday, 31st.—A Strong Sea Breeze Wind N.E. Employed Pumping the Water out of the Brig, upon the falling Tide about 11 A.M. The Water was out of the Vessel as low as the keelson. I had Captn. Bishop on Board with his Carpenter, Mr. Jefferson and my own Carpenter to give their Opinion of the Vessel’s Hull.—In Examining the after part under the Cabin Platform, they found the Skin gone between the two Timbers on both Sides and Could feel nothing but Sand, Several of the Futtocks and the Floor Timbers appear to be broken and out of their Places, the trunnels are all Started and the Planks and lining bilged in between the Mast (We cannot find any bolts in her Bottom or in any of the Butt Ends)—The Wood Ends aft are Started (and no Wonder) having nothing but Nails to hold them, all the Oakum that can be seen in the Bottom is Dring Rotten, but the Bottom Planks appear to be Perfectly Sound.

Friday, April 2d.—Pleasant Weather, got every loose thing out of the Brig that Can be found; Opened the New Cable and Spliced the Strands together to make a Purchase fall to turn the Vessel over, if we can, And to examine her Bottom (But I fear the fall we be too Short) if we can do that it will enable Us to Come at her much better to break her up than what we can now And if we Can Repair her, this must be done by some Means, besides she will remain without Harm much longer, when she sits on her Bottom, than laying upon her bilge, as to Repair her in this country without Materials is impossible.

Friday, 16th.—Squally with Thunder, lightning And heavy Rain, Baled and Pumped the Water out of her.—Captn. Bishop and his Carpenter, Mr. Jefferson And the Carpenter of the Norfolk Came on board about noon And examined the Brig’s Hull And they found the Vessel in such a State as to be irreparable in my present Situation.—The State of the Vessel’s Hull is as follows Viz. Six futtock Timbers on the Starboard and Seven on the larboard side loose and Widely Separated from the Planks of the Bottom—Two of the Midship floor Timbers sprang, the Trunnels generally Started over her Bottom between the Masts, a leak in the Starboard Quarter whereby it appears that the 2nd and 3rd Planks up from the Keel, about 6 feet from the Sternpost was bulged and Splintered, a leak in the Starboard Pump Well, whereby it appeared that the Garboard Streak is either Stove or Started from the Rabbit of the Keel; hence the Joint Opinion of the Whole is, that the Brig Norfolk is irreparable by any means now Upon this Island of Otaheite And for Two Reasons—First as the Vessel is now laying in the Wash of the Surf, she must be Removed from thence upon Dry land Or else within the Banks of the River, then placed in a Dry Dock Or else upon blocks on Shore, the Copper taken off and her Bottom totally laid open to replace the futtock and Floor timbers, the Trunnels driven out and Cauled all over above and below. Second, Having no Cordage Purchases nor Naval Stores to Accomplish any part of the aforesaid necessaries for rendering the Norfolk Sea Worthy, Still it is our Opinion that from the Soundness of the Planks and Timbers that if speedy means should Arrive, the Vessel may yet be Saved.
Pleasant Weather, this Day we got the Small Bower Anchor with the Stock so much Worm Eaten that it broke in Pieces in the Man's hands, has they lifted the Anchor by it, upon the Beach.

A True Copy of the Original Journal Transmitted to me.

PHILIP GIDLEY KING.

[Enclosure No. 6.*]

PROTEST OF THE CREW OF THE NORFOLK.

We the Underwritten do solemnly protest that on Tuesday March 23rd in the Year of Our Lord 1802—His Majesty's Armed Colonial Brig Norfolk was laying Moored in Matavia Bay in the Island of Otaheite, the wind then blowing strong from the N.W. with constant rain and a very heavy Swell rolling into the Bay which continued all that day and night, and that about 4 A.M. on Wednesday the small Bower Cable parted between four and five Fathoms from the Anchor, in consequence of which she tended to the Best Bower, and the wind coming round more to the Northward at the same time brought the Vessel to ride in the opening of the Channel between the Dolphin Rock and the Reef, where she rode very hard. In this situation the Vessel lay the whole of Wednesday night, during which time it blew very strong with heavy rains and Mountainous Seas that repeatedly broke over her.

We do furthermore solemnly Protest that about 9 A.M. on Thursday the 25th of March One Strand of the best bower Cable gave way, about Two Fathoms from the Hawse Hole and that about 10 seeing that there was no appearance of the wind and Seas abating and a certainty should the Cable part and the Vessel's head cast to the Westward that she would drive on shore under One Tree Hill where the Vessel would be immediately dashed in pieces and nothing saved; but if her head could be brought to cast to the Eastward, she could be ran on shore on the Beach where not only the Persons, but the Cargo also may be saved and even a probability that the Vessel may be got off again; therefore, with the unanimous consent of the Ship's Company, one man (Peter Robinson) excepted, the Fore Stay Sail was set, the remaining two Strands of the Cable Cut, and in a few Minutes after the Vessel took the Ground upon the Sandy Beach where by the Assistance of Captain Bishop and men Missionaries, and Natives, everything but the Pork was landed. The Gale not abating and the Surf running very high, for the easement of the Vessel the Masts were cut away.

* Note 261.
In Witness to the truth thereof we make Oath and set our Hands this Twenty Sixth day of March 1802.

W. House, Commander
EDWD. BECKFORD
CHAS. FREEMAN
JOHN WHITE
JOHN CEARFOOT
WILLM. STEVENSON
JOHN USHER
JOHN TAYLOR

The Corporal and 2 Centinels doing duty on Shore to be excepted.

The above Protest was duly Sworn to before me the Revd. John Jefferson, Clerk, His Majesty's Justice of Peace for the Island of Otaheite etc. this Twenty Sixth day of March in the Year of Our Lord 1802.

JOHN JEFFERSON.

GOVERNOR KING TO SIR CHARLES MORGAN, BART.

Sir, Sydney, N.S.W., Nov. 15th, 1802.

Under cover to His Majesty's Principal Secretary of State for the Colonies, I have the Honor to forward to your address a Letter from Mr. James Thomson, Staff Surgeon of this Territory, inclosing the Proceedings of Two General Courts Martial (of which he officiated as Deputy Judge-Advocate,) held on the Adjutant and Surgeon of the N.S.W. Corps, at the desire of Lt. Col. Paterson, to determine which of the above officers acted with Candor and Truth on some late occurrences that have happened here—The circumstances attending the Surgeon's acquittal required my approving that Sentence; But from my conviction and knowledge of the circumstances attending these events, I could not consider the sentence on Adj. Minchin adequate either to the written or Oral evidence, named in the Charge and produced on the Trial; Under this impression I required the Court to revise the proceedings for the Reasons stated in the Letter attached to the Minutes; As the Court adhered to the former sentence and not considering myself justifiable in approving that sentence as stated in the General
Orders of the 16th Ulto. I have to request you will be pleased to lay those Courts Martial before His Majesty with my humble and dutiful reference of the sentence passed on Adjt. Minchin, together with my remarks as communicated to the Officiating Deputy Judge-Advocate, to the Royal Decision.

The Letters and other Correspondence on the causes that led to these Trials, I have transmitted to my Lord Hobart by the opportunity which the Officiating Deputy Judge-Advocate goes by, on leave of absence he had previously obtained—I have directed him to attend your commands.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

GOVERNOR KING TO JAS. THOMSON, OFFICIATING AS DEPUTY JUDGE-ADVOCATE.

Sir,

Sydney, N.S.W., October 16th, 1802.

Agreeable to my General Orders of the 16th Instant, you will make a fair Transcript of the General Courts Martial, held on Mr. Harris and Adjt. Minchin of the N.S.W. Corps, of which you Officiated as Deputy Judge-Advocate, and transmit them to His Majesty's Judge-Advocate General, for the purposes contained in that Order.

And as the proceedings and sentence of the Court Martial on Adjt. Minchin's Trial are referred by me to His Majesty's decision you will offer the following remarks which I conceive necessary to make on that Trial to the Judge-Advocate General's consideration, for his laying them before His Majesty with the proceedings.

As those Courts Martial were instituted to determine, which of those officers had acted with Candor and adhered to the Truth, in the causes that produced them, I presume that the Circumstances attending Surgeon Harris's Trial, rescued that Gentleman from the most distant suspicion of being actuated by any dishonorable or improper motive. In observing on the proceedings of Adjt. Minchin's Trial I am compelled to contradict Col. Paterson's assertion that he is called on by me to undertake the Office of Prosecutor, which his Correspondence will invalidate. Wherein it will appear, That calling a Meeting of his Officers to decide on a complaint that could (and I make no doubt would) have been settled by himself Honorably, and satisfactorily, and afterwards asking for a Court Martial, were his own Act and Deed—The paragraph from my Letter which he quotes is strictly true, my reason for the words, "To which of the Two you ought to give the greatest Credit" arose from Mr. Harris's known
Integrity and Honor, (which was most amply verified by the Circumstances of his Honorable acquittal) and Lt. Col. Paterson or myself having never associated with Adjt. Minchin since the part he had in the Transactions that led to Lt. Col. Paterson's Duel with Capt. McArthur, and since the Lieut. Col. Received a Letter from Col. Grose (commanding the Corps) calling in question Adjt. Minchin's veracity which Letter, Lt. Colonel Paterson caused to be read to the Adjutant—The same Letter Lt. Col. Paterson also read to me, and some of the Civil Officers, (among whom was yourself,) without any restraint or secrecy required.* Those were my reasons for using the words quoted from my Letter on Adjt. Minchin's Trial by the Prosecutor Vizt. "To which of the Two you ought to give the greatest Credit."

On the subject of my Letter to the President requiring a revision, I shall make no observation on, nor to the evident contradictions contained in the Documents alluded to in that Letter and as they are partly attached to the Minutes I shall now proceed to remark on the Evidences.

On the first Question to Mr. Chapman—Had the Court adverted to the whole Evidence of my Letters as required by Lt. Col. Paterson in the Charges it would have discovered that only as far as the 7th Paragraph was read to Mr. Minchin and Mr. Harris in the presence of the Witness, which was verified by the Depositions annexed to the Proceedings.

On the 2d Question to Mr. Chapman—Had the Paragraph quoted been read to Adjt. Minchin and Mr. Harris, my observation in the 6th Paragraph of the same Letter would have been unnecessary—It was wrote by me in the course of the same Letter, as a remark consequent on what Adjt. Minchin had declared to be true in the 4th Paragraph, which he twice after allows to be true, as will appear by his Letter in answer to mine and his declaration on Honor, both of which are attached to the proceedings, but am ignorant for what purpose the dates are omitted, they will appear by examining the attached correspondence transmitted to my Lord Hobart.

The 1st Question to Mr. Harris—Corroborates my remarks on the first Question to Mr. Chapman, that the First Four Paragraphs of my Letter of the 4th October were read.

On Question 2d stands 3d in the proceedings.—Had the Court allowed of my Letter No. 6 being read or examined, as required by the Charge, they would have seen that the word "Complained"

* Marginal note.—Col. Paterson's Opinion of Adjt. Minchin may be further confirmed by a reference to his public letter to Col. Brownrigg dated March 1802 respecting Capt. McArthur.
was never used by me, but substituted for "Conversation and assertion" by the Meeting of Officers—and which it appears obtained with the same Officers, who also composed the General Court Martial—And from the Witness not being allowed to give any explanation whatever, he could give no other answer than he did, as he never used, or heard the word "complained" mentioned. On this Trial I have no observation to make than this, That if the Court had been inclined to have made a General reference to the Letters named in the Charges—Had not suppressed one of them and substituted a Paragraph of another and made partial Extracts, without attending to, or considering the context, I am persuaded the decision must have been otherwise.

An attempted irregularity of that Court I feel myself obliged to state as a Justice I owe to the Honor of His Majesty's service—I am informed that during the examination of a Witness, (Mr. Chapman) that Lt. Hobby, (one of the members) expressed a wish to take the prosecutor out of Court to speak to him and asked your opinion as to its propriety, that you told him it was irregular—That he asked the Members individually who had no objection, and that the prosecutor (Lt. Col. Paterson) and the member of the Court (Lt. Hobby,) rose from their seats to go out, but were prevented by Ensign Bayly (another Member of the Court) who suggested that the prosecutor had better decline it—

I have, &c,

PHILIP GIDLEY KING.

[Enclosure No. 2.]

GOVERNOR KING TO JAS. THOMSON OFFICIATING DY. JUDGE-ADVOCATE.

Sir,

Sydney, October 17th, 1802.

Justice to myself requires that I should request you to communicate the Enclosed Letters to the Judge-Advocate General of His Majesty's Forces, in further support of the remarks I found it necessary to make on Adjt. Minchin's Court Martial in my Letter of yesterday, together with my Letter* of Yesterday's date.

I have, &c,

PHILIP GIDLEY KING.

GOVERNOR KING TO UNDER SECRETARY SULLIVAN.

(Signed Surgeon Thomson in the Naturaliste.)

Sir,

Sydney, N. So. Wales, Novr. 16th, 1802.

In answer to your Letter respecting Jas. Gordon, I have to inform you that I Communicated the Contents of that Letter as well as a prior one that I received from Mr. J. King; and

* Note 263.
to whom I have explained every circumstance respecting this person; I am fully of opinion that he has forfeited every further consideration of his Employer, as he not only * altho' Victualled and supplied for some time at the public Expense, but hired himself as a Gardner to the Commissary—whose service he has recently been prevented from quitting to go with the Commander of the French Ships on Discoveries.

I am sorry that Circumstances have made my present despatches so voluminous as I fear they will appear to you, but as I could not conceal a word they contain without a manifest Injury to the Public Service, I hope you will make many allowances for my situation, Goaded and perplexed as I have been, but in the Line of Duty etc. through obedience to my Instructions and Ideas of the benefitting the public Service and discharging the trust reposed in me Honorable to His Majesty's Service and advantageous to the Public, are the * of my Conduct I hope for that Candid consideration of my representations as may encourage me in the Just discharge of the most arduous undertaking.

I have, &c,

PHILIP GIDLEY KING.

I have desired the Bearer of my Despatches Mr. J. Thompson to attend your Commands, a twelve year's residence in this Colony has enabled him to be perfect Master of what has been done here.

GOVERNOR KING TO LORD HOBART.

(Despatch per Surgeon Thomson in the Naturaliste; acknowledged by Lord Hobart, 24th June, 1803.)

My Lord, Sydney, N. S. Wales, 17th November, 1802.

I had the honor of receiving your Lordship's letter respecting Mr. Thomas Jamison being considered as next in succession on the medical staff of this colony to the present Surgeon-General, Mr. Balmain.

As Mr. James Thompson had applied some time past to go to England to arrange some private affairs as well as to restore him to health, having some time past laboured under an asthmatic complaint, I took on myself to grant him that liberty on Mr. Thomas Jamison's return.

It was intended he should have gone by a whaler, but as he was disappointed by the ship not calling here, he has taken his passage in the Naturaliste; and as I have charged that gentleman with my dispatches to your Lordship, I beg leave to mention him

* Blank in manuscript.
as well qualified to give you every information your Lordship may require and which a twelve years' residence as Staff Surgeon will enable him to give. I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO LORD HOBART.

(Despatch per colonial vessel Cumberland to Elephant Bay, thence per French ship Naturaliste; acknowledged by Lord Hobart, 24th June, 1803.)

My Lord,

My Lord, Sydney, New South Wales, Novr. 23rd, 1802. 23 Nov.

A few Hours after the French Ships were out of sight, I was informed that some of the French Officers, during their stay here had informed Lt. Col. Paterson and others, that it was the intention of the French, to make a Settlement, in what is called by us “Storm Bay Passage” and by the French “Le Canal D'Entrecasteaux” on the East side of Van Dieman’s Land, as I understood Col. Paterson was in possession of the Circumstances I required his information, as I had no other Idea on that Subject than what I have stated in my Marine Letter of the 9th Instant, And which proceeded alone from the Circumstance of the time they were employed in Surveying that part; Col. Paterson’s Answer, I have the Honor to enclose—I have lost no time in expediting the Cumberland Armed Colonial Schooner—She sails this day and from the Arrangements I have made, His Majesty's Claim to that part of this Territory cannot be disputed—Your Lordship will observe by No. 1 that the Officer I have entrusted with this Expedition is directed to proceed immediately to Van Dieman’s Land—Which is an Instruction I have given him to communicate to Monsr. Baudin if he falls in with him, as I know his intention is to go immediately through Basses Straits and whatever may be in contemplation it cannot be performed by him, how far he may have recommended it to the French Government I do not know—It seems by Col. Paterson’s Information that they do intend it: It is my intention as soon as the Porpoise arrives, to despatch her with a small Establishment to the most Eligible place at “Storm Bay Passage” and one at Port Phillip or King’s Island—Your Lordship's Instructions on those points I shall be glad to receive as soon as possible.

I have, &c.,

PHILIP GIDLEY KING.

P.S.—Since closing the above the Lady Nelson has arrived, having been much disabled among the Shoals to the Northward in Latitude 20° So., which obliged Captn. Flinders to send her back, I have just had time to get his Letter to me transcribed and have sent it to the Secretary of the Admiralty.

Novr. 26. 6 p.m.

P. G. KING.

SER. I. VOL. III—3 A
INSTRUCTIONS TO ACTING-LIEUTENANT ROBBINS.

22nd November, 1802.

You are hereby required and directed to embark on board His Majesty's Colonial vessel Cumberland, whose master has my orders to receive you and follow your directions on the service you are about to perform.

In the same vessel will be embarked the Surveyor-General of this territory and the people as per margin.*

You will proceed without loss of time to King's Island, at the west entrance of Basses Straits. The east side from Point Farewell to Seal Bay having been surveyed by the Lady Nelson, you need not lose time in surveying that part unless any material error should appear, which you will note. The depth of water and entrance into the lagoon that has been seen on the east side is an object to ascertain how far a small vessel might go in and lie in safety. Should the wind prevail at west, you will find Elephant Bay a good roadstead from whence you may make such excursions into the island as will not prevent you from rejoining the vessel again in case of the appearance of a change of wind. As New Year's Harbour is the safest anchorage for the vessel in all winds, that place is to be preferred for her to lie in, while you, with the surveyor, surgeon, and gard'ner, proceed to explore the interior and coasts of King's Island. In executing that service you will pay particular attention to the face of the country, wherever it is hilly, plain, or swampy; the nature and depth of the soil, noting such parts, and the apparent quantities of ground which are capable of cultivation or grazing to advantage; also fresh water in streams, springs, ponds, or lagoons; the quantity, quality, and size of the timber growing on the island; and what parts of the coasts appear accessible to boats. You will also observe the best situation for settlements, in which you will have a view to the commercial advantages, access of vessels, obtaining fresh water, and its defence. You will also observe where settlers can be advantageously placed, and finally make such general daily observations as may guide my judgement in the most proper places to establish settlements, committing all your observations to writing, and noting the above objects on the charts you are provided with. You will, with the assistance of the surgeon and gardner, collect and bring small samples of all stones, timber, plants, &c., you may find on different parts of the island. With this object you will proceed to Port Phillip (Capt'n. Flinders's and Lieut. Murray's surveys of which you are provided with), and proceed to the most

* The margin is blank.
minute investigation of that spacious harbour, the unsurveyed part of which you will determine as well as possible, noticing the depth of water and shoals throughout, particularly all the parts that have not been sounded or surveyed by the above officers, making every remark and observation on the land and interior as pointed out in the preceding part of these orders respecting King's Island. Should a continuance of foul winds oblige you to put into Western Port, you will make similar observations on the land about that harbour.

On leaving Port Phillip you will endeavour to take advantage of the wind and weather to examine the unsurveyed part between that port and Cape Albany Otway, ascertaining the exact latitude, and, if circumstances should allow, to determine the longitude as near as possible of that promontory.

As circumstances may occur to prevent your executing those orders to their full extent and meaning, you will in that, as well as in most other cases, consult with the Surveyor-General, Mr. Rush with, and Mr. McCallum,* at the same time using your own discretion; and as you will act in conjunction with the Surveyor-General, you will cause every assistance to be given him for executing the instructions he is furnished with, and of which you are provided with a copy.

In the execution of these instructions you will observe the directions contained in my separate order of this date.

Having performed this service in as complete a manner as possible, you will return here without loss of time, where I shall expect you the beginning of March.

You will keep a minute and correct daily journal of your proceedings, and on your arrival you will exact from every person on board the vessel the journal and observations, charts, &c., they have made on the voyage, as well as all objects of natural history which they may have collected, taking care that their journals and observations are sealed up when delivered by them to you, all which you will deliver to me for the information of His Majesty's Ministers. For all which this shall be your authority.

PHILIP GIDLEY KING.

[Enclosure No. 2.]

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Lt. Col. Paterson presents his Compliments to Governor King, the Conversation was so General among the French Officers respecting their making a Settlement in the Straits of D'Entre- casteaux that the Colonel could not suppose it was unknown

* Note 264.
HISTORICAL RECORDS OF AUSTRALIA.

1802.
23 Nov.

Paterson's report of the proposals of the French.

Paterson's report of the proposals of the French.

Go[vernor King to Secretary Nepean.

(Despatch per colonial vessel Cumberland to Elephant Bay, thence per French ship Naturaliste.)

Sir, Sydney, Novr. 23rd, 1802.

Having an urgent occasion to dispatch a Colonial Vessel to Basses Straits, which I have explained to the Secretary of State for the Colonies, And as it is probable that Vessel will fall in with the French Ships before they get out of the Straits, I have just time to inform you that the Lady Nelson returned from Captain Flinders, while the Cumberland was going out of the Harbour—I have detained her to get his Letter to me transcribed—Every other Information I shall communicate for their Lordships' information by the Whalers—Acting Lieutenant Murray has met with Captain Flinders's Approbation.

The Investigator after having grounded several times, was left in safety off Cumberland Islands.—The Lady Nelson's damages will be soon repaired.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure.]

COMMANDER FLINDERS TO GOVERNOR KING.

His Majesty's Sloop Investigator,

Sir,

Off Cumberland Isles, 18th October, 1802.

Although I am persuaded that it will give your Excellency pleasure to be informed that I have thus far been able to fulfill the orders intrusted to my execution, in having explored the coast of New South Wales and the isles lying off it from Hervey's Bay to Broad Sound, with minuteness, and I hope accuracy, and consequently have made some discoveries which the hasty manner in which the great Captain Cook passed did not permit him to make; yet it is of much concern to me that the danger attending the latter part of this navigation could not be surmounted without such a loss of anchors to both vessels, and of other damage to the Lady Nelson, that I judged it to be most for the advantage of the service in which we are engaged, that she should return to Port Jackson.
The loss of her main keel, which happened when absent from the Investigator, and the damage done to the trunk, rendering it unfit to receive another which I got made for it, has so much reduced her former capacity of beating to windward, which then was not great, that it is become imprudent to send her into any situation where her safety at all depends upon beating, and this has been since further increased by the loss of part of the after-keel, and it appears to me, as well as to the commander of her, that (to use his expression) the keels are the life and soul of the vessel.

Of the three anchors with which the brig was supplied one is now lost, and a second broken; and her two cables are both reduced by cutting off bad parts, and are otherwise chafed. Other deficiencies of stores, which the brig now has, and which will encroach very fast, could be supplied by the Investigator, but the loss of three anchors, which has already happened to the ship, renders me unable to replace those lost by the brig without distressing ourselves, since I should have neither a stream or a kedge anchor left on board wherewith to save the bowers, or to heave the ship off from any shoal or reef upon which she may probably get.

On consulting with the first lieutenant of the Investigator and the commander of the Lady Nelson it appeared that the advantages to the Investigator arising from the attendance of the brig would balance against the disadvantages, as follows:—

1. The Lady Nelson might keep ahead of the ship and give notice of danger, and probably save the ship from getting into it.
2. She would be useful to explore rivers and bays whilst the ship remained safely at anchor, and also places where it would be unsafe to send the ship.
3. The brig might be of the greatest service in saving the people on board the Investigator in case of a fatal accident happening to her.

These were the whole sum of advantages that could be performed by her in her best state; and on the other hand there were the following drawbacks and disadvantages:—

1. For the brig to keep ahead the Investigator must generally keep under very easy sail, which would frequently occasion much loss of time, especially in the run from hence to Carpentaria, which the expected monsoon requires should be performed as expeditiously as a due regard to safety will permit. Within the reefs, where the greatest danger is to be apprehended, we have generally found a boat to be of equal, and frequently of greater, service in this respect than the Lady Nelson.
2. There now remains but little prospect of any large rivers in New Holland, the whole south coast and the most likely places
upon the east being already explored by us; but, nevertheless, the brig might be very useful to us in this second point of view.

3. In case of the loss of the Investigator it is undoubtedly of much consequence to have a second vessel, but in the present state of the brig the probabilities are that the ship will rather have to save the people of the Lady Nelson; and this brings me to another object of some consideration; should the brig be lost, she cannot certainly be of any farther service to us; but if she gets safe to Port Jackson she may be of the greatest use in a future expedition when her damages are repaired and wants supplied.

4. For the brig to perform any part of what is above mentioned, it is necessary that she be supplied with at least one of the only two small anchors in the ship; and she will soon be in equal want of the only hawser which I have, to replace a worn stream cable with, or of which lower rigging can be made; she will also have occasion for much rope and other small stores, and for three or four months' provisions.

Was I so desirous to keep her, bad as she is, as to distress the Investigator in order to supply her wants, yet another loss equal to what she has sustained in this early part of the voyage would oblige her to run for the nearest port, in which case the Investigator would have been distressed to little purpose; and experience has already shewn me that we are liable to part company.

Upon mature deliberation of the above circumstances, I have given Lieutenant Murray orders to return; and as the Lady Nelson can spare her launch without inconvenience, I have kept it, until our arrival at Port Jackson, to replace a six-oared cutter which the great rapidity of the tide in a passage between Island Head and Cape Townsend deprived us of, but fortunately without the loss of any man.

I kept the brig until a passage out to sea could be found clear of the reefs, and this appearing now to be the case I intend going into the Gulph of Carpentaria with all expedition, leaving the remainder of this coast, and what will be missed in Torres' Strait, for the time when the Lady Nelson will be fit to accompany me; and I hope to have the east side of the gulph explored before the N.W. monsoon comes in upon us.

I enclose to your Excellency an abstract of what is already done, and such parts of it as you may judge material will no doubt be transmitted to the Admiralty for the information of my Lords Commissioners.

I have the pleasure to add that the Investigator's ship's company are in good health and spirits, and that

I have, &c,

MATTW. FLINDERS.
1802.

Abstract of the Investigator's proceedings since leaving Port Jackson, 20th July, 1802.

1. A close examination of the coast from the Three Brothers to latitude 30° 26' S.

2. Ditto from Shoal Bay to Cape Byron.

3. Ditto from latitude 26° 11' S. to Hervey's Bay.

These were performed during the run, with very little loss of time, and are principally what Captain Cook passed in the night and what I had not seen in the Norfolk sloop. A shoal opening in Wide Bay, some rocks lying four or five miles to the N.E. of Cape Moreton and that Break-sea Spit, consists of many sands and reefs, between which are some small passages of two fathoms, are the principal differences I noticed, besides several deviations in the coast-line.

4. Between Hervey's Bay and Cape Palmerston some discoveries were made, the deficiencies in former charts filled up, and some few errors corrected. The breadth of Hervey's Bay is 16' less than in Captain Cook's chart, and this difference of longitude goes on increasing from thence to this place, where it is 45 miles. The timekeepers, as well as more than seventy-four sets of lunar observations on different parts of the coast, all coincide in giving this quantity to the eastward. Whether I shall find 50' of difference to the east of Cape York, as was the case with Captain Bligh, I am anxious to ascertain.

5. A port is discovered whose entrance is in latitude 23° 53' So., and it has another entrance in 23° 44' So., but this last is inaccessible to ships. The head of this port communicates with Keppel Bay by a boat-passage, and, consequently, insulates Cape Capricorn. The port affords wood and water, but there are shoals in the entrance.

6. Keppel bay is examined, and found to afford shelter, wood, and, at this time, water. The bay branches out into five arms, and has many shoals and banks in it. The tide rises 12 feet here.

7. Some corrections and additions are made to the coast from Keppel Bay to the latitude of 22° 29', where is situated an island on which grows the Norfolk Island pine. This is in the entrance of the 2nd discovered port; and here, at a place to the west of the island, we watered the vessels. This port is valuable on account of the pines, some of which are fit for topmasts.

8. Hervey's Isles are now laid down more accurately than here- tofore.

9. The vessel passed into Shoal-water Bay between Cape Townsand and Island Head, but the passage is unsafe. The bay is examined, and found to extend S.E'ward to 22° 40' So. There are many shoals and isles in the bay, but no fresh-water streams come into it. The rise of the spring-tide is about 18 feet in this bay.

10. Another passage, but an unsafe one, is found into Thirsty Sound, dividing Long Island into two parts. The south end of the island is in 22° 16' So.

11. Broad Sound is examined, and found to extend in a S.E. Broad Sound, direction to latitude 22° 40'. It is almost wholly occupied by shoals for the last 26 miles, and the banks are so low and thickly covered
Proceedings of the Investigator.

Reefs off Cumberland Isles.

Intercourse with natives.

by mangroves that it is scarcely possible to land. The rise of the neap-tide here is about 20, and of the spring-tide 30 feet. No accessible fresh water was found in it or upon Long Island.

12. Many additions and some corrections are made to the Northumberland Isles. The principal of the former is the largest island of a cluster in latitude 21° 39', and N.N.E. from Peer Head. At the west side of this island we found good shelter, pines convenient for procuring, and, at the side, a curious little basin, fresh water in sufficient abundance to fill up both vessels.

13. The reefs laid down in my chart of 1800 I find to extend as far as the Cumberland Isles without any safe passage through them, but abreast of the isles the reefs appear to end. I say appear, for, although we are as far to the north as the northernmost island, and 40 miles to the east of it, and have a clear sea, yet it is possible that reefs may be met with to the N.E'ward.

14. The addition of several islands is made to the Cumberland Isles, but this cluster is not yet examined.

15. Friendly intercourse was obtained with the natives at Hervey's Bay, Keppel Bay, and Shoal-water Bay.

MATTW. FLINDERS.

THE COMMISSIONERS OF THE NAVY TO GOVERNOR KING.

(Per H.M.S. Glatton; acknowledged by Governor King, 1st March, 1804.)

Sir, Navy Office, 27th November, 1802.

We have Rec'd your letter of the 28th May last relative to a Supply of Stores for the Porpoise and Acquaint you a Suit of Sails, some Cordage and other Articles have been sent out for her in the Glatton, and we have directed the remainder of the Articles now represented to be Wanted to be Sent out by the Calcutta at present fitting at Chatham.

And are, etc.,

WM. RULE.
WM. PALMER.
W. HARWOOD.

SIR CHARLES MORGAN TO GOVERNOR KING.

(Per H.M.S. Calcutta.)

Judge-Advocate General's Office, 11th December, 1802.

Sir,

I have had the honor, in conformity to your desire, expressed in your letter of the 1st of March last, to submit to His Majesty the proceedings of a General Court-Martial, then lately held at Sydney, in New South Wales, upon the trial of Lieutenant John Piper* (having local rank of Captain) of the New South Wales Corps, charged with “having broken his word of honor, highly derogatory to his character as a British officer bearing his Sovereign's commission, by taking advantage of

* Note 179.
General Orders of the 21st September, 1801, coming out of arrest and refusing to comply with the terms as stated in said Order, after having pledged his word of honor so to do”; and also with “having disobeyed the General Order of the 21st September, 1801,” upon both of which charges he was acquitted;—

And I have it in command to acquaint you that the Court-Martial having, after a revision of the sentence, adhered to their opinion, Captain Piper is entitled to the benefit of that acquittal, nor does His Majesty entertain a doubt that their decision was the result of an impartial judgment; but as the Court has not stated the ground upon which that decision was founded, the same is only to be collected from the evidence as set forth in the minutes, and His Majesty is thereby led to think that the acquittal has principally turned upon the manner in which a letter of apology from the prisoner had been received, coupled with the circumstance of his having afterwards been permitted to do duty in the regiment, from which two circumstances the Court-Martial has inferred that the offence for which Captain Piper was put upon his trial had been passed over and done away, and His Majesty is the rather inclined to ascribe the determination of the Court to that motive, and considers it proper that it should so be understood, because there seems to be very little doubt upon the whole that a part of Captain Piper’s conduct was open to blame, nor did the line of defence which he adopted seem calculated to help his cause, inasmuch as he appears to have been not more solicitous to defend his own conduct than to arraign that of the prosecutor, his Commanding Officer, who had laudably exerted himself for preventing duelling and for preserving the peace, which in one instance had already been violated.

His Majesty, without directing that those sentiments be declared in Public Orders, thinks it, however, proper that they be communicated to all the military officers serving within the colony under your command.

I have, &c.,

Chas. Morgan.

Sir Charles Morgan to Governor King.

(Per H.M.S. Calcutta.)

Judge-Advocate General’s Office,

Sir, 11th December, 1802.

Having had the honor of laying before the King the proceedings of a General Court-Martial held at Sydney, in New South Wales, on the 11th day of January, 1802, upon the trial of Ensign Nicholas Bayly,* of the New South Wales Corps, who

* Note 180.
1802.
11 Dec.
The trial of
Bayly.

was charged with and found guilty of "disobeying an order of Lieutenant-Colonel William Paterson, of the same Corps, in refusing to attend a meeting of the civil and military officers of the colony, at the Lieutenant-Governor's, on Sunday, the 3rd January, 1802," and was adjudged to be reprimanded by the Commander-in-Chief of the territory,—I am commanded to acquaint you that His Majesty has thought fit to confirm this lenient sentence of the Court-Martial.

The second trial of
Bayly.

I have also had the honor of submitting to His Majesty the proceedings of a General Court-Martial held on the 3rd day of February, 1802, upon the trial of the same officer, Ensign Nicholas Bayly, charged with "disobedience of General Orders of the 26th December, 1800, by repeatedly beating and horse-whipping his convict servant, J— H—, particularly on Friday, the 22nd January, 1802, which every officer and other person was strictly forbidden to do by the said order," upon which charge he (Ensign Bayly) was found guilty, and was adjudged to be suspended from rank and pay for the space of three calendar months,—and am by His Majesty's command to notify that His Majesty by no means considers the punishment awarded by the Court-Martial as more than adequate to the offence of which Ensign Bayly has been found guilty; but, having taken into his Royal consideration the very long period of painful suspense and uncertainty respecting the sentence of the Court-Martial which that officer will necessarily sustain, and perceiving that he is now become fully sensible of his misconduct, His Majesty is graciously pleased to remit the sentence, and to permit that he, Ensign Bayly, be restored to the function of his commission in the New South Wales Corps.

I have, &c.,

CHAS. MORGAN.

GOVERNOR KING TO LORD HOBART.

(Despatch endorsed "No number," per transport Atlas, vid China.)

31 Dec.

Sydney, New South Wales, 31st Dec., 1802.

My Lord,

As nothing material has occurred here since the departure of Mr. Thomson by the French ships with my despatches dated in November last, and as the route of the ship this goes by is very circuitous, I shall defer sending duplicates until a more direct opportunity offers.

By the enclosed separate letter* sent with the above despatches, your Lordship will observe that the Venus had arrived with a cargo of salt pork from the Society Islands. As Mr. Bass was allowed to dispose of as much as he could to individuals, the

* Marginal note.—Nov. 15th, 1802.
quantity remaining for the stores was 86,556 lb., which I directed
the Commissary to receive, agreeable to the contract, at 6d. p’r
lb.; and as Mr. Bass brought a quantity of very fine salt from
the Sandwich Islands, which is much needed for salting pork at
Norfolk Island, and will be a great relief to the settlers at this
place, to whom it will be given in exchange for wheat at 2½d.
per lb.; the quantity purchased is 30,034 lb., at 1½d. p’r lb.
These purchases together amount to £2,351 12s. 3d., which I
have directed the Commissary to liquidate by bills on His
Majesty’s Treasury, a voucher for which I have the honor to
enclose, and hope these purchases will be approved of, as the pork
is so much cheaper than it could be sent from England for, which
has induced me to continue the contract for another voyage.

His Majesty’s armed vessel Porpoise arrived here the 19th
inst. with about 40,000 lb. of salt pork for the public use of the
colony, which was procured at little more than about 2d. p’r lb.
in barter for articles sent from hence.

As this is the second voyage the Porpoise has made to these
islands, the Venus also having brought a great quantity of pork,
and there being also other adventurers from India on the same
speculation, I am apprehensive the swine will be greatly ex­
hausted on those islands which are accessible to Europeans, and
that it will be necessary to allow them some time to renew their
stock, which will prevent me from sending the Porpoise for some
time, particularly as Mr. Bass is going again.

The loss of the Norfolk brig was very unfortunate, but being
one of those misfortunes arising from unforeseen hurricanes, it is
a great satisfaction no lives were lost and nothing destroyed but
the vessel’s hull. On the return of the people belonging to her by
the Porpoise I directed the master’s and people’s conduct to be
enquired into, and whether it would be worth the expence to send
a ship and people to recover the hull. The enclosure is the
officers’ report, by which it appears an attempt of that kind would
be attended with much expence, exclusive of the probability of
finding her wreck separated. The cost of this vessel was
originally £700. She has been of much service. Another vessel
of the same size is now building, and in great forwardness.

Ensign Barrallier, of the New South Wales Corps, has done
the duty of Artillery Officer and Engineer, to which duty he had
voluntarily performed that of civil engineer and surveyed Bass’s
Straits and other places on the coast. As he has ceased doing
those duties for the reasons given in my last military letter, I
have taken it upon me to direct the Commissary to pay him 5s.
per diem for the time he was so employed, and 1s. 6d. p. diem to
an assistant, which I hope will meet your Lordship’s approbation,
in liquidation of which I have directed the Commissary to draw a bill on His Majesty's Treasury, and have the honor to enclose a voucher.

In my last I had the honor of informing your Lordship that having taken Ensign Barrallier as my aid-du-camp that he was set out on a second journey to the mountains. After an absence of seven weeks he returned a few days ago, having penetrated 140 miles to the westward of Parramatta and 100 miles in the mountains,* which he was enabled to persevere in by the depôts of provisions established at convenient distances for his party. The result of his journey is that this formidable barrier is impassable for man, with every probability that no part of the numerous wild cattle have got beyond these mountains, which so far secures them to the future advantage of this colony, unless they take a south route, as some idea obtains here that the range terminates about Port Jarvis. To ascertain this point I intend sending Mr. Barrallier shortly to Port Jarvis and to penetrate as far as he can to the westward from thence. The particular detail of his last journey and chart shall be forwarded by the first direct conveyance, as it is not yet arranged. Some parties have lately been sent out to endeavour bringing in a part of the cattle, but I am sorry to say without success, owing to the wild and ferocious state of those animals. However, no means will be left untried to recover a part of them if possible.

Instead of the inundations we experienced the last two years, this has been remarkable for a long continued drought, with the most oppressive sultry weather ever felt here. Still I have the pleasure to say that our harvest of wheat has been tolerably good and well got in; but the crops of maize will be thin, altho' some favorable hopes are formed, as we have had much rain these few days past.

The stores continue open for the receipt of wheat from private cultivators, either for barter or at 8s. per bushel. It is my intention to reserve that belonging to Government (upwards of 7,000 bushels) till the last, the necessity of which the experience of former years have pointed out. Every exertion is making to get as much ground as possible cleared at the new settlement at Castle Hill, where 300 men are now employed, which, with the wheat furnished by private cultivators, will prevent the necessity of any more flour being sent here unless a very great number of people are sent out.

I enclose the Commissary's return of salt meat (including that received by the Venus and Porpoise), also flour and grain now in the stores, with the time each specie will last to, together with such other statements as will give your Lordship every present

* Note 232.
information on that head, reserving more detailed statements until this year’s accounts are closed, which I hope to forward by the first direct conveyance from hence. By the return now sent your Lordship will observe that we now have 64 weeks’ salt provisions for our present numbers victualled, which will last at a full ration until about the end of March, 1804, before which period it will be advisable to send a further supply of salt provisions to prevent the necessity of having too early a recourse to our live stock, which by the superintendent’s weekly return your Lordship will observe amounts to 1,438 head of cattle. It is true that number will greatly increase, but not equal by any means to the consumption of those victualled from the public stores.

I am happy to inform your Lordship of the general good conduct of those under my charge. I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

VOUCHERS FOR PURCHASE OF PORK FROM MESSRS. BASS & BISHOP.

Sydney, New South Wales,
Decemr. 27th, 1802.

John Palmer Esqr. Commr. to H.M. Territory of New South Wales Dr.

To Messrs. Bass and Bishop.

£ s. d.
Pork 86.556 lbs. @ 6d. 2,163 18 0
Salt 30,034 Lbs. @ 1½d. 187 14 3

£2,351 12 3

Received this 27th Day of December 1802 of John Palmer Esqr., Commissary, Two Setts of Bills of Exchange on the Right Honble. The Lords Commissioners of His Majesty’s Treasury at 90 Days Sight for the Sum of £2,351 12s. 3d. Sterling being Payment for the above Provisions and Salt.

For which I have Signed Five Receipts of this Tenor and Date.

Geo. Bass, for
Bass and Bishop.

We the Undermentioned hereby Certify the above Purchases, have been made on the most Moderate Terms.

RICH'D. ATKINS, J.A.
THOS. SMYTH, P.M.

I do hereby Certify that the above Provisions and Salt were purchased by John Palmer Esqr. Commissary for the Use of the Colony, agreeably to the Tenor of the Contract, made by me with Messrs. Bass and Bishop.

PHILIP GIDLEY KING.
Order for Payment.

By etc. etc. etc.

You are hereby required and directed to draw a Sett of Bills of Exchange on the Right Honble. The Lords Commissioners Of His Majesty's Treasury at 90 Days Sight in favour of Messrs. Bass and Bishop, for the Sum of £2,351 12s. 3d. for the above Provisions and Salt, purchased for the Public Use of the Colony December 27th 1802; Taking Care to Transmit, proper Vouchers for the Same, furnishing me with two Setts thereof.

For which this shall be your Order.

Given etc. this 27th Decemr. 1802.

PHILIP GIDLEY KING.

John Palmer Esqr., Commissary.

[Enclosure No. 2.]

Order for Inquiry about the Loss of the Brig Norfolk.

By etc. etc. etc.

MR. WILLIAM HOUSE, Master of His Majesty’s Colonial Armed Brig Norfolk, having by his Letter to me dated Matavia Bay Augt. 17th 1802 represented the necessity he was under of Cutting the Cable of the said Colonial Brig on the 25th March 1802, and running her on the Beach at Matavia, to prevent the fatal Consequences to those on board that Vessel had she parted (then riding by two Strands of her Cable) and cast the wrong way.

And as the said Master and Brig's Crew are returned to this place in His Majesty's Armed Vessel Porpoise; You are hereby required and directed to Examine the said Master and Crew respecting the loss of that Vessel, whether the disaster could have been prevented, and whether any cause of blame attaches to any Person on board the said Vessel respecting her loss. You will also enquire of the Commander of His Majesty's Armed Vessel Porpoise, the Master of the Norfolk and such other Officers as you may judge necessary, how far it would be advisable and worth the Expence of repairing and getting the said Brig off again; Reporting to me from under your Hands your Proceedings herein.

Given etc. this 23d day of Decr., 1802.

PHILIP GIDLEY KING.

Capt. W. Kent 2nd Comr. H.M.S. Buffalo.
Lieut. Chas. Ingles of H.M.S. Buffalo.
Mr. Ralph Stott, Master of His Majesty's Ship Buffalo.
KING TO HOBART.

REPORT OF OFFICERS ON THE LOSS OF THE BRIG NORFOLK.

In Obedience to the Commands of Philip Gidley King Esquire principal Commander of His Majesty’s Ship Buffalo, Intimated to William Kent Esquire, Second Commander of the Said Ship—We the Undersigned have as far as was possible investigated the proceedings of William House, Master of the Colonial Brig the Norfolk on and Subsequent to the 23rd day of March 1802 Relative to the loss of the Said Brig in Matavia Bay in the Island of Otaheite; as also the possibility and expediency of getting the Said Brig off again and giving her such repairs as would render her fit for His Majesty’s Service, And we find as follows.

On the 23rd day of March 1802 the Colonial Brig Norfolk was lying Moored in Matavia Bay with a heavy Sea and a great fresh Breeze running from the River in two different Channels—That about 4 A.M. the Small Bower or Lee Cable parted, the Vessel in Consequence Swung to the Best Bower And only remaining Cable—In the Morning, the Swell increased; Bent the Mainsail and Fore Stay Sail.

Wednesday the 24th Wind and Sea, increasing expected to be driven on Shore on One Tree Hill among the Rocks.

Thursday 25th Hard Gales Constant Rain with a heavy Sea frequently breaking over us—At 9 A.M. perceived One Strand of the Cable, gone about 2 fathoms outside the hawse, pointed out the Situation to the Ship’s Company, who in general thought it possible that Could the Vessel be Cast to the Eastward, there would be a probability of saving her the Cargo and lives of the Crew by running her on Shore on a Sandy Beach on the Starboard Qr. but if she parted from the best Bower Cable And Cast to the Westward, which was by no means improbable, sheering about as she was, she must inevitably have gone among the Rocks on One Tree Hill where every Soul must have perished And the Vessel and Cargo been totally lost.

This Statement is Corroborated by the Testimony of Six of the Crew then on Board.

Peter Robinson says as follows—The Cable from which she was Cut was not Stranded Altho’ in Bad Condition—He never was consulted upon the Necessity of running the Vessel on Shore, by Cutting her Cable And had he been, he would not have Consented to such a Measure, for he is of opinion she would have Rode out the Gale from the Offset Occasioned by the Discharge, from the Two Channels astern,—That had the Cable been Stranded, it might have been in board, as it was frequently Slack, but that at Times there was a very heavy Strain upon it, but he did not consider it a good One.
We are of Opinion that nothing could have been done, even had the Cable not been Stranded (which does not appear to be proved) so effectually to preserve the lives of the Crew the Vessel and Cargo As to Cut the Cable at the Instant she would Cast to the Eastward and run her on Shore upon the Beach in Broad Daylight.

WM. KENT, 2nd Comr. of H.M.S. Buffalo.  
CHAS. INGLES, 1st Lieut. of H.M.S. Buffalo.  
RALPH STOTT, Master.

With respect to the expediency of getting the Said Vessel off the Shore we find as follows from Mr. Wm. House Master and the Crew.

As soon as she had grounded, the Sea continued to throw her up on the Beach, within half a Cables length of the Shore violently breaking over her, at which she stopt being nearly filled with Water—the Copper and Sheathing was observed to drive on Shore And about 2 O’Clock her Masts were Cut away in Order to lighten her—On the 31st the Gale having abated, the Pumps were Sufficient to Clear her of Water, on the Ebb Tide, but when the flood made, it was not possible to keep her free—After ripping up the lining—Six of the futtock Timbers on the Starboard Side and Seven on the Larboard were Observed to be Separated, Two of the Midship floor Timbers Sprung, the Tree-nails generally Started over her Bottom, between the Masts a Leak on the Starboard Qr. whereby it appeared that the Second and Third Planks were Stove, a Leak also in the Starboard Pump Well, by which it appeared the Larboard Streak was either Stove or Started from the Rebate in the Keel.

On the 19th May the Sand was Washed away from the Stern of the Vessel sufficiently to perceive Six or Eight feet of the keel much shattered and the Larboard Streak, separated as far as could be seen, the Stern Post was Separated And the Tenon Sticking in the Sand.

Mess. Scott and House are therefore of Opinion that Owing to the Great Distance of the Island, the expence attending the fitting out of a Vessel with every thing requisite for getting her off and repairing her, and above all the little probability that she is at present remaining in the same State, as when last seen by them, that it would not be advisable to Attempt such a Thing.

In which Opinion we Concurr.

WM. KENT, 2nd Comr. of H.M.S. Buffalo.  
CHAS. INGLES, 2nd Lieut. of H.M.S. Buffalo.  
RALPH STOTT, Master.

A True Copy of the Original.  
PHILIP GIDLEY KING.
Governor King to the Commissioners of the Navy.

(Per transport Atlas, via China; acknowledged by the Commissioners, 13th January, 1804.)

Gentlemen, December 31st, 1802.

Referring you to my Letter of the 9th Ultimo a Copy of which I have the honor to enclose, I have now to inform you that the Porpoise Returned from Otaheite on the 19th Inst. with a Quantity of Salt Pork procured at the Islands.—The Reduction of her Complement took place the Day of her Arrival but as I have judged it necessary for the Discipline of the Ship that Mr. Scott should still retain his Appellation of Acting Lieutenant (which he does not Solicit being Confirmed in) And will of Course Cease, when he quits this Colony, he still retains the nominal Appointment which I have Communicated to My Lords Commissioners of the Admiralty.

As the Porpoise Sailed for Otaheite short of the increased Complement, she had only four Men to Discharge on her return. 2 were turned over to the Buffalo and two being unserviceable were discharged by Certificate whose Wages from the Peculiarity of those Peoples Situations, I directed the Commissary to pay here, and to Account with your Board for the Same, that being the only mode of Satisfying their Claims, I hope will be approved of.

By the enclosed Report of Survey on the Porpoise’s Standing Naval stores for H.M.S. Porpoise. and running Rigging, To replace it with new is become absolutely requisite, I therefore Directed the Commissary to purchase a Small Quantity of Cordage from the Master of the Atlas, and to draw Bills on your Board for the Payment thereof; I was the more inclined to Order this Purchase, as the Price was reasonable, being under 50 per cent. on the Prime Cost, And to have Supplied the Porpoise’s Wants from the remains of Cordage in the Colonial Stores, would not have left a fathom for any other Purpose.

Captain Flinders of His Majesty’s Sloop Investigator, having informed me by his Letter, dated from the Cumberland Isles October 18th last of the loss of his Cutter and as that Ship will be much Distressed for a Boat on her Return to enable her to Prosecute their Survey, I have Directed the Commissary to purchase a Cutter, with her Masts and Sails, which the Master

Loss of cutter by the Investigator.
of the Atlas had to Dispose of and to Draw Bills on your Board for the Amount; The Boat is now in Charge of the Master Carpenter here, And When Captain Flinders arrives his Receipt shall be forwarded.

The Porpoise's Hull, Masts and Yards, being in a Good State, she will want a Complete refitting in her Rigging of Sails, before she can proceed to Sea again, And I am Sorry to Say that our Store of Canvas and many other Articles, will be very inadequate to that Purpose.

I have, etc.,

P. G. King.

[Enclosure.]

[A copy of the report on the rigging of H.M.S. Porpoise has not yet been found.]
COMMENTARY.
COMMENTARY
ON
DESPATCHES.

JANUARY, 1801—DECEMBER, 1802.

Note 1, page 3.

Despatch per brig Trimmer, via India.

In King's private letter-book, there is a memorandum that this despatch was forwarded "per Diana, via India." In the returns of shipping, forwarded by Acting-Governor King with his despatch, dated 21st August, 1801, the Diana is stated to have cleared for China on the 1st of December, 1800 (see page 129). This despatch is clearly a modified duplicate of that to Secretary Nepean, dated 31st December, 1800 (see volume II, page 699), the points of difference lying in the fact that the account of Grant's voyage was incorporated in the text of the earlier letter, and formed an annexure to the later letter. These two despatches form excellent examples of the variations which occur in the dates and composition of similar despatches. King's memorandum, as to the boat which carried the despatches, is difficult to explain.

Note 2, page 4.

The Seal.

Governor Phillip, on his arrival at Port Jackson in 1788, was not provided with any public seal. In his second commission (see volume I, page 4) it was stated "Wee do hereby authorize and empower you to keep and use the public seal, which will be herewith delivered to you, or shall be hereafter sent to you, for sealing all things whatsoever that shall pass the Great Seal of our said territory and its dependencies." Although this commission was signed in April, 1787, the preparation of a design for the seal was not ordered by the King-in-Council until the 21st of May, 1790. The design for the seal was approved on the 4th of August following, and was described thus:—

"On one side:—Convicts landed at Botany Bay; their fetters taken off and received by Industry sitting on a bale of goods with her attributes, the distaff, beehive, pick-axe, and spade, pointing to oxen ploughing, the rising habitations, and a church on a hill at a distance, with a fort for their defence. Motto: Sic fortis etruria crevit; with this inscription around the circumference: Sigillum Nov Camb. Aust.

"On the reverse:—His Majesty's arms in a shield, with the supporters; garter and imperial crown, with the motto; and around the circumference his Majesty's titles."

The warrant for using the seal of the territory and the seal itself were received by Phillip per H.M.S. Gorgon, on the 21st of September, 1791.
Prior to the receipt of this seal, Phillip had issued many land grants in N.S.W. and at Norfolk Island, but no emancipations or pardons, which documents required the use of the territorial seal. The land grants had been issued with the following sentence in the attestation clause: "I have hereunto set my hand and the seal of my Arms (The Seal of the Territory not being yet received)." Phillip's private seal was impressed with a large signet ring on red sealing-wax, and was used for commissions, warrants, and precepts, as well as for the more important documents. After receiving the territorial seal, Phillip called in all the land grants, and re-granted them with the seal of the territory. In doing this, he was inconvenienced by the want of wax, and for many years, notwithstanding requisitions made for it, the seal of the territory was impressed on moistened paper. The result is that at present no impression of this seal on wax is available.

This same seal was used by Grose, Paterson, Hunter, and King, in succession, after Phillip's departure. Grose used the seal by virtue of the antepenultimate clause (see volume I, page 8) of Phillip's second commission, which stated that, in the event of Phillip's death, or absence, we "give and grant [to the Lieutenant-Governor] all and singular the powers and authorities herein granted." In the penultimate clause (see volume I, page 8) in the same commission, Paterson was granted similar powers, when administering the government. Hunter and King used it by virtue of their respective commissions (see volume I, page 515, and volume II, page 605).

On the union with Ireland, a warrant was issued to King, dated 1st January, 1801 (see page 4), to allow him to continue using the same seal until a new one was prepared (see succeeding volumes).

Note 3, page 5.

My instructions to the Acting Commissary.

A copy of these instructions was forwarded by Acting-Governor King with his despatch, dated 28th September, 1800 (see volume II, page 632 et seq.). The acting commissary was Mr. Thomas Laycock. He had been appointed a deputy commissary on the 6th of November, 1794, vice Thomas Freeman, deceased. Prior to the departure of acting commissary James Williamson in H.M.S. Buffalo, he was appointed acting commissary in Williamson's place on the 1st of October, 1800, and held office until the return of commissary Palmer, on the 6th of November following. On the 12th of December, 1800, he resigned his position as a deputy commissary. Prior to taking duty in the commissariat department in 1794, he had been quartermaster in the New South Wales Corps.

Note 4, pages 6 and 58.

I received your Grace's instructions how the latter vessel was to be employed. Your instructions respecting the latter.

The instructions were contained in the Duke of Portland's despatch to the Governor of New South Wales, dated 22nd April, 1800 (see volume II, page 498).

Note 5, pages 6 and 368.

The two Frenchmen.

The Frenchmen . . . cultivating the vine.

Antoine Landrien and Francois de Riveau were prisoners of war, who had been confined on board the prison ships at Portsmouth. Their first attempt at the cultivation of the vine was made at the Crescent, which was the old name for the amphitheatre on the banks of the river behind the Government House at Parramatta.
COMMENTARY.

Note 6, pages 8, 10, 14, 99, and 111.

No. 1, Sept. 28th, 1800.
No. 2, Sept. 28th, 1800.

In my letter, No. 1, [with] marginal note, 28th Sept., 1800.
No. 1, No. 2, General No. 3, 28th Sept.


Acting-Governor King wrote one general despatch, dated 28th September, 1800. In the 15th paragraph, the postscript and the papers forming Enclosure No. 13, he referred to "the mutinous and seditious behaviour of the Irish convicts." In the 3rd, 4th, and 5th paragraphs of the same despatch, he detailed "the licentiousness, beggary and misery of the settlers," and in the 7th paragraph, he reported that a miner was employed in the neighbourhood of Sydney, searching for coal.

In consequence, King's marginal notes are misleading, for in them he apparently referred to two different despatches, numbered 1 and 2, and dated 28th September, 1800, whereas actually all three references were to the same despatch. The correct number of the latter despatch was 2, as endorsed on the despatch itself: despatch, number 1, was dated 29th April, 1800. King, later, adopted the correct notation, as is seen by the fifth quotation, which referred to his general despatch No. 3, being dated 10th March, 1801.

The acknowledgments of these despatches by the Duke of Portland in the fourth quotation cannot be explained, as three numbered despatches are given, and despatch marked "F" omitted in the despatches transmitted by H.M.S. Buffalo.

Note 7, page 9.

A Catholic priest.

The Reverend Peter O'Neil. He had been arrested in Ireland on suspicion of complicity with the rebels, and, as was frequently the custom at that time, had been thrown into prison without any form of civil or military trial. Three days later, he had been submitted to a searching examination, but no incriminating evidence had been discovered. Failure attended also an attempt to extort a confession by stripping and giving him 275 lashes. He was transported in the ship Anne, and arrived in Port Jackson on the 21st of February, 1801. It is improbable that Acting-Governor King's estimate of him was correct, because, by instructions from the Lord Lieutenant of Ireland, he received permission to return on the 19th of November, 1802.

Note 8, pages 13 and 433.

No master weaver has yet been appointed in the room of him who died coming out.

The person appointed . . . . was drowned on the passage out.

The reference was to Edward Wise, who had been appointed master weaver, and had sailed in the whaler Speedy to take up his duties. He was lost overboard on the 14th of March, 1800, after leaving the Cape of Good Hope.

Note 9, page 13.

In a separate letter.

The letter referred to was addressed to Under Secretary King, and was dated 18th October, 1800 (see volume II, page 688 et seq.).

Note 10, page 14.

A Government vessel of 25 tons.

This was the colonial sloop Norfolk, which had been built at Norfolk Island in 1798, and had been used by Bass and Flinders in the circumnavigation of Tasmania. She was seized by the convicts at the end of October,
1800. Acting-Governor King stated that she was of 25 tons burthen, whereas Governor Hunter, in a return, stated that she was of 16 tons (see volume II, page 564). This sloop must be distinguished from the brig Harbinger, which was purchased in June, 1801, and re-named the Norfolk (see page 88 et seq.), and was wrecked at Otaheite in March, 1802 (see page 729).

Note 11, pages 14 and 125.

The clergyman that was engaged to go to Norfolk Island.

The Rev. Mr. Haddock . . . . it is not his intention to come at all.

The Reverend Charles Haddock was appointed, in 1798, as a missionary to Norfolk Island by the Society for the Propagation of the Gospel, but in November, 1800, after drawing several sums from the Society, he was struck off the list of missionaries, as he had not then left England. Prior to leaving England in the whaler Speedy, King had secured his appointment as official chaplain at Norfolk Island. Haddock, however, like George Alexander, provost-marshal in the first establishment, never came to the colony. The chaplaincy at Norfolk Island was filled by the Reverend Henry Fulton (see note 60).

Note 12, pages 15 and 42.

Mr. Richard Dore died the 13th December last.

The remains of the late Richard Dore . . . . may be attended to the place of interment by the civil and military.

This was the first instance of official notice being given to a funeral of one who had died in the colony. The funeral expenses amounted to £8 7s. 6d., and the undertaker's name was Isaac Layton. Dore died intestate, and his liabilities exceeded his assets. His estate is of interest, as it was the cause of new regulations announced in the order of Acting-Governor King, dated 15th December, 1800 (see page 42), whereby priority was given to certain debts in a deceased estate.

After Dore's death, an inventory of his effects was taken by Captain McKellar and Thomas Laycock. These effects were then sold by David Bevan at public auction, realising the sum of £350 2s. 4d. Out of these proceeds, under the new orders, payments in full were made to Dr. Harris, £10 10s. for medical attendance; to the undertaker, £8 7s. 6d.; to the Crown, £13 15s. 11d.; to the Orphan Fund, £3, and to the auctioneer, as commission, £17 0s. 9d. A balance of £297 0s. 2d. remained, which was distributed amongst the remaining creditors, whose claims amounted to £409 3s. 11d.

Note 13, pages 22, 118, and 149.

The despatch dated 10th March, 1801, see post page 58.

In the letter of which this is an enclosure.

Acting-Governor King communicated with the Secretary of State as opportunity offered, and submitted a general despatch, which was marked with a number; in this despatch he forwarded a summary of all matters of consequence which had taken place in the colony since the last preceding general despatch. In addition, he wrote despatches from time to time, which were marked variously, "Separate," "Separate A," "B," "C," according to the number written, and "Military," "Marine," "Superintendents and Storekeepers," &c., according to the subject matter contained in them. All these despatches were regarded as enclosures to the general despatch with which they were forwarded, whether written and dated before or after the chief despatch. Thus, in the general despatch No. 2, dated 28th September, 1800, the following eight letters were regarded as enclosures: "Separate A," dated 27th

Note 14, page 38.

Thursday, 18th November, 1800.

By the order of this date, the registration of legal documents, exclusive of actual land grants, was initiated as from the 27th November, 1800. This system was elaborated by a general order, dated the 26th February, 1802 (see page 473), when it became necessary on and after the 6th of March, 1802, to have all transfers of land and assignments of any kind examined and registered at the judge-advocate’s office. This register, commenced in 1802, is still extant. It consists of eighty-eight leaves stapled and stitched in one section. The size of each page is 9 3/4 in. by 7 3/4 in., and it is written on handmade paper, watermarked with a crown over a flourish on one leaf, and W over 1794 on the other leaf, but many leaves are not watermarked at all. The title page is written and worded as follows:

Judge Advocate’s Office
6th March 1802

Register of Assignments and other Legal Instruments

Pursuant to His Excellency the Governor’s Public Order of the 27th February, 1802

It will be noticed that the title page quoted the order as dated 27th February, whereas the copy of the order transmitted by King is dated 26th February.

The first entry is No. 1:


The entry bearing the earliest date is No. 132:

22 Jan. 1794 David Collins to John Palmer Esq. same as the preceding, of another Allotment of Surry Hill Farm (no Quantity of Acres specified) for £43 Sterlg.

The entries made were dated from the 22nd January, 1794, to:

10 Novr. 1807 Lease of Cudoris Farm, Haw’s, from Wm. Cuddy to Jno. Smith 5 Years £16 per yr.

There are fourteen hundred and twenty-seven entries in the book, and the three quoted form excellent examples of the style of registration.

Note 15, page 41.

Mr. George Barrington.

George Barrington had been the famous pickpocket, who had arrived in Port Jackson by the transport William and Ann, on the 28th of August, 1791. A few weeks after his arrival, he had been appointed by Governor Phillip head constable at Parramatta, a position he held until his retirement. Phillip also granted him a conditional emancipation, dated 2nd November, 1792.
the general order of the 28th November, 1800, he was granted a pension of £25 per annum. Shortly after his retirement, he became a lunatic, and his estate was placed in the care of trustees acting under a commission for its management. Previously he had received a grant of thirty acres at North Boundary, dated 3rd November, 1792, from Governor Phillip, and a second grant of thirty acres at North Brush in the Field of Mars, from Lieut.-Governor Grose, dated 9th December, 1794. At a later date, he had acquired a farm on the banks of the Hawkesbury, opposite Cornwallis, consisting of fifty acres. His death took place on Friday, 28th December, 1804, at Parramatta, and his farm at the Hawkesbury was advertised for sale two days later.

Note 16, page 41.

The sentence of the General Court Martial is approved.

Before the sentence of a general court martial could be carried out, it was necessary for it to be approved or disapproved by the commanding officer on the station, or reserved by him for ultimate submission to the judge-advocate general in England. The commanding officer in the colony was the governor or his deputy, and his decisions on the sentences were announced in general orders.

Note 17, page 42.

The following Priority for the Discharge of Deceased person's debts.

By clause 5 of the charter of justice (see volume I, series IV), the court of civil jurisdiction was authorised "to grant probate of wills and administration of the personal estates of intestates dying within the place or settlement aforesaid."

The first sitting of the court in this jurisdiction was held on the 20th of July, 1790, when letters of administration were granted to John Peter Shapcote, son of John Shapcote, deceased, intestate (see The Beginnings of Government). These letters were granted by virtue of the acts 22 and 23 Car. II, cap. X, and four days were allowed for filing accounts.

Several applications for probate and letters of administration have been examined between the date of Shapcote's and that of Dore's; but no orders, that are known, attempted to initiate new procedures in the legal administration, such as this one did. It illustrated in a marked degree how a governor was a law-giver to the colony, and could make or modify a statute by simply issuing a general order.

Note 18, page 47.

The enclosure of the Orphan House.

This enclosure lay on the north side of the modern Bridge-street, and was bounded on the west by George-street, and on the east by the tidal waters at the mouth of the Tank Stream. The land was adjacent to the parade ground of the military, and, being centrally situated, was a convenient place to assemble in the event of an alarm.

Note 19, page 57.

No larger letter . . . . can be sent overland.

The practice adopted for sending despatches was to place them all with their enclosures in a despatch-box, which was placed in the custody of a military or civil officer, travelling to England, or, when no one was available, in the charge of the master of the ship. If the ship was not proceeding direct to England, the box with its custodian, if an officer, was transhipped to the ship that would reach England quickest. It was the practice for a
ship carrying despatches to land the custodian of the despatches with the box on the first convenient point of the English coast encountered, and for him to proceed post haste to London.

In the case of this particular despatch, it was the first recorded as being carried overland. It must have been carried loose on the Trimmer, otherwise the seals of the despatch-box, carrying despatches of the same date, would have been broken in India. Letters sent by the overland route were carried by ships from Bombay to Bassorah in the Persian Gulf. The first overland journey was along the valley of the Euphrates to Iskenderoon on the southern coast of Asia Minor. From this port, the letters were carried by ship to Trieste, thence overland to Ostend, and by ship across to London.

Note 20, pages 58 and 84.

Two other vessels.

These two vessels were the Harbinger, a brig of 56 tons, under the command of John Black, and the Margaret, a brig of 121 tons, under the command of John Buyers. They passed through Bass' Strait in the first and last weeks of January, 1801, respectively. An account of their voyages is detailed in note 64.

Note 21, page 58.

An island.

This island was named Governor King's Island, and is now known as King Island. The northern and north-eastern coastlines were discovered by Black on the 1st of January, 1801, and by Buyers on the 26th of January following.

Note 22, page 62.

Instructions to Lieutenant Grant.

These instructions were an amplification, with the available local knowledge, of those received by Acting-Governor King, enclosed in the Duke of Portland's despatch, dated 22nd April, 1800. In order to assist in the objects of the voyage, the sloop Bee, of 11 tons, was ordered to act as tender to the Lady Nelson. Four days after leaving Port Jackson, the Bee was found to be unsuitable as a tender, and was ordered to return when in the neighbourhood of Jervis Bay. The principal objectives of this voyage, as detailed in these instructions, were an examination of the coastline of Victoria from Western Port to Cape Nelson, a survey of King Island, and an examination of the western entrance to Bass' Strait between Cape Otway and King Island, and between the latter and Hunter's Islands.

Note 23, page 73.

The former is acting in a death vacancy.

Francis Barrallier (see note 208, volume II) had been appointed by Governor Hunter in general orders, dated 2nd July, 1800, to act as an ensign. A copy of this order is not available, and the only death vacancies at that time which have been traced are those of two lieutenants, Burn and Lucas.

Note 24, page 74.

Also page 323.

The agent of a dealer is gone to England with an intention of prosecuting me for ordering about two hundred gallons of liquor to be staved.

The reference is to a licensed victualler, named John Harris, who, by general orders dated 31st December, 1800 (see page 45), was deprived of his license for purchasing the rations of convicts for spirits. King, in his letter to Under Secretary King, dated 8th November, 1801 (see page 323), stated that John Macarthur was the principal, and Harris only his agent.
COMMENTARY.

Note 25, page 74.

The master of an American ship.

James Perry, master of the American ship Follensbe, of 269 tons, belonging to Messrs. Vernon and Co. 13,000 gallons of spirits and 15,000 gallons of wine were imported in her, but King did not allow any of this cargo to be landed.

Note 26, page 76.
Also pages 77, 78, 79, 80, 81, 82.

[Enclosure A.]

The alphabetical notation of the enclosures was frequently adopted by King in his despatches to the Admiralty, and in his marine and military despatches to the Secretary of State. A good example of the latter will be found on page 654 et seq., enclosures A to F, inclusive.

Note 27, page 76.


A commission, dated the 6th February, 1800, was received in Port Jackson by H.M.S. Porpoise on the 6th of November following. This commission appointed King commander of H.M.S. Reliance, but as this ship had sailed from Port Jackson on the 3rd of March, 1800, the commission was of no avail.

Note 28, page 82.

The Masters who brought out the Porpoise and Buffalo.

The masters were William Scott, a master in the navy, on the Porpoise, and William Raven on the Buffalo. Both ships came out under the control of the Commissioners of the Navy. The Porpoise arrived in Port Jackson on the 6th of November, 1800, and on the same day King issued a warrant to Scott (see page 77), appointing him second commander of the ship. The Buffalo arrived on the 3rd of May, 1799, shortly after the Supply had been condemned, and the crew of the Supply, with her commander, Wm. Kent, were transferred to the new ship. The crews of King's vessels on the voyage to New South Wales came out under special terms, receiving pay in excess of that usually due to officers and men of the navy, and were returned to England usually at the earliest opportunity.

Note 29, page 85.

The great length of time they had been on board.

In this sentence, King probably referred to the stores, which had been embarked on the two ships called the Porpoise. The first Porpoise was laden with stores, and sailed for the colony at the end of August, 1799, but in the following month returned to Spithead disabled, and was condemned in October. A Spanish prize, the Infanta Amelia, was then purchased and renamed the Porpoise, and the crew and stores on the first Porpoise were transhipped to the second Porpoise. The latter ship sailed on the 17th of March, 1800, and arrived in Port Jackson on the 6th of November following.

Note 30, page 88.

1st May, 1801.

This is a striking example of the antedating of a letter without any apparent reason. The whole despatch and its enclosures were regarded as an enclosure to the general letter, numbered 4 and dated 21st August, 1801. The enclosures to this despatch, dated 1st May, 1801, are themselves dated 27th June, 3rd August, and 30th June, and are all mentioned in the text of the despatch, which therefore could not have been written on the day it was dated.
Note 31, page 88.

*The Colonial schooner.*

This vessel had been brought out in frame on the *Pitt*, which arrived in Port Jackson on the 14th of February, 1792. She was put together and launched in July, 1793, by means of rollers, under the superintendence of Wm. Raven, at that time master of the *Britannia*. She was of 40 tons burthen, and was christened the *Francis*, in compliment to Lieutenant-Governor Grose's son. She cost, including furniture and stores, £901. She was commanded by William House, a boatswain invalided from Vancouver's expedition.

Note 32, page 93.

*The margin is blank.*

The three ships referred to were the *Canada*, *Minorca*, and *Nile*. For full particulars of these ships and their cargo, see pages 452 and 454.

Note 33, page 100.

*The measure of numbering and marking the cattle belonging to the Crown.*

See the seventh paragraph of the general despatch, numbered 2, and dated 28th September, 1800, from King to the Duke of Portland (vol. II, page 609).

Note 34, page 100.

*The Act for regulating the whale fishery.*

The charter of the East India Company gave the company exclusive trading rights from the Cape of Good Hope to the Straits of Magellan. The result was that whaling vessels were not allowed to carry out merchandise to the colony, but were compelled to come out in ballast, which in itself was a great loss. The oil, seal-skins, and timber, which were carried home, were liable to seizure, as the cargo consisted of exports from a prohibited area; and thus caused an infringement of the Company's charter. In July, 1805, the *Lady Barlow* arrived in the Thames, and the ship and cargo of oil and skins were seized. Four months later, she was released, on condition that the cargo should be sold for export only. The cargo consisted of 260 tons elephant oil, 14,000 dry fur seal-skins, and 100 tons of beef-wood. It was sold at a loss of nearly £7,150.

The evil effects on the whaling industry caused by this charter were not corrected for some time (see volumes V and VI).


Separate letter, A. Separate letter, B. Separate letter, C.

Separate letter, A, was dated 27th June, 1800 (see vol. II, page 509 et seq.). Separate letter, B, was dated 28th September, 1800 (see vol. II, page 651 et seq.). Separate letter, C, was dated 9th September, 1800 (see vol. II, page 532 et seq.).

Note 36, page 102.

His Majesty's instructions which forbid all officers . . . . being concerned in . . . . trade in spirituous liquors.

In the eleventh paragraph of his despatch, numbered 2 and dated 28th September, 1800 (see vol. II, page 611), King stated that he had formed these instructions himself on those given to Governor Hunter (see paragraph 9, page 523, vol. I), and on verbal communications he had with Under Secretary King. In the paragraph numbered 7, in King's instructions to Foveaux (see vol. II, page 516), and in King's letter to Paterson, dated 8th September, 1800 (see vol. II, page 543), definitive instructions were quoted with reference to officers trading in spirits. However, in the second and fifth
paragraphs (see vol. II, pages 669 and 673) of King's despatch to Under Secretary King, King regrets that he had received no instructions. Therefore Portland's formal approval of the fulfilment by King of his instructions is difficult to understand.

Note 37, page 107.

Estimate . . . from the 10th of October, 1800, to the 10th of October, 1801.

These dates are mistakes in the original; the salaries were calculated from the 10th of October, 1800, to the 31st of December, 1801. The reason for the change was that during 1801, the affairs of the colonies were transferred from the home department to the department of war, the latter being then known as the department of war and the colonies (see note 49), and the accounts were closed at the end of each year.

Note 38, pages 109, 110, 117.

Per transport Anne.

No acknowledgment of these three despatches has been found. That addressed to Under Secretary King was probably considered not to require a reply. The subject matter of the two addressed to the Duke of Portland was repeated in two despatches, dated 21st August, 1801 (see pages 120 and 148); the latter were sent direct to England by the Albion, which sailed on the 26th August, and the former were sent viâ Bengal in the Anne, which cleared on the 9th July. It is probable that the despatches, dated 21st August, 1801, were received first and replied to on the 29th August, 1802, by Lord Hobart, and that therefore it was unnecessary to reply to those, dated 8th July, 1801, when they were received, as they contained the same subject matter.

Note 39, page 112.

General Orders, which I have the honour to enclose.

The general orders, dated from 14th March, 1801, to 11th August, 1801, together with an index, were enclosed also in a despatch to Under Secretary King, dated 21st August, 1801 (see pages 248 to 262, inclusive). Orders, dated from 12th October, 1800, to 9th March, 1801, will be found on pages 33 to 50, both inclusive.

Note 40, page 112.

Also page 426.

The Flood in:

A summary of the floods recorded in the governor's despatches prior to the date of this despatch, 8th July, 1801, is:—

(1) On or about 1st September, 1795, a flood reaching twenty-five feet above its usual level, and rising very suddenly.

(2) About the end of March, 1799, a flood at the break-up of a drought, reaching fifty feet above the ordinary level, and rising very suddenly.

(3) On or about 15th March, 1800, the river overflowed its banks, after an excessively wet season, and the flood continued some weeks.

(4) In October, 1800, a flood occurred (see footnote, page 112).

(5) Another flood then followed, the details of which are not available.

(6) In February, 1801, a flood occurred (see footnote, page 112).

(7) In May, 1801, another flood, the details of which are not available.
Note 41, pages 113 and 427.

I have been obliged to rent a large farm.

One of the most productive.

This was a farm of 171 acres in the district of the Hawkesbury, which King leased at fifteen shillings per acre. It was entirely cropped with wheat, and produced 5,500 bushels, or an average of a little over 32 bushels to the acre.

Note 42, page 113.

In my letter, No. 2.

See paragraph three of the despatch to the Duke of Portland, dated 28th September, 1800, page 606, volume II.

Note 43, page 114.

My separate letter.

See the fourth paragraph (page 59) of the despatch to the Duke of Portland, marked “Separate A,” and dated 10th March, 1801.

Note 44, page 114.

The enclosed letters on that subject.

The letter to the Commissioners of the Navy was dated 26th May, 1801, and the missing orders to the commissary (noted as enclosure No. 1 on page 97) were probably duplicates of the orders to Commissary Palmer, forwarded as Enclosure No. 7 (see page 143) to the general despatch, numbered 4, from Acting-Governor King to the Duke of Portland, dated 21st August, 1801.

A copy of the despatch to the Victualling Board has not yet been found.

Note 45, page 115.

Blanks in the original.

The number of deaths on the transport Anne has not been ascertained. King reported to the Duke of Portland, under date 30th November, 1800 (see vol. II, page 697), that there were 150 Irish convicts on board, when the ship was at Rio Janeiro. In the return, dated 23rd February, 1801 (see page 18), 127 male and 24 female convicts were given as arriving in Port Jackson.

The Earl Cornwallis arrived on the 12th of June, 1801, and 200 male and 100 female convicts were intended to be embarked on her, but the number of arrivals are not available.

Note 46, page 116.

The soil about Western Port to be equal in goodness to that of Norfolk Island.

The soil at Norfolk Island was regarded by the early settlers as a standard of excellence. Lieutenant Grant had not then visited Norfolk Island, and was therefore personally unaware of the nature of the soil, and his opinion must have rested on the reports of one of his crew, or on some other report.

Note 47, page 116.

Another Colonial vessel.

The schooner Francis (see note 31).

Note 48, page 117.

The enclosures.

The enclosures to the general despatch, numbered 4, did not include the government and general orders, but these were forwarded with a despatch to Under Secretary King, dated 21st August, 1801 (see page 248 et seq.).
Note 49, page 119.

Lord Hobart to Acting-Governor King.

This despatch contained the first information received by King of the transference of the control of the colonies to another department. In 1793 there were two principal secretaries of state controlling the home and foreign departments, the affairs of Ireland and the colonies being looked after by a sub-branch of the home department. In 1794, a third secretary of state was appointed to take charge of the war department, and in 1801 the control of the colonies was transferred from the home office to this new department, which then became known as the department of war and the colonies. This status continued until the year 1854, when the war with Russia created the necessity of a fourth secretary of state for war, and the colonies became the exclusive charge of one principal secretary of state supervising the colonial department (see also note 5, volume I).

This letter was addressed by Lord Hobart to Lieutenant-Governor King in the copy of it, which is preserved in King's private letter-book. Unfortunately, in most cases the style of addressing the despatches cannot be ascertained.

Note 50, page 121.

A situation that Governor Phillip intended as a stock farm for Government.

This farm was situated near Castle Hill, and on March 1st, 1802, it was incorporated in a reserve of 34,539 acres for public purposes, "until revoked by His Majesty's special commands" (see note 174).

Note 51, page 121.

Your Grace's notification.

The information of the union of Great Britain with Ireland was contained in a despatch from the Duke of Portland to the Governor of New South Wales, dated 17th November, 1800 (see vol. II, page 695). The official celebrations on the occasion were announced in general orders dated 29th May, 1801 (see page 253).

Note 52, page 122.

Also pages 260 and 691.

The Association.

In the first week in September, 1800, many reports were current about proposed rebellions amongst the Irish convicts. In consequence, on the 6th of September, Governor Hunter issued an order, commanding all "civil officers and such housekeepers, who are free men, possessing property, and good characters in the town of Sydney" (see volume II, page 595), to assemble, and from amongst these, fifty men were to be chosen to be used as an armed police under the command of the civil officers. A similar order was issued to the inhabitants at Parramatta.

On the following day, the men selected were enrolled into two companies, the Loyal Sydney Association and the Loyal Parramatta Association, under the commands of Wm. Balmain and Richard Atkins, respectively. They were enrolled on the condition that "they are not to expect pay for the voluntary offer of their services" (see volume II, page 637), and were the first organised volunteer corps in Australia.

They were victualled from the public stores, and were provided with uniforms, firearms, and ammunition, which were kept at the main guard. They were drilled twice a week, between 4.30 and 5.30 p.m., by Sergeants Jamieson and Flemming at Sydney, and Sergeant McMullen at Parramatta.
Further enrolments were called for, and their duties in the event of an alarm were detailed in general orders, dated 28th December, 1800 (see page 44).

In general orders, dated 27th July, 1801 (see page 260), the companies were disbanded, both receiving "the Governor's approbation of their general good conduct and attention." This step was taken because Balmain (commandant at that time of both associations) was leaving for England, and Thomson (captain of the Parramatta Association) was detailed for duty at Sydney.

The numbers during this period, according to the victualling lists, had been on the 10th of March, and 30th June, 1801, at Sydney 50 and 51, and at Parramatta 40 and 28, respectively.

In the victualling returns for 1st March, 21st May, and 9th November, 1802, there are no records of any members being victualled.

For reasons given by King in his despatch of the 9th November, 1802, they were re-embodied under altered conditions (see page 654). The effective roll of the corps was enclosed in the same despatch (see page 691) with the exclusion of Balmain's name as captain-commandant of both associations owing to his absence in England.

The orders, dated 22nd October, 1802 (see volume IV), announced the new system of enrolment. They were somewhat ambiguous in the opening sentence—"The Commander-in-Chief is instructed not to dispense with the Loyal Associations." This announcement, after the orders of the 27th July, 1801 (see page 260), and the non-appearance of members on the victualling returns transmitted during 1802, is difficult to explain.

Note 53, page 122.

Many of whom without any sentence being sent here against them.

The transportation of convicts from Ireland, in the transport Friendship and the ships which immediately succeeded her, was very irregular. These transportees had been convicted by courts martial and under the summary jurisdiction of magistrates exercising powers under the Injunction Acts. Many of the proceedings of these courts were not recorded, and consequently the preparation of correct indent papers was impossible. When this fact became known amongst the Irish convicts in the settlement, it naturally created a feeling of unrest and dissatisfaction.

Note 54, page 122.
Also page 244.

His clerk was discovered to have made several erasements in the indents...which...was done for the reward of £12 for changing from life to seven years, and more in some cases.

The indent papers of all transportees, which had been received in the settlement together with the counterparts of all pardons issued by the governor, were filed in the office of the secretary to the governor during Hunter's government. The free access which the clerk had to these registers gave him large powers of acting unlawfully. A fixed tariff for fraud became adopted, sub rosa, varying according to the amount of alteration required in the registers, and the notoriety of the convict affected. The alterations were not always made in favour of the convict, and some appear to have been animated by malice, as early in 1801 King issued a warrant of emancipation to a convict, because there had been palpable tampering with his indent paper, altering his sentence to life. King, in his letter to Under Secretary King, dated 21st August, 1801 (see page 244), estimated that at least two hundred convicts had left the colony under expiree certificates obtained by fraud.
A remarkable example of these frauds was tried in the case of a man who accompanied Governor Hunter to England as servant. He was indicted at the Old Bailey, on the 18th September, 1801, for being a convict returned from a sentence of transportation for life. Governor Hunter gave evidence in his favour, and stated that the sentence recorded in the registers at Sydney was transportation for seven years. The prosecution proved the case, and the convict was found guilty, with a recommendation for mercy.

When the perpetration of these frauds was fully discovered, King issued a general order, dated 4th August, 1801 (see page 144). When the report of the crime reached England, Lord Hobart transmitted, with his general despatch, numbered 2 and dated 29th August, 1802, a complete list of convicts transported during the government of Hunter, in order that the registers might be placed in order.

Note 55, page 123.

My separate letter, B.

The despatch from Acting-Governor King to the Duke of Portland, dated 1st May, 1801 (see page 88 et seq.).

Note 56, page 124.

It would not last longer than thirteen weeks . . . . as stated on the back of that return.

The statement on the back of the return is printed on page 153. It is worth noting that King's statement in the text of the despatch, i.e., "thirteen weeks," does not agree with that in the return, i.e., beef, sixteen weeks, and mutton, two weeks and three quarters of a day.

Note 57, page 124.

In my letter by the Buffalo.

The despatch from Lieutenant-Governor King to the Duke of Portland, marked "Separate C," and dated 9th September, 1800 (see volume II, page 533).

Note 58, page 125.

Also page 146.

I enclose his proposals, and have to request Your Grace's instructions thereon.

In the list of enclosures to this despatch, preserved in King's letter-book, the papers relating to Major Foveaux's sheep are given as forming enclosure No. 13. Lord Hobart, however, in his reply, stated that "the proposal . . . . does not appear to have been transmitted."

Note 59, page 125.

Your Grace's letter.

The despatch from the Duke of Portland to the Governor of New South Wales, dated 29th August, 1801 (see volume II, page 532).

Note 60, page 125.

Also page 565.

The Rev. Mr. Fulton.

The Reverend Henry Fulton, a clergyman of the Church of England, was sentenced in 1798 to transportation from Ireland for alleged seditious practices in connection with the rebellion. He arrived in the transport Minerva with other Irish rebels on the 11th January, 1800. He was granted a conditional emancipation, dated 8th November following, and in general orders, dated 20th November, it was announced that he would perform divine service at the Hawkesbury on Sunday, 7th December, 1800. He was ordered
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to proceed to Norfolk Island, and take up the duties of chaplain there, *vice* Reverend Charles Haddock, who had not arrived. He sailed in H.M.S. *Porpoise* on the 17th of February, 1801, and on the 9th of May, 1802, Governor King notified Lord Hobart that he had directed the commissary to draw on the colonial agent in favour of Fulton for the full salary of £96 per annum, as chaplain of Norfolk Island, from the date of his commencing duty there. In December, 1805, he received an absolute pardon from Governor King.

Note 61, page 140.

*Acting-Governor King’s Proclamation to English Merchant Captains calling at Otaheite.*

King, during the period in which he occupied the position of acting-governor, exercised jurisdiction under the commission of Governor Hunter (see volume I, page 513), and his own dormant commission, dated 1st May, 1798 (see volume II, page 605). Both of these commissions gave him jurisdiction over the territory of New South Wales, “including all the islands adjacent in the Pacific Ocean within the latitudes aforesaid of 10° 37' south and 43° 39' south,” the limit of jurisdiction seaward being undefined. This proclamation was issued as Captain-General and Governor-in-Chief (see note 186) in and over the territory of N.S.W. and its dependencies, including the islands in the South Pacific Ocean, and not under any Admiralty jurisdiction. The appointment of the Reverend John Jefferson justice of the peace for the island of Otaheite, and the issue of this proclamation indicates that King, at least, considered that his jurisdiction extended nearly sixty degrees of longitude east of Port Jackson, but whether this was intended by the authorities in England is doubtful (c.f. volume I, note 1, and the subsequent actions of Macquarie and the British government in later volumes with regard to New Zealand).

Note 62, page 146.

*Surveyor-General Alt.*

At the time of writing this memorial, Surveyor-General Alt was in his seventieth year. He had practically discontinued his labours in April, 1797, owing to his failing eyesight. He was granted a pension of £91 5s., which was half of his former salary, and lived to enjoy it, until his death at Parramatta on the 9th of January, 1815 (see volume I, note 169).

Note 63, page 167.

*The duplicate of my letter.*

The despatch of Acting-Governor King to the Duke of Portland, marked “Separate A,” and dated 10th March, 1801 (see page 58 et seq.).

Note 64, page 168.

Also pages 264, 436, and 437.

*Lieut. Grant’s passage . . . No. 1; Mr. Black’s passage . . . No. 2; and the Margaret’s, No. 3; . . . Ensign Barrallier’s survey . . . No. 4.*

Grant, in his memorial (see page 61), stated that he first sighted the land in longitude 142° east, by calculation; but in this he was mistaken, and the first land sighted was near Cape Northumberland in longitude 140° 40' east, on the 3rd of December, 1800. From this point he followed the coastline to the islands off Portland Bay, which he reached on the 5th of December, discovering and naming in his passage Capes Bridgewater and Nelson. He then steered a direct course for Cape Otway, which he passed on the 7th following, and proceeding almost due east to Wilson’s Promontory, he passed through the islands in those parts on the 8th of December, and arrived in
Sydney Cove on the 16th of December, 1800. In his passage, he described two deep bays or gulfs between the neighbourhood of Cape Nelson and Cape Otway, and between the latter and Wilson's Promontory.

The first land sighted in the Harbinger, under the command of Captain Black, was in the neighbourhood of Cape Otway, on the 1st of January, 1801, when cruising in a north-easterly direction. After reaching the neighbourhood of Cape Patten, Black steered a south-south-westerly course, and discovered King Island; after sailing for some miles along the western coast of the island, he turned north again, and rounding the north-west end, he steered almost due west for Wilson's Promontory, and passing through the islands in that neighbourhood, arrived in Port Jackson on the 12th of January.

Land was first sighted in the brig Margaret, under the command of John Buyers, in the neighbourhood of Cape Northumberland, on the 25th of January, 1801. A course was then set off the land, and it is doubtful if any of the actual coast was sighted, with the possible exception of Cape Bridgewater, until the west shore of King Island was reached. Buyers then steered a course around the northern end of the island into the open sea, reaching about 39° south latitude midway between Cape Otway and Wilson's Promontory. The course was then changed, and passing the Furneaux Group, Port Jackson was reached on the 7th of February, 1801.

Ensign Barrallier's survey of Western Port was made during the visit of the Lady Nelson, between the 22nd of March and the 28th of April, 1801.

Note 65, page 168.

_A lieut' of the Reliance in 1798._

John Shortland, jun., first lieutenant of H.M.S. Reliance. He had been sent in the governor's whale-boat in pursuit of some convicts who had escaped in the government boat called the Cumberland, which must be distinguished from the schooner Cumberland, also belonging to government. He examined the entrance to Hunter River on the 19th of September, 1797, and discovered the presence of coal during his stay there.

Note 66, page 169.

_I have established a small post there._

A brief attempt at settlement at Coal Harbour (now the port of Newcastle) was made by Hugh Meehan, of the Anna Josepha, on a voyage to procure coal and timber. He constructed a saw-pit at Freshwater Bay, within the north head of the harbour, and after obtaining a cargo, he returned to Port Jackson on the 29th of May, 1801, after a stay of nearly a month.

In the month of June following, a detachment was taken to the harbour in the Lady Nelson and Francis, and settled at Collier's Point on the south side of the harbour. The site was chosen by Lieutenant-Governor Paterson, after hearing the reports of two miners, named Broadbent and Platt. The detachment consisted of Corporal Wixtead, in command, five privates, and twelve convicts. The method of mining was very crude; three of the convicts were employed getting coal, whilst six were employed in carrying it to the seaside in baskets, the output under these conditions being three tons _per diem._

Wixtead was soon involved in disputes, and, about three months after the commencement of the settlement, Martin Mason was appointed magistrate and superintendent. Before the 14th November, the population had been increased, and included Mason, a corporal, five privates, and sixteen convicts. On the 21st November, Mason reported that he was raising nine tons _per diem_ with the labour of three miners and three carriers working five hours a day. Four mines were then opened, one being 34 yards underground, a second
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31 yards, a third 27 yards, and a fourth 10 yards. All were working on a seam 36 inches thick, containing 14 inches of clay and rubbish, and overlying this was a seam of 18 inches good coal.

In the meantime regulations and royalties to govern mining by private individuals had been issued in general orders, dated 3rd July, 1801 (see page 257).

Mason shortly afterwards misconducted himself, and before the end of the year all were withdrawn, excepting the five privates. Shortly after the settlement was abandoned.

The locality was then known as Coal Harbour, but the following quotation from the Christian Observer, dated July, 1802, is curious, and may have suggested the modern name:—"Governor Hunter had formed a small settlement at Hunter River for the purpose of working the coal, which is of the same nature with that of Newcastle."

Note 67, page 169.

A prize brig.

The brig Anna Josepha, a prize to the whaler Betsey, under the command of Hugh Meehan, and owned by Lord and Meehan. She was of 170 tons burthen, and carried a crew of twenty-eight men with two guns.

Note 68, page 169.

A copy of the extracts from Lieutenant Grant's Journal.

The full journal of Lieutenant Grant in Bass' Strait will be found in series V, volume I. A copy of the extracts forwarded with this despatch is not available.

Note 69, page 169.

Lieutenant Grant's Journal at Hunter River.

Grant, in this journal, used the nautical method of keeping time, reckoning each day from noon to noon. There is thus a difference of one day in all p.m. times; for example, p.m. of the 15th, nautical time, would be p.m. of the 14th, civil time.

The following notes on different days are for assistance in the identification of localities and names:—

14th June.—Coal Island is now known as Nobby's Head, and is no longer an island.

15th June.—Mr. Meehan was Hugh Meehan, master of the Anna Josepha.

17th June.—Ash Island is now known as Moscheto Island. The islands now known as Ash and Dempsey Islands were one island originally, which was called Greville Island.

28th June.—Paterson's River was that part of the river above Raymond Terrace which is now known as Hunter River.

8th July.—This journey was considered by the explorers to be up the Paterson River (now known as the Hunter River).

Mount Ann was the extremity of the spur of hills which lies almost due west from the modern town of Paterson.

Mount Elizabeth is now named Mount Tangerin.

Note 70, page 173.

W.P., J.G., J.H., F.B.

These initials were those of William Paterson, James Grant, John Harris, and Francis Barrallier.
Note 71, page 174.

Lieut.-Colonel Paterson's Journal.

This journal was written in civil time, but there is a mistake in the date of June 17th (see note 72).

The following notes on different days are for assistance in the identification of places (see also note 69):

15th June.—Pirate Point was the name given to the most southerly land on the northern side of the entrance to the port of Newcastle. A large area has been reclaimed at this point since Paterson's visit.

Freshwater Bay was on the western side of Stockton.

Colliers Point was near the landward end of the present breakwater.

Sheep Pasture Hills was the name given to the hills to the east of the city of Newcastle.

19th June.—Needle Island is now known as Spit Island.

29th June.—Paterson River is now the Hunter River above Raymond Terrace.

1st July.—Shanks Forest Plains was the name given to the neighbourhood of the modern towns of Maitland.

3rd July.—Mount York is now known as the Sugarloaf, a peak in the Sugarloaf Range, south of Maitland.

10th July.—King's Range are the mountains which extend from Mount Tangerin, include Mount Tyramah, and terminate in a spur to the west of the modern town of Paterson.

The immense plain is now known as the Gummum plains, near Merriwa.

14th July.—Hunter River is now known as the Williams River.

15th July.—Mount King was also named Mount Harris, and lay east of Clarendetown.

Mount Grant was the name given to a hill near Fosterton.

Note 72, page 175.

June 17.

This date appears twice in Paterson's journal, and on comparison with Grant's journal (see page 170) the correct dating cannot be deduced. Grant's journal was kept in nautical time, Paterson's in civil time. Both journals agree that the Lady Nelson came to anchor in the early morning of the 15th civil time. Both agree on the joint visit to Ash Island on the 17th civil time. But Grant states the land was selected for coal-mining in the a.m. of the 16th nautical (i.e., 16th civil), whereas Paterson states that it was accomplished on the 15th civil. The examination of Mangrove Creek by Paterson and Grant on the 17th civil is noted by Paterson, and not by Grant; whereas the visit to Ash Island is noted by both on the 17th civil. Hence the impossibility of deduction.

Note 73, pages 179 and 414.

The carradgan.

The carradjang.

The trees known to the aborigines as the kurrajong, the bark of which was used by them for tying. They are known to botanists as Hibiscus heterophyllus, Sterculia diversifolia, and Trema aspera.

Note 74, page 187.

Sydney, N. S. Wales, Aug. 21st, 1801.

This is the date in the original copy of the despatch examined, but it was acknowledged by Lord Hobart to Governor King, in a despatch of the 29th August, 1802, as being dated 19th August, 1801.
Attested copies of my letter to them, and their answer to me, which answers some part of your letter of yesterday.

Acting-Governor King to the Judge-Advocate and Lieutenant Grant, dated 18th August, 1801 (see page 220).
Judge-Advocate Atkins and Lieutenant Grant to Acting-Governor King, dated 18th August, 1801 (see page 220).
The members of the criminal court to Acting-Governor King, dated 17th August, 1801 (see page 218).

The members of the criminal court to Acting-Governor King, dated 17th August, 1801 (see page 218).

Judge-Advocate Atkins and Lieutenant James Grant to Acting-Governor King, dated 18th August, 1801 (see page 220).

The report of the court transmitted by Judge-Advocate Atkins, under date 7th August, 1801 (see page 238).

Acting-Governor King to the Judge-Advocate, dated 7th August, 1801 (see page 239).

This refers to the list forwarded as Enclosure No. 5 to the despatch from Acting-Governor King to the Duke of Portland, marked "Separate A," and dated 21st August, 1801 (see page 162). In the copy available no tick marks are shown.

The reference is probably to the letter of Captain Macarthur to Acting-Governor King, dated 18th August, 1801, and the reply thereto, dated the 19th of August (see page 221 et seq.).

The Xenophon was selected as the most suitable vessel for the explorations of Matthew Flinders, and was re-named H.M.S.V. Investigator; she mounted twenty guns, and carried a crew of eighty-three men. She arrived in Port Jackson from England on the 9th of May, 1802.

In the military letter No. 3, dated 21st August, 1801, to the Duke of Portland (see page 180 et seq.), there is no report as to the resignation of Captain Abbott and the appointment of Ensign Barrallier, but these staff changes are fully recorded in a despatch to Under Secretary King, dated 23rd August, 1801.
The enclosure numbered one contained all the orders from the 28th of September, but all of prior date to 14th March, 1801, have been omitted, as those dated from the 29th September to the 10th October, 1800, will be found in volume II, pages 621 to 627, those dated from the 12th October, 1800, to the 9th March, 1802, on ante pages 33 to 50. The index covered all these three instalments.

Note 85, page 253.
The present Union.

This was the flag created by a proclamation of James I, on the union of England and Scotland. It was described as “the red cross, commonly called St. George’s cross, and the white cross, commonly called St. Andrew’s cross, joined together according to the form made by our own heralds.”

The flag adopted on the union of Ireland with England and Scotland was described as combining “the cross of St. Patrick, a saltire gules on a field argeut, with the other two.”

Note 86, page 259.
The Register Book.

This is the second register of land grants, which was commenced during the administration of Governor Phillip in 1792 (see note 171, volume I). This register is extant, and records, first, a number of re-grants made after the receipt of the territorial seal, the first being the re-grants to James Ruse, Webb, Reid, and Schaffer, on the 22nd of February, 1792, followed by ten re-grants, dated the 3rd of January, 1792. The volume is a large folio, written on paper, bearing no watermark, and measuring 25½ in. by 19⅛ in.

Note 87, page 261.
From the 25th day of September, 1800, until the 30th June, 1801.

In several of his returns, King dated them from the 25th of September. This is difficult to explain, as his own statement is extant, stating that he did not assume the government until the 28th of September. With regard to the general orders, the first issued by King was dated 29th September, 1800, and the last issued by Hunter were a military order, dated 25th September, and a miscellaneous order, dated 26th September, 1800.

Note 89, page 266.
A copy of this return has not yet been found.

This return was probably similar to Enclosure No. 1 (see pages 182 and 183) of the despatch, marked “Military No. 3,” and dated 21st August, 1801, from Acting-Governor King to the Duke of Portland.

Note 90, pages 274 and 320.
Despatch per brig Anna Josepha.

These despatches were placed on board the brig Anna Josepha, in the care of Lieutenant James Grant, but when the despatch-box was opened in London, it was found to be empty. Before the brig sailed, King had been warned that such a theft would be attempted, and the conduct of the master, H. Meehan, fully justified such a warning. In consequence, the box was not sent on board until the brig was under weigh, and Meehan was compelled to give a bond of £500 that neither Lieutenant Grant nor the despatches should be interfered with. The Anna Josepha left for the Cape of Good
Hope, and at that port Grant transhipped. When he heard of the theft, King severely censured Grant. The theft was evidently instigated by someone who was desirous of suppressing first information of the Macarthur-Paterson-Marshall trouble.

Note 91, page 276.

Correspondence forwarded in . . . . the despatch . . . . dated 21st August, 1801.

See pages 218 to 242.

Note 92, page 277.

Lieut’ Crawford . . . . having died on the passage.

Henry Crawford, a lieutenant of the New South Wales Corps, appointed 7th August, 1800, was travelling in the Earl Cornwallis to join his regiment. On the night of the 3rd of February, when at Rio de Janeiro, he fell overboard and was drowned.

Note 93, page 277.

A bench of magistrates who would not take it upon themselves to say that Lieutenant Marshall had any felonious intentions.

A bench of magistrates consisted of one or more justices of the peace, usually sitting with the judge-advocate. When the bench sat as a court of inquiry, their procedure was to comply with the summoning precept; in the inquiry re the Marquis Cornwallis (see page 653 et seq., volume I), only evidence was taken; in the case of the Queen (see page 283 et seq., volume I), a neutral verdict was brought in, and in the case of the Irish conspiracy (see page 642 et seq., volume II), they brought in a verdict of guilty, with recommendations of definite punishments. An excellent example of the procedure is the inquiry held on the 10th August, 1801 (see enclosures numbered 6 and 7, page 240).

The proceedings of the inquiry re Marshall are not available, and it is therefore impossible to say whether the magistrates were assuming an antagonistic action to King.

Note 94, page 278.

Also page 279.

A Memorial.

Until . . . . the proceedings were laid before me.

Lieutenant Marshall’s memorial was dated 30th July, 1801 (see page 236 et seq.). King’s reply was written on the same afternoon at 5 p.m. by his secretary, W. N. Chapman (see sub-enclosure 3, page 238).

Note 95, page 278.

The members met, but . . . . instantly dispersed.

The members of the court met on the 7th of August, 1801, and their reasons for instantly adjourning are given in sub-enclosure 3 (see page 238).

Note 96, page 278.

A letter from the five military members.

A reply from the same five members.

The five military members were Wm. Paterson, John Piper, Neil McKellar, Thos. Davies, and Hugh Piper, and their letter referred to is dated 11th August, 1801 (see page 241).

The reply was dated 17th August, 1801 (see page 218).
Note 97, page 279.

Five depositions.
The depositions of the five military members of the court formed sub-enclosures numbered 11, 12, 13, 14, and 15 (see pages 226 to 229).

Note 98, page 279.

A conditional remission of his sentence.
The warrant was dated 18th August, 1801 (see pages 216-217).

Note 99, page 279.

Capt'n McArthur wrote me a letter.

His letter, my reply and his own corroborations.

Captain Macarthur's letter was dated 18th August, 1801 (see page 221). King's reply was dated 19th August, 1801 (see page 222 et seq.). The "corroborations" were expressed in Macarthur's letter, dated 22nd August, 1801 (see pages 233-234).

Note 100, page 280.

Also pages 284 and 285.

A letter to Sir Joseph Banks reflecting on . . . . the present scarcity.

A public letter . . . . to General Brownrigg, containing . . . . reflections against my public conduct in the recent events.

Of the letter to Sir Joseph Banks, only an undated extract was transmitted (see page 294); Colonel Paterson's letter to General Brownrigg was dated 24th August, 1801 (see page 289 et seq.).

Note 101, page 280.

Their respective reports.

Captain McKellar's report was transmitted as sub-enclosure No. 5 (see page 296), Captain Piper's as sub-enclosure No. 6 (see page 297).

Note 102, page 281.

The Order.

The government and general order was dated 15th September, 1801 (see page 295).

Note 103, page 282.

He might have had recourse to a General Court Martial.
The letters between King and Paterson on this point were dated 21st and 29th September, 1801 (see sub-enclosures Nos. 1 and 2, on page 301).

Note 104, pages 282 and 283.

Orders of the 21st.
The government and general order, dated 21st September, 1801 (see page 298).

Note 105, page 282.

A letter from Capt'n McArthur.

The singular certificate.

His letter of the 21st . . . . as stated in the documents.
The letter from Macarthur to King was dated 16th September, 1801 (see page 307). The singular certificate was in reference to the condition of Macarthur's pistols (see sub-enclosure No. 7, page 297). Macarthur's letter of the 21st September was addressed to Adjutant Minchin (see sub-enclosure No. 3, page 308).

Note 106, page 282.

Capt'n Piper . . . . wrote to the Judge Advocate.

Captain Piper's letter to Judge-Advocate Atkins is marked "Monday evening" (see sub-enclosure No. 6, page 306).
Note 107, page 283.

Captain Piper to . . . . sign his own recognizance.

See the letter from Atkins to Piper, dated 22nd September, 1801 (see sub-enclosure No. 7, page 306).

Note 108, page 283.

Captain McArthur . . . . would give no bond . . . . until an information was lodged . . . . that he intended to break the peace. The other from Capt'n Piper . . . . from which he had evidently copied it.

The similarity of Macarthur’s and Piper’s replies is shown by the letters of Piper and Marsden to Atkins, each dated 22nd September (see sub-enclosure No. 8, page 306, and sub-enclosure No. 5, page 309).

Note 109, page 283.

A letter addressed to him by Capt'n McArthur.

General Orders of the 15th.

Macarthur’s letter to Adjutant Minchin is dated 21st September, 1801 (see page 308). The general orders dated 15th September will be found on page 295.

Note 110, page 284.

His insinuating artful letter to me of the 18th August.

This letter was from Macarthur to King, dated at Parramatta 18th August, 1801 (see page 221).

Note 111, page 286.

The rest of his conduct.

Compare the whole of this paragraph with the following letters:—

Lieutenant Hobby to Acting-Governor King, 5th October, 1801 (see page 299).

Acting-Governor King to Lieut.-Colonel Paterson, 7th October, 1801 (see page 300).

Ensign Moore to Lieut.-Colonel Paterson, 30th October, 1801 (see page 300).

Note 112, page 286.

Abridgement of Proceedings.

The full proceedings of the trial of Lieutenant Marshall were forwarded as Enclosure No. 1, to a despatch of King to Portland, dated 21st August, 1801 (see page 188 et seq.). The papers mentioned in this abridgment will be found as follows:—No. 2, on pages 209 and 210; No. 3, on page 210; No. 5 refers to No. 6, on page 211; No. 6 refers to No. 7, on page 212 et seq.; No. 7 refers to No. 8, on pages 215 and 216.

Note 113, page 289.

Colonel Paterson to General Brownrigg—Marginal Notes by Governor King.

General Brownrigg was secretary to H.R.H. the Duke of York. Both King and the judge-advocate, Atkins, appear to have been convinced that this letter was instigated, if not actually written, by Captain Macarthur. King had realised that the military officers had voluntarily withdrawn from association with himself, with the exception of Paterson, and the writing of this letter, and allowing it or a copy to fall into King’s possession, seems as if it was an attempt to cause an estrangement between Paterson himself and King. Macarthur was the leader of the military party against King. The subject matter of the letter was not a fair statement of facts, as some of King’s marginal notes demonstrate; and if it was not composed in ignorance, it must have been written with some ulterior motive.
COMMENTARY.

Note 114, page 290.

One of a letter.

The references which occur in this letter and the remarks thereon are as follows:—

Paragraph 7. one of a letter  see King to the Judge-Advocate, dated 7th August, 1801 (page 239).
Paragraph 8. the memorial answered by No. 3  see Secretary Chapman to Marshall, dated 30th July, 1801 (page 238).

wrote the letter  a copy of this letter, dated 5th August, was not transmitted.

letters 10 to 17  see sub-enclosures 10 to 17 (pages 225 to 233).

and 21 to 24  see sub-enclosures 21 to 24 (pages 235 and 236).

threatening letter  see King to Atkins, dated 7th August, 1801 (page 239).

Paragraph 9. No. 2  see members of the court to King, dated 11th August, 1801 (page 241).

No. 3  see King to the members of the court, dated 11th August, 1801 (page 241).

No. 4  see members of the court to King, dated 17th August, 1801 (page 218).

Nos. 9 and 11  see members of the court to King, dated 11th and 17th August, 1801 (pages 241 and 218).

Paragraph 10. No. 5.  see King to Atkins and Grant, dated 18th August, 1801 (page 220).

No. 6  see Atkins and Grant to King, dated 18th August, 1801 (page 220).

No. 7  see members of the court to King, dated 20th August, 1801 (page 225).

No. 8 enclosing two letters.  see King to Atkins and Grant, dated 18th August, 1801 (page 220); the enclosures were Atkins to King (page 229), and Grant to King (page 231).

No. 12, 13, 14, 21 (including five depositions) 25 and 28  see sub-enclosures Nos. 10, 11, 12, 13, 14, and 15 (pages 225 and 229)—Atkins to King, dated 21st August, 1801 (page 229); Grant to King, dated 21st August, 1801 (page 231); Macarthur to King, dated 22nd August, 1801 (page 233); McKellar to Macarthur, dated 21st August, 1801 (page 234); Balmain to Macarthur, dated 21st August, 1801 (pages 234 and 235).

Paragraph 11. Nos. 9 and 11  see members of the court to King, dated 11th August, 1801 (page 241), and 17th August (page 218).
Note 115, page 298.

The surgeons.

The surgeons in attendance on Lieutenant-Colonel Paterson were John Harris, surgeon to the N. S. Wales Corps; James Thomson, acting principal surgeon in the colony; and George Bass, formerly surgeon in the navy, and at that time supercargo of the brig *Venus*.

Note 116, page 303.

*Acting-Governor King to Captain Piper.*

This letter was undated, but on reference to the succeeding letter, it is evident that it was written on the 19th, 20th, or 21st September, 1801.

Note 117, page 305.

*Copy of a certificate.*

A copy of the certificate will be found on page 297. The whole dispute arose on a point of etiquette, whether or not one party to a duel should be allowed to load his own pistol.

Note 118, page 307.

*Prepare myself for another duty of detachment at Norfolk Island.*

By general orders, dated 15th September, 1801 (see page 295), Macarthur was ordered for detachment duty at Norfolk Island as soon as Lieutenant-Colonel Paterson's life was out of danger. He was to embark on the *Lady Nelson* for that post. This proposed change in Macarthur's duty forms a curious parallel to the action of Governor Phillip towards Lieutenant-Governor Grose, whose removal to Norfolk Island (see page xxi, volume I) prevented strife between the military and the governor, except that the latter action became an accomplished fact, and in Macarthur's case it was avoided by his clever actions.

Note 119, page 309.

*Attested report given by Capt'ns McKellar and Piper respecting this duel with L't-Col. Paterson.*

Copies of these reports will be found on pages 296 and 297. McKellar's report was circumstantial and elaborate; Piper, Macarthur's second, evidently did not wish to disclose any of the minor circumstances, and wrote a brief summary of essential facts.

Note 120, page 309.

*The enclosed.*

This enclosure was the government and general order, dated 21st September, 1801 (see page 298). It was delivered by Marsden, as magistrate at Parramatta. In consequence of Macarthur's actions on this occasion, he was ordered to England under arrest by general orders, dated 23rd September, 1801 (see page 298).

Note 121, page 311.

*The paper.*

A copy of this paper was not transmitted to England, and is not available.

Note 122, page 320.

*Copy of a card.*

J. F. Jefferie was the purser on the *Earl Cornwallis*. Towards the end of July, 1801, he consented to act as second to Lieut. Marshall, naval agent on the *Earl Cornwallis*, in a proposed duel with Captain Macarthur, for whom
Captain Abbott acted as second (see pages 199-200). Lieut. Marshall waited on the ground at the time appointed, but there was no appearance of the challenger, the reason given being that Abbott objected to go out with Jefferie as a co-equal. It is a strange action, that Macarthur should have invited Jefferie and "any Friends he may have with him from the Cornwallis" to his home at Parramatta, especially on an evening when Captain Abbott was to be present (see page 277).

Note 123, page 321.

The Norfolk of 56 tons.

The brig Norfolk, then known as the Harbinger, was purchased by King from John Black, agent for Michael Hogan, the vendor, for £700 sterling on the 26th June, 1801. She had been built at Quebec in 1797, and was manned by a master, one mate and 6 able seamen. William House was appointed commander by general orders, dated 6th November, 1801, and on the 8th November following, she sailed for Otaheite. The brig was wrecked during a hurricane at Matavia Bay on the 25th March, 1802 (see page 728 et seq.).

Note 124, page 321.

Captain McArthur.

Captain M'Kellar.

Captain Macarthur embarked on board the Hunter for Calcutta, the passage money of £100 sterling being paid by Acting-Governor King; the Hunter was dismantled in a typhoon, and was obliged to seek shelter at Amboyana. At this port, Macarthur transhipped into the Princess Charlotte, drawing bills for £250 on the Treasury for his passage. These latter bills were disallowed by the Treasury, and the amount was deducted from Macarthur's pay.

Captain McKellar embarked on board the Caroline, which sailed for New Bedford on the 29th March, 1802. He obtained a free passage to that port, in return for concessions granted to St. Tuckerman, master of the Caroline, by Governor King for the landing of 4,000 gallons of spirits. McKellar received orders (see page 476) to draw on the Treasury for his expenses in, and passage money from, America. On the 24th February, 1803, Lord Hobart reported that no news had been received of him; but in the same despatch he acknowledged the receipt of the despatches, or duplicates of them, of which McKellar had carried the originals.

These two passages indicate the cost and danger incurred in travelling at that time.

Note 125, page 323.

Without a single written instruction.

This is another admission by King of the issue of regulations, making drastic changes, without any royal authority. See note 195, volume II.

Note 126, page 326.

Since my last I have formed a small settlement at Coal Harbour.

In his separate despatch, dated August 21st, 1801, Acting-Governor King stated (see page 169) that he had established a small post at Newcastle, consisting of a non-commissioned officer, eight privates, and twelve prisoners (see note 66). It is difficult to understand the words "since my last," unless King referred to the separate despatch as an enclosure to his last general letter, also dated August 21st.
The engineer and surveyor.

The engineer was Francis Barrallier and the surveyor Charles Grimes. They both were engaged in the examination of the Hunter River and its district. Grimes' report was forwarded as enclosure No. 12 (see page 413 et seq.) to the general despatch, numbered 6 and dated 1st March, 1802, from Governor King to the Duke of Portland. Barrallier completed the more exact survey of the harbour and river commenced in June and July, 1801, when on board the Lady Nelson.

An India merchant.

Robert Campbell, who was a partner in a firm of merchants at Calcutta. The contract for the importation of cattle was signed on the tenth of March, 1801 (see page 29 et seq.). It was completed by the arrival of the Castle of Good Hope on the 14th February, 1803, having 307 Bengal cows, six horses, and four asses on board (see volume IV).

Artificers and mechanics.

From the beginning of the colony, there had been a deficiency in the number of artificers amongst the convicts. Governors Phillip and Hunter both reported the scarcity, without the adoption of a remedy, and both adopted the practice of hiring soldiers and others to carry on public works. When Acting-Governor King assumed the administration, he refused to hire free labour at five shillings a day, and created much opposition to himself in consequence (see pages 246-247).


In the year 1796, the London Missionary Society established a missionary settlement on the island of Otaheite. This was strongly resented by the natives, and they showed great violence to the settlers. In consequence, when the Nautilus arrived off the island, a large number of the missionary company sailed in her for Port Jackson on the 30th of March, 1798.

There then remained at Otaheite the Reverend John Jefferson and six of the first settlers. Jefferson had acted as secretary to the original establishment. The missionary station was located at Matavai Bay. Through the goodwill of King Pomarre, the settlement prospered for some years; but a general rebellion, in 1808, compelled Pomarre himself and all the missionaries to flee from Otaheite. The former went to Eimeo, whilst most of the latter went to Huahine. Here the missionaries became firmly established. On the 11th of May, 1820, they succeeded in persuading the chiefs to codify their laws, which were printed at the mission printing press. This press continued disseminating pamphlets in the native language as late as 1839, which now form some of the prizes to a bibliophile.

The brig Venus.

The brig Venus, of 142 tons burthen, arrived in Port Jackson on the 28th August, 1801. She carried eight guns, though built for twelve, and was
manned by twenty men, under the command of C. Bishop. She was pur-
chased at auction sale in London by a syndicate to trade in New South Wales
and the south seas. The total capital invested in her was £10,890, and
amongst the subscribers to this sum were: Thomas Jameson, £2,705; William
Kent, £1,686; James Williamson, £925; James Innes, £150; William Water-
house, £800; Robert Barry, £1,500; James Crichton, £1,500; Sarah Bass,
£200; Sarah and Eliza Bass, £120; D'I May, £500; Robt. Scott, £260; Wm.
Bishop, £444; and Wm. Waterhouse, £150. George Bass, late surgeon, R.N.,
was superfargo. Insurance was paid for £7,650, at the rate of four guineas
per cent., covering a voyage to "Botany Bay, Port Jackson, or all or any
ports or places in New South Wales, New Holland, Van Dieman's Land, or
in the islands adjacent." Bass entered into two contracts (see pages 337 and
747) to procure pork from Otaheite (see also volume IV, and note 52,
volume II).

Note 132, page 345.

The Return of Sept. 23, 1800.

This return was forwarded as Enclosures 9 and 10 (see volume II, page
631) to the general despatch, numbered 2 and dated 28th Sept., 1800, from
Acting-Governor King to the Duke of Portland.

Note 133, page 345.

The following particulars.

In Enclosure No. 3 (see volume II, page 538) to the despatch marked
"Separate C," and dated 9th September, 1800, from Lieutenant-Governor
King to the Duke of Portland, Macarthur's proposal for the sale of his
stock was detailed. It consisted of thirty-five horned cattle for £1,850,
ten horses for £650, and 600 sheep for £1,500, a total of £4,000, for which
sum Elizabeth Farm (see note 209, volume II) was to be included. King
recommended the acceptance of this proposal, but the Duke of Portland, in
his reply (see page 101), dated 19th June, 1801, would not consider it, and
regretted that an officer had been allowed to acquire such possessions at
public cost. Before this reply had been received, Macarthur, ten days before
he sailed, purchased from Major Foveaux 1,350 sheep and 1,770 acres, for
the sum of £2,000 sterling. Macarthur then notified King that these sheep
must be included in the first proposal. As the original proposal offered the
sheep to government at £2 10s. each, and those purchased from Foveaux cost
£1 9s. 7½d. each, not including a farm of 1,770 acres, Macarthur expected
a profit of £1 0s. 4½d. per sheep purchased, with the land as further profit.
Macarthur would have made a profit of almost seventy per cent. on the
Foveaux sheep if the proposal had been completed.

Note 134, pages 349 and 599.

Mr. Richard Sainthill.

Lieutenant Richard Sainthill was officially styled agent for the Govern-
ment of Ireland. He carried out the entire supervision of the convicts,
provisions, clothing, and other stores, which were embarked on board the
transport ships whose port of departure was in Ireland. He was also
responsible for the transmission of all indent papers and invoices of goods
to the governor of New South Wales.

Note 135, page 349.

James Gordon.

James Gordon arrived in Port Jackson in February, 1801, under an agree-
ment with Mr. Woodford to collect botanical specimens, at a salary of £8 per
month. When he arrived, no instructions had been received by King re the
payment of his salary, as in the case of George Caley under a similar agree­
ment with Sir Joseph Banks (see note 96, volume II). King, therefore,
victualled him from the public stores, and allowed him some money for his
personal expenses. His conduct was not exemplary, and at one time he hired
himself as a gardener to the commissary, instead of fulfilling the object of his
visit to the colony. His return to England was ordered in despatches dated
27th November, 1801, and 4th February, 1802, and in the latter King was
instructed to draw bills on Mr. Woodford for his passage money and any
expenses incurred.

Note 136, page 365.

Under Secretary Sullivan.

John Sullivan was the son of Benjamin Sullivan, clerk of the crown for
the counties of Cork and Waterford. He was born in April, 1749. At the
time of the creation of the department for war and the colonies, in 1801,
he was made under secretary of that department. He held office until 1805,
and in the same year was made a member of the privy council. He died in
December, 1828.

Note 137, page 366.

Also pages 372 and 582.

Persons mentioned in the enclosed list respecting whom no decisive instruc­
tions appear to have been given to you.

Isaac Nichols had been found guilty of receiving stolen goods in March,
1799 (see volume II, page 285 et seq.). Owing to certain peculiar circum­
cstances in connection with the trial, Governor Hunter had suspended his
sentence, pending reference to England.

J. W. Lancashire (wrongly called T.W. on the list on page 372) had
been tried on the 1st of April, 1799 (see volume II, page 317) on a charge
of uttering a forged note, and had been found guilty by four out of the
seven members of the court. Chapman Morris had been tried for forgery
(see volume II, page 424), in December, 1799, and was found guilty by four
members of the court.

In accordance with the terms of the charter of justice, these two trials and
the sentences had automatically to be referred to England.

Powell, Freebody, Metcalfe, Timms, and Butler were arraigned in October,
1799 (see volume II, page 403 et seq.) for the murder of two natives, but
owing to four members of the court voting that the case should be specially
reserved for sentence, it was referred to England.

The conditional emancipations mentioned on page 582 were prepared, but
subsequently cancelled. The men affected were pardoned only for their
colonial crimes, and allowed to work out their original sentences of trans­
portation.

Note 138, page 367.

The Medical Inspector.

This referred to Sir John Fitzpatrick, who was inspector-general of
health, acting under the home department, and stationed at Portsmouth.
The inspection of convict transport ships was not a part of his routine
duties; for, in 1802, he put in a claim for remuneration for extra services
performed in the inspection of fifteen transports, containing 2,646 convicts,
between the 27th of June, 1795, and the 1st of January, 1802. In his
inspections, he attended to the ventilation and condition of the convicts
transported, the location of privies, &c., and ordered the removal of bulk­
heads and other necessary changes.
Note 139, page 368.

The measures . . . . public stores.

Lord Hobart's reference was to King's report contained in the eleventh paragraph (see page 8) of his despatch to the Duke of Portland, numbered 3, and dated 10th March, 1801.

Note 140, page 369.

Your observations upon the conduct of the Irish convicts.

The reference was to the twelfth paragraph (see pages 8 and 9) of King's despatch to the Duke of Portland, numbered 3, and dated 10th March, 1801.

Note 141, page 369.

Your report of the state of the cattle.

The reference was to the fifteenth paragraph (see page 11) of King's despatch to the Duke of Portland, numbered 3, and dated 10th March, 1801.

Note 142, page 371.

It is probable that Mr. Johnson will not return to New South Wales.

The Reverend Richard Johnson did not return to the colony. He came out in the first fleet, and held the first religious service on shipboard in waters near Sydney on January 20th, 1788, in Botany Bay, and the first service on shore on February 3rd following in Sydney Cove. He continued to hold regular services on Sundays, when weather permitted, until a barn was erected and utilised for religious purposes. In the middle of August, 1793, he completed the first church (see note 241, volume I), which was burnt down in October, 1798. He administered to the religious welfare of the colonists by himself, until the arrival of the Reverend Samuel Marsden in the William on the 10th of March, 1794. He experienced considerable opposition, especially under the administration of Grose (see note 73, volume II). He applied for leave of absence on the 5th of July, 1798, and sailed with Governor Hunter on H.M.S. Buffalo in October, 1800. Before his departure he sold his Canterbury Farm Estate to Paymaster Wm. Cox, and probably at that time anticipated his non-return.

Note 143, page 371.

The conduct of Major Foveaux. . . . vigilant course.

This was in reply to paragraph 25 (see page 15) of King's despatch to the Duke of Portland, dated 10th March, 1801, and to Major Foveaux's letter (see volume of Norfolk Island papers), which was enclosed.

Note 144, page 371.

Your military letter.

Your separate letter B.

The military letter is the despatch, "Military No. 2," King to Portland, dated 10th March, 1801 (see page 73).

The separate letter B is the despatch, marked "Separate B," King to Portland, dated 10th March, 1801 (see page 67 et seq.).
Note 146, page 381.

23rd May, 1801; 8th June, 1801; 8th June, 1801; 8th June, 1801; all rec'd 15th Decr., 1801.

The three acknowledgments of letters, dated the 8th June, 1801, probably referred to the one despatch and its two enclosures, all of similar date (see pages 97-98); for a similar instance, compare note 149.

Note 147, page 391.

Governor King's Instructions.

On comparison of these instructions with those of Governor Hunter (see volume I, page 520 et seq.), it will be found that those issued to King are almost literal copies of those issued to Hunter, subject to minor textual differences, and alterations in the first paragraphs, rendered necessary by the different positions of Hunter and King, at the time the instructions were issued.

King's instructions to the commissary, issued in accordance with his own "instructions" (see volume II, page 632 et seq.), his limitation of the price of wheat, in accordance with his own "instructions" (see volume II, page 692), and, above all, the literal quotation of a paragraph from his own "instructions," with regard to the traffic in spirits by military officers (see volume II, page 543), are all most difficult to explain. There may have been certain verbal discussions between King and the Duke of Portland and Under Secretary King with reference to much needed reforms, upon which King framed these and other references to instructions. But when these final instructions were being drawn up, it was not considered necessary to give King any further directions under the royal sign manual than those given to Hunter. It is possible that the authorities considered that the instructions issued to Hunter and King were sufficient in the hands of a strong man, but this does not explain King's composition of new paragraphs (see volume II, page 543), and his use of imaginary instructions.

Note 148, page 397.

In the most convenient part of each township.

The word "township" had a specific meaning at the beginning of the nineteenth century. It consisted of an aggregation of settlers in a defined area, and usually contained one or more collections of houses, known as "towns." The area of a township was frequently as much as 20,000 or 30,000 acres, and is somewhat paralleled by the modern term shire. In the formation of "townships," before allotting the lands, it was necessary to select the most suitable site or sites for "towns."

Note 149, page 398.

January 10th; May 29th; June 9th, 9th, 12th, 19th, 19th, 1801.

The acknowledgments of the letters, dated May 29th, June 9th, June 9th, June 12th, probably referred to enclosures numbered 2 and 3 (for 29th, 9th, 9th, 12th) to the despatch, dated June 19th, 1801; the second letter, dated 19th June, 1801, also probably referred to the despatch from Under Secretary King to Acting-Governor King of that date (compare note 146).

Note 150, page 401.

An officer is now going to endeavour to penetrate the interior.

Ensign Francis Barrallier, who made two exploring journeys in the country to the west-south-west of Camden. His first tour, during October, 1802, was preliminary to the second, and was for the purpose of selecting a site for a depot. That result was achieved, and in addition the Nattai River was discovered. His second tour is detailed in note 232.
COMMENTARY.

Note 151, page 402.
A separate letter on this head.
The despatch from Acting-Governor King to Under Secretary King, dated 14th November, 1801 (see pages 345 and 346).

Note 152, page 403.
A small vessel of 26 tons.
The schooner Cumberland, which was commenced at Sydney Cove by Governor Hunter, and launched in September, 1801. She was of 26 tons burthen, and carried a master, mate, and three able seamen as crew.

Note 153, page 403.
The articles from the John Jay.
The purchases made are detailed in volume II, pages 683 et seq. The Duke of Portland's approval was given in his despatch, dated 19th June, 1801, in the fourth concluding paragraph (see page 102).

Note 154, page 403.
In that case.
King referred to the decision that all courts martial should be held in the colony (see page 105 et seq.).

Note 155, page 405.
Also page 490.
The unfortunate man who was drowned on the passage.
Edward Wise, who was lost overboard after leaving the Cape of Good Hope (see note 8).

Note 156, page 406.
The person who went there in the command.
Martin Mason, who had acted previously as surgeon on H.M.S. Buffalo. He had been appointed a magistrate for the districts of Parramatta and Toongabbe by general orders, dated 9th January, 1801. The nature of his misconduct at Hunter River has not been elucidated.

Note 157, page 413.
Governor King to British Consuls in North America.
This letter was addressed care of Consul Barclay, the British consul at New York.

Note 158, page 413.
A copy of the printed notice . . . has not yet been found.
The printing press, imported in the first fleet, began to be utilised in November, 1795, and from 1797 to 1800 a convict was regularly detailed by Governor Hunter as printer in the returns of employment. The earliest specimens of colonial printing that the editor is aware of are Instructions for the constables of the country districts, addressed to James Everitt, constable for the district of Lane Cove, dated 16th November, 1796, and Instructions to the watchmen of the town division, dated 18th November, 1796. Work on the press was very desultory prior to the appointment of George Howe, alias George Happy, all important orders being issued as broadsides. Howe received an absolute pardon on account of his services in January, 1806 (see note 185 and volume IV).
COMMENTARY.

Note 159, page 413.

Observations by Surveyor Grimes on Hunter River.

Surveyor Grimes, as also Lieutenant Grant and Lieutenant-Colonel Paterson, made use of the original and not the modern nomenclature of the rivers (see note 69). The Basin included all the water around the islands within the entrance and Fullarton (now Fullerton) Cove. The Paterson River flowed into the Hunter, from a westerly direction, at Raymond Terrace, where the Williams River now joins the Hunter. The Hunter (now known as the Williams) drained the valley bounded on the east side by the Edgerton Hills (the hills east of the town of Paterson), and Hobby Hills (west of the town of Dungog), and on the west side by a hill east of Clarencetown, then named Mount Harris, and a hill near Fosterton, then known as Mount Grant. The country described between Edgerton and Hobby's Hills was the country between the modern towns of Seaham and Dungog.

Note 160, page 416.

Also page 480.

Copies of the returns of officers of the civil department and of the superintendents have not yet been found.

A comparison of similar returns, dated 10th March, 1801 (see page 53), and May 21st, 1802 (see pages 494 and 495), will show the small changes made during fourteen months, and will practically take the place of the missing return.

Note 161, page 418.

State of His Majesty's Settlements in New South Wales.

These annual statements reported the yearly transactions in detail. Unfortunately the similar statement for 1802 makes large extracts from this statement, and to avoid useless repetition the editor has made use of [A], [B], [C], &c., and italics, which were not in the original, but refer to a similar statement for 1802, which was forwarded with the despatches, dated 9th May, 1803 (see volume IV).

Note 162, page 419.

Also page 438.

Sept. 23, 1800 (when Governor Hunter left the colony).

Governor King frequently quoted this date as the beginning of his returns, and in this case as the beginning of his administration. In his despatch, dated the 28th September, 1800, he stated “the command was not given up to me before the date of this letter” (see volume II, page 606). Governor Hunter did not embark on board H.M.S. Buffalo until the 28th September, and did not sail from Port Jackson, a part of the colony, until the 21st of October, 1800. In consequence, King's statement was most inaccurate.

Note 163, page 420.

See state of Settlement under Military Department for July, 1800, and March, 1801.

The state of the settlement, dated September 29th, 1800, will be found on page 679, volume II; that for March, 1801, will be found on page 70. Both of these returns detail the military department, but neither of them mention an engineer and artillery department.
Note 164, page 421.

Appendix No. 1.

There are no appendices attached to the copy of this statement which is available. The form and subject matter of this appendix would have been similar to the return on page 92, with the addition of the particulars of the schooner Cumberland from the return on page 700.

Note 165, page 429.

The footrot and water in the head.

In the Shepherd's Guide, a treatise written by James Hogg, the Ettrick shepherd, which was the standard treatise used by the early colonists on sheep diseases, the following particulars are given of these two maladies as they appeared at that period:—

Footrot is caused by the hoofs of sheep becoming alternately wet and dry. As a result of this, small cracks open about the roots of the hoofs, and "by repeating the same cause, of wetting and drying them several times every day, these cracks enlarge and suppurate." When this is allowed to proceed, "it degenerates into a foul and tedious ulcer, renders the sheep extremely lame, forces them often to walk, or rather creep, on their knees; the hoofs drop off." The cure recommended was:—"When a sheep is first observed affected by it, let it be brought in, and the sore foot washed well with soap and urine; then well bathed with turpentine, and afterwards rubbed all over with tar, and bound up with flannel; and if it is then turned to a clean, dry pasture, the cure is certain."

Water in the head was known also as Hydrocephalus and Sturdy. This is described as a collection of water within the brain, from exposure to too rough and boisterous weather, "but whether it is a certain internal distillation, or admitted from without from the serosity of the skin, is not so easily determined." "The water settles sometimes in one corner of the skull, sometimes in another; but whenever it begins, it continues to increase and gain upon the brain, until it is either extracted, or the animal so much wasted, that it dies as lean as wood, at which period the brain is commonly half wasted away, and the skull full of these noxious fluids." The treatment generally adopted was to tap the fluid over the portion of the skull that had atrophied by pressure, to remove all the fluid and the containing sack, if possible, and carefully to cover the opening with a wax cloth.

Note 166, page 429.

Three Spanish rams in 1797.

These rams were a part of the flock belonging to the widow of Colonel Gordon, at the Cape of Good Hope (see note 24, volume II).

Note 167, page 436.

Fustick.

The true fustick of southern Europe and Asia is a tree of the natural order Anacardiaceae, and is known as Rhus Cotimus. From the wood a fine yellow dye can be obtained.

Note 168, page 436.

An officer.

The reference was to Ensign Barrallier and his expedition, which lasted from the 5th of November to the 24th December, 1802 (see note 232).
Note 169, page 436.
A person.
The scientific people.
The person was George Caley. He did not commence his expedition until December, 1802, when he crossed the Nepean River at a ford near the railway bridge at Menangle. He then followed the general course of the Nepean, keeping to the tops of the hills, till in the neighbourhood of Douglas Park. From there he kept close to the river until he crossed Stonequarry Creek, when he went west for a few miles; he then travelled south-south-west, and discovered the big lagoon at Picton Lakes, naming it "Scirpus Mere." On his return journey, he took a general north-north-east course, crossing the range near the Razorback, and the Nepean River at a ford just below Camden Park house.
The scientists were Robert Brown, naturalist; William Westall, landscape and figure draughtsman; Ferdinand Bauer, botanical draughtsman; Peter Good, gardener, and John Allen, miner.

Note 170, page 437.
Two vessels.
The Speedy, of 313 tons; George Quested, master.
The Britannia, of 301 tons; Robert Turnbull, master.

Note 171, page 437.
Wilson's Promontory . . . . is 39° 10' south and 146° 51' east.
The true position is 39° 7' 55" south, and 146° 25' 37" east.

Note 172, pages 437 and 445.
Also page 511.
The chart.
The plan.
These charts and plans will be found in the volume of charts.

Note 173, page 437.
The conjecture of N. S. Wales being insulated . . . remains undecided.
See note 293, volume II.

Note 174, pages 446 and 447.
Reservation of Land for the Crown.
Two other plots of ground.
The area of land in the deed quoted was 34,539 acres, and was situated north-north-west of Parramatta, nearly parallel to what is now the road from that city to Wiseman's Ferry. The two other plots of ground consisted of 38,728 and 6,017 acres, and were situated in the district of Prospect. All three were dated 1st March, 1802. These deeds form the first reservation of large areas for public purposes. King evidently thought that such a grant was more irrevocable than a proclamation or general order, as he had already experienced the effect of Governor Phillip's general order re land in the town of Sydney, and even he himself had broken it. On 11th August, 1804, he adopted somewhat similar procedures in granting commons for different districts (see volume IV).

Note 175, page 448.
Tippo Sultaun.
The Indian chief, who was more familiarly known as Tippoo Sahib. He had been killed in his palace at Seringapatam on the 4th of May, 1799.
Note 176, page 455.

Alcock, Blacket, Cox, Burton, and another convict were tried for murder. The four named were sentenced to death, with a recommendation of Alcock to mercy. Burton was executed, and the trials of the other three were submitted to the opinion of the English authorities.

Note 177, page 455.

Lord Hobart had already forwarded instructions, with reference to these respites, in his despatch, numbered 1, and dated 30th January, 1802 (see page 366), which had not then been received by King. In this despatch, dated 1st March, it is strange that King does not mention the cases of Isaac Nichols, and of the five men found guilty of killing two natives (see note 137).

Note 178, page 456.
Lieut't McKellar may arrive about the same time as Capt'n McArthur.

Macarthur reported his arrival in London to Lord Pelham on the 21st of December, 1802. McKellar had not arrived on the 24th of February, 1803, nor had any news been heard of him, and anxiety was then felt for his welfare (see note 124).

Note 179, page 456.
Also pages 478 and 744.

I found it necessary to try Lieut. John Piper.

The trial of Piper arose out of charges in connection with his conduct subsequent to the Macarthur-Paterson duel. The charges are quoted in Sir Charles Morgan's letter, dated 11th December, 1802 (see page 744). King's criticism on the trial will be found in his despatch, dated 1st March, 1802 (see page 479). In this trial Sir Charles Morgan upheld the actions of the members of the court martial. (See also series IV, volume I.)

Note 180, page 457.
Also pages 478 and 745.

It has also been necessary to try Ensign Bayly . . . twice within one month.

There were two trials of Ensign Bayly, one for disobedience of Paterson's orders, and the second for disobedience of King's orders. King's criticism of the trials were submitted in his despatch to the judge-advocate general, dated 1st March, 1802 (see page 478), and the correspondence prior to the trial to the Duke of Portland (see page 458 et seq.). The charges and opinions of Sir Charles Morgan were detailed in the latter's despatch, dated 11th December, 1802 (see pages 745 and 746) (see also series IV, volume I).

Note 181, pages 458 and 462.

All the General Orders, issued by me from the time I took the command up to the present date, which has an index.

Government and General Orders.

The orders previously forwarded have been omitted. They were:—

from the 29th September to the 10th October, 1800 (see volume II, pages 621 to 627);
from the 12th October, 1800, to the 9th March, 1801 (see pages 33 to 50);
from the 14th March, 1801, to the 11th August, 1801 (see pages 248 to 260).

A copy of the index transmitted with this despatch has not been found. An index from September, 1800, to the 11th August, 1801 (see pages 261 and
262) was sent as an enclosure of a despatch to Under Secretary King, dated 21st August, 1801. This index is greatly inferior to that taken to England by Governor Hunter, of the whole of the orders issued by him (see volume II, page 597 et seq.).

Note 182, page 459.
Also page 460.

The Commander-in-Chief's letter to you of March 6th, 1799.
My letter to you dated the 8th September, 1800.
The 7th article of my Instructions to Major Joseph Foveaux.
In my last despatch from His Majesty's Principal Secretary of State for the Home Department.

The first letter will be found in volume I, series VII. This letter ordered Lieut.-Colonel Paterson to return to the command of the corps, and to use all his influence to prevent the officers from participating in the retail trade of spirits and other goods sometimes at a profit of "one hundred shillings for one."
The second letter is that on page 542, volume II.
The 7th article of Foveaux's instructions will be found on page 516, volume II.
The reference in the fourth quotation was to the twenty-third paragraph of the Duke of Portland's despatch, dated 19th June, 1801 (see page 102).

Note 183, pages 460 and 461.
General Orders of the 24th last October.
This general order will be found on page 465.

Note 184, page 461.
Those of this day.
The King's Instructions.

The general order dated the 28th December, 1801, will be found on pages 468 and 469.
The King's instructions, here referred to, were those contained in the Commander-in-Chief's letter to Lieut.-Colonel Paterson, dated March 6th, 1799 (see note 182).

Note 185, pages 465 and 648.
Also page 710.
A printed abridgment.
Book of General Orders.

The printed abridgment was a broadside, which was circulated amongst the licensed houses and many of the colonists for general information. It contained the most important orders, and was frequently mentioned in the proceedings before the bench of magistrates, but the editor has not seen a copy.
The book of general orders is the first book known to have been printed in Australia. It is a small quarto, the tallest copy examined measuring 8½ in. by 5⅓ in., another 8⅗ in. by 5⅛ in. The copy that used to belong to Sir John Hay and Mr. David Scott Mitchell is only 7¾ in. tall. It was printed on paper watermarked with an allegorical design contained within a double oval. It is bound with a blank leaf, title leaf, i to xii pages, 1 to 12 pages, and 1 to 122 pages. Four pages form a section, pages 1 to 12 forming sections A to C, pages 1 to 122 comprising sections A to Z, Aa to Gg, and one leaf of Hh.
The first order printed is dated the 11th February, but the title page states that it was the 16th February. The orders issued prior to the administration of Governor King are on pages 1 to 12. Those issued by the same governor begin with one dated October 1st, not 28th of September, 1800, as stated on the title page, and terminate with one dated the 30th of September, 1802. These were printed on a separate pagination of pages from 1 to 122. The title page is as follows:—

NEW SOUTH WALES

General Standing Orders:

SELECTED FROM THE GENERAL ORDERS ISSUED BY
FORMER GOVERNORS,

From the 16th of February, 1791, to the 6th of September, 1800.

ALSO,

General Orders issued by Governor King.

FROM

The 28th of September, 1800 to the 30th of September, 1802.

SYDNEY

PRINTED AT GOVERNMENT PRESS

1802.

Note 186, page 467.

The Governor in Chief.

The commission under which King acted (see volume II, page 605) gave him no power to use the title of "Governor-in-Chief," and the assumption of this title is paralleled by many of his actions in the few months prior to Governor Hunter's departure. His commission as Governor-in-Chief (see page 384) was not signed until the 20th of February, 1802, and the instructions were not received by King until the 16th of October, 1802, and the order from which the title is quoted was dated the 16th December, 1801.

The orders referred to by King were dated from the 29th September to the 17th of October, 1800 (see volume II, pages 621 to 627, and page 692, also ante pages 33 and 34). The orders which were issued by King about assigned servants were dated 1st and 2nd October, 1800 (see volume II, pages 622, 623, and 624).

The words placed in parentheses by King were not a verbatim quotation from a despatch, as they appear to be. On a comparison of the quotations in the order with the Duke of Portland's despatch, dated 19th June, 1801 (see page 99), which was received by King on the 14th of December following, it will be seen that they are King's modifications of paragraphs 2, 3, and 7 of the said despatch.

Note 187, page 471.

Dec. 26th, 1800.—June 1st, 1801.—Jan. 12th, 1802.

These orders will be found on pages 43, 254, and 470.
Note 188, page 472.
28th September, 1800.—2nd of October, 1800—Hunter's Orders.

The 28th of September, 1800, was the day on which King took over the administration. The orders referred to will be found on pages 623 and 624, and on pages 585 and 214 in volume II, the last two being dated 11th June, 1799, and 15th May, 1798.

Note 189, page 473.
The Order of the 26th of December, 1800.

This order will be found on page 43.

Note 190, page 480.
Parliamentary Estimate for the year 1801, in which there appears an advance in all the salaries.

Governor King was evidently unaware of the new termination of the financial year on the 31st December, instead of the 10th October, each year, which was initiated at the time of the departmental changes in the administration of the colonies. He may have been misled by the misdating (see page 107) of the last estimates forwarded (see note 37). The change was shown in the estimates for 1802 (see page 485).

Note 191, pages 482 and 509.
Acting-L't Murray's journal.

After pages 482 and 509 had been printed, a copy of acting-lieutenant Murray's journal was located, and will be printed, when transcribed, in volume I, series V.

Murray, as acting-lieutenant commanding the Lady Nelson, was instructed by King, if he had a leading wind into Bass' Strait, to proceed direct to Wilson's Promontory, and examine the coastline between Point Schank and Cape Otway. In following this course, he discovered the entrance to Port Phillip on January 5th, 1802, but was unable to enter, on account of the bad weather and currents. He, accordingly, sailed for King Island, and continued the survey of its north and east coasts. This completed, he returned to Western Port, and sent Bowen, his first mate, and five men in a boat to examine the entrance to Port Phillip; they accomplished this by passing into the bay, on the 2nd of February, and promptly returned to report to Murray. Bad weather continued, and Murray, with the Lady Nelson, was unable to enter until the 15th of February, 1802. Murray spent twenty-five days in examining the bay, and returned to Port Jackson on the 16th of March, 1802.

Note 192, pages 483 and 498.
Returns from Norfolk Island.

The Norfolk Island papers are very voluminous and are being collected for publication in volumes by themselves.

Note 193, page 484.
Lieut.-Governor Benter.

The reason for including Benter's name with King's alone in the address of this despatch has not yet been elucidated.

Note 194, page 487.
Lieutenant Governor King.

This was the address affixed to this despatch by Secretary Nepean or his clerk. If it was not an error, it is strange that the addressor was unaware
of the fact that King's commission as governor-in-chief had been signed on
the 20th of February, 1802, and that his status was no longer that of a
lieutenant-governor, acting as governor in the colony of New South Wales
(c.f. note 49).

Note 195, page 487.
Your Letter of the 30th November.

The information that Nepean referred to was contained in a letter dated
by Acting-Governor King the 10th of March, 1801 (see page 75 et seq.).

Note 196, page 498.
The Sessions Papers.

The sessions papers were periodical reports of the criminal trials compiled
from records taken in shorthand. Those taken at the Old Bailey were
issued as:

THE WHOLE
PROCEEDINGS
ON THE
King's Commiffion of the Peace, Oyer and Terminer,
and Gaol Delivery for the City of London;
AND ALSO
The Gaol Delivery for the County of Middlefex;
HELD AT
JUSTICE HALL in the OLD BAILEY.

They were medium quarto volumes, devoting about six hundred double-
columned pages to a year's proceedings. As they gave the personal history
of the transportees' sentences, and contained numerous precedents, they
would be of great value to the judge-advocate, when any one of the trans­
portees was placed on trial in the colony.

Note 197, page 511.
Your Grace's letter.

Directions from the Admiralty.
The letter from the Duke of Portland was dated 26th June, 1801 (see
page 110). The directions from the Admiralty were received in a letter
from Secretary Nepean, dated 23rd June, 1801 (see page 110).

Note 198, page 520.
Also page 521.

While the ship was in the Spanish service.
H.M.S. Porpoise had been a Spanish prize to the ship Argo, and was
formerly known as the Infanta Amelia. She was purchased at Portsmouth
for the service of the colony. She was manned and rigged from the first
Porpoise. She left England on the 17th of March, 1800, and arrived in
Port Jackson on the 6th of November following.
COMMENTARY.

Note 199, page 522.
Also page 531.

A Vessel being wrecked on . . . . King's Island.
The identity of this vessel has not yet been traced.

Note 200, pages 526 and 697.

The arrival of the American.
The reference is to the American ship Arthur, of 265 tons, Scott Jenkes, master. She arrived on the 21st May, 1802, and her cargo is detailed on page 641.

Note 201, page 526.

The Norfolk is not yet returned. I hope she is safe.
The Norfolk had been wrecked on the 25th of March, 1802 (see page 728 et seq.).

Note 202, page 528.

Another Settlement in the Straits, I hope will be attended to.
The reference was to the fifth paragraph (see page 490) of the despatch, numbered 7, and dated 21st May, from Governor King to the Duke of Portland, in which King advocated a settlement at Port Phillip.

Note 203, page 535.

Without waiting for the whaler stated in the enclosed duplicate.
The Venus (B. Gardiner), whose sailing was delayed until the 18th of May, 1803.

Note 204, page 535.

My letter to that Board.
The despatch of Governor King to the Transport Commissioners, dated 9th August, 1802 (see page 552 et seq.).

Note 205, pages 542 and 549.
The prisoner entered upon his defence.
I call Mr. Aken Chief Mate.

In most of the early trials, the addresses for the prosecution and defence were read in court from written statements, and were not taken down in court, but were copied afterwards and attached to the proceedings somewhat like an exhibit. On page 542, after the assembling of the court on the 8th July, 1802, Captain Betts' address in defence ought to be read concluding with the words “I call Mr. Aken Chief Mate.” The address of Betts was spoken of as “No. 2.” In the transcript received, no number was given to the address, but it was probably No. 2, and the indictment on page 536 was No. 1.

Note 206, page 553.

You will observe the dreadful mortality . . . . exclusive of the numbers killed.

This information was transmitted in the sub-enclosure on page 554, and in the footnote on page 557.

Note 207, page 559.

The return of the investments of the master and mates.
The general cargo, including that shipped by the mates, of the Atlas, a ship of 435 tons, with a crew of twenty-eight, will be found in the second appendix, marked “E,” on page 641. In addition, she carried 151 male and 28 female convicts, and some passengers.
Note 208, page 560.

A Native of Otaheite.

This referred to an Otaheitian named Mowie, who had visited England, and returned to Sydney on H.M.S. Glatton, on the way to his native island. He died on the 6th of August, 1803, before there was a ship available for his return to Otaheite, the cause of death being described as scrofula and decay.

Note 209, page 562.

The improper importation of spirits.

Lord Hobart referred to the third paragraph (see page 111) of the despatch from Acting-Governor King to the Duke of Portland, dated 8th July, 1801, which was repeated in the despatch of the 21st of August, and to King’s account of the quantity of spirits and wine imported and sent away, and observations on the same (see page 131) sent in the despatch, numbered 4, and dated 21st August, 1801, from Acting-Governor King to the Duke of Portland.

Note 210, page 562.

Your account of the distressing situation.

King’s report was given in the fourth paragraph (see page 112) of his despatch to the Duke of Portland, dated 8th July, 1801, which was repeated in the corresponding paragraph of his despatch, dated 21st August, 1801.

Note 211, page 562.

Suggested in my dispatch No. 1.

The suggestion was made in paragraph 17 (see page 369) of Lord Hobart’s despatch to Acting-Governor King, dated 30th January, 1802, and numbered 1.

Note 212, page 563.

Your account . . . of the institution.

The account was submitted by King in paragraph 11 (see page 123), of his despatch, numbered 4, and dated 21st August, 1801, to the Duke of Portland. The proceedings of the committee of the Orphan Institution during this period will be found in volume IV, as enclosure No. 9 to the despatch, numbered 2, and dated 9th May, 1803, from Governor King to Lord Hobart.

Note 213, page 563.

Your report of the increasing state of the live stock.

This report is contained in paragraph 13 (see page 123), and enclosures numbered 10 and 11, of the despatch from Acting-Governor King to the Duke of Portland, dated 21st August, 1801, and numbered 4.

Note 214, page 564.

Your representation in favour of certain persons.

King’s recommendation for the emancipation of some Irish convicts was contained in the ninth paragraph (see page 122) of his general despatch to the Duke of Portland, numbered 4, and dated 21st August, 1801.

Three of the names mentioned in this despatch from Lord Hobart were pardoned, as follows, before and after its receipt per H.M.S. Glatton, on the 11th of March, 1803:—

The Reverend James Dixon received a conditional emancipation by proclamation on the 19th April, 1803, “to enable him to exercise his clerical function as a Roman Catholic priest.”
The Reverend Peter O'Neil received permission to return to Ireland, by directions of the Lord Lieutenant of Ireland. This was announced in general orders, dated 19th November, 1802.

The Reverend James Harold received a conditional emancipation dated 3rd January, 1809, during the insurrectionary government.

There is no record of a pardon for Abraham Gough in the counterparts of pardons issued, prior to the year 1809.

Note 215, page 564.

The frauds . . . . practised by your clerks and those of the late Governor.

See paragraph 10 (page 122) of Acting-Governor King's despatch, numbered 4, and dated 21st August, 1801, and also note 54.

Note 217, page 566.

Your favourable representation in behalf of Mr. Alt.

See paragraph 19 (page 126) and enclosure numbered 14 (see pages 146 and 147) of Acting-Governor King's general despatch, numbered 4, and dated 21st August, 1801.

Note 218, page 568.

Extract of a Letter.
The enclosed extract.

The letter referred to was the despatch of Acting-Governor King to the Duke of Portland, marked "Separate A," and dated 21st August, 1801 (see page 148 et seq.).

The second extract was the fourth paragraph of the same despatch.

Note 219, page 569.

Lord Pelham.

Thomas, Lord Pelham, was born in April, 1756. He became deeply interested in Irish politics, and was considered an expert on them. He left Ireland just before the rebellion, and retired from politics for a short time. In 1801, he accepted office as secretary of state for the home department. He then became engaged in some deep quarrels, and also resented the removal of the control of the colonies from his office. In order to avoid too much friction in the ministry, he resigned from the department of home affairs in July, 1803, and took charge of the duchy of Lancaster. When Pitt returned to power, in 1805, he went out of office. He succeeded his father as second Earl of Chichester on the 8th of January, 1805.

Note 220, page 571.

We are, etc.

The copy of this letter in King's letter-book is unsigned. It was probably signed by two or more of the commissioners for executing the office of Lord High Admiral, namely, T. Trowbridge, Jas. Adams, J. Markham, or Wm. Eliot.

Note 221, page 571.

Capt. Raines.

Stephen Rains (not Raines) was one of the agents of the commissioners for conducting his Majesty's transport service. It was his duty to supervise the stores and provisions that were intended for the use of the convicts, to superintend the stowing of cargo, and to ascertain whether the general conditions of the ship's charter were complied with before sailing.
The like privileges and advantages as those granted to the marines.

The privileges granted to the marines consisted of a grant of land according to their rank, viz.:—To every non-commissioned officer, a grant of 130 acres, if single, and 150 acres if married; to every private, 80 acres if single, and 100 acres if married; and an additional 10 acres for every child of a grantee. These grants were to be free of all taxes, quit-rents, and other acknowledgments, for the space of ten years, and thereafter to be liable to an annual quit-rent of one shilling for every fifty acres.

In addition, the grantees were to be fed and clothed for one year, and receive seed and tools from the public stores for the same period, and to be allowed the service of such convicts as the governor thought fit.

The Lieutenant Governor's particular attention to this circumstance.

The mistake referred to was detailed in the last paragraph of page 567, in Lord Hobart's despatch, dated 29th August, 1802, and numbered 2.

Your Lordship's despatches, dated 30th last January.

See page 366 et seq.

Your Lordship's opinion.

See paragraph 4 (page 366) of Lord Hobart's general despatch, numbered 1, and dated 30th January, 1802.

The proclamation was forwarded as Enclosure No. 1 (see page 592). In the original order-book, a draft proclamation, which has been cancelled, precedes this one, and is of interest. It is in the handwriting of W. N. Chapman, secretary to the governor, and is as follows:—

"Whereas, in consequence of the outrages committed by the natives in murdering Dan'l Couroy, storekeeper, and severely wounding Mr. Smith, settler, in a wanton and inhuman manner, it was directed by the General Orders of the 1st May, 1801, that the natives should be driven from the settler's habitations in the districts of Parramatta, George's River, and Prospect Hill by firing at them, but not to extend to [obliterated] any other district, nor to [obliterated] in the harbour, at Sydney, or on the road leading to Parramatta; and as two other white men and a woman were afterwards killed in a savage and wanton manner by the same band of natives, among whom Pemulwye was known to be the principal in all those and former barbarities; in consequence of which it was directed in General Orders of 22nd last November, that Pemulwye should be brought in alive or dead. In consequence of which two settlers shot Pemulwye and [obliterated], another principal, the 2nd instant [obliterated]. The natives requested that the head of the former should be carried to the Governor, with a promise of their doing no more mischief if they might be permitted among the inhabitants of the above three districts, and on receiving that message a public notice was immediately given, ordering no person whatever to use any violence towards the natives, but to receive them at Parramatta and its neighbourhood as heretofore. In consequence of which the natives now resort to the above districts with as much confidence as before."

I have not yet received.

H.M.S. Buffalo arrived on the 16th of October, 1802, and this despatch was dated 30th October, and in one duplicate copy of it, 9th November.
COMMENTARY.

From the evidence of the quoted sentence, it must have been written some weeks before the day on which it was dated.

Note 227, page 583.

Henry Brown Hayes.

Sir Henry Brown Hayes was a wealthy Irish knight. He had held the office of sheriff in the city of Cork. He abducted a wealthy Quaker heiress, and a large reward was offered for his arrest. Tired of avoiding apprehension, he walked one day into the shop of his hairdresser in Cork, and told the latter to inform the authorities of his whereabouts and claim the reward. He was tried, found guilty, and sentenced to death, which sentence was afterwards altered to transportation for life. He was transported in the Atlas, and paid the master, Richard Brooks, some hundreds of pounds to be allowed to travel and mess with him. During his voyage, he insulted Surgeon Jamison, who was a passenger on the ship. After the arrival of the Atlas in Port Jackson on the 6th of July, 1802, he was tried before the bench of magistrates for his conduct towards Jamison, and was sentenced to six months' imprisonment. When he had served five months, he was released, and ordered to be transferred to the settlement at Castle Hill. His subsequent career was an exceptional one (see subsequent volumes).

Note 228, page 585.

My letters to the American Ministers and His Majesty's Consuls.

Acting-Governor King's letter to the American Minister in London, dated February, 1801, will be found on page 56; his letter to the British Consuls in North America, dated 1st March, 1802, on page 413.

Note 229, page 586.

The general state of the settlement of this date.

This return will be found on page 610. It will be noticed on examination that the return is dated 30th October, and therefore this portion of the despatch must have been written on that day, whilst five and a half paragraphs earlier were written on or before the 16th of October (c.f. note 226).

Note 230, page 588.

Rice being cultivated on the low grounds at the Hawkesbury.

The proposal for the cultivation of rice was made in paragraph 17 (see page 369) of Lord Hobart's despatch, dated 30th January, 1802, and numbered 1, and again in paragraph 7 (see page 562) of Lord Hobart's despatch, dated 29th August, 1802, and numbered 2. The latter reference to the problem had not been received by King when he was making this reply.

Note 231, page 589.

The contract was made with Mr. Campbell.

The contract was signed on the 10th of March, 1801 (see page 29 et seq.), that is, nineteen months and twenty days prior to the day of dating this letter (c.f. notes 226 and 229).

Note 232, page 590.

He is sanguine of his expectations of passing the mountains.

This was the most important inland expedition of Ensign Francis Barrailler (see volume II, note 208). He possessed considerable scientific abilities, and, on this tour, kept a detailed journal, day by day (see volume
COMMENTARY.

I, series V); but unfortunately during the journey the needle of the theodolite was injured, and the injury was not discovered until some time after his return to Sydney, so his bearings have to be corrected.

He left Prospect on the 5th November, 1802, with a party consisting of four soldiers and five convicts. Their provisions were carried in a waggon drawn by two bullocks. The Nepean River was crossed on the following day at a ford near Camden Park House, and passing Long, Spectacle, Carra­beeley, and Menangle ponds (using their modern names), he formed a depot at Nattai on the 9th November. On the following day, he descended the gorge of the Nattai River, and on the 11th November he discovered the junction of the Nattai with the Wollondilly River. The latter river was crossed just above the junction of the Tonalli River, and a short examination was made of the parish of the Peaks. He then returned to the depot at Nattai, reaching it on the 13th November. The whole party rested until the 21st, and during that time the waggon, which had been sent back to the settlements on the 10th for provisions, returned laden on the 19th. On the 22nd, the exploring party started afresh, and following their former route, reached their old encampment at the junction of the Wollondilly with the Tonalli River. During the following days, Barrallier and his men passed between the headwaters of Jooriland Creek and the range of the Peaks, crossed the range separating the counties of Westmoreland and Georgiana, and reached the headwaters of the Abercrombie River a little distance from Tuena. The return journey was commenced on the 29th November, and the depot was reached on the 2nd (? 3rd) of December. After resting, Barrallier commenced a third expedition on the 15th (? 16th) December. He took his former course to the camp on the Tonalli River, and then traced the Wollondilly, travelling on its eastern bank as far as the southern end of Wangaderry Parish. His return to the depot was accomplished on the 20th (? 21st) December, and on the following day he left for Sydney, which he reached on the 24th (? 25th). The last four dates are doubtful, as Barrallier included in his diary a day dated the 31st November. (For fuller details, see series V, volume I.)

Note 233, page 592.

*Dup. 28th Feby.; Dup. 31 Mar., 1802.*

These two despatches will be found on page 383 et seq., and on page 484; according to the copies examined, they were carried by the transport Alexander and H.M. ship Buffalo, which ships arrived at Port Jackson on the 15th and 16th October. It is difficult to understand this statement of King, that his commission had not been received.

Note 234, page 592.

*A Despatch.*

*Five Persons tried . . . on the 18th of October, 1799.*

The despatch was dated 30th January, 1802, and numbered 1 by Lord Hobart (see page 366); one copy of the despatch was placed on board the Coromandel and another on the Hercules, and they arrived in Port Jackson on the 13th and 26th of June, 1802.

The five persons tried were Ed. Powell, Simon Freebody, Jas. Metcalfe, Wm. Timms, and Wm. Butler (see the proceedings at their trial, volume II, page 403 et seq., and note 137 ante).

The paragraph quoted is the fifth paragraph of the despatch of 30th January.

Note 235, page 600.

*See General Orders transmitted with this, October 16th, 1802.*

This general order will be found in volume IV, as an enclosure to a despatch from Governor King to Lord Hobart, dated 7th August, 1803, and
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numbered 3. The general orders forwarded with this despatch have the certifying clause after the order dated September 30th, and there is no evidence except this footnote that any of later date were sent until those enclosed with the despatch, dated 7th August, 1803, excepting those contained in the Sydney Gazettes forwarded on the 9th May, 1803.

Note 236, page 602.

Which have arrived since 1st January last.

It will be noticed that the date given in enclosure 9 (20th June) does not agree with the date given in the text (1st January). The ship Coromandel, one of the vessels mentioned, arrived on the 13th June, seven days before the date given as the beginning of the return transmitted. The Margaret, from Peru, and the Arthur, from Providence, arrived with a general cargo after the date given in the text, but are not mentioned.

Note 237, page 615.

Enclosure A.

Enclosures A and B are as they are marked and placed in the original registration of enclosures. It is probable they were interpolated after most of the enclosures had been numbered.

Note 239, page 629.

Orders of the 8th, 14th, and 19th of May, 1801.

See pages 250, 251, 252, and 253.

Note 240, page 629.

Order of the 1st of October, 1800.

The Proclamation of Nov. 19, 1800.

The order will be found on page 623, volume II; the proclamation on ante page 39.

Note 241, page 630.

Mr. Charles Throsby.

Charles Throsby arrived in Port Jackson as surgeon on the transport Coromandel on the 13th of June, 1802. He was engaged to do duty as locum tenens for the colonial surgeon at Norfolk Island on the 10th September following, on account of Surgeon Thomson's proposed absence in England. On October 13th, after the medical staff had been re-arranged, his position as acting-surgeon at Castle Hill, and his appointment as acting-magistrate of the territory, were authorised. He subsequently did excellent service as commandant at Newcastle (see volume V).

Note 242, page 632.

Michael Robinson . . . . as Judge of the Court of Appeals.

The account of Robinson's previous history in England will be found in note 193, volume II. Governor Hunter, ignorant of the man's former life, granted him a conditional emancipation, dated 8th June, 1798. He was then employed as clerk to Judge-Advocate Dore. He continued in this position, to the various judge-advocates, until on the 18th of September, 1802, he was found guilty and sentenced to seven years' transportation to Norfolk Island, for wilful and corrupt perjury before the court of appeals. His history, then, becomes indefinite, until on the 24th of July, and the 10th of August, 1805, Governor King ordered him to be transported to Norfolk Island. In December, 1806, he returned to Sydney without Governor's Bligh's orders. (See also succeeding volumes.)
The court of appeal was established by clauses 11 and 12 of the charter of justice (see series IV, volume I). Its procedure, in causes where the debt or thing in demand did not exceed £300, was similar, as regards process of summons, hearing of cause, and process of execution, as that adopted in the inferior court (see Beginnings of Government, page 9). Where the amount involved exceeded £300, appeal was allowed to the privy council in England.

Note 243, page 636.

A French schooner.

The schooner Surprise, Alex. Le Corre, master, of 90 tons burthen, manned by a crew of twelve. For details of her cargo see appendix H (page 642).

The brig Anna Josepha, H. Meehan master, of 170 tons burthen, manned by a crew of twenty-eight. Her cargo consisted of 100 tons of coal and 4,000 feet of timber.

Note 244, page 643.

A return of the officers present . . . on the civil establishment.

A copy of this return has not yet been found, but it can be compiled by a comparison of the returns on pages 494 and 495 in this volume, and by the returns transmitted with a despatch, dated 9th May, 1803 (see volume IV) from Governor King to Lord Hobart.

Note 245, page 653.

The Inhabitants Petitions No. 32 and 34.

In the transcripts that have been transmitted, there was only one petition of the inhabitants (see Enclosure No. 32).

Note 246, page 653.

Two Depots of Provisions.

Ensign Barrallier selected Nattai as a site for a provision depot for the use of exploring parties. The location of the second mentioned in King's despatch is not clear. The governor probably referred to the government hut established at the ford over the Nepean, about two miles below the Menangle railway bridge, which was the chief ford used at that period.

Note 247, page 653.

Two associations.

The Loyal Sydney Association and the Loyal Parramatta Association (see note 52).

Note 248, page 660.

The naval officer.

The naval officer was Surgeon John Harris, of the N.S.W. Corps. In this position, he had charge of the entries and clearances of all shipping, and the collection of shipping dues and customs duties.

Note 249, page 663.

The opinions of the officers.

The enclosed apology.

The opinions of the officers were forwarded as Enclosure No. 9, and the enclosed apology as Enclosure No. 8.
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Note 250, page 665.
Your letter of this date and its enclosures.
A copy of which I enclose.
The first reference was to enclosures numbered 8 and 9; the second reference was to enclosure numbered 6.

Note 251, page 668.
My Secretary's letter to him of the 5th.
This was Chapman's letter, forwarded as Enclosure No. 5.

Note 252, page 674.
Those against Ensign and Adj't Minchin.
These charges will be found in appendix numbered 4; see page 684.

Note 253, page 675.
A letter from the latter.
This was the following letter, forming enclosure numbered 21.

Note 254, page 676.
La lettre que m' addressé Monsieur Kemp.
This is the letter forwarded as enclosure numbered 8 (see page 663).

Note 255, page 679.
The General Orders of this day.
This order will be found in enclosure, numbered 5, to the despatch of Governor King, numbered 2, and dated 7th August, 1803 (see volume IV). The substance of the order was to ask Colonel Paterson for the names of officers eligible to sit on the court martial, with the exception of Captain Kemp, who was an interested party to the trial.

Note 256, page 680.
[The two blanks.]
This evidently was a letter written by W. N. Chapman, secretary to the governor, but in the copy transmitted it was unsigned.

Note 257, page 711.
Macou.
Macao is the Portuguese settlement on the western side of the estuary of the river flowing past Canton. In the early nineteenth century it was at the height of prosperity, as, owing to the unsettled conditions in China, it became the depot for the produce of southern China, which was to be shipped to the European markets.

Note 258, page 715.
Some account of his [Flinders'] progress.
The discoveries of Lieut. Matthew Flinders prior to the date of this letter were made in the voyage of the Francis during February, 1798. In this voyage, he examined Ninety Mile Beach, which had already been coasted by Bass, and the islands at the eastern entrance to Bass' Strait; the discoveries of Judgment Rocks, South West Isle, the Pyramid, and the northwestern coast of Flinders' Island were new.
His second expedition was made in the company of Bass in the sloop Norfolk, together with the privately-owned Nautilus. In this voyage, they left Sydney Cove on October 7th, 1798, and returned to Port Jackson on
the 12th of January, 1799. During these three months, the circumnavigation of Tasmania was accomplished, and the existence of Bass' Strait, almost proved by Bass in his whaleboat voyage, was confirmed.

His third exploration was undertaken during the voyage to Sydney of H.M.A.S.V. Investigator, between December, 1801, and May, 1802. He made the neighbourhood of Cape Leeuwin on the 6th of December, 1801; from this point, he examined the coast including the Great Australian Bight as far as Kangaroo Island. He left Kangaroo Island on April 7th, and met Le Géographe when she had just completed the passage of Bass' Strait. He then re-examined the discoveries of Grant in the Lady Nelson, Black in the Harbinger, and Murray in the Lady Nelson, and arrived in Port Jackson on the 9th of May, 1802.

Governor King referred to the last expedition in this despatch, dated 9th November, 1802. It will be observed that the great work of Flinders was only commencing. The voyage of Bass and Flinders in the whaleboat has been omitted, as, although very adventurous, it was not of importance.

Note 259, page 720.

The copy of this award.

The following is a copy of this award, extracted from King's own records of the appeals:

Whereas etc. etc. etc.

Mr. Richard Brooks Appellant
against
Mr. Thomas Jamison Respondent

When after truly and Impartially hearing and weighing the Evidence and testimony of such Witnesses and Documents as were brought forward by the Parties in this Cause, It Appeared that the Respondent's Baggage and other property was Received on Board the Atlas by Appellant's Orders, that the Owners are responsible for any Damage that may befall them during the Passage, and as the Charter Party was made in London by the Transport Board, so damages must be there and by that Board recovered, and how far Respondent is liable to pay Freight for the Overplus to the Two Tons Ordered him by the Transport Board, must Depend on the Commissioners and Owners of the Ship.

It also appears from the very improper treatment Respondent received on the Passage from the Appellant his Officers and Others, that the Respondent was compelled to leave the Atlas at Rio de Janeiro and agree for a Passage in the Hercules Transport, whereby he was put to a Considerable Extra Expence I DO THEREFORE AWARD that the appellant do pay the Respondent the sum of £50 Sterling and Interest at 5 per Cent., being the Passage Money Respondent paid for his Passage in the Hercules from Rio de Janeiro to this Port together with the full Costs of Suit.

Given etc. this 22 Septemb'r 1802.

PHILIP GIDLEY KING.

To the Judge-Advocate
and Provost Marshall etc.

Note 260, page 724.

A copy of this return.

This would be a similar return to that noted on page 643; see note 244.
King's register of these enclosures is not available, and they have been placed in the order they are mentioned in the despatch.

Your Excellency's investment of myself with magisterial authority.

By the twelfth clause (see page 386) of his commission, King was empowered to appoint justices of the peace within the limits of his jurisdiction. By this appointment of Jefferson as a magistrate, he laid definite claim to territorial rights over the island of Otaheite (c.f. ante note 61, and volume I, note 1).

My Letters of Yesterday's date.

See Enclosure No. 1 on page 733.

The Surveyor-General Mr. Rushwith and Mr. MacCallum.

The surveyor-general was Chas. Grimes, Mr. Rushwith was a gardener, and Mr. MacCallum was a surgeon who had been pardoned on the 28th of July, 1801, to enable him to practise his profession.
## SYNOPSIS OF DESpatches.

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- Separate B
- Transportation
- Transport Commissions
- Governor of the Colonies
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