HISTORICAL RECORDS
OF
AUSTRALIA.

SER. I. VOL. XVI—a
COMMONWEALTH OF AUSTRALIA.

HISTORICAL RECORDS
OF
AUSTRALIA.

SERIES I.
GOVERNORS' DESPATCHES TO AND FROM ENGLAND.

VOLUME XVI.
1831—1832.

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INTRODUCTION.

GOVERNOR BOURKE.

Richard Bourke was the eighth governor-in-chief of the territory of New South Wales and its dependencies, and the second governor-in-chief in and over the island of Van Diemen's land (Tasmania).

As governor-in-chief of New South Wales, he exercised a salutary influence in the development and expansion of reforms initiated under his predecessor, in the firm establishment of changes ordered by the British cabinet, and in the introduction of new methods which he realised were necessary from his previous administrative experience. During his government, religious freedom was recognised; the powers of patronage held by his predecessors were finally curtailed; the legislative council acquired full control over the expenditure of the colony; the first principles of modern land laws were introduced; trial by jury was developed on the principles of British law; immigration was subsidised from land revenue; and the long-continued feud between the free settlers and the emancipists was gradually lost in oblivion.

As governor-in-chief of Van Diemen's land, his influence was nominal. By the provisions of his commission, in the event of his death or absence from the territorial limits of the island, the government devolved on the lieut.-governor of the island. As he never visited the island, he exercised no control over the civil administration, although, as captain-general, he held a general direction over the military.

Richard Bourke was born on the 4th of May, 1777.* He was the son of John Bourke of Thornfield, co. Limerick, Ireland, by his marriage with Anne, daughter of Edward Ryan of Dublin, and of Boscobel, co. Tipperary. John Bourke was the grandson of Richard Bourke of Drumsally, co. Limerick. The family

*This date is recorded in the Annual Register and Gentleman's Magazine for 1855. The date recorded on his tombstone is said to be 1778.
INTRODUCTION.

claimed descent from De Bourgo, the senior line of whose descendants is represented by lord Clanricarde. Kinship was also claimed with the great orator, the right honourable Edmund Burke; the alteration in the spelling of the surname was explained by the dropping of the "o" by the immediate ancestors of Burke.

Richard Bourke was educated at Westminster school, and Oriel college, Oxford, where he matriculated in 1793. In 1798, he graduated as B.A. at Exeter and qualified as a barrister. During his education, he spent many of his vacations at Beaconsfield, the seat of Edmund Burke, who had great influence on him during the critical years of a man's life. In consequence of this association, he was one of the witnesses to Burke's will before he died in 1797. In the meantime, Richard Bourke had succeeded to his father's estates at Thornfield in the year 1795.

Bourke soon forsook the profession of law for that of arms, and, in the year 1798, he entered the army as an ensign in the 1st regiment of foot guards. In the following year, he served with his regiment on active service in Holland at the Helder. He participated in the actions of the 27th of August, the 10th and 19th of September, and the 2nd and 6th of October. He distinguished himself by his gallantry, but was severely wounded in both jaws and invalided to England. He bore the marks of these wounds for the rest of his life. On the 25th of November, 1799, he obtained the rank of lieutenant and captain in his regiment.

When he recovered from his wounds, he was placed on the staff in England, and, for a short time, he was superintendent of the junior department in the royal military college at Marlow. On the 5th of December, 1805, he attained the rank of captain and was attached to the 1st garrison battalion.

In the year 1806, he was appointed principal officer of the quartermaster-general's department in South America and was present at the actions of the 19th and 20th of January, 1807, and at the siege and storming of Montevideo. In 1806, general Beresford succeeded in gaining possession of Buenos Ayres with a force of twelve hundred men, but was compelled to retire. British merchants at this period desired to extend their spheres of influence for trading purposes. Accordingly the British government appointed general John Whitelocke in February, 1807, to the command of an expedition, with instructions to recapture Buenos
INTRODUCTION.

Ayres, to take possession of the province, and to establish a civil government under himself. Richard Bourke was appointed quartermaster-general under Whitelocke. On the 28th and 29th of June, the expedition, consisting of nine battalions of infantry and two and a half regiments of cavalry, was landed thirty miles below Buenos Ayres. Whitelocke proved himself weak and vacillating as a commander, and the expedition entirely failed. After losing two thousand five hundred men, and capturing only a part of Buenos Ayres during the first week in July, Whitelocke was forced to conclude a treaty, whereby he not only withdrew from Buenos Ayres, but also surrendered Montevideo. For his misconduct and incompetence, Whitelocke was court-martialled and cashiered at the beginning of the year 1808, Bourke being one of the principal witnesses.

On the 2nd of June, 1808, Richard Bourke was promoted to the rank of major, and about the same time was appointed a permanent assistant in the quartermaster-general's department.

In the years 1809, 1812, 1813 and 1814, he served with the British army in the Peninsula. He possessed the confidence of Sir Arthur Wellesley (afterwards the duke of Wellington), and was employed in confidential negotiations with allied generals. On the 4th of June, 1814, he was promoted to the rank of colonel, and, on the 4th of June in the following year, he was created a military companion of the most honourable military order of the Bath.

For some years after the battle of Waterloo, he was on the half-pay list; and, on the 19th of January, 1821, he was promoted to the rank of major-general.

In the year 1825, some action was necessary at the Cape of Good Hope, corruption was rampant, and serious charges of maladministration had been brought against the governor lord Charles Somerset. Somerset was thereupon ordered to England, and, on the 5th of July, 1825, Richard Bourke was gazetted lieut.-governor of the eastern district of the colony with power to act as governor during the absence of Somerset. Bourke assumed the government on the 8th of February, 1826, and continued the administration until relieved by Sir Galbraith Lowry Cole on the 9th of September, 1828, after which relief he sailed for England on the 7th of November.
During the two years and seven months of his administration at the Cape, Bourke proved most capable and successful. During this brief period, many notable changes were introduced. A new charter of justice was granted to the colony; John Wylde was appointed chief justice; two puisne judges were associated with him on the bench; and the appellate jurisdiction of the governor was abolished. But the greatest change was made by Bourke on his own initiative. By his ordinance numbered 49, he repealed all former laws prohibiting intercourse with Kaffirs, and permitted them, nominally with passes, to have free entry into the colony. For this action, Bourke was severely criticised, and it is doubtful if the ordinance was an act of statesmanship.

After his return to Great Britain, Bourke did not long remain out of public service. It was decided to recall Governor Darling at the termination of six years' service, and Bourke was chosen to succeed as governor-in-chief of New South Wales, his commission* being dated 25th June, 1831. It is improbable that a more successful appointment could have been made, and Bourke won almost universal praise both from supporters and opponents. The Reverend John Dunmore Lang was a candid critic of several administrative acts of Bourke, and he summarised Bourke's character as follows:—“Of a capacious mind and of superior intellectual acquirements, he was evidently capable of the most comprehensive views in matters of state-policy and civil government, though perhaps somewhat averse to the technicalities of practical detail. Strictly just and constitutionally humane, he was nevertheless inflexibly attached to his own opinions, and, like most military men, impatient of opposition or contradiction.”

Governor Bourke arrived at Sydney in the ship Margaret on the 2nd of December, 1831. He commenced his administration under the most favourable circumstances. Governor Darling had sailed from the colony a few weeks earlier in an atmosphere of unpopularity, and the colonists were enthusiastic in the welcomes tendered to Bourke, whose excellent reputation as a soldier and civil administrator had preceded him.

The story of his administration will be found in the introductions to succeeding volumes, which contain the papers relating to the events discussed.

*See page 837 et seq.
INTRODUCTION.

Governor (then Sir Richard) Bourke held office until the 5th of December, 1837, when he sailed for Valparaiso in the ship *Samuel Winter*. The termination of his office was due to his resignation, which was caused by the refusal of the secretary of state to confirm his suspension* of C. D. Riddell as a member of the executive council.

During the period of his administration of New South Wales, Richard Bourke was created a knight-commander of the most honourable order of the Bath on the 26th of January, 1835, in recognition of his services, was promoted to the rank of lieut.-general on the 10th of January, 1837, and was appointed colonel of the 64th regiment of foot on the 29th of November in the same year.

Bourke was a bad sailor, and, to avoid the passage of cape Horn on his return to England, he landed at Valparaiso, crossed the Andes by way of the pass of Uspallata and the town of Mendoza in easy stages, and re-visited Buenos Ayres, the scene of some of his early military career; from thence, he sailed for England via Montevideo and Rio de Janeiro.

After his return to Great Britain, Bourke was offered but declined further official employment. He settled on his estates in Ireland. In 1839, he was high sheriff of the county of Limerick, and subsequently a magistrate of the county and city of Limerick. He also retained the colonelcy of the 64th regiment until his death. He was an ideal country gentleman and a just and humane landlord, and became a notable figure in the countryside during the declining years of his life. In the year 1851, he was promoted to the rank of general.

In the year 1844, in collaboration with Charles William, the 5th earl Fitzwilliam, Bourke edited the "Correspondence of the Right Honourable Edmund Burke between the year 1744 and the period of his decease in 1797" which was published in four volumes octavo.

Bourke died very suddenly. On Sunday, 12th August, 1855, he was attending church at Castleconnel, apparently in his usual health. He was taken ill and immediately drove home to his seat, Thornfield, when he died ten minutes after his return from ossification of the heart in the eighty-eighth or ninth year of his life.

* See succeeding volumes.*
Richard Bourke had married in March, 1800, Elizabeth Jane, the daughter of John Bourke of Lothbury, London, and of Carshalton, Surrey, who was receiver-general of the land tax for Middlesex and a descendant of the Bourkes of Urey. His wife died at Parramatta, New South Wales, on the 7th of May, 1832. Bourke had three sons and five daughters. The sons were John, born in 1802, but who predeceased his father; Edmund, died in childhood; and Richard, a barrister-at-law, who succeeded to his father's estates. The daughters were Mary Jane, who married D. M. Perceval, the fourth son of Spencer Perceval, the chancellor of the exchequer; Anne, who married E. D. Thomson, afterwards colonial secretary of New South Wales; Frances, who married the Reverend John Jebb; Georgina, who died young; and Lucy, who died unmarried.

FREDK. WATSON.

30th March, 1923.
DESPATCHES.
HISTORICAL RECORDS
OF
AUSTRALIA.

SERIES I.

THE SECRETARY OF STATE TO THE GOVERNOR.

1831.

The following despatches,* written in the year 1831, have been
omitted:—

Despatch
dated
21st January
8th August
16th September
12th December
29th December

Transmitting
dated
21st January
8th August
16th September
12th December
29th December

approval of pardons for E. Brown, P. O’Neil, W. Lackey and
W. Galvin.
approval of pardons for Michael Gorman, Samuel Horne and
John Pearce.
proposal for conditional pardon for James McCooly.
proposal for free pardon for Thomas Matthews after serving
eight years of sentence.
authority for pardon for Patrick Connolly on condition of
banishment from United Kingdom.

UNDER SECRETARY OF STATE TO THE GOVERNOR.

The following despatches,* written in the year 1831, have been
omitted:—

Despatch
dated
18th August
31st August
11th October
21st October
23rd November
29th November
18th December

Transmitting
dated
18th August
31st August
11th October
21st October
23rd November
29th November
18th December

request for report re convict William Chadwick.
inquiry re property left at death by convict, Francis
McNamara.
request by Jane Duggan to join her convict husband.
recommendation of convict, Denkin, for indulgence.
petition from convicts, Charles McMahon and John Reikie,
for transfer to Tasmania.
statement re convict, Andrew O’Brien.
request for report re convict, Thomas Black.

ASSIGNMENTS OF CONVICTS.

During the year 1831, letters, which enclosed the assignments of
convicts (not available) per the ships named, were written by
the under secretary of state to Governor Darling, with dates as
under:—

<table>
<thead>
<tr>
<th>Date of letter</th>
<th>Ship's name</th>
<th>No. of convicts</th>
</tr>
</thead>
<tbody>
<tr>
<td>16th February</td>
<td>Eleanor</td>
<td>133 Male</td>
</tr>
<tr>
<td>4th March</td>
<td>Exmouth</td>
<td>200</td>
</tr>
<tr>
<td>23rd March</td>
<td>Camden</td>
<td>198</td>
</tr>
<tr>
<td>30th March</td>
<td>Georgiana</td>
<td>182</td>
</tr>
</tbody>
</table>

* Note 1.
THE following despatches,* written in the year 1831, have been omitted:—

<table>
<thead>
<tr>
<th>Despatch dated</th>
<th>Transmitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>8th February ...</td>
<td>20 minutes of executive council to December, 1830.</td>
</tr>
<tr>
<td>21st February ...</td>
<td>27 rules and regulations for supreme court.</td>
</tr>
<tr>
<td>16th March ...</td>
<td>28 list of one hundred and five convicts applying for passages for their families.</td>
</tr>
<tr>
<td>9th April ...</td>
<td>35 report on conditional pardon granted to William Robertson.</td>
</tr>
<tr>
<td>21st February ...</td>
<td>44 return of land grants.</td>
</tr>
<tr>
<td>10th March ...</td>
<td>27 rules and regulations for supreme court.</td>
</tr>
<tr>
<td>11th March ...</td>
<td>28 return of crime and punishment.</td>
</tr>
<tr>
<td>1st June ...</td>
<td>49 return of eight absolute or conditional pardons granted in years 1827 to 1830.</td>
</tr>
<tr>
<td>18th June ...</td>
<td>52 monthly return of troops for November, 1830.</td>
</tr>
<tr>
<td>18th July ...</td>
<td>60 three quarterly returns of convicts who have absconded.</td>
</tr>
<tr>
<td>3rd August ...</td>
<td>65 blue book for 1830.</td>
</tr>
<tr>
<td>20th October ...</td>
<td>94 sixty absolute pardons.</td>
</tr>
<tr>
<td>20th October ...</td>
<td>95 fifty-eight conditional pardons.</td>
</tr>
</tbody>
</table>

THE following despatches,* written in the year 1831, have been omitted:—

<table>
<thead>
<tr>
<th>Despatch dated</th>
<th>Transmitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>24th January ...</td>
<td>report on convict, John Gamble.</td>
</tr>
<tr>
<td>14th March ...</td>
<td>return of despatches written in year 1830.</td>
</tr>
<tr>
<td>16th March ...</td>
<td>printed copies of thirteen acts of council passed in year 1830.</td>
</tr>
<tr>
<td>30th March ...</td>
<td>volume of acts and ordinances for half-year to June, 1830.</td>
</tr>
<tr>
<td>4th April ...</td>
<td>report on death of David Stormann, convict.</td>
</tr>
<tr>
<td>28th April ...</td>
<td>series of Sydney Gazette for year 1830.</td>
</tr>
<tr>
<td>3rd July ...</td>
<td>requisitions for medicines.</td>
</tr>
<tr>
<td>30th October ...</td>
<td>volume of acts and ordinances for half-year ending December 1830.</td>
</tr>
<tr>
<td>3rd October ...</td>
<td>book of regulations for convicts.</td>
</tr>
</tbody>
</table>

GOVERNOR DARLING TO SIR GEORGE MURRAY.


Having been confined to my room by Indisposition, when my Despatch of the 22nd Decr. last, No. 75, was written, I perceive I omitted to draw your attention, as I intended to have done, to the circumstances, stated in the Colonial Secr.'s letter, of McHugh having been sent to Moreton Bay in the ordinary Service of the Government for the purpose of breaking the connexions he had formed here, and preventing his continuing the depredations in which he had been concerned and not with a view to his being subjected to punishment. This will no doubt appear, as it is stated in the order† for his removal. But I have

* Note 1. † Note 2.
DARLING TO MURRAY.

GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch No. 1, per ship Royal Admiral.)

Sir, Government House, 2nd January, 1831.

In reference to my Despatch of the 13th April last, No. 31, respecting the Security to be entered into by the Registrar of the Supreme Court, I now do myself the honor to transmit for your information the Copy of a Correspondence, which has passed between the Chief Justice and Myself on that Subject.

Mr. Forbes has Stated the Amount at £600, which he Considers sufficient, having reference to the precautions which are taken by the Court in the case of the personal Estates of Persons dying intestate, without however, as the Chief Justice observes, making provision for the security of the Monies necessarily lodged in the Registrar's hands from time to time for the payment of Witnesses attending the Supreme Court and other Incidental Expences of a similar Nature, which is sometimes considerable.

I have Consulted the Colonial Secretary and the Auditor General on the Subject, who are of opinion that the Amount of the Security to be furnished by the Registrar should not be less than £2,000; and I confess I am disposed Under all Circumstances to concur with them. It will be seen by the Chief Justice's letter of the 19th October last, Enclosure No. 2, that Mr. Manning's Brother of Lincoln's Inn will do what may be necessary in his behalf.

I have, &c,

RA. DARLING.

[Enclosure No. 1.]

GOVERNOR DARLING TO CHIEF JUSTICE FORBES.

Sir, Government House, 29th September, 1830.

Having had under consideration your Letter of the 26th February last pointing out the course which is pursued in the case of The Registrar, who has been authorised by the Supreme Court to dispose of Estates, and to collect the Monies arising therefrom, subject to the orders of the Court, it has occurred to me that, with reference to the proceedings of the late and former Registrar, it would be expedient to call on the Officer, authorised by the Court to collect the Monies above alluded to, to enter into Security as in
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1831.
2 Jan.

Security required from registrar.

Security proposed in England.

Proposals for protection of suitors.

other Cases, so as to secure as far as may be practicable the Public
and Individuals from sustaining any Loss. I therefore beg to
suggest that the person, authorised by the Court to receive the
Monies in question, be required to enter into Security to such an
Amount, as may be deemed adequate to the Trust, until Instruc­
tions shall be received from His Majesty's Government on the
subject.

I have, &c.,
RA. DARLING.

[Enclosure No. 2.]

CHIEF JUSTICE FORBES TO GOVERNOR DARLING.

Sir, Sydney, 19 October, 1830.

I have the honor to acknowledge Your Excellency's Letter to
me of the 29 Ultimo, suggesting that Mr. Manning the Registrar
of the Supreme Court should be required to enter into Security
for the due discharge of the trusts of Intestate Estates, confided
to him under the Act of Parliament. I have Communicated with
Mr. Manning upon the subject, and he states that for many rea­
sons, namely, that he was appointed by His Majesty to his office
without being informed that Security would be required, that as a
Stranger in this Colony he could not find such Security without
paying a considerable premium, or being liable to be called upon
to afford a similar accommodation, he is not prepared to enter into a
general Security for the discharge of his office. He adds, however,
that he shall be quite prepared to enter into all requisite Security
in England, and if His Majesty's Government should so determine
that his Brother, James Manning, Esq., Barrister of Lincoln's Inn,
will do what may be required in his behalf.

I have already stated to Your Excellency that it did not appear
to me, that I was Invested with power to compel Mr. Manning
without being informed that Security would be required, that as a
Stranger in this Colony he could not find such Security without
paying a considerable premium, or being liable to be called upon
to afford a similar accommodation, he is not prepared to enter into a
security proposed by F. Forbes.

Security required from registrar.

Security proposed in England.

Proposals for protection of suitors.

Amount of security proposed by F. Forbes.

I shall, with the concurrence of the Assistant Judges, direct that all Monies arising from the Sale
of Intestate Estates, be placed in the Banks, subject to the disposal of
the Court, in like manner as the larger Amounts of Monies in hand
are at present Invested.

I have, &c.,
FRANCIS FORBES, Ch. Justice.

[Enclosure No. 3.]

CHIEF JUSTICE FORBES TO GOVERNOR DARLING.

Sir, Sydney, 30 November, 1830.

In reply to the Letter addressed to me by Your Excellency
under date the 25 Instant, requesting my sentiments as to the
Amount of the Security, which it might be proper to require of the
Registrar of the Supreme Court, and the grounds on which my
opinion might be formed, I have the honor to acquaint Your Excel­
leny that I think the Sum of Six hundred Pounds will be rea­
sonably sufficient to protect parties against any presumable loss,
which may arise from the temporary Custody of the personal
Estates of Intestate Persons Committed to the Registrar by the
Court under the Statute 9 Geo. 4, C. 82, Sec. 12, having reference
to the present practice and precaution of the Court. In the Instruc­
tions of The Right Honble. the Earl Bathurst to the Governor of
New South Wales in 1824, accompanying the nomination of Mr. Mackaness as the first Sheriff of New South Wales, the Security for the fulfillment of that office was fixed at One thousand Pounds. The Amount of Monies, which pass through the hands of the Sheriff, is many times greater than any Sum which can be supposed to come under the uncontrolled disposal of the Registrar, and it is partly in reference to the Amount fixed for the Security now given by the Sheriff that I am led to Name the Sum of Six Hundred Pounds as a reasonable Security to be required of the Registrar. In fixing this Sum, I do not include any Sums of Money, which may be advanced by Your Excellency's order for the payment of Crown Witnesses, that being a matter of arrangement, over which the Court has no Control, and resting entirely in the discretion of Your Excellency. I have, &c.,

Francis Forbes, Ch. Justice N. S. Wales.

Governor Darling to Sir George Murray.

(Despatch No. 2, per ship Royal Admiral; acknowledged by Viscount Goderich, 13th October, 1831.)

Sir, Government House, 3rd Jan., 1831.

I do myself the honor to enclose for your information, Copies of two letters addressed to me by the Chief Justice, requesting Authority for the employment of an Additional Clerk, in consequence of the duties which have devolved on the Supreme Court by reason of the “Insolvent Act,” which was passed last year by the Colonial Legislature. I have Authorised the Appointment as recommended by the Chief Justice, and I request your Sanction for the Charge of £80 a year being Admitted in the public Accounts from the 24th day of May, 1830. I have Stated in my late correspondence that the Business in all the Departments of the Government had lately very much increased, and I beg to offer this case as some evidence of the fact, every Establishment as well as the Supreme Court (the Police and Convict Departments more especially) requiring Additional means to meet the duties to be performed, in Consequence of the Measures to be carried into effect in pursuance of the Acts of Council which have been passed. I have, &c.,

Darling.

[Enclosure No. 1.]

Chief Justice Forbes to Governor Darling.

Sir, Sydney, 15 October, 1830.

I had the honor to communicate verbally with Your Excellency, some Months since, upon the Subject of the Duties, which had devolved upon the Supreme Court by reason of the Insolvent Act passed by the Legislature of the Colony; and I mentioned at the time that it became necessary to keep an office open, separate
from the Office of the Supreme Court, for the Deposit of the Books and Papers of Insolvents, which might be consulted at all times during Office Hours by Creditors in the presence and under the Superintendence of a responsible Clerk. Recurring to the same subject, I have the honor to inform Your Excellency that, finding it impossible to carry into effect the Insolvent Act without the aid of another Clerk, I am under the necessity of requesting Your Excellency's sanction to the appointment of one, agreeably to the 9th Section* of the Charter. I have temporarily appointed a Son of Captain Steele, and I think that a Salary of Eighty Pounds a Year will be an adequate remuneration for the mere Clerical Duty required to be performed. As the subject is pressing, owing to the very great mass of Books and Papers already accumulated in the Master's Office, and the necessity for their being open to Public Inspection under proper Care, I have to request that Your Excellency will honor me with as early an answer as may be convenient.

I have, &c.,
FRANCIS FORBES, Ch. Justice.

[Enclosure No. 2.]

CHIEF JUSTICE FORBES TO GOVERNOR DARLING.

Sir, Sydney, 19 October, 1830.
I understand that it is required by the Rules for the observance of the Auditor of Public Accounts that Your Excellency's Sanction should be given both to the Amount of Salaries and the time from which the same are to be paid. Referring to the Communication I had the honor to address to, and receive from Your Excellency respecting the appointment of Mr. Steele in the Master's Office, I have to request that the Sum of Eighty Pounds per Annum be approved by Your Excellency as the Salary of Mr. Steele to be computed from the 24 day of May last, the day on which Mr. Steele entered upon his Duties, in consequence of the necessity of immediately having a responsible Clerk to receive and take charge of the Books and Papers of the numerous Insolvencies declared in the Supreme Court.

I have, &c.,
FRANCIS FORBES, Ch. Justice.

GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch No. 3, per ship Royal Admiral; acknowledged by Viscount Howick, 20th August, 1831.)
Sir, Government House, 4th January, 1831.
I do Myself the honor to forward the accompanying application from Mr. Windeyer, Chief Clerk of the Police Office, requesting to be allowed an Allotment of Land for the purpose of erecting a House for his residence. Mr. Windeyer is a very useful and respectable man, has a numerous family and small Income, and well deserves the indulgence he solicits.

I have, &c.,
RA. DARLING.

* Note 4.
MR. C. WINDEYER TO SIR GEORGE MURRAY.

Sir,

Sydney, New South Wales, 21 December, 1830.

I take the liberty of intruding on your valuable time to request that, in consideration of my large family (consisting of a wife and eleven children) and the limited income I derive from a situation, which claims and occupies the whole of my attention, that you will be pleased to dispense with my behalf with that regulation, which precludes his excellency the governor from making grants of crown land to individuals in the civil service of the government of this colony, and that you will be pleased to direct that an allotment on the wooloomooloo estate may be granted to me, which will enable me to erect a house sufficient for my family at an expense very insignificant, when compared with my present heavy charge for house rent.

I have, &c.,

CHARLES WINDEYER, Pl. Clerk of Police.

VISCOUNT GODERICH TO GOVERNOR DARLING.

(Despatch No. 9, per ship Eleanor.)

Sir,

Downing Street, 5th Jan., 1831.

I have the honor to enclose the copy of a proposal, which has been submitted to me by the governors of the foundling hospital at Cork, for sending out to New South Wales a number of females, who have been brought up in that institution, and who, having now reached the age of 14, it has become necessary to provide for the younger classes. I am so fully impressed with the advantage to be derived to the colony by the introduction of this class of females, that, after communication with the treasury, I have readily undertaken on the part of his majesty's government to dispose of a number not exceeding fifty in the manner proposed.

Arrangements will be made as soon as possible for the conveyance of these young persons to their destination; but in the meantime, I deem it advisable that you should be informed of the intention of sending them out to the colony, in order that you may ascertain the demands for female servants, and be enabled to distribute them upon their arrival. In the event, however, of the whole of the females not being immediately engaged in the service of private families, you will of course allot to those, who may remain, temporary accommodation in the female orphan school or in some other safe asylum, where their morals will be attended to, until such time as you shall be able to obtain desirable situations for them.

I am, &c.,

GODERICH.
Mr. J. C. Bernard to Viscount Goderich.

Cork, 31st Decr., 1830.

My Lord,

I have been directed by the Governors of the Foundling Hospital of this City to solicit your Lordship's attention to a suggestion, which they trust your Lordship will consider important in a public point of view, and for the adoption of which they, in reference to the Institution over which they preside, feel deeply interested.

By a local Act for this City passed in the year 1735, Governors were appointed, whose duty it became to take charge of all the deserted Children within this City.

From that period, the Establishment has been maintained, and vast numbers of Children of both sexes have, from time to time, been educated within it and been bound out from it.

There happens at this time to be on the Establishment an unusual number of Females whom, in consequence of the peculiar state of this Country at the present period, the Governors find it difficult to dispose of satisfactorily.

These Children have been brought up with great care, and have not only been taught those Works, which are suited to Females in their situation in life, but have received religious Instruction from the time at which they were respectively capable of being benefited by it. The Act, under which the Institution was founded, made it requisite that the Children should be brought up Members of the Established Church, and those Girls are therefore all of the Protestant religion.

It has occurred to the Governors that, in consequence of the very great disproportion of Males to Females at present in New S. Wales, it would be extremely beneficial to that Colony to have introduced there some young Females properly educated and of virtuous habits.

Under ordinary circumstances, it would of course be impossible to confer such a benefit on the Colony without at the same time increasing the proportion of Male Settlers, as no father would consent to have his daughter go from him without the protection of accompanying relatives or friends.

Here however the opportunity is afforded of sending females, who are without any of the usual ties, to this Country, and who can therefore be transferred to the Colony unattended by any of those incumbrances which under other circumstances would be unavoidable.

Your Lordship will have no difficulty in believing that, in making this suggestion, the Governors of the Hospital are acting under the conviction that, in the event of the plan meeting your Lordship's approbation, such measures will be adopted on the part of the Govt. as shall ensure to those Females, who shall be sent out, not only protection during the Voyage but a suitable reception when they shall have arrived at the Colony; and the Governors direct me to add that in no other circumstances than under the protection of the Government would they be induced to permit their interesting charge to be removed to so distant a quarter of the World.
GODERICH TO DARLING.

The Governors of the Hospital direct me to state that there are at present in the Establishment upwards of 50 girls above 14 years of age, calculated for the proposed destination, and whom the Governors could have ready for embarkation in any reasonable time that the Government should fix upon.

Should the plan, which I have thus had the honor on the part of the Governors of the Foundling Hospital to lay before your Lordship, meet your approbation, the Governors would feel much obliged by your Lordship's having the goodness to direct that your Lordship's opinion shall be made known to them; and they take the liberty to request that they may at the same time be made acquainted with such details as your Lordship may think proper to communicate in reference to the mode, by which Government shall propose to carry the measure into effect, and to the preparatory steps which may have to be taken by the Governors.

I have, &c,

JULIUS C. BERNARD,
Secretary of the Govrs. of the Foundling Hospital of Cork.

[Sub-enclosure.]

FOUNDLING HOSPITAL, CORK.

Among the Charitable Institutions at Cork is one for the reception of Foundling Children. It is supported by a Tax on Coals and by collections at the Churches, etc.

The number received annually averages about 300. The Children are brought up Protestants and are instructed in reading, writing, and arithmetic; the females are accustomed to assist in the various Domestic employments; they make their own clothing, etc.

The Boys as they grow up are apprenticed to trades, sent to sea, or provided with service; but, for the girls, no adequate employment can be found; a few are put to needlework, etc., etc., and a few more find situations as domestic servants; but, in a densely peopled country like Ireland, every Family generally speaking has its own connections and Dependents, and many are not disposed to receive into their Houses persons, whom they must in an especial manner provide for and often protect from the taunts of their fellow servants, etc.

There are now in the Hospital about 50 Girls above 14 years of age, who must be provided for in some way to make room for the younger classes, and that as speedily as possible; to open the gates of the Institution and turn into the streets (singly or en masse) such a number of youthful Females, who have neither parents, relatives nor Homes, humanity forbids; it would be an outrage on Society, and it is impossible that they can remain where they are.

An idea has been suggested whether such a class of persons would not be a valuable acquisition to some of our newly formed colonies; they are young, healthy, well-taught, and of pure morals, and might be employed advantageously as domestics or become the wives of Settlers. Leaving no ties behind, they would speedily attach themselves to the soil that sheltered them, and both the old and new Country would be benefitted by the transaction.

The Governors would give a small sum as an outfit, provided security was given for the safety and kind treatment of the individuals thus provided for.
Abolition of establishment at Wellington valley.

Disposal of cattle.

Difficulty in disposal of "educated convicts."

Inability to abolish establishment at Emu plains.

1831.
5 Jan.

HISTORICAL RECORDS OF AUSTRALIA.

GOVERNOR DARLING TO SIR GEORGE MURRAY.
(Despatch No. 4, per ship Royal Admiral.)

1831.
5 Jan.

Sir,

Government House, 5th January, 1831.

I have the honor to acquaint you, in reference to your Despatch of the 21st of April last No. 26, that the Superintendent at Wellington Valley, whose Salary was £250 a year has been discontinued from the end of last year, and that the Establishment generally has been broken up, with the exception of the Assistant Superintendent who is necessarily retained until the Cattle are finally disposed of.

Finding it impracticable to dispose of them by Sale, I made an arrangement, which commenced with the present year, to supply several of the public Stations with fresh Beef, instead of entering into Contracts for the purpose as hitherto; and by this means the whole of the Cattle fit for Slaughter will be disposed of at no distant period. As soon as they have been all brought down from Wellington Valley, it is my intention to dispose of that Establishment, or to Lease it, if a Tenant can be found, which I doubt, considering its distance from Sydney.

That Establishment being now broken up, I beg your attention to the difficulty, which will be felt in providing for the "Educated Convicts," who on their arrival in the Colony were usually sent to Wellington Valley, and assigned from thence if their Conduct rendered them deserving the indulgence. I am now without any means of disposing in a satisfactory manner of Persons of that Class; and, if at once assigned as other Convicts, the evils, which by the proceedings in the House of Commons last year were erroneously supposed to exist, will in all probability occur, and I should therefore recommend that Educated Convicts be not sent to this in future.

As to the Establishment at Emu Plains, which you have expressed a wish should also be done away, I am at a loss to conceive how it could under present circumstances be dispensed with. Whenever it can, I shall most willingly discontinue it; but, so long as the Government is charged with the Roads, an Establishment will be necessary for the Horses and Cattle, and I am not aware of any Situation equally eligible for that and other necessary purposes. I again request your authority for the employment of Mr. Bennett, as applied for in my letter of the 1st of October, 1829, No. 106. His appointment was preparatory to the final disposal of the Stock, which it was necessary to divide, and Mr. Maxwell could not attend both at Emu Plains and

* Note 5.  † Note 6.
Wellington Valley, which are 200 Miles apart. Mr. Kinghorne had not been accustomed to such a Charge, and he had besides the Educated Convicts and the Agricultural Establishment to attend to.

I have, &c,

RA. DARLING.

Viscount Goderich to Governor Darling.

(Despatch No. 10, per ship Eleanor; acknowledged by Governor Darling, 28th July, 1831.)

Sir, Downing Street, 6th January, 1831.

Since I assumed the Seals of this Department, I have had before me two apparently unanswered dispatches* from you, respecting an Act for amending the existing law of Libel in New South Wales. I have attentively considered both the Act in question and the reasons and arguments which you advance in its support. The result of this examination, and of a careful review of all the circumstances of the case, is my conviction that I ought not to give my sanction to the measure you have proposed.

I entirely concur with you in thinking that the extreme virulence of the Colonial Press is an evil of a very serious nature; and I am also convinced that those, by whom it is conducted, have without regard to truth or decency been engaged in a systematic and persevering endeavour to bring into contempt those to whom the Administration of the Colony has been entrusted. That such conduct ought not to escape with impunity, I am quite prepared to maintain; but, at the same time, it must be remembered that the object in view in punishing offences of this kind is to support the dignity and defend the character of the Colonial Authorities, and that there is no little danger that, by too much eagerness in severely repressing the Attacks to which it may be exposed, the Executive Government may most effectually promote the views of its enemies, and aggravate the evil which it wishes to remove. Experience has shewn that such is the invariable result of new measures of strong coercion, when they are adopted as a permanent system, acquiring the authority of settled Law, instead of being confined, under the pressure of extreme necessity, to the occasional exigency of some particular case; and the system itself has a dangerous tendency to lower in public estimation not so much those who suffer punishment, as those by whom it is inflicted.

It appears to me that the law, as it stood before the introduction of the present Bill, was at least sufficiently severe. The

* Marginal note.—20th Janv., 1830: 4th Febv., 1830.
sentence of 3 years' imprisonment, pronounced against Mr. Hall, shows that the means of coercion are not wanting, while the fact, which you state, that a fine of £100 imposed on Mr. Hayes had been defrayed by subscription, would lead me to the conclusion that, in the opinion of at least a considerable portion of the Public, these means had already been too rigorously employed.

Under these circumstances, a new law of increased severity may indeed prevent the appearance of Libels against the Executive Government; but I fear it would only do so by putting an end to any thing like free discussion and enquiry, by silencing rather than allaying the irritation and discontent, which you fear that these Libels may produce, and which will not be the less active when thus deprived of their accustomed vent.

These considerations induce me to advise His Majesty to disallow the Act you have transmitted, and to recommend to you, as the best means of defeating the machinations of the Libellers of your Government, to enforce the existing Law firmly but without harshness, in order to shew that, whilst the Government can ensure that the Law be respected, its power is solely called forth for public objects and on public grounds.

I am happy to find from your statement that the article in favor of the proposed Act from the Sydney Gazette, which accompanies your Dispatch, was not written by any Officer of the Government, as nothing could so much tend to lower the character of those, who are vested with authority, as their suffering themselves to be drawn into a controversy in the Columns of a Newspaper; and I cannot too strongly impress upon you the necessity of carefully avoiding on your own part, and on the part of all persons holding responsible stations in the Government, a connection with any portion of the periodical press. The mere suspicion of such a connection would give to those measures of severity, which I fear it must sometimes be necessary to adopt, the appearance of a wish to silence arguments which it is difficult to refute.

I take this opportunity of expressing the deep regret with which I have learnt that the Editor of the Sydney Gazette is a Clergyman of the Established Church; the character of a political partizan is one at all times most unbecoming to a clergyman, and it is peculiarly so in New South Wales, where his professional services are so much required, and where party divisions and animosities have been carried to so extreme a length. You will inform Mr. Mansfield of the opinion I have now expressed, and of my expectation that he will see the propriety of discontinuing all connection with any Newspaper whatever. The mere
fact of his having been liable to a prosecution* for libel, whether
merited or not, as detailed in your dispatches lately received
(on which I shall take an early opportunity of again addressing
you), affords a striking illustration of the inconvenience of his
present situation.

I have, &c.,

GODERICH.

Viscount Goderich to Governor Darling.
(Despatch No. 11, per ship Eleanor.)

Sir,
Downing Street, 7 Jan., 1831.

With reference to Sir George Murray’s despatch No. 52
of the 27th June last, conveying to you his sanction of the
issue, which you had made to Mr. Icely in liquidation of his
claim to the remission of the duties levied on certain Spirits
imported by him into New South Wales in the year 1824, I have
the honor to acquaint you that, as was anticipated, Mr. Icely
has appealed against the decision which you had formed on his
case. The subject was, in consequence, again brought under the
consideration of the Lords Commissioners of the Treasury, who,
upon a review of all the circumstances of Mr. Icely’s claim, have
declared your decision to be correct, and in conformity with their
Lordships’ intentions when the case was brought before them in
the year 1825. You will, therefore, inform Mr. Icely that His
Majesty’s Government cannot admit that he has any claim to
the further compensation which he seeks for his losses arising
out of this transaction.

I am, &c.,

GODERICH.

P.S.—I enclose for your information a copy of the letter which
has been received from the Treasury upon this subject.

[Enclosure.]

Mr. J. Stewart to Viscount Howick.

My Lord,
Treasury Chambers, 22d December, 1830.

The Lords Commrs. of H.M. Treasury having had under
their consideration your Lordship’s letter of the 4th Inst., trans­
mitting the copy of a despatch from Lt. General Darling, relative
to the compensation granted to Mr. Icely, a Merchant of New S.
Wales, for the losses he sustained by an importation of Spirits
into that Colony, I am commanded to acquaint you, for the informa­
tion of Secretary Viscount Goderich, that it appears to my Lords
that the decision on this case, which Sir Ralph Darling has made,
is correct and in conformity with the intentions of this Board.
communicated to Lord Bathurst on the 5th June, 1825, by which
Mr. Icely has received the difference between the old and new
rate of duty in respect of such importations of Spirits as were
ordered by directions sent from New S. Wales before it was known
in that Colony that the import duty had been raised.

I am, &c.,

J. STEWART.

* Note 7.
Viscount Goderich to Governor Darling.

(Despatch No. 12, per ship Eleanor.)

Downing Street, 8th January, 1831.

Sir,

I have received your Dispatch No. 47 of the 9th of August last on the subject of the Establishment undertaken and until recently maintained by the London Missionary Society at Lake Macquarie, with a view to form an acquaintance with the Native Languages of the Country and to attempt the Civilization of its aboriginal Inhabitants.

I agree with you in opinion that the Civilization of the Natives of New South Wales is of so much importance that no steps, which have been undertaken with that object in view, should be abandoned until every possible effort has been made towards the accomplishment of it; and I acquiesce, therefore, in your continuing, with the approbation of the Council, to make an annual payment to Mr. Threlkeld at the rate of £150 per Annum, with the other advantages, proposed in your Dispatch, to induce him to persevere in his Labours. As I observe, however, from the Letter addressed to you by Mr. Hankey, Treasurer of the London Missionary Society, that the "Behaviour and Proceedings" of Mr. Threlkeld, so far as regards his Expences, had not been such as to give them satisfaction, and that, in fact, "their endeavours to regulate his Expenditure were treated with disregard and disrespect," I deem it advisable that no agreement should be made with him in respect to the payment of his allowance, which may not be terminated at the pleasure of the Colonial Government; and I further approve of the recommendation of the Archdeacon that Mr. Threlkeld should be required at the commencement of each year to satisfy him of the progress he has made during the previous twelve months in the translation of the Gospel into the native Language, care being at the same time taken that he does not pursue the same course, of which the Society have complained, of involving the public in any expense not previously sanctioned by the local authorities.

I am, &c.,

Goderich.

Governor Darling to Sir George Murray.

(Despatch No. 5, per ship Royal Admiral; acknowledged by Viscount Goderich, 26th August, 1831.)

Sir,

In forwarding the accompanying Memorials of Surveyors Hoddle, Richards, Finch and Ralfe, for your favorable consideration, I shall endeavour to state their case as briefly as possible.
On receiving the late Mr. Secretary Huskisson’s Despatch of the 31st of March, 1828, No. 19, fixing the Salaries of the Officers and Civil Servants employed in the several Departments, I issued a Minute (No. 114) of which the enclosed is a Copy, stating the Amount of the Salaries of the different Branches of the Surveyor General’s Department.

It will be observed that the “Maximum” Salaries of the four Surveyors are specified, to which is immediately subjoined the necessary information as to the progress, by which the Assistant Surveyors, promoted to the situation of Surveyor, are respectively to arrive at the highest rate of Salary.

Minute No. 115, Copy of which is enclosed, subsequently as the Number indicates, Notifying the promotion of the four Gentlemen, whose Memorials are enclosed, from the Situation of Assistant Surveyors to that of Surveyor, it being of course intended that their Salaries should be regulated according to the principle laid down in the preceding Minute, No. 114.

From some Misapprehension, it appears to have been supposed the above principle was not intended to apply to the four Surveyors appointed in the first instance, that is, to these Memorialists, but to such asst. Surveyors as should hereafter succeed; and the abstract was accordingly prepared at the Maximum rates and placed by the Auditor General in Warrant, and it was not until the beginning of last year that, in looking into the Salaries of the Officers of the Surveyor General’s Department, I discovered the mistake which had taken place.

The consequence has been that an over issue has occasioned as follows, vizt.:—

To Surveyor Hoddle, £380; Richards, £330; Finch, £180; Rawle, £130;

their full Salaries having been drawn for two years from the 1st of January, 1828, whereas the last Par. of Minute No. 114, Enclosure No. 5, shews, they were not entitled even to the Authorised increase until the 1st of January, 1829.

The Auditor General having been called on for an explanation Report by W. Lithgow of the view which he had taken of the matter and which appears to have led to the mistake, I do myself the honor to enclose a copy of his letter in reply, with my remarks thereon.

I beg to observe that the mistake was no fault of these Gentlemen, and that it would be quite out of their power to refund, even by Instalments, the Sums over issued to them out of their present Salaries, the two former being in the receipt of only £200 a year each, the latter of £250.
As the loss in this case is the consequence of an official error, and the parties have not the means of refunding the Amount, I beg to submit for your consideration whether it would not be equitable in this case to allow these Gentlemen to take credit for their Services from the date of their respective appointments, supposing them generally to have commenced at the Salary of £200, being the established Salary of an Assistant Surveyor (though the Salaries of Messrs. Finch and Ralfe were originally £250), and allow them an increase of £20 annually after the expiration of their first year's Service. By this arrangement, they would derive the same benefit from their Services as the present Assistant Surveyors, which it is just and equitable they should. Applying this proposition for example to the case of Mr. Hoddle, the Senior Surveyor, his situation would be as follows:

Mr. Hoddle was appointed Assistant Surveyor in September, 1823. From September, 1824, to September, 1830, he would consequently be entitled to an increase of Salary for each year at the rate of £20 a year, which would be £120, making his Salary £320, being £5 less than the Salary of a Junior Surveyor. He might then be allowed the Salary of Junior Surveyor from the 1st of January, 1831, that is, £325, to which in fact he would be entitled the £5, being only equivalent to his Services from September last to the 1st of January.

The Salaries of the other Surveyors might be regulated in the same manner.

On obtaining the Salary of Junior or fourth Surveyor, they might, after one year's service, be allowed an increase of £25 annually, until they attained their respective Stations, and an arrangement of this nature in fact appears necessary to the formation of the Establishment.

It is necessary you should be informed that the case of the Senior Surveyor is peculiarly unfortunate, Mr. Hoddle having, in consequence of the improved nature of his Situation as he supposed at the time of his promotion, sent Home for his Wife and Family, who arrived here some time since, whom he has now to support on an Income totally inadequate to the purpose.

I beg to observe that this Communication has been delayed from the circumstance of some of the Surveyors having been employed in the Interior, which prevented their forwarding their Memorials for a considerable time.

I have, &c.,

RA. DARLING.
DARLING TO MURRAY.

[Enclosures Nos. 1, 2, 3 and 4.]

[These memorials from Robert Hoddle, James B. Richards, Heneage Finch and James Ralfe have been omitted, as their contents were summarised in the despatch, and the conclusion of each was the same, viz., an appeal for relief from the refund of the overpayments.]

[Enclosure No. 5.]

MINUTE No. 114.

Government House, 28th October, 1828.

Let it be notified that the Right Honble. the Secretary of State has been pleased to Authorise (Despatch dated 31st March, 1828.) the following arrangement with respect to the Salaries of the Officers and other Persons employed in the Department for the Survey of this Territory, viz.: 

Surveyor General to receive £1,000 per An., which is to include House Rent, Travelling Expenses, or Forage for the Number of Horses Necessary for the performance of his duties and all other Allowances.

Deputy Surveyor General to receive on his appt. £500 per Ann., which is to include the Several Allowances specified under the head of Surveyor General) with an encrease of £50 per Annum after the first Year's Service, until it reach £650.

Surveyors To receive as follows, viz.: 

(Four) First £400; Second £375; Third £350; Fourth £325. The above is the Maximum.

Salary of the respective Gradations. An Assistant Surveyor promoted to the Situation of Surveyor is not immediately to receive the Salary of the latter office, unless he shall have attained by his Standing in the Department the Maximum Salary (£300 per Annum) of his Appointment as Assistant. His Salary, if under this Sum, is to encrease progressively at the rate of £20 per Annum; and, when he shall have enjoyed the Maximum Salary of Assistant for one year, he is to be placed on the Scale as fourth or Junior Surveyor, on which Salary he will remain until removed a higher Step.

Assistant Surveyor to receive on Appointment £200 per Annum with an encrease after one Year's Service of £20 per Annum, until it reach £300.

The Surveyor and Assistant Surveyors will receive an Allowance of 2s. 6d. per diem for a Horse, when actually kept by them for the performance of their duties, to be certified upon Honor, and one ration each when employed in the Field; but no other Allowance whatever.

Draftsmen to receive on Appointment £150 per annum, with an encrease after one Year's Service of £10 per Annum until it reach £200.

The above Arrangement, in those cases to which it applies, is to take effect from the 1st of January, 1828, which will entitle the Persons then employed on the Establishment to the Augmentation of Salary above specified on the 1st of January, 1829. The Allowance for Lodging Money, which the Assistant Surveyors have hitherto received, will be continued to the end of the present Year, from which time the Augmentation of Salary will take place.

RA. DARLING.
Promotion of assistant surveyors.

Let it be notified that the Assistant Surveyors hereinafter named have been appointed to the Situation of Surveyors in the Department of the Surveyor General, until the pleasure of the Secretary of State shall be known; "Vizt."

Mr. Robert Hoddle; Mr. J. B. Richards; Mr. Heneage Finch; Mr. James Ralph.

Salary for J. Thompson.

2nd. The Secretary of State has been pleased to direct that Mr. John Thompson, who is at the head of the Drawing Branch of the Department, shall receive the same encrease of Salary and Allowances as an Assistant Surveyor.

Status of R. Hoddle.

3rd. The Appointment of Mr. Hoddle as Surveyor has rendered it unnecessary that he should continue to Act as Deputy Surveyor General; his Appointment to the latter Situation is therefore Cancelled, by which the inconvenience that would attend his receiving only Half Salary as Deputy Surveyor General will be avoided.

RA. DARLING.

Report by W. Lithgow re over-payment of salaries of surveyors.

MR. W. LITHGOW TO COLONIAL SECRETARY MACLEAY.

Sir,

In reply to your letter requesting me to explain the grounds, on which Messrs. Hoddle, Richards, Finch and Ralfe were placed in the Salaries of Surveyors from the 1st of January, 1828, I have the honor of acquainting you that the Words in Minute No. 114 of 28th October, 1828, Notifying the revised Establishment of the Surveyor General's Department, "Vizt."

"The above arrangement, in those Cases to which it applies, is to take place from the 1st January, 1828," were Understood both by the Surveyor General and Myself as authorising the Promotion of the four Assistant Surveyors above named, which were Notified in Minute No. 115 of 1828 as having been made in pursuance thereof to date from the 1st of January, 1828.

It was in Consequence Considered the special intention of the Minutes Nos. 114 and 115, so far as regarded officers of the Rank of Surveyors, that the four Vacant Situations of 1st, 2nd, 3rd and 4th Surveyors should be filled up from 1st of January, 1828, more particularly as in your letter No. 840 of 10th December Mr. Finch was expressly designated third and Mr. Ralfe fourth Surveyor, and as it appeared only reasonable that the previous Services of these Officers should be taken into consideration at the time of the organisation of the Department according to the new arrangements, which had been authorised.

In regard to the limitation forming part of Minute No. 114, and quoted in Your letter, as it was considered the four Officers Named had been specially appointed to the Salaries of 1st, 2nd, 3rd and 4th Surveyors, it was Concluded that this limitation was intended to apply prospectively only to such individual Cases, as might occur subsequently to the Completion of the first organisation alluded to, which the said Minutes were considered to regulate as above explained.
The view entertained of the purport of the Minutes and Communications above referred to was considered at the time to be their true intention and meaning; but, should they have been unintentionally misinterpreted, it may not yet be too late to revert to the arrangement, which the said Minutes, correctly interpreted according to their real intention, were actually meant to sanction and authorize.

I have, &c.,

WM. LITHTOOW, Auditor General.

[Remarks by Governor Darling on 1st and 2nd paragraphs.]

How is this possible! Minute No. 114 laid down the general principle in which Salaries of the Surveyors and Asst’s were to be advanced, and No. 115 Notice certain Promotions under the principles laid down in the preceding Minute. Of course, because they had been appointed to those Situations, Minute No. 114 expressly pointed out the rate at which their Salaries were to be advanced.

VISCOUNT GODERICH TO GOVERNOR DARLING.

(Despatch No. 13, per ship Eleanor.)

Sir,

Downing Street, 9th January, 1831.

My attention has lately been drawn to the present system of granting land in the Colony over which you preside, in consequence of finding on my assuming the Seals of this Department that answers had not been returned to your despatches of the dates noted in the margin,* and the conclusion to which I have come, after a careful investigation of the subject, and after considering the various documents relating to it in this office, is first that the Regulations now in force have not had the intended effect of preventing large tracts of land from being appropriated by Persons unable to improve and cultivate them, and Secondly that they are founded upon an erroneous view of the true interest both of the Colony and of the Mother Country.

The comparative Return of the quantities of land granted, cleared, and cultivated, affords the most decisive proof how little the regulation, requiring cultivation, has been attended to; this result does not surprise me, nor do I think it implies any want of activity on the part of those, whose duty it is to enforce compliance with the condition referred to; the term cultivation is so vague, the amount of capital required to be expended is so small, and the difficulty is so great of resuming a Grant after seven years (until the expiration of which no right of interference exists), that I am inclined to believe that any serious attempt generally to act up to the Regulations would be odious and invidious in the extreme, and at last fail to surmount the obstacles

* Marginal note.—No. 93, 2d Augt., 1828; No. 106, 27 Augt., 1828; No. 115, 4 Sept., 1828.

Neglect of regulation re cultivation.

Failure of regulations for granting lands.

Regulation re cultivation.
with which it must necessarily be met. But, though the existing Regulations have not prevented grants of land from being obtained for other purposes than the legitimate one of occupation and cultivation, there is no doubt that they must have been the cause of no trifling inconvenience (from the restrictions imposed on the transfer of land, and from the necessity of proving their possession of a certain capital) to those who bona fide entertained such intentions. The Government they have placed in the disagreeable situation of either suffering Regulations, they have sanctioned, to become a dead letter, or of interfering in a manner which must necessarily have the appearance of being arbitrary and capricious, from the impossibility of laying down any positive rule or defining exactly the required degree of cultivation.

The scheme of deriving a Revenue from quit Rents seems to me also to be condemned both by reason and experience. The difficulty and expenses of collecting them cannot be expected to diminish, while the great bulk of the land, on which they are due, continues unimproved; and, when it shall be cultivated, the increase of population and wealth, which such a state of things supposes, will render the Revenue, to be derived from so small a tax as twopence an acre, of trifling importance and easily to be supplied from other sources.

There is also another and very strong objection to the existing system, viz., the suspicion to which it unavoidably exposes the Colonial Authorities of improper partiality to Individuals. I am sure you must have found the impossibility of giving satisfaction to all the applicants for land and of reconciling contending interests, and that you will gladly be relieved from the irksome and ungracious task of endeavouring to do so.

In calling your attention to the second question, which I proposed, namely, whether or not (supposing them to have been as effectual as could be desired) the existing Regulations were founded on correct views of the true interest of the Mother Country and of the Colonies, I must, in the first place, observe that I conceive these views to have been directed chiefly to promote the greatest possible extension of cultivation, and the emigration of Persons possessed of more or less capital; considering Emigration as a means of relieving the Mother Country, it is quite clear that no such relief can possibly be afforded by the mere removal of Capitalists; that it is the emigration of the unemployed British Labourers, which would be of real and essential service; while I think it also appears that this would be the most useful class of Emigrants, even as regards the Colony, from the extreme difficulty which is now complained of in obtaining
Labourers, and the competition for the service of Convicts; together with the glut which so frequently takes place of agricultural produce at the price at which, under the present system, it can be afforded. The latter circumstance seems likewise to prove that a mere extension of cultivation is much less desirable than is generally supposed. Wheat, it appears, is sometimes at so high a price as 14s. 9d. a Bushel in Sydney, a price which even in this country would be deemed extravagant. Indeed I believe the average price of Wheat in Sydney Market would be found equal to that, which it bears in Great Britain, and yet the want of demand for their produce is to the Colonists a subject of loud and frequent complaint. These two apparently inconsistent evils of a high price and of a want of demand lead me to believe that cultivation has been too widely extended, and that it would have been more for the interests of the Colony, if the Settlers, instead of spreading themselves over so great an extent of territory, had rather applied themselves to the more effectual improvement and cultivation of a narrower surface. With concert and mutual assistance, the result of the same labour would probably have been a greater amount of produce; and the cost of transporting it to market would have been a less heavy item in the total cost of production. A different course however has been pursued, chiefly, as it appears, owing to the extreme facility of acquiring land, by which every man has been encouraged to become a Proprietor, producing what he can by his own unassisted efforts. If these views be correct, what is now required is to check this extreme facility, and to encourage the formation of a class of labourers for hire, as the only means of creating a Market for the Agricultural produce of the Colony, of effecting various improvements, and of prosecuting the many branches of industry which are now neglected, while at the same time, by enabling the Agriculturist to apply the great principle of the division of labour, his produce will be encreased and afforded at a more reasonable rate.

To carry these views into full effect would perhaps require greater alterations than can at present conveniently be adopted. Something has, however, been already done by the alteration of the Law, which renders indentures entered into by Labourers more binding than they have heretofore been, thereby holding out some additional inducement to those possessed of the means to assist in defraying the expence of their emigration.

Another and important advance towards a better system may, I think, be made by a measure, simple and easy in itself, and which will at the same time have much more effect in preventing the occupation of land by persons unable or unwilling to improve
22 HISTORICAL RECORDS OF AUSTRALIA.

1831.
9 Jan.
Proposed system for sale of land.

Suspension of further grants of land.

it than the present complicated and, in practice, nugatory Regulations. The measure, to which I allude, is that of declaring that, in future, no land whatever shall be disposed of otherwise than by sale, a minimum price (say five shillings an acre) being fixed, but this price not to be accepted, until upon proper notice it shall appear that no one is prepared to offer more, the highest bidder being in all cases entitled to the preference, ten per Cent. on the whole of the purchase money to be paid down at the time of sale, and the remainder at an early period after the sale and previous to possession being granted. This last Regulation I conceive to be of great importance, and it ought uniformly to be adhered to. When land was formerly disposed of by sale, the plan seems to have failed in consequence of the long credit which was given.

Such is the general object of the Regulations, which I hope shortly to be enabled to send out to you in more detail and authorized by His Majesty's signature. In the meantime, I should wish you to suspend all further grants of land, excepting to persons to whom you may already have made positive promises, and to those who may have received from this office the printed Regulations hitherto in force, and have proceeded to the Colony on the faith of obtaining land accordingly. To immediate sales of land upon the principle I have now laid down, I do not object if they can conveniently be effected, before you receive more particular Instructions.

I am, &c.,
GODERICH.

Viscount Goderich to Governor Darling.
(Despatch No. 14, per ship Eleanor.)

12 Jan.

Sir,

Downing Street, 12th January, 1831.

The enclosed papers have been put into my hands by the Revd. Dr. Lang, Minister of the Scotch Church at Sydney, who is now in this Country on Leave of Absence, viz.:

No. 1. "Outline of a Prospectus of an Academical Institution, which it is proposed to be established in Sydney, New South Wales."

No. 2. "Proposal that, in the event of the Presbyterian Settlers in any District of the Colony contributing from Sixty to one hundred Pounds per Annum for the support of the Scottish National Church, a similar amount shall be allotted from the Colonial Revenue."

The importance of providing additional facilities for Education in the Colony, over which you preside, has induced me to promise him some assistance towards carrying into effect the plan which he has proposed. I have not, however, deemed it
advisable to enter into any Engagement involving the necessity of immediately advancing from the Colonial Treasury the large sum, which he originally proposed, without having had an opportunity of previously ascertaining from you how far it might be convenient to do so; I have, therefore, only consented to promise him the advance, on the terms there stated, of the smaller Sum mentioned in the accompanying Memorandum. This Sum, I trust, you will be able to provide without difficulty, especially as the amount of the Revenue will probably be augmented by the Sale of Land belonging to the Crown which has hitherto been reserved, but which you have now been directed to dispose of by my Dispatch of the 9th Instant, and by the Instructions which His Majesty has been pleased to approve. Should it, however, prove inconvenient to advance the whole sum in the time proposed, you might probably arrange the means, in concert with Dr. Lang, of spreading the payments over a longer period.

The other paper which accompanies this Dispatch is a Memorial (also delivered to me by Dr. Lang) praying for assistance towards supporting additional Ministers of the Church of Scotland.

With this request, I have thought it right to comply, and I have therefore to desire that, in the event of the Presbyterian Settlers of any District in the Colony contributing from Sixty to One hundred Pounds a year to a Minister of the Scotch National Church, you will bring under the consideration of the Council the propriety of causing a similar Sum to be paid to him from the Colonial Treasury. I should not however wish this assistance to be extended, at the present, to more than two additional Clergymen.

I am, &c,
GODERICH.

[Enclosure No. 1.]

Outline of a Prospectus of an Academical Institution which it is proposed to establish in Sydney, N. S. Wales.

The establishment of an Institution, for the education of youth in the higher as well as the elementary branches of useful learning, has been for several years past a great desideratum in New S. Wales. Various attempts have accordingly been made in the Colony to establish such an Institution, but the extravagant ideas of some of the Colonists of influence, and the jealousies and distrust of others have hitherto prevented their coalition for the accomplishment of an object so desirable and rendered these attempts completely abortive.

Confident however of the entire practicability of establishing an Institution in N. S. Wales on the liberal and economical principles of the Schools and Colleges of Scotland, and confident also
1831.
12 Jan.

Organisation of schools.

that such an Institution would afford an adequate remuneration in the shape of interest for the capital required for its commencement as well as the ultimate repayment of that capital itself, the writer of this Prospectus proposes to establish an Academical Institution in the Town of Sydney, N. S. Wales, on the plan of the Belfast Institution in the North of Ireland, combining a series of elementary schools with a suitable and gradually increasing provision for the higher branches of Education. The School Department of the proposed Institution would comprise:

1. An English School for the various branches of elementary education.
2. A Writing School for the various branches of Mercantile education.
3. A Grammar School for the Latin and Greek Languages exclusively.

The Superior Department would comprise instruction:
1. In the higher branches of Classical education;
2. In Mathematics and Natural Philosophy;
3. In the various branches of Natural History.

The Institution would be commenced with four Masters, to whom other two would afterwards be added. These Masters would be selected by the Professors of the University and the Clergy of the City of Edinburgh, and the whole Institution would be under the direction of a Rector or President to enforce discipline, to superintend the moral and religious culture of the Pupils, and to deliver frequent courses of Lectures to the more advanced Students on subjects connected with Literature, Philosophy, Science or Morals.

The Masters should each have a small Salary not exceeding £100 per annum from the Funds of the Institution, a free house adapted for the reception of Boarders, and a small fee from each of the Pupils or Students attending their respective Classes. To meet this expenditure, each Pupil should pay a Fee of £5 per Annum to the funds of the Institution in addition to a small fee to each of the Masters whose Classes he should attend; but the cost of education to any Pupil would not exceed from £10 to £12 per Annum, a rate considerably lower than that of the inferior Schools of the Colony hitherto.

To effect the establishment of an Institution of the kind proposed, a capital of £10,000 would be requisite; but, if £6,000 of that sum could be raised in the first instance by way of Loan to commence the Institution, and to afford a Nucleus around which the sober-minded Colonists would gather, the Writer of this Prospectus pledges himself to raise the other £4,000 in the Colony by shares of £50 each, and to take shares to the amount of £1,000 for his own family.

Besides the direct and incalculable benefits which such an Institution would secure to the Colony of New S. Wales, it would enable men of eminence in the Departments of Philosophy and Science in the Mother Country to procure valuable specimens and valuable information relative to their several pursuits, from the Australian Colonies, while it would afford facilities for the education of Colonial Youth to go forth as Missionaries to civilize and to christianise the South Sea Islands and eventually to extend British Commerce over the vast Pacific.

* The Revd. Dr. Lang, Minister of the Scots Church, Sydney.
GODERICH TO DARLING.

[Enclosure No. 2.]

MEMORANDUM.

LORD GODERICH consents to the advance from the Colonial Treasury, in aid of the projected Academical Institution in Sydney, of a sum not exceeding £3,500 in different payments in the course of the Eighteen months next after Dr. Lang's landing in New South Wales, on condition that, previous to each advance, the Governor shall be satisfied that an equal sum has been actually expended from the private contributions of the promoters of the undertaking.

It is to be understood that, for the sum of £7,000 thus provided, namely one half by Subscription and the other by the Government, all the Buildings necessary for the opening of the Institution on a reduced scale are to be completed, care being taken that they are so arranged that it may be possible either to increase the Establishment to the extent originally proposed, or to confine it to what shall have been done in the first instance.

The proposed Buildings to be erected on the ground belonging to the Scotch Church, and Security to be given on them for the repayment in five years of the money advanced from the Colonial Treasury. The five years to be calculated on each Instalment from the date of its being advanced to the Trustees.

[Enclosure No. 3.]

MEMORIAL

To the Right Honble. H.M.'s Principal Secretary of State for the Colonies.

We, the undersigned Members of Council and Magistrates of New South Wales, beg most respectfully to state that, in several extensive Districts of this Territory, there is a very considerable number of Free Settlers, who belong to the Church of Scotland and who are sincerely desirous of enjoying the dispensation of the Ordinances of Religion agreeably to the Institutions of the Presbyterian Church.

We beg also respectfully to state that a considerable number of these Settlers would willingly contribute to a moderate amount, provided they could obtain the sanction, countenance and assistance of H.M.'s Government, for the support of one or more Presbyterian Ministers to itinerate from Farm to Farm, and to dispense the Ordinances of Religion wherever their services might be required; and we conceive that, by such means, religious instruction would be much more extensively enjoyed by the Convict Population of the interior than it can possibly be without such provision.

Feelingly alive therefore to the state of reckless depravity so alarmingly characteristic of the lower orders of our Colonial Population, but entertaining the hope that an extension of the means of religious instruction to the Scotch and other Presbyterian Settlers throughout the Territory would prove influential in repressing that depravity, relying at the same time on the enlightened policy which H.M.'s Govt. has in other Colonies beneficially pursued in regard to the Presbyterian Church, but impressed with the belief that without the assistance of Govt, so desirable an object would not be attainable, we beg most respectfully to recommend that the Right Honble. the Secretary of State for the Colonies would be graciously pleased to order that, in the event of the Presbyterian...
Memorial soliciting subsidy towards stipends of Presbyterian ministers.

We the undersigned beg to subscribe ourselves, &ca.,

Members of Council

ROBERT CAMPBELL
RICHARD JONES
GEORGE INNES

Magistrates of the Territory

GEORGE RANKIN
THOMAS RAIN.
A. B. SPARK
W. JEMMETT BROWN

Viscount Goderich to Governor Darling.

(Despatch No. 15, per ship Eleanor.)

Sir, Downing Street, 13th January, 1831.

I have the honor to acknowledge the receipt of your Dispatch No. 43 of the 2d of August last, transmitting the copy of a letter addressed by you to the Judges of the Supreme Court, in consequence of my Predecessor’s dispatch of the 30th of January, 1830, relative to the power you possessed of withdrawing assigned Servants, together with the reply returned by those Officers; and I have only to express to you the satisfaction, which I feel at the present appearance of readiness on the part of the Colonial Judges to decide, in all future Cases connected with the above question, in a manner agreeable to the view already taken of it by the Law Officers in this Country, in consequence of which no further interference upon the subject by His Majesty’s Government will be rendered necessary.

I have, &c,

GODERICH.

Governor Darling to Under Secretary Hay.

(Despatch per ship Royal Admiral.)


I have the honor to transmit, in reference to your Letter of the 22nd July last, the accompanying Copy of a Letter from the Audit office, by which it appears Mr. Rumker did not receive any Salary here as Astronomer for the period claimed by him, Viz., from the 1st of January, 1828, to the 1st of January, 1829, and that the same appears to be due to him at the rate of £300 per annum.

I have, &c.,

RA. DARLING.
MR. G. TOMKINS TO COLONIAL SECRETARY MACLEAY.

Sir, Audit Office, Sydney, 13 January, 1831.

In reply to your Letter of the 10th Instant, No. 31/4, annexing the Copy of a Letter from Mr. C. S. Rumker to R. W. Hay, Esq., dated London, 5 July, 1830, applying for Arrears of Salary due to him as Government Astronomer in this Colony from 1st January, 1828, to the 1st of January, 1829, I do myself the honor, in the absence of the Auditor General, of stating that it does not appear from the Records in this Office that Mr. Rumker received his Salary in the Colony to a later date than the 31 December, 1827, his Salary from the 5 May, 1825, to that date at the rate of £300 per Annum, having been paid to him by a Warrant on the Deputy Commissary General, dated 19th January, 1828, No. 14.

I have, &c,
GEORGE TOMKINS, Chief Clerk.

GOVERNOR DARLING TO UNDER SECRETARY HAY.

(Despatch per ship Royal Admiral.)


I have the honor to acknowledge the receipt of your letter Request by G. Arthur for military reinforcements; and for non-withdrawal of troops from Tasmania.

of the 25th of April last, relative to an application made by Lt. Governor Arthur, that a Regiment might be added to the Force allotted for the Service of the Colony under his Government and desiring, as a Regiment could not be spared for this purpose, that I would afford him such assistance from hence as circumstances might permit.

I avail myself of the opportunity of transmitting, for the information of the Right Honble. the Secretary of State, Copy of a Despatch addressed to me by Lt. Governor Arthur on the same subject, in which he requests that the Detachment of the 57th Regiment, consisting of 178 Rank and File which has been stationed for some time past at Van Diemen's Land, may not be withdrawn, as any diminution of the Force employed in that Colony at present might be attended with very serious consequences.

You will perceive by the enclosed Return of the Troops employed at Van Diemen's Land that, in addition to the 63d Regt. and the 178 Men of the 57th, there are also 195 Rank and File of the 17th Regiment.

As much inconvenience is experienced by Regiments being distributed in this manner, it is my intention, as I am now making arrangements preparatory to forwarding the 57th to India, in conformity with the Orders I have received from the General
Commanding in Chief, to replace the Detachment of the 17th at Van Diemen's Land, which will join its Head Quarters here, by an equal Number of the 57th Regt. from this, and to send on the rest of this Corps with the Head Quarters to India, which I expect to have an opportunity of doing in the course of a short time. I shall afterwards forward the part of the 57th employed at Van Diemen's Land whenever it can be spared from that service, or I may have the means of relieving it without inconvenience from this Command.

I have, &c.,

RA. DARLING.

[Enclosure No. 1.]

LIEUT.-GOVERNOR ARTHUR TO GOVERNOR DARLING.

Sir,

Government House, 13 December, 1830.

I have the honor to enclose Copy of a Communication, which I have received from the Under Secretary of State with its Enclosure from the Horse Guards.

Your Excellency will perceive by these Papers that I have submitted to His Majesty's Government the necessity of a larger Military Force being permanently allowed for the protection of Van Diemen's Land, and that Lord Hill has, on the representation of Sir George Murray, suggested whether additional strength may not be given from New South Wales without increasing the Military Establishment of this Command by the augmentation of another Regiment.

Aware as I am that a very considerable force is required in New South Wales to Control the Convict Population which must be extremely impatient, under the strictest discipline which has been so judiciously introduced since Your Excellency's accession to that Government, I cannot but feel extremely sensible of the liberality with which you have always afforded Military Aid to Van Diemen's Land; but the aggressions of the Savages in this Colony have been so great, and are so continued, that, in addition to the Military Posts which are essential for the Security and Management of the Convict Population, a less force than two Regiments is wholly unequal to the urgent and pressing necessities of the Colony.

In consequence of the accession of strength which I have recently derived from the arrival of the Detachments of the 17th Regiment from England, I should not, at this time, deem it necessary to address Your Excellency upon the subject, were I not apprehensive that it may be in your Contemplation to send the Detachment of the 57th Regiment on to India, and the very probable injury, which must be contemplated to result to this Community by the Abstraction of this Force just now, would be so painfully distressing that I trust some discretionary power may rest with Your Excellency to avert the serious Consequences which would result from such a Measure.

I have, &c.,

GEORGE ARTHUR.
GOVERNOR DARLING TO UNDER SECRETARY HAY.

(Despatch marked "Confidential," per ship Royal Admiral; acknowledged by Viscount Howick, 15th August, 1831.)

Sir, Government House, 18th January, 1831.

I have the honor to enclose the Copy of a Letter, addressed to me by the Archdeacon, explaining the Grounds on which he has felt it necessary to recommend that the Revd. John Vincent should be detained as supernumerary Chaplain in Sydney rather than be sent to Newcastle or any other Station which is unprovided.

Mr. Vincent was employed some time since at Moreton Bay, from which Settlement it became necessary to remove him in consequence of the misunderstandings which took place between him and the Commandant. The Archdeacon feels that Mr. Vincent is not calculated to fill the vacancy with advantage, which has been occasioned at New Castle by the suspension of the Revd. Frederick Wilkinson.

In acquiescing in the employment of Mr. Vincent as a supernumerary Chaplain in Sydney, I have been influenced not only by the reasons urged by the Archdeacon, but from a conviction that Mr. Cowper and Mr. Hill, the established Chaplains of this Town, require at least some temporary assistance in the performance of their laborious duties. The Health of both these Gentlemen has suffered from the fatigue of mind and body, to which they have for many Years past been incessantly exposed, and Mr. Vincent’s employment here was necessary for a time in order to afford them the relaxation, which their exhausted Health so urgently required.

The Archdeacon will consider the best means of disposing of Mr. Vincent; and, knowing how anxious he is to make such arrangement as may prove advantageous, I shall most readily give effect to his wishes, whenever he may find an opportunity of making a convenient arrangement.

I have, &c.,

RA. DARLING.
ARCHDEACON BROUGHTON TO GOVERNOR DARLING.

Sydney, 13th November, 1830.

Sir,

The suspension of the Revd. Frederick Wilkinson, with reference to which I have had occasion so frequently to communicate with Your Excellency, occasions me additional uneasiness from the inability, which I labour under to supply his place in a manner likely to be satisfactory to the Public or advantageous to the cause of religion. Having no other resource, I have recommended that the Revd. J. Vincent should be stationed at New Castle; but I at the same time felt and consider myself justified in stating to Your Excellency an assurance that Mr. Vincent is not likely to command attention or to conciliate general esteem. Indeed I am under a full persuasion that, if he were to be stationed at New Castle, not many Months would elapse before a fresh arrangement would become necessary. However unpleasant the alternative may be of leaving so large and populous a District destitute of the Services of a Clergyman, I consider it would be the least evil of the two that such should be the Case, until the arrival of the Gentleman who in recent Despatches is stated to have been appointed to a Chaplaincy, and whom we may presume to be already on his Voyage to this Country. I trust Your Excellency will allow me to consider that portion of my Letter, which refers to Mr. Vincent as altogether Confidential. It is very painful to me to be obliged to speak in disparagement of a Clergyman, the Father of a very numerous Family and of whose moral Character I have never had reason to entertain any unfavourable opinion. It is, however, indispensable that I should put Your Excellency in possession of the Causes of the Embarrassment, which I experience in providing for the Public Service, and of the reasons which Compel me to advise the detention of a Supernumerary Chaplain in Sydney, while other Stations are unprovided with any. I have, &c.,

W. G. BROUGHTON.

GOVERNOR DARLING TO UNDER SECRETARY HAY.

(Despatch per ship Royal Admiral.)

Government House, 19th Jany., 1831.

Sir,

I have the honor to acknowledge the receipt of your letter of the 15th of June last, transmitting a Communication from the Treasury, relative to the Hire of the Ship Waterloo for the Conveyance of Prisoners to Moreton Bay, as reported in my Despatch of the 5th of August, 1829, and calling my attention to the Instructions conveyed to me in the Despatch of the late Mr. Secretary Huskisson, dated the 31st of May, 1828, No. 1.

I beg to assure you, for the information of the Secretary of State, that I have lost no opportunity of reducing the Expense in the Naval, as in every other Branch of the Service when practicable.
Four Vessels have been sold or wrecked since the Settlements on the Northern Coast have been abandoned, viz.:

- **Brig Amity**, 148 Tons; **Schooner Alligator**, 91; **Cutter Mermaid**, 92, Wrecked in Torres Straits; **Dart**, 22.

There are now only four Vessels belonging to this Government, which are barely sufficient for supplying the Settlements of Norfolk Island, Moreton Bay and Port Macquarie, and conveying Prisoners to and from the two former Settlements, viz.:

- **Barque Lucy Ann**, 208 Tons; **Brig Governor Philip**, 179;
- **Mary Elizabeth**, 88; **Schooner Isabella**, 116.

I am, &c.,

**RA. DARLING.**

21st February, 1831.

P.S.—As soon as the “Lucy Ann” returns from the Service, on which she is at present employed in removing the People from Pitcairns Island, and the Settlement at King George’s Sound shall have been transferred to the Government of Western Australia, which is now in progress, I propose giving orders for the Sale of one of the four Vessels now retained.

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**Viscount Goderich to Governor Darling.**

(Despatch No. 16, per ship Eleanor.)

Sir,

I have received your Dispatches Nos. 38 and 39 of the 5th and 21st of June last, enclosing two applications for Land from persons filling Civil Situations under your Government, the one from Mr. George Busby, Assistant Surgeon, the other from Mr. Cotton, Collector of Customs.

In consequence of the new Regulations which have been adopted for the disposal of the unappropriated Crown Lands in the Australian Colonies, as communicated to you in my Dispatch of the 9th Instant, I am prevented from authorizing Grants to be made to those two officers upon the original terms. They will, however, enjoy the same facilities, as all other persons, of acquiring Land either for Building or other purposes; and they cannot, therefore, experience any inconvenience by being the first to come under the operation of the new system.

I am, &c.,

**Goderich.**

*Note 8.*
GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch No. 6, per ship Royal Admiral; acknowledged by Viscount Goderich, 26th September, 1831.)

Sir,


I do myself the honor to acknowledge the receipt of your Several Despatches, as dated in the Margin,* relative to the Establishment of the Surveyor Generals and Road Department.

I am informed, by your Despatch of the 8th of May last, that, having received very favorable testimonials of the qualifications of Mr. John McLeod and of Mr. W. R. Davidson, you had been induced “to confirm the appointments of these Gentlemen as Draftsmen.” Major Mitchell did recommend these Gentlemen for the appointment of Draftsmen, but, as there was no vacancy on the Establishment, I was unwilling to trouble you on the Subject; and I cannot but regret that his recommendation made directly to the Secretary of State should have been confirmed without any reference to the Governor. I do not make this observation with any view of objecting to either of the appointments in question, but because I perceive from the tone, which Major Mitchell has lately assumed and which I apprehend it will be my duty to bring specially under your Notice, that he is fully disposed to dispute the authority of the local Government, and its power to interfere with his arrangements.

Of the Seven Draftsmen Notified in your Despatch of the 8th of May last, four only are now employed, viz.:

Mr. White; Mr. Larmer; Mr. D’Arcy; Mr. Davidson.

Bemi, who stands at the head of the List in your Despatch, is a Convict and was Dismissed for highly improper Conduct, having clandestinely furnished an Individual with the Copy of a Map, which enabled him to obtain a Cause against the Government in the Supreme Court. I do not hesitate to state that the Surveyor General was extremely averse to Bemi’s removal, though well acquainted with the cause. Mr. Docker, the second Draftsman, was removed on the representation of the Surveyor General, and Mr. McLeod had proceeded to India before the receipt of your Despatch, so that in fact, there are three Vacancies on the Establishment of Draftsmen.

Having called on the Surveyor General, in pursuance of the Instructions contained in your Despatch, to report on the merit and qualifications of the several assistant Surveyors, I have the honor to enclose a Copy of his letter in reply, by which it will be seen that he does not consider any alteration in the present arrangements necessary.

I have, &c.,

RA. DARLING.

* Marginal note.—21st April, 1830, No. 24; 8th May, 1830, No. 37; 13th July, 1830, No. 59.
VISCOUNT GODERICH TO GOVERNOR DARLING.

(Despatch No. 18, per ship Eleanor.)

Sir, Downing Street, 22d January, 1831. 22 Jan.

I have received your Dispatch marked “Separate” of the 27th July last, accompanied by a Letter from Mr. E. S. Hall, Editor of the Monitor Newspaper, with your Statement in answer to certain points of accusation which that person has thought proper to allege against you; and I avail myself of the earliest opportunity of informing you that the answers, which you have prepared to such of the charges contained in Mr. Hall’s Letter as are not so vague as to admit of no answers being given to them, are completely satisfactory to His Majesty’s Government.

I am, &c.,

GODERICH.

P.S.—You will communicate a copy of this Despatch to the Judges.

GOVERNOR DARLING TO UNDER SECRETARY HAY.

(Despatch per ship Royal Admiral; acknowledged by Viscount Howick, 7th August, 1831.)


I have the honor to acknowledge the receipt of your letter of the 7th of April last, with its Enclosures, relative to the application of Mr. Davidson for an Additional Grant of Land, and, having considered the same in Council, I do myself the honor to forward an Extract from the Minute of Proceedings, by which you will perceive that, under the circumstances of Mr. Davidson’s case, the Council was of opinion that he should be allowed 5,000 Acres in addition to the Grant of 2,000 Acres, which he formerly received and still appears to possess in the Cow Pastures.

If Mr. Davidson supposes that any Person has received a Grant of Land from the local Government, as I infer by what is stated in your letter, beyond the extent allowed by the Secretary of State, I can assure him it is not the fact. I do not recollect one case in which this Government has granted land beyond the limited quantity of four square Miles, without the Secretary of State’s Authority.

I have, &c.,

RA. DARLING.

[Enclosure.

[The minute No. 35, dated 19th October, 1830, of the executive council will be found in a volume in series II.]
Viscount Goderich to Governor Darling.

(Despatch No. 19, per ship Eleanor; acknowledged by Governor Darling, 10th September, 1831.)

Sir,

Downing Street, 23d January, 1831.

Propositions have recently been made to His Majesty’s Government with the view of calling their attention to the importance of endeavouring to relieve the distress prevailing amongst the agricultural labourers of the South of England by enabling Parishes to remove to the Colonies those who are without employment.

New South Wales might, it is represented, receive with advantage a considerable number of such emigrants; and, in case the Government should decide to adopt any such plan, I think it material that you should take the subject into your immediate consideration.

The points to be more particularly looked to relate to the means, which the Colony may possess of contributing something towards defraying the expense of the voyage. Should the Parishes, now burdened by a greater number of labourers than they can employ, seek to relieve themselves in the manner contemplated, their object will naturally be to do so on the easiest terms they can; and they will, therefore, rather direct their emigrants to North America than to the Australian Colonies. The latter will consequently lose what would be to them an advantage of the greatest importance, unless means can be devise of making up to the Parishes for the increased expense resulting from a longer voyage.

In considering the best means of providing the necessary funds for this purpose, it has occurred that recourse might be had to a tax upon the labour of convicts, to an extension of the sale of Land, and to advances which might be obtained from such Settlers as might desire to secure, for a limited time, the services of the emigrants.

A tax upon the labor of convicts is suggested (in the Report* herewith transmitted to you) by the Commissioners appointed by His Majesty to enquire into the revenue and expenditure of the Colonies. The tax, proposed by them, is only ten shillings a year for each assigned convict, and was intended merely for general purposes, without reference to the object I have now in view. That object is, however, one to which it seems there would be a peculiar propriety in applying the revenue to be derived from such a tax, if it is to be imposed; nor do I see any reason against doing so, or even against making it heavier than the Commissioners have proposed.

* Note 9.
The deficiency of free labourers and the consequently high rate of wages gives to those, who are able to obtain the services of convicts, a great advantage over their fellow-settlers; and the natural consequence has been loud complaints from those who have not participated in this advantage. I believe that no degree of caution on your part could possibly have silenced these complaints. However impartially you may have distributed the convicts you have had to assign, it is scarcely to be expected that those, whose claims have been rejected, should acknowledge the propriety of your decision; and I therefore think any measure, which goes to diminish the extreme eagerness of the competition which now takes place for the services of Convicts, would tend to relieve you from a disagreeable and irksome duty.

To this end both the tax and the manner of applying it's produce would contribute; by the former, the labour of convicts would be rendered less cheap to their employers; by the latter, the supply of free labour would be increased, and wages consequently lowered; so that the advantage to be derived from the employment of the one class in preference to the other would thus be doubly diminished.

The amount of the tax should be as high as possible without preventing the colonists from continuing to employ the convicts; it would be for yourself, with the assistance of the Council, to determine what this rate should be, and also to arrange the various questions of detail which will arise, such as whether the payments should be uniform or vary according to the occupations and acquirements of the individuals, and whether the plan should apply (which I am inclined to think it ought not) to females.

I have therefore to request that, upon receiving this despatch, you will lose no time in proposing this subject to the consideration of the Council, and I trust you will find no difficulty in devising an advantageous mode of executing the measure, which I have now suggested, and which might prove highly beneficial to the Colony, even if it should not form part of an extensive plan of emigration.

I have no means of estimating what might be the probable produce of such a tax, as I am not in a situation to judge of the rate at which it should be fixed; nor can I discover from any documents in this office the precise number of assigned Convicts. The number of 9,278, which is obtained by deducting those maintained by the Government from the total return of male Convicts, as given in the Blue Book, is I conclude the number of those who are either in the enjoyment of tickets of leave or in the situation of assigned servants; what proportion these two classes
bear to each other, I have not been able to ascertain, as the
Returns only give the number assigned or having received
tickets of leave in each year, without stating the number of
deaths or of those who have obtained their freedom. I should
wish that this defect should be remedied in the next annual
returns. In requesting from you this additional information,
I do not, however, by any means, intend to exclude from the con­
sideration of yourself and the Council the propriety of extending
the tax on convicts to those having tickets of leave; on the con­
trary, I am inclined to believe that it would be proper to do so;
it seems desirable that there should be more difference than at
present exists between their situation and that of free labourers.

The next source, from which it has been supposed that a fund
might be raised for the purpose of promoting emigration, is from
an extended sale of land; I have some doubts, however, whether
any increase of revenue is likely for a considerable period to be
thus obtained, and also whether it would be necessary for this
purpose under present circumstances; I rather look to it as a
resource, which will hereafter become available for the purpose
of maintaining free labourers, should so large a number be sent
out as to make it difficult to obtain employment for them; in
that case, they would be thrown on the Government, and might
be employed at moderate wages in improving the Crown Lands,
intended for sale, the increased value of which would, in some
degree at least, defray the expense they would occasion. This is,
however, a state of things of which there is, at most, but a
remote prospect. It is much more likely that, even should a large
number of emigrant labourers arrive, there would be an active
competition for their services, and that, consequently, some
assistance towards paying the expense of their passage might, as
I have already suggested, be obtained by requiring them to enter
into indentures to serve, for a limited time, those willing to
make such advances. The information, I have received from
various sources, induces me to believe that such an arrangement
might be practicable, particularly a letter I have seen from a
respectable settler in Van Diemen's Land, stating his own readi­
ness and that of thirty of his fellow-settlers to pay a large pro­
portion of the expense of conveying labourers and their families
from England. On this subject, I should wish you, without
loss of time, to collect all the information it may be possible for
you to obtain, as to the number of emigrants who might be thus
disposed of, the proportion of the expense of their passage, which
their employers might be willing to take upon themselves, and
the terms which they would consequently expect.
I think that labourers might either hire themselves for a stated time, not more than seven years, at fixed wages; or that they might receive the ordinary wages of the Colony, subject to a deduction not exceeding one fourth of their amount until the advance, with interest, should have been discharged. It will be for you to consider and report to me upon the respective advantages of these or any other modes of effecting the object in view.

There is also another means of inducing the present occupants of land to assist in promoting this object, and that is, by making an abatement from the quit-rents which are due from them, in proportion to the number of persons whom they may have enabled to reach the Colony.

Some years ago an arrangement* of this kind was made with the Van Diemen's Land Company, by which they were permitted to carry out 50 persons, an allowance being made towards the redemption of their quit rent of £20 for every woman and £16 for every man, whom they might thus convey. This indulgence was not extended, because Colonel Arthur represented that, if the Company were to receive it, others would expect the same, and that almost every Settler would be glad to redeem his quit-rent on the same terms. At that time, great importance was attached to the plan of deriving a revenue from quit-rents; the expectations entertained of being enabled to do so have, however, been disappointed.

I think, therefore, that, though the collection of the quit rents, which are due, should certainly be enforced, it is desirable that their redemption should be encouraged, both with a view to getting rid of the expense of collecting them, and in order to introduce uniformity in the tenure by which land is held. Perhaps there is no method by which this redemption could be effected with so much advantage to the publick and with so little inconvenience to individuals, as by adopting some such arrangement as I have now suggested.

Before closing this Despatch I have only to add that it is not to be understood as an intimation that any positive measure has actually been resolved upon by His Majesty's Servants, but merely as conveying to you some suggestions upon a most important subject, in order to bring under your immediate consideration the practicability, in the present situation of the Colony which is committed to your charge, of taking steps which may, at all events, do much to encourage individuals in their efforts to promote emigration, and, at the same time, be of the utmost use as preparations, in the possible event of your being

* Note 10.
HISTORICAL RECORDS OF AUSTRALIA.

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called upon to concur in the execution of a measure of the kind I have described, which the Government of this Country may have decided to adopt, but on which the time required for communicating with you may have prevented their consulting you.

I have, &c.,

GODERICH.

VISCONT GODERICH TO GOVERNOR DARLING.

(Despatch No. 20, per ship Eleanor.)


Report required I have the honor to transmit to you the copy of a letter from Mr. Ellice, requesting, by command of the Lords Commissioners of the Treasury, to be furnished with detailed information relating to the constitution, Regulations, Capitals, and Resources of the several Banking Establishments at present existing in the Colonies therein mentioned. Their Lordships also require precise information as to the principles upon which the Paper issues of the Banks are regulated; and what accommodations or benefits, superior to those granted to private depositors, the Banks might be disposed to afford to the Public in consideration of the larger amount of the Funds that might be expected to be entrusted to them on the behalf of the Government; and I am to request that you will procure and transmit to me detailed answers to their Lordships’ enquiries as far as relates to the Colony of New South Wales.

I am, &c.,

GODERICH.

[Enclosure.]

MR. E. ELlice TO VISCOUNT HOWICK.

My Lord, Treasury Chambers, 13 January, 1831.

The Lords Commrs. of H.M. Treasury having had under their consideration the subject of the Military Chests in the custody of the Commissariat Officers serving in the Colonies, and being desirous of ascertaining whether an improvement might not, at least in some cases, be made in the existing modes of managing the Funds appropriated for the Expenditure on Foreign Stations out of the Grants of Parliament; I am commanded to request that your Lordship will be pleased to cause the respective Governors of U. and L. Canada, N. Scotia, the Cape of G. Hope, Mauritius, New S. Wales and Van D. Land to be called upon to furnish every information they may themselves possess, or which they may have the means of collecting, relating to the Constitution, Regulations, Capitals and resources of the several Banking Establishments at present existing in those Colonies, and to instruct them to procure from the Presidents or Directors of the Principal Banks explicit statements for the information of this Board of the nature and extent of the Securities, they might be prepared to offer in case the Govt. should see fit to transfer to their custody the funds
usually deposited in the Military Chest, for the purpose of being
drawn out from time to time upon the cheques of the Officers duly
authorised, as the exigencies of the Public Service may require.

As such an arrangement would naturally conduce in a certain degree to an increase of the Paper Issues of the respective Banks,

it is particularly important to obtain precise information as to the principles upon which those Issues are regulated; and it is also desirable to learn what accommodations or benefits, superior to those granted to private depositors, the Banks might be disposed to afford to the Public in consideration of the larger amount of the Funds that might be expected to be entrusted to them on the behalf of the Government. My Lords, therefore, trust that the reports of the respective Governors will include the fullest information upon both of these essential points.

I have, &c,

EDWARD ELLICE.

GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch No. 7, per ship Royal Admiral.)

Sir,

Government House, 29th January, 1831.

I have the honor to forward the accompanying Memorial, addressed to you by Mr. James Busby, and to state at his request my opinion of his Services.

Entertaining a favorable opinion of Mr. Busby's qualifications as a Man of Business, I appointed him Collector of Internal Revenue on the formation of that office, as also a Member of the Land Board, in both of which situations, he acquitted himself to my satisfaction. It may be proper to observe here that I distinctly apprised Mr. Busby, at the time of his appointment to the Internal Revenue, that he was not to expect to be confirmed in that situation, as I did not intend to recommend him for it. He therefore could not have experienced any disappointment in being superseded by Mr. McPherson.

Mr. Busby did mention to me, as he states, a Plan for re-organising the Land Board; but, as it appeared to me that the effect of that Plan, which I think was to make him first Commissioner or Member and Secretary to the Board, would have given him more power than it would be prudent to place in the hands of any Individual, I thought it sufficient to inform him that I should consider the matter when I had more time.

Captain Dumaresq, one of the Members of the Board, having recently urged his wish to retire from it, I then found it necessary to take immediate steps for placing the Board on an efficient footing, and, wishing to do it in the most economical manner, I considered myself fortunate in prevailing upon three of the Officers of Government to form a Board and act without Salary, intending to have given Mr. Busby, as Clerk to the
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29 Jan.

Refusal of J. Busby to act as clerk.

Board, the Salaries of the three Members, that is £300 a year, and thus have saved the additional Salary, which is now given to a less experienced person who is employed as Clerk.

After I had arranged the matter with the New Members, whose sentiments it was necessary to ascertain before I could communicate with Mr. Busby, as their Salaries were to be appropriated to his benefit, I sent for that Gentleman and apprised him of the arrangement. He demurred, and I had a long conversation with him, wishing to remove his objections; but he requested permission to state his sentiments to me in writing, rather than give a final answer at the time. He wrote accordingly, but accompanied his letter with a short abrupt note to the Private Secretary, signifying, as he found it had been mentioned to the Members, before he was consulted, that he was to be Clerk to the Board, an appointment which he could never think of accepting, he should not attend the Board again. This placed me in a very embarrassing situation, as the old Board required his assistance, he having in fact done the business of Clerk, while the arrangements were Under Consideration, and the New Members, being unacquainted with the Business, could not proceed without a Clerk who was conversant with it.

This, Sir, is a plain statement of the facts as they occurred. My regret at being under the necessity of troubling you with the detail can only be equalled by my surprize at Mr. Busby's want of prudence in adverting to the matter in a public Memorial. I should not otherwise have noticed it.

Having put you in possession of the Circumstances of Mr. Busby's retiring from office and returning to England to seek at your hands the reward to which he considers his services to entitle him, I can have no hesitation in stating that, in the several Duties on which Mr. Busby has been employed, he has always acquitted himself to my satisfaction and has proved a Zealous and Useful Servant of the Government.

I have, &c,
RA. DARLING.

[Enclosure.]

The Memorial of James Busby of New South Wales, Esquire, late Collector of the Internal Revenue of that Colony and member of the Land Board,

To the Right Honorable Sir George Murray, G.C.B., His Majesty's Principal Secretary of State for the Colonies,

Humbly Sheweth,

That your Memorialist emigrated to the Colony of New South Wales in Company with his father who was sent out by His
Majesty's Government in the year 1823 to accomplish some important undertakings in the line of his profession of Mineral Surveyor and Civil Engineer.

That, with a view to his settlement in the Colony, Memorialist had previously spent some months in the Wine districts of France for the purpose of acquainting himself with the Culture of the Vine and the making of Wine; and, subsequently to his arrival, he published at Sydney a Treatise* on these subjects compiled from the Works of Chaptal and other French Writers, and from his own notes and observations.

That, having tendered his services to the Colonial Government, Memorialist was engaged by the Trustees of the Orphan Institutions to take charge of the Orphan School Estate of 12,300 acres, for the purpose of organizing thereon an "Agricultural Institute" on the plan of that of M. Fellenberg at Hofwyl in Switzerland; and more particularly with the view of educating the boys maintained at the Orphan School in the Art of Cultivating the Vine, and of raising other products, which might be considered suitable to the climate, but which had hitherto been neglected by the Agriculturists of the Colony.

That, these objects having been abandoned on the establishment of the Corporation for the management of Church and School Lands, Memorialist's claim for remuneration, which was to have arisen from a share of the increase of the Sheep and Cattle belonging to the Institution, as well as of the Agricultural produce, and which was therefore chiefly prospective, was submitted to the Arbitration of indifferent persons, who awarded Memorialist a Salary of £500 per annum for his Services during the two years and a half he had been Connected with the Institution.

That, immediately after the termination of his engagement with the Orphan Institution, Memorialist was offered by His Excellency Governor Darling the temporary appointments of Collector of the Internal Revenue of the Colony (an Office then first instituted) and Member of the Land Board. It being understood that, should the person recommended to the Secretary of State for these appointments not come to the Colony, as there was some reason to suppose, Memorialist would be considered as having the first claim to be permanently appointed, it having been customary at that period for the Secretary of State to confirm the appointments made by the Governor; and that, in the other event, Memorialist should be provided for by another situation, His Excellency being of opinion that there would be several appointments to be filled.

That Memorialist continued to act as Collector of the Internal Revenue for two years and seven months, and at the end of that period, after Memorialist by the most indefatigable exertions had succeeded in organizing the Department, and, having heard of no successors being appointed, had begun to reckon with some degree of confidence upon his being confirmed in the Office, Memorialist was superseded by the arrival of Mr. McPherson, the present Collector.

That Memorialist on this occasion received from Governor Darling the most gratifying assurances of the satisfaction his

* Note 11.
services had always given, and of the concern which it gave His Excellency that he was now to be deprived of them, there being no vacancy in the Establishment to which Memorialist could be appointed.

That, independently of the duties of Collector of the Internal Revenue of the Colony, Memorialist found the duties which devolved upon him as a Member of the Land Board (at which Board he was associated with His Honor the Lieutenant Governor, and the brother-in-law of His Excellency the Governor) not only exceedingly onerous from their extent, but of such a nature as to involve questions of the highest importance in the administration of the Government of the Colony; and consequently to require from him much earnest study, and to occasion much anxious solicitude.

That, besides having discharged the regular and stated duties of these departments, Memorialist has been associated with almost every Officer of Rank in the Colony, as a Member of Boards for the consideration of Matters of importance, having been, as he has reason to believe, more employed in such cases during the years 1828 and 1829 than any other officer of the Government, with the exception perhaps of the Auditor General.

That, in the year 1828, His Excellency having conceived it necessary to institute an enquiry into the manner in which the Penal Settlement of Port Macquarie had been conducted, Memorialist was associated, as joint Commissioner of Enquiry,* with Lieutenant Colonel Morrisset, in that delicate and important duty.

That, in the whole series of the arduous and responsible, and, he may add, in many cases difficult and delicate services with which Memorialist has been entrusted, he has had the most satisfactory assurances that his conduct has given satisfaction.

Your Memorialist further humbly sheweth,

That, on being superseded in the office of Collector of the Internal Revenue, he felt that he must either retire altogether from the Service of Government, or obtain such an appointment as would not degrade him from that Station in the Colony which the employments he had filled given him.

That having submitted to His Excellency the Governor the necessity which would arise for new modelling the Constitution of the Land Board after the intended retirement of Captain Dumaresq (the only other Member who was at all acquainted with the duties of the office) and himself, Memorialist proposed to undertake the Office of First Member, or Standing Member of the Board, upon whom the whole weight of the business should devolve, the other Members being merely expected to take such a share in the business as would divide the trust and responsibility, provided His Excellency would recommend him to the Secretary of State for that appointment with an adequate salary, and on the express condition that, should the recommendation not be acceded to, Memorialist should be entitled to nothing beyond the £100 per annum which was allowed to the ordinary Members.

That Memorialist did not obtain a decided answer to this proposition either in the affirmative or the negative, but was induced to continue at his post, and to give up a resolution he had formed of proceeding to England, had it been refused, by the representations

* Note 12.
made to him by the Private Secretary to His Excellency the Governor, who considered him entitled to a situation and who was desirous of retaining him in the service of Government, from providing for him should a vacancy in the Establishment occur in the interim; and that, without anticipating the question of New Modelling the Land Board, some new arrangement must necessarily take place on Captain Dumaresq's retirement.

That, with the hope and confident expectation of being at length suitably provided for, Memorialist has accordingly continued to discharge for fifteen months the duties required of a Member of the Land Board, duties of higher trust, he believes, than are deputed to any other officer of the Government, without receiving more than the allowance of £100 per annum; and in reality almost gratuitously having expended two-thirds of what he did receive upon Public objects, in which he could have no private interest beyond the strengthening of that fair claim which Public services are considered to establish upon those entrusted with the administration of Public affairs.

That Memorialist during the above period, as well as during the whole course of his employment under the Government, has almost to the exclusion of every thought about his private affairs, given his whole mind to Public business and to Public objects.

That, during the last twelve months, conceiving that a favourable crisis had occurred for again calling the attention of the Colonists to the importance of establishing Vineyards in the Colony, Memorialist published another more practical Treatise* upon the subject, which was addressed chiefly to the native youth of the Colony and the settlers of the lower classes.

That he also entered into a correspondence with persons possessed of Vines, and became the Medium of distributing upwards of 20,000 Vine Cuttings among from forty to fifty individuals; that the Newspapers of the Colony have since taken up the subject; that the attention of the Settlers has been decidedly directed to it; and Memorialist might, he thinks, be justified in stating, that the general plantation of Vineyards in the Colony may hereafter date its commencement from the appearance of his last publication upon the subject.

That, on the 20th December last, His Excellency the Governor communicated to Memorialist his intention to New-Model the Land Board; that he had obtained the Consent of three officers of his Government to act as Members without Salary; and that he proposed to offer to Memorialist the Situation of Clerk to the Board with the £300 a year, which the Secretary of State had authorised as the expenditure on account of the Land Board, as a Salary.

That Memorialist conceiving that he could not, with honor, become the Clerk to a Board of which he had been certainly not the least efficient Member during three-fourths of the period of its existence, respectfully declined the proposal; and the same evening wrote to His Excellency stating, in the most respectful terms, the grounds of his refusal, and his Intention to submit to His Excellency a Memorial to the Right Honorable the Secretary of State for the Colonies soliciting a better appointment.

* Note 11.
That, on the following morning, Memorialist having found that it had been communicated to the New Members of the Land Board, apparently as a matter of course, and before it had been mentioned to him that he was to be their Clerk, Memorialist conceived it to be due to himself and becoming to the character which the Public has a right to expect in Officers holding high appointments, to disavow the new Character, with which he had thus been invested; and he accordingly communicated to his Excellency his intention to decline any further attendance at the Board.

That Memorialist next day received an intimation from the Colonial Secretary that his letters had been received, but that his conduct, in abruptly withdrawing himself from the duties of his office, rendered it impossible for His Excellency to take any further notice of these letters, than to desire that all papers of a public nature should be left by Memorialist at the office from which he had withdrawn himself.

That whatever view General Darling may have taken of Memorialist’s conduct on this occasion, which is the only one in which he is aware of having given him the slightest offence, Memorialist has too firm a reliance upon his justice and good faith to feel any apprehension in submitting this Memorial through His Excellency as the proper Channel, and soliciting that he will append thereto such a testimonial to the nature and importance of Memorialist’s Services, and to the talents and integrity with which he has discharged the trusts committed to him; as well as such an opinion of his qualifications for an employment of trust and responsibility under His Majesty’s Government, as, upon a review of the whole matter, he may think them entitled to.

That, Supported (as he trusts to be) by such testimonial, and by the letters and documents attached to this Memorial, Memorialist submits his Case with perfect Confidence to the Wisdom and justice of His Majesty’s Government, humbly representing, that, in his own opinion and that of his friends, had he devoted the same zeal, industry and talents, which he has uniformly and exclusively executed in the Service of Government, to other pursuits which were open to him upon his arrival in the Colony, he could scarcely have failed to realize a competence, if not to have placed himself in independent circumstances. And earnestly entreating that they will take into their most serious consideration, whether it would be consistent with the honor of His Majesty’s Government, or with that benignity with which they are wont to regard individuals who have devoted their best energies to His Majesty’s Service, that Memorialist, after nearly seven years’ employment, during the greater part of which he has been entrusted with duties of the highest and most confidential character, should, at the end of that period, be left without any provision to support the station these employments have given him, at the same time that his qualifications (as he humbly trusts will be acknowledged) are such as could not fail of making his services valuable to the Colony; and he only desires an opportunity of exerting them in a suitable station.

And Your Memorialist will ever pray, &c,

JAMES BUSBY.

Sydney, New South Wales, 10th January, 1831.
SCHEDULE of letters and documents accompanying the duplicate of the foregoing Memorial, to be taken to England by Mr. Busby in person.

PARTICULARS.

First Class.

Original letters shewing the nature and extent of Mr. Busby's services, independently of his regular and stated duties.

No. 1, 28 August, 1827.—Letter from the Colonial Secretary with instructions to meet His Honor the Lieutenant Governor and the Colonial Auditor, for the purpose of forming a Board to investigate certain claims preferred by the Reverend William Cowper and the Reverend Richard Hill.

Note.—In this case Mr. Busby having differed in opinion with the majority of the Board, he presented a separate report, and his view of the case was confirmed by the Secretary of State.

No. 2, 7 February, 1828.—Letter from the Colonial Secretary, with instructions to meet the Deputy Commissary General and the Commissary of Accounts, to form a Board for the examination and revision of the Annual Estimates for 1828, previous to their transmission to England.

No. 3, 16 May, 1828.—Letter from the Colonial Secretary with instructions to meet the Colonial Auditor and the Commissioner of the Court of Requests, to form a Board for the purpose of considering what fixed salary should be assigned to the Registrar of that Court, as a Commutation for Fees, and other matters.

No. 4, 3 and 5 June, 1828.—Two letters from the Colonial Secretary conveying instructions to proceed to the Penal Settlement of Port Macquarie for the purpose of enquiring, in conjunction with Lieutenant Colonel Morrisset, into certain matters therein detailed; as well as into the general conduct of the settlement.

No. 5, 15 December, 1828.—Letter from the Colonial Secretary with instructions to meet the Collector of Customs and the Principal Superintendent of Convicts, to form a Board of Enquiry into the duties of the department of the Surveyor of Distilleries.

No. 6, 3 February, 1829.—Letter from the Colonial Secretary with instructions to meet the Colonial Auditor, the Director of Public Works and the Clerk of the Councils, to form a Board for considering the arrangements best calculated for the establishment of a Government Gazette.

No. 7, 6 March, 1829.—Letter from the Colonial Secretary with instructions to meet the Colonial Auditor and the Assistant Secretary to form a Board of Enquiry into the State of the Treasury.

No. 8, 9 March, 1829.—Letter from the Colonial Secretary informing Mr. Busby that the Governor had been pleased to select him for the employment of digesting into a Code the regulations from time to time established by the Civil Government.

Second Class.

Documents illustrative of the attention Mr. Busby has bestowed upon matters connected with the Welfare of the Colony, and of his qualifications for Official employment.

No. 10, 23 July, 1829.—Note from the Private Secretary, enclosing "Memoranda" by the Governor on the question of the expediency of Granting Lands as Marriage portions, and requesting opinion upon the Subject.

No. 11, 7 January, 1830.—Letter from the Colonial Secretary with instructions to meet the Deputy Commissary General, the Commissary of Accounts, and the Collector of Internal Revenue, to form a Board for revising the Estimates for 1830.

No. 12, 22 June, 1830.—Letter from the Colonial Secretary informing Mr. Busby that the Governor had been pleased to select him for the employment of digesting into a Code the regulations from time to time established by the Civil Government.

*Note.—In the Cases marked by an asterisk, the Reports were written by Mr. Busby.
No. 17, — Novr., 1830.—Memorandum submitted to His Excellency the Governor on the assignment and distribution of Convict Labourers.

No. 18, 1825.—Printed Treatise* on the Culture of the Vine and the Art of making Wine, published at Sydney.

No. 19, 1836.—Manual of Plain Directions* for Planting and Cultivating Vineyards, and for making wine in New South Wales do.

No. 20, 1831.—Appendix* to the Australian Almanac for 1831 containing Advice to Newly arrived Settlers.

Sydney, New South Wales, 10th January, 1831.

GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch No. 8, per ship Royal Admiral; acknowledged by Viscount Goderich, 15th August, 1831.)

Sir, Government House, 29th January, 1831.

In reference to your Despatch of the 12th of April last, No. 71, and the communication which I had the honor to address to you in reply, I now beg leave to transmit, at the desire of Lt. Col. Morisset, Copy of a letter which I have received from that officer on the subject.

In your Despatch above referred to, you were pleased to desire that Lt. Colonel Morisset should be required to refund the Amount of any Civil or Military allowances he might have received since he assumed the Command at Norfolk Island. In my reply, I informed you that he had been called on to pay into the Military Chest the full amount of the Allowances issued to him since his arrival in this Colony (which was some months prior to his going to Norfolk Island) for the reasons stated in my Despatch.

As Lt. Colonel Morisset has suffered a serious loss by the death of his Horses, and it might subject him to much embarrassment, if required to refund the Amount of the Allowances issued to him from the date of his arrival here, I shall in consequence suspend acting on the order I had given, and direct that the stoppage shall take place only from the time of his arrival at Norfolk Island, as directed in your Despatch, until I receive further Instructions on the Subject. I have, &c,

RA. DARLING.

[Enclosure.]

[Note 11.

GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch No. 9, per ship Royal Admiral; acknowledged by Viscount Goderich, 21st August, 1831.)

Sir, Government House, 29th Jan., 1831.

Having transmitted to Archdeacon Broughton an Extract of that part of your Despatch of the 12th of June last, No. 46, which relates to the Revd. Thos. Reddall, I do myself the honor
to forward for your information Copy of a Communication from the Archdeacon with Mr. Reddall’s reply in original to the Allegations contained in Mr. Scott’s report.

It only remains for me to confirm what Mr. Broughton has stated respecting Mr. Reddall. But I must add that his pecuniary embarrassments are so serious an extent that I am at a loss to conceive, with his small Income and large Family consisting of his Wife and ten Children, how he can ever extricate himself from his difficulties.

I should observe that the Archdeacon made a proposition to me some time since, Mr. Reddall being pressed at the time by some of his Creditors, to advance him the sum of £250; and, concurring with Mr. Broughton that it was highly desirable to prevent the discredit which might be brought on the Clerical profession by one of its Members being imprisoned for Debt, I was anxious to afford every reasonable assistance, and a long correspondence took place in Consequence. But I was under the necessity of declining to afford the assistance required, Mr. Reddall being already indebted to the Government to the Amount of near £700 on account of advances which had been made to him during the Administration of my predecessor.

Such, Sir, is the situation of this unfortunate Man with a Numerous family to support, to which his Income is totally inadequate, being at the same time indebted to the Government to a large Amount and pressed by private Creditors without any means or prospect of being able to satisfy them.

The situation, in which the Government is placed by such occurrences, is not only painful but embarrassing, and I regret to say that Mr. Reddall’s is not a solitary instance. My Despatches by this opportunity will apprise you that several of the Insolvency Officers of the Government have lately availed themselves of the Insolvent Act, a proceeding which it is necessary should be provided for by some special Instructions.

[Enclosure No. 1.]

ARCHDEACON BROUGHTON TO GOVERNOR DARLING.

Sir,

Church Corporation House, 2 December, 1830.

In accordance with Instructions conveyed to me in Your Excellency’s Letter of the 12th Ultimo I communicated to The Reverend Thomas Reddall the purport of the Charges alleged against him in the Communication made to Your Excellency by The Secretary of State. At the same time I called on Mr. Reddall for such explanations as he might be desirous of offering on the points in question.

RA. DARLING.
HISTORICAL RECORDS OF AUSTRALIA.

1831.
29 Jan.

Financial position of Rev. T. Reddall.

His political sentiments.

I have the honor now to transmit the Accompanying Statement which has been forwarded to me by Mr. Reddall.

That he is involved in great pecuniary difficulties is I fear not to be disproved but, in justice to him, I take the liberty of stating that I do not trace any Evidence of his having embarked in Commercial Speculations as distinguished from those of Farming nor upon reference to Archdeacon Scott's Report (dated 1st September, 1829) do I perceive that in the Paragraph relating to Mr. Reddall's affairs any such Charge is expressed.

It may also be permitted me I trust to state that since my appointment to the Archdeaconry I have not had any occasion to Charge Mr. Reddall with neglect of duty or with the display of political feeling nor have I any reason to suspect that he at this time entertains any objectionable political Sentiments.

I have, &c.,

W. G. BROUGHTON.

[Enclosure No. 2.]

[A copy of the statement* by the Reverend T. Reddall will be found in a volume in series VII.]

GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch No. 10. per ship Royal Admiral; acknowledged by Viscomat Goderich, 4th August, 1831.)

Sir, Government House, 29th January, 1831.

Instructions acknowledged.

Departure of H.M. sloop Cornet and barque Lucy Anne for Pitcairn island.

I have the honor to acknowledge the receipt of your Despatch dated the 19th of October, 1829, No. 158, having reference to the Reports of His Majesty's Sloop Satellite, respecting proceedings at Otaheite and other Islands in the Pacific; and, having received a Communication from Admiral Sir Edward Owen, Commanding in Chief in India, on the same subject, informing me that he had directed Captain Sandilands of His Majesty's Sloop Comet to place himself in Communication with me for the purpose of effecting the removal of the people,† alluded to in Captain Laws' Report, from Pitcairn's Island to Otaheite agreeably to the intention of His Majesty's Government; I now do myself the honor to acquaint you that the necessary arrangements were immediately made, and that Captain Sandilands proceeded in His Majesty's Sloop Comet for Pitcairn's Island on the 26th of December last, taking the Government Barque Lucy Ann, which Vessel I appointed to assist in this service, under his orders.

I enclose herewith, for your information, the Copy of a Correspondence which passed between Captain Sandilands and

* Note 13. † Note 8.
myself on this occasion, and beg to draw your attention to the 
Letter of the Honble. Captain Waldegrave of His Majesty's Ship 
Seringapatam and to the communication which I made to Cap-
tain Sandilands in Consequence.

Captain Sandilands having expressed a desire that some per-
son, who was well acquainted with the Islands, should accom-
pany him, a Man of the name of Henry, Son of a Missionary at 
Otaheite, was engaged and is to receive the sum of £50 for his 
services. I request you will be pleased to authorize this sum 
being charged in the Public Accounts, as also the sum of 
£228 16s., which was expended in the purchase of some Articles 
necessary to the comfort of the people to be removed, and a few 
Presents, which Captain Sandilands applied for, conceiving they 
might be distributed with advantage amongst the Natives.

I have, &c,

RA. DARLING.

[Enclosure No. 1.]

COMMANDER SANDILANDS TO GOVERNOR DARLING.

H.M. Sloop Comet,

Sir, Sydney Harbour, 15th December, 1830.

I have the honor to transmit, for your Excellency's informa-
tion, the copy of a letter addressed to Rear Admiral Sir Edward

W. C. R. Owen or the Senior Officer of His Majesty's Ships and 
Vessels at Sydney, from Captain The Honble. William Waldegrave,
Commanding His Majesty's Ship Seringapatam, dated at Tonga-
taboo, May 17th, which letter reached me this morning, having 
been brought to this Colony by the Rev. Mr. Crook, Missionary to 
the Society Islands.

I have, &c,

ALEXR. A. SANDILANDS,
Commander and Senr. Officer.

[Sub-enclosure.]

CAPTAIN WALDEGRAVE TO SIR E. OWEN.

His Majesty's Ship Seringapatam,

Sir, Tongataboo, 27th May, 1830.

Having visited the Society and Friendly Islands, in obedi-
ence to the orders of Rear Admiral Baker, Commander in Chief
on the South American Station, I beg leave to state that I was 
requested by several Masters of Merchant Vessels, trading amongst
the Fejee and Friendly Islands, to go to the Island of Rotumah in 
Lat. 12° 30' S. and Long. 177 East, to take away thirty English 
persons, one half of which were said to be Convicts, the other half 
deserters from British Merchant Vessels, who were residing on 
that Island to the terror or all Merchant Vessels Visiting that 
Island, as their habits were such as to excite the Natives to evil; 
their intention was supposed to be to seize upon some small Mer-
chant Vessel and commence Piracy. I regret to add that the 
Friendly Islands, the Navigators Islands abound with evil disposed

1831. 29 Jan.

Engagement of Henry for voyage.

Money expended on supplies and presents for natives.

Request for removal of escaped convicts and deserters from islands.
50

HISTORICAL RECORDS OF AUSTRALIA.

1831.
29 Jan.

Shipwrecked crew at Turtle Island.

Proposal to send brig to remove undesirable persons.

Presents required for natives.

Proposals for removal of settlers from Pitcairn Island.

Sailors, deserters and Convicts, who do much injury to the British interests by exciting the Natives to wrong. I was also requested to take away eight of the late Crew of the Brig Minerva, of Port Jackson, Peter Bays Master, from Turtle Island, wrecked in September, 1829, in Lat. 19° 48' South, Long. 178° 3' West; but I deemed it too hazardous to take my ship thither, and I could not arrange any suitable plan of removing them by a Merchant Vessel, except at an enormous expense; Under these Circumstances, I take the liberty of suggesting that a Man of War brig, or a Sloop of War, be forthwith sent to clear these Islands of such dangerous subjects; it is hazardous to send a large Frigate, as the Sea room amongst these Islands is small. A Pilot and information may be obtained of the Missionaries at Nicolofa in the Island of Tongatapoo; presents of Handkerchiefs, large Hatchets, large Table Knives, blue beads and printed Manchester goods, given to the Chiefs on the delivery of the persons, will be most pleasing. I recommend a mild and calm conduct towards the Chiefs and Natives, and that Powder and Fire arms should not be given as presents, or permitted as Barter, as I have invariably refused them and have obtained abundant supplies with other Articles. My orders did not permit me to Visit Rotumah or the Navigators Islands.

I have, &c.,

WILLIAM WALDEGRAVE, Captain.

[Enclosure No. 2.]

GOVERNOR DARLING TO CAPTAIN SANDILANDS.

Sir, Government House, 24th December, 1830.

Having had several personal communications with you on the subject of Rear Admiral Sir Edward Owen's letter of the 20th of July last, which I had the honor to receive through you, it is unnecessary for me to enter in this place into those points which have been already fully discussed. I will therefore confine myself at present to observing that, having since my last interview seen the Revd. Mr. Crook, the Missionary, who has recently returned from Otaheite, where he had been employed for many years and who appears to be well acquainted with the sentiments of the Chief and People of that Island, I no longer see any objection to your proceeding direct to Pitcairn's Island, as coupling the information which I have received from Mr. Crook with that contained in the Report of Captain Laws of His Majesty's Sloop Satellite, there can be no doubt that the people, whom it is proposed to remove from Pitcairn's Island, will be received without hesitation at Otaheite. This appears the more desirable, as much time would be lost by your proceeding in the first instance to Otaheite, while, according to the information given by Mr. Crook, the object to be obtained by your so doing, would not be commensurate with the inconvenience which would be experienced. I will only repeat here, that I have given directions that the Government Barque Lucy Ann be placed under your orders, for the purpose of conveying the people who may be disposed to remove from Pitcairn's Island to Otaheite, and that a person named Henry, who is understood to be well acquainted with those Islands, has been engaged by this Government to accompany you, and who I trust will prove
useful. I have further given directions that some Articles as Presents for the Chiefs and Natives be provided and placed at your disposal. They will I have no doubt be a means of facilitating the object of the Service on which you are employed, and of strengthening that good disposition which the Natives have always evinced for the English.

I avail myself of this opportunity of acknowledging the receipt of your Letter of the 15th inst., enclosing the Copy of one addressed to the Officer Commanding His Majesty’s Ships on this Station, by the Honble. Captain Waldegrave of His Majesty’s Ship Seriapatam, dated Tongataboo, the 27th of May last. I have only to observe, if you can effect the object proposed by Captain Waldegrave, of bringing the Men alluded to from the Island of Rotumah, consistently with the orders you have received from Rear Admiral Sir Edward Owen, it appears to me desirable you should do so, as there is every reason to believe that the Interests of Great Britain are much injured by the Lawless proceedings of the Prisoners, who escape from these Colonies and by the Men who desert from the Ships employed in the Whale Fishery, and take up their residence in the Islands to the Eastward.

I have, &c,

RA. DARLING.

[Enclosure No. 3.]

COMMANDER SANDILANDS TO GOVERNOR DARLING.

His Majesty’s Sloop Comet,

Sir, Port Jackson, 25th Decr., 1830.

I have the honor to acknowledge the receipt of your Excellency’s letter of yesterday’s date.

The mode of proceeding for the removal of the Inhabitants of Pitcairn’s Island to Otaheite, together with the information your Excellency has recently obtained upon this subject, and which you have been pleased to communicate to me, coupled with the report of Captain Laws of His Majesty’s Sloop Satellite, leaves no doubt upon my mind as to the propriety of proceeding direct to Pitcairn’s Island instead of going in the first instance to Otaheite.

I have therefore to inform your Excellency that, taking the Colonial Government Barque Lucy Ann under my Convoy, I shall forthwith proceed to sea in pursuance of my orders to accomplish the service entrusted to my Charge.

I beg to assure Your Excellency that I will use every care in the distribution of the Presents for the Chiefs and Natives, with a confident hope they may be the means of strengthening their good disposition towards the English.

I will endeavour to gain all the information in my power relative to the Men at the Island of Rotumah, mentioned in the Honble. Captain Waldegrave’s letter, and which information I shall endeavour to use as beneficially as possible for the good of the public Service, and the circumstances under which I may be placed at the time will admit of.

I have, &c,

ALEXR. A. SANDILANDS,
Commander and Senior Officer.
**HISTORICAL RECORDS OF AUSTRALIA.**

[Enclosure No. 4.]

**STATEMENT of Articles shipped on board the Lucy Ann for presents at the Society and Friendly Isles, and for the Persons intended to be removed from Pitcairn's Island.**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>s.</th>
<th>d.</th>
<th>£</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 Axes</td>
<td>@</td>
<td>3</td>
<td>0</td>
<td>ea.</td>
<td>3</td>
</tr>
<tr>
<td>20 Handles for Axes</td>
<td></td>
<td>0</td>
<td>6</td>
<td></td>
<td>16</td>
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<tr>
<td>115 Lbs. of Nails</td>
<td>0</td>
<td>6</td>
<td>pr. lb.</td>
<td>2</td>
<td>16</td>
</tr>
<tr>
<td>10 Hammers</td>
<td>1</td>
<td>0</td>
<td>ea.</td>
<td>0</td>
<td>16</td>
</tr>
<tr>
<td>24 Hoes</td>
<td>20</td>
<td>0</td>
<td></td>
<td>2</td>
<td>8</td>
</tr>
<tr>
<td>1,000 Fish Hooks (per 100)</td>
<td>2</td>
<td>6</td>
<td></td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>24 Spades</td>
<td>3</td>
<td>4</td>
<td>ea.</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>6 Hand Saws</td>
<td>5</td>
<td>6</td>
<td></td>
<td>1</td>
<td>13</td>
</tr>
<tr>
<td>2 Cross Cut Saws</td>
<td>35</td>
<td>0</td>
<td></td>
<td>3</td>
<td>10</td>
</tr>
<tr>
<td>20 Saw Files</td>
<td>0</td>
<td>2</td>
<td></td>
<td>0</td>
<td>12</td>
</tr>
<tr>
<td>15 Handles for Hoes</td>
<td></td>
<td>0</td>
<td>6</td>
<td></td>
<td>6</td>
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<tr>
<td>50 Ducal Frocks</td>
<td>6</td>
<td>6</td>
<td></td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>50 Pr. do. Trowsers</td>
<td></td>
<td>2</td>
<td>6</td>
<td></td>
<td>6</td>
</tr>
<tr>
<td>6 Pieces of Calico</td>
<td>10</td>
<td>0</td>
<td></td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>12 Pick Axes</td>
<td>4</td>
<td>6</td>
<td></td>
<td>2</td>
<td>16</td>
</tr>
<tr>
<td>725 Needles</td>
<td>2</td>
<td>0</td>
<td></td>
<td>0</td>
<td>15</td>
</tr>
<tr>
<td>6 Lbs. of thread (per lb.)</td>
<td>7</td>
<td>0</td>
<td></td>
<td>35</td>
<td>0</td>
</tr>
<tr>
<td>1 Blanket</td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>an assortment of Garden Seeds</td>
<td>1</td>
<td>6</td>
<td></td>
<td>1</td>
<td>18</td>
</tr>
<tr>
<td>12 Reaping Hooks</td>
<td>1</td>
<td>6</td>
<td></td>
<td>1</td>
<td>12</td>
</tr>
<tr>
<td>48 Clasp Knives</td>
<td>1</td>
<td>6</td>
<td></td>
<td>1</td>
<td>12</td>
</tr>
<tr>
<td>6 Broad Axes</td>
<td>5</td>
<td>0</td>
<td></td>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td>12 Tomahawks</td>
<td>2</td>
<td>0</td>
<td></td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>6 Socket Chisels</td>
<td></td>
<td></td>
<td></td>
<td>0</td>
<td>12</td>
</tr>
<tr>
<td>2 Pit Saws</td>
<td>35</td>
<td>0</td>
<td>ea.</td>
<td>3</td>
<td>10</td>
</tr>
<tr>
<td>12 Knives</td>
<td>1</td>
<td>0</td>
<td></td>
<td>0</td>
<td>12</td>
</tr>
<tr>
<td>1,000 Fish Hooks (per 100)</td>
<td>2</td>
<td>6</td>
<td></td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>12 White Shirts</td>
<td>2</td>
<td>6</td>
<td></td>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td>12 Striped Cotton do.</td>
<td></td>
<td>2</td>
<td>0</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>12 Pair of Scissors</td>
<td></td>
<td>1</td>
<td>6</td>
<td></td>
<td>10</td>
</tr>
<tr>
<td>6 Palampores</td>
<td>12</td>
<td>6</td>
<td></td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td>12 Pieces ribbon</td>
<td>18</td>
<td>0</td>
<td></td>
<td>10</td>
<td>16</td>
</tr>
<tr>
<td>20 Strings large blue beads</td>
<td>2</td>
<td>0</td>
<td></td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>6 Pieces Spotted print</td>
<td>50</td>
<td>0</td>
<td></td>
<td>9</td>
<td>0</td>
</tr>
<tr>
<td>6 do. Dungarees</td>
<td>12</td>
<td>0</td>
<td></td>
<td>2</td>
<td>12</td>
</tr>
<tr>
<td>2 do. White Shritng</td>
<td></td>
<td>25</td>
<td>0</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>6 do. India Print</td>
<td>6</td>
<td>6</td>
<td></td>
<td>1</td>
<td>19</td>
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<tr>
<td>4 Large Beaver Hats</td>
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<td>15</td>
<td>0</td>
<td></td>
<td>2</td>
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<td>36 Tobacco Pipes</td>
<td>0</td>
<td>1</td>
<td></td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>4 Lbs. of thread (per lb.)</td>
<td>2</td>
<td>0</td>
<td></td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>15 Red Caps</td>
<td>1</td>
<td>6</td>
<td></td>
<td>0</td>
<td>15</td>
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<tr>
<td>6 Plates with iron</td>
<td></td>
<td></td>
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<td>3</td>
<td>10</td>
</tr>
<tr>
<td>2 Umbrellas</td>
<td>8</td>
<td>0</td>
<td></td>
<td>0</td>
<td>16</td>
</tr>
<tr>
<td>1,080 lbs. of Maize, say 20 bushels</td>
<td>2</td>
<td>8</td>
<td></td>
<td>2</td>
<td>10</td>
</tr>
<tr>
<td>106 Lbs. of Soap (per lb.)</td>
<td>0</td>
<td>6</td>
<td></td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>106 Lbs. of Tobacco</td>
<td></td>
<td>3</td>
<td>9</td>
<td></td>
<td>15</td>
</tr>
<tr>
<td>1,098 Lbs. of Rice</td>
<td>0</td>
<td>2</td>
<td></td>
<td>9</td>
<td>3</td>
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<tr>
<td>3,996 Lbs. of Biscuit (30 cwt.) per</td>
<td>39</td>
<td>10</td>
<td></td>
<td>44</td>
<td>15</td>
</tr>
<tr>
<td>4 Lbs. of Barley (per lb.)</td>
<td>0</td>
<td>35</td>
<td>0</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>4 Lbs. of Arrowroot</td>
<td></td>
<td>0</td>
<td>2</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>4 Lbs. of Sago</td>
<td>0</td>
<td>5</td>
<td></td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>4 Barrels with 20 hoops</td>
<td>8</td>
<td>6</td>
<td></td>
<td>1</td>
<td>14</td>
</tr>
<tr>
<td>36 Bread Bags</td>
<td>1</td>
<td>5</td>
<td></td>
<td>5</td>
<td>0</td>
</tr>
</tbody>
</table>

Commissariat Office, Sydney, 9th Febry., 1831.

JAMES LAIDLEY, D.C.G.
GOVERNOR DARLING TO SIR GEORGE MURRAY.
(Despatch No. 11, per ship Royal Admiral.)

Sir,
Government House, 29th January, 1831.
I have the honor to transmit for His Majesty's Most gracious approbation and Allowance Three Absolute Pardons in favor of the undermentioned Persons, vizt.: 
This indulgence is solicited for the two former in consequence of the assistance they afforded in the Capture of a Party of Bushrangers, who had been at large for Several Years, and in Conformity with the Enclosed Government Notice,* dated 31 May, 1830.
Donahoe, the leader of this Party, and Macnamarra, his most desperate associate, were Shot in two Separate encounters, and in which the Prisoners alluded to were engaged.
Finding on Enquiry that John Pearce's Conduct has been such as to entitle him to the benefit of the recommendation, contained in your Despatch of the 27th April last, No. 33, his Name is Submitted for a Pardon accordingly.

EA. DARLING.

GOVERNOR DARLING TO UNDER SECRETARY HAY.
(Despatch per ship Royal Admiral.)

Sir,
Government House, 29th January, 1831.
I have the honor to acknowledge the receipt of your letter of the 19th of July and 10th of August last on the subject of a Claim made by Mr. Bannister, late Attorney General of this Colony, for arrears of Salary supposed to be due to him from the 1st to the 14th of October, 1826; and I beg to transmit the accompanying Copy of a Report from the Auditor General, by which it would appear that Mr. Bannister's Salary for the period in question has been already issued.
I have, &c.,
RA. DARLING.

[Enclosure No. 1]
[The report by William Lithgow, dated 28th January, 1831, stated that the balance of salary as attorney-general £19 14s. 6d. was paid to S. Bannister by a warrant, dated 20th October, 1826.]

[Enclosure No. 2]
[This was a memorandum by W. Wemyss, dated 15th December, 1826, stating that the salary of S. Bannister had been paid to 12th October, 1826, the date of his resignation.]
GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch No. 12, per ship Royal Admiral.)

Sir,


I have the honor to acknowledge the receipt of your Despatch, dated the 9th of April last, No. 19, calling for an explanation of the circumstance of so large a number of Persons appearing to have received Medical treatment during the year 1828, which was stated in a return, transmitted with my Despatch, No. 103, dated 15th September, 1829, to have amounted to 36,925, while it appeared by another Return, forwarded at the same time, that the daily number of Hospital Patients, who had been admitted within the four preceding years and also in 1828, presents an average of 452.

I have the honor to enclose an Extract from a Letter from the Inspector of Civil Hospitals on the subject, and beg to observe that the Patients, alluded to in the former Return, are not all Hospital Patients properly so termed, a portion of them being "Out Patients," who are not treated in Hospital.

The largeness of the number is accounted for by the Inspector from the circumstance which you suppose, that is, the same Individual having been treated on several occasions, and each being considered and accounted for as a distinct case.

I have, &c.,

EA. DARLING.

[Enclosure.]

EXTRACT of a Letter from the Inspector of Hospitals to the Colonial Secretary, dated 7th September, 1830.

"In reply to your Letter of the 1st Instant, transmitting an Extract of a Despatch from The Right Honble. The Secretary of State for the Colonies, dated the 9th April, 1830, requiring me to explain an apparent discrepancy in the Hospital Returns for the Year 1828, I have the honor to inform you that these Returns were made out in strict accordance with the Instructions, contained in your Letter of the 3rd June, 1829, wherein you request me to forward to you with as little delay as possible a Return of the Number and description of Persons, admitted into the Colonial Hospitals during the last Year, and upon an average of the last five Years, together with a Return of all other Patients not Inmates of the Public Hospitals, to whom Medical Aid, etc., may have been afforded.

"It will be seen by reference to that Return 252 Patients remained in the Colonial Hospitals at the end of the Year 1827, and, during the following Year 1828, 6,425 were admitted, making a Total of 6,677 treated in the Hospitals during that Year; and, in the Column 'out Patients,' which includes "all other Patients not Inmates of the Public Hospitals," there appears to have been 30,219 Patients, to whom Medicines have been administered, showing a Total of 36,925 under Medical Treatment in the Year 1828.

"It may be necessary to explain that every person, receiving Medicines at the Dispensary and not admitted into Hospital, is
entered as an 'out Patient'; and each time the same Individual applies for relief with another disease he is again put on the Books as a fresh Patient, by which you will understand that, although 30,219 trifling Cases of Disease have been treated as out Patients in the Year 1828, the same Individual may have labored under several distinct diseases in the course of that Year, and each time have a Separate Entry. In this manner, the Number of Sick under Treatment in one Year may appear to exceed the whole population of the Colony."

J. Bowman.

GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch No. 13, per ship Royal Admiral.)

Sir,


I have the honor to acknowledge the receipt of your Despatch of the 11th of August last, No. 71, respecting the arrangements for garrisoning the Settlement at King George’s Sound.

As I presumed there would be no objection to the measure being immediately carried into effect, provided it could be done without inconvenience to the Service, and the present season affording a favorable opportunity for it, I have been induced without waiting for further Instructions to send a Subaltern and 20 Rank and File of the 63rd Regiment to relieve the Detachment of the 39th, which I have ordered to rejoin the Head Quarters of that Regiment.

The inconvenience which has been experienced, and the Expense which has been occasioned in communicating with King George’s Sound, have induced me not to delay the measure. The present season has afforded an opportunity of effecting the relief by the Passage to the Southward, which will be accomplished without delay or difficulty. After the middle of April and until the end of October, it is necessary to proceed by the Northern Passage through Torres Straits, and thus all supplies have been forwarded, which have been required, at that season of the year. The Passage in that direction has never been effected in less than three months, and the Navigation is most intricate and dangerous. Four or five Vessels, which proceeded from hence in company about 12 months ago, were all wrecked in the Straits, one of which belonged to this Government, and had been Despatched for the relief of the Settlement at Raffle’s Bay.

I have written fully to Lieut. Governor Stirling on the subject of King George’s Sound, and have directed that the Vessel with the Detachment of the 63rd shall proceed in the first instance to Swan River, so as to afford him an opportunity of making such arrangements as he may think necessary on the occasion. King George’s Sound was Victualled by this Government to the end of September next; but, as the Convicts sent from hence will

* Note 15.
1831.
31 Jan.

Removal of convicts from King George's sound.

Military stationed in West Australia.

be withdrawn with the Detachment of the 39th Regiment, the whole consisting of about 70 Persons in number, the supplies will I conclude answer for a much longer period, as free people will not be disposed to reside there and the Settlement will consequently be on a much smaller Scale than hitherto.

I beg to add that the Detachment of the 63rd Regiment, employed in Western Australia,* now consists as follows, Vizt.:

1 Captain; 2 Lieutenants; 2 Ensigns; 4 Serjeants; 74 Rank and File.

I have, &c.,

EA. DARLING.

GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch No. 14, per ship Royal Admiral.)


I do myself the honor to forward for your favorable consideration the accompanying Copy of a Memorial, addressed to me by the Widow of the late Captain Logan, 57th Regiment, Commandant at Moreton Bay, who was Murdered by the natives while employed in completing a Survey of the Country in the Neighbourhood of that Settlement.

Captain Logan was a very Active and Zealous Officer and had held the Command of the Settlement for a period of four years and a half, which, though of the most troublesome character, he conducted in a manner highly advantageous to the Government.

I regret to add that, being devoted to his public Duties, he paid little or no attention to his private concerns and has died very much in debt. His Widow and Children are consequently left without any means of support.

It is on this ground, the Services of Captn. Logan and the distressing circumstances of his death, that I am induced, notwithstanding the communication† which I lately had the honor to receive from you, to forward Mrs. Logan's application in the hope, as the case is one of an Unusual Character, that you may be of opinion that there is sufficient reason for departing from the rule which His Majesty's Government has found it necessary to lay down, and grant Mrs. Logan such addition to her Pension from the Military Department as may enable her to support her family in a suitable manner. It will be observed by her Memorial that Captn. Logan purchased all his Commissions and was present at four general Actions in the Peninsula.

I do myself the honor to enclose the Copy of a Government order, which was issued on the occasion of Captain Logan's death; and I beg further to acquaint you that I have forwarded

* Note 16.  † Note 17.
to the Secretary at War an application from the Officer Commanding the 57th Regiment, that Mrs. Logan and her children may receive the Pension to which the Families of Officers are entitled under the existing regulations, who lose their Lives in the performance of their duty. I have, &c.

EA. DARLING.

[Enclosure No. 1.]

MRS. LOGAN TO GOVERNOR DARLING.

New South Wales, 13 December, 1830.

The Memorialist humbly Sheweth that her late Husband Captain Logan of the 57 Regiment entered the Army in the Year 1810 by the purchase of an Ensigncy, succeeded to a Lieutenantcy in 1813, and was placed on half Pay with the additional Lieutenants in 1817, and again returned to full Pay in 1830 by paying the regulated difference, and purchased his Company in 1825.

He was present at the Battles of Vittoria, Pyrenees, Nive and Nivelle.

He was sent as Commandant to the Penal Settlement of Moreton Bay, New South Wales in March, 1826, which troublesome and arduous Command he conducted with Credit to himself, the entire satisfaction of Government, and Importance to the Colony, until the 23rd October, 1830 (four Years and Seven Months) when, in the execution of the Duties of his Command, he was barbarously murdered by the Natives near that Station, and has left his afflicted Widow in a very precarious and delicate state of health, and two young Children unprovided for to lament his untimely end.

The Memorialist beseechest your Excellency will be graciously pleased to take this case into your favorable Consideration, and strongly recommend them to the Notice of the Home Government for a Colonial Pension and Gratuity, which has been granted on former occasions to Families of others who did not die by violence.

LETITIA ANNE LOGAN.

[Enclosure No. 2.]

GOVERNMENT ORDER NO. 22.

Colonial Secre's Office, 17th November, 1820.

His Excellency The Governor publishes, with feelings of deep concern, the following Copy of a letter from Captain Clunie, 17th Regiment, conveying intelligence of the Melancholy fate of Captain Logan, 57th Regt., late Commandant at Moreton Bay, who was Murdered by the Natives when Completing a Survey, which he had Commedenced last year.

It would be painful to dwell on the particulars of this distressing event. Everyone, who is capable of estimating Captain Logan's Character, his Zeal, his Chivalrous and Undaunted Spirit, will deplore it.

He had held for a period of four years the Command at Moreton Bay, a situation, from the character of the Settlement, of the most troublesome and arduous description. He did not however confine himself to the immediate duties of his Command, but had, on several occasions, at great personal risk explored the Country to a considerable extent, and on one of these discovered a River, which in compliment to his Services was named the "Logan," as will be seen by the Government Order of the 16th July, 1827, No. 27.
The Circumstances of Captain Logan's death prove that the Ardor of his Character was not to be restrained by personal considerations. His Life was devoted to the Public Service. Professionally he possessed those qualities, which distinguish the best Officers; and, in the conduct of an extensive Public Establishment, his Services were highly important to the Colony.

The Governor, though he deeply regrets the occasion, is gratified in expressing his sentiments of Captain Logan's character and services. He is assured that every feeling mind will sympathise with the afflicted Widow, who, with her Infant Family, has by an Act of savage barbarity, sustained a loss which cannot be repaired.

As a tribute to the Memory of this meritorious officer, His Excellency requests that the Gentlemen of the Civil Service will join the Military in attending the Funeral, of which due Notice will be given.

By His Excellency's Command,
ALEXR. MACLEAY.

CAPTAIN CLUNIE TO COLONIAL SECRETARY MACLEAY.

Sir,
Moreton Bay, 6th Nov., 1830.

It is with feelings of unfeigned sorrow, the duty devolves on me of reporting to you, for the information of His Excellency The Governor, the Melancholy death of Captain Logan, late Commandant of this Settlement.

The particulars relative to this unfortunate event as nearly as follows.

On the 9th ultimo, Captain Logan, accompanied by his servant and five Prisoners, proceeded from Brisbane Town to the neighbourhood of Mount Irwin and the Brisbane Mountains, with a view of completing his Chart of this part of the Country. It appears that, when near the Pine Range, the party were attacked by a large assemblage of Natives, who however, on a shot being fired, ceased to annoy them; the party then proceeded on their Journey, and Captain Logan after traversing part of the Country was on his return Home on the 17th ultimo, when, not far from the foot of Mount Irwin, he left the party, desiring them to proceed to a place he pointed out, and where he said he would join them in the Evening. From some unfortunate Misunderstanding, however, he was unable to do so; and on the 18th the party, believing he would proceed immediately to the Lime Stone Station, took their departure also for that place, where they arrived the following Evening.

Finding that Captain Logan was not there as they expected, and having seen many Natives on the day previous, their fears were naturally excited, and three of them immediately returned to the place where Captain Logan had left them, while the others came here to announce the distressing intelligence.

As we naturally concluded he had fallen into the hands of the Natives, and hoped he might be a Prisoner and alive, Parties were sent out in every direction to endeavour to meet them; while, in the meantime, his servant and party found his Saddle, with the stirrups cut off as if by a Native's Hatchet, about ten Miles from the place where Captain Logan had left them, in the direction of the Lime Stone Station. Near to this place also were the marks of his horse having been tied to a Tree, of his having himself slept upon some Grass in a Bark Hut, and having apparently been
roasting Chestnuts, when he had made some rapid strides towards his Horse as if surprised by the Natives. No further traces could however be discovered, and, though the anxiety of his Family and Friends was most distressing, hopes were still entertained of his being alive, till the 28th Ultimo, when Mr. Cowper, whose exertions on this occasion were very great, and for which I feel much indebted, discovered the dead Horse sticking in a Creek, and not far from it, at the top of the Bank, the body of Captain Logan, buried about a foot under ground; near this also were found papers torn in pieces, his boots and part of his Waistcoat stained with Blood.

From all these circumstances, it appears probable that, while at the place where he had slept for the Night, Captain Logan was suddenly surprised by the Natives, that he mounted his Horse, without Saddle or bridle, and, being unable to manage him, the horse, pursued by the Natives got into the Creek, where Captain Logan, endeavouring to extricate him, was overtaken and Murdered.

Mrs. Logan, having a decided objection to the remains being interred here, has requested they may be forwarded to Sydney by the Isabella, while she and her family proceed by the Governor Philip; and, it being the opinion of both the Medical Officers here that, in her delicate state of Health, proceeding without a Medical Attendant would be attended with much danger, I have been induced to sanction Assistant Surgeon Murray accompanying Mrs. Logan, as, in the present healthy state of the Settlement, the Services of one Medical Officer can be dispensed with for a short time.

I have, &c.

J. O. CLUNIE,
Captn., 17th Regiment, Comg. Detachment.

GOVERNOR DARLING TO SIR GEORGE MURRAY.
(Despatch No. 15, per ship Royal Admiral.)

Sir, Government House, 1st February, 1831.
I do myself the honor to transmit to you, as required by the 39th Clause of the Charter, the final Report of the Trustees of the Clergy and School Lands from the 1st of March to the 31st of December, 1830, on which day the functions of the Trustees terminated, five Commissioners* having been appointed to succeed them from the 1st day of the present year.

I beg to state generally that, as far as the interposition of the local Government can be useful or necessary, that every assistance shall be given and attention paid to the several objects adverted to in the Reports.

I have already been in communication with the Surveyor General on the subject of the Lands to be appropriated for the Church Establishment in Cumberland; but it will be necessary to bring the matter under the consideration of the Executive Council, before it can be finally arranged.

As to the Trustees not having been able to obtain payment of the Monies due to the Corporation by Individuals, the

* Note 18.
disappointment has been general and the Local Government has suffered in an equal degree from the distress which has prevailed. To have pressed the Parties indebted would have ruined them without benefitting the Government, as the Value of Property of every description has been reduced to the lowest degree by the frequency of the Sheriff's Sales.

As to building an additional Church in Sydney, which is indeed indispensable to the accommodation of the Inhabitants and certainly most desirable on every account, I can only refer you to a Letter from the Archdeacon of the 19th of June last, which was transmitted with my Despatch of the 20th September following, No. 55. Whenever the arrangements is matured, I shall do myself the honor of communicating the proposed details for your consideration and Instructions.

I can only express my regret that the allotment, applied for at the extremity of Cumberland Street for the purpose of building an additional School House, had been previously appropriated to the opening a New Street; No exertions, however, shall be spared to afford every necessary accommodation in a matter of so much importance to the rising generation.

I will not conclude, Sir, without expressing my hope to be enabled to transmit to you by the next opportunity a detailed report of the measures, which have been adopted for carrying into effect The King's Instructions for placing the management of the Church and School Establishment in the hands of Commissioners.

I have, &c.,
EA. DARLING.

[Enclosure.]

[A copy of this report will be found in a volume in series VII.]

GOVERNOR DARLING TO UNDER SECRETARY HAY.
(Despatch per ship Royal Admiral.)

Sir,

Government House, 1st Feby., 1831.

I have the honor to acknowledge the receipt of your letter of the 16th of June last, transmitting Copies of a letter and its Enclosures from the Secretary to the Treasury on the subject of certain advances by and repayments to Deputy Commissary General Wemyss on Account of the Colonial Revenue, as stated in his Accounts for the year 1826, and, having called on the Auditor General for an explanation of the circumstance in question, I do myself the honor to forward Copy of his report, which I trust will afford the information required by the Commissioners of Audit.

I have, &c.,
RA. DARLING.
GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch No. 16, per ship Royal Admiral.)

Sir, Government House, 2nd February, 1831.

I do myself the honor to forward for your consideration the accompanying Papers, being Copy of a Correspondence and other Documents relating to the escape of four Convicts named in the margin* who appear to have left this port in the Brig Elizabeth, owned and commanded by Lt. Thomas McDonnell of the Royal Navy. It is proper to observe that, though Mr. McDonnell's letter No. 1 is dated some days previous to the Investigation reported in No. 2, he did not make the communication for some time after his return to this Port, nor until informed that Deale had given information of the matter.

I beg your attention to enclosure No. 3, being a letter from the Attorney General, stating his opinion that no case could be made out against the Master of the Elizabeth, as also to Enclosure No. 2, the Copy of a letter from the Principal Superintendent of Police and the statement annexed to it.

I have the honor further to transmit to you the Copy of a letter from Messrs. E. I. Connell and Co., Merchants at Manilla, stating that Mr. McDonnell had refused to receive a Convict on board his Brig, who had escaped from this in the Ship Sarah, and was delivered over to them by the Master of that Ship for the purpose of being returned to this Government.

It is proper to observe, in reference to the last case, that this Government has just now been cast in Damages† to the amount of £400 for detaining two Men, sent here by Lt. Govr. Stirling in H.M. Sloop Comet, supposing them to be Runaway Convicts, either from this Colony or Van Diemen's Land, who he also informed me had been guilty of a Felony, but that he had no means of bringing them to Trial. It is said that the two Men, alluded to, were transported to Van Diemen's Land but are now free. The Damages in this case appear excessive; But, as I have no reliance on any legal steps we could take with our present means, I shall avoid incurring the further Expense which would be occasioned by moving for a New Trial.

I have, &c.,

RA. DARLING.

* Marginal note.—John Broadhead, Thos. McDonald, William Jones, Charles Roche.
† Note 19.
HISTORICAL RECORDS OF AUSTRALIA.

Lieutenant McDonnell to Colonial Secretary Macleay.

Sir,
Brig Elizabeth, Sydney, 28th Sept., 1830.

I beg leave to acquaint You, for the information of His Excellency the Governor, that the Brig Elizabeth left this Port for China on the 13th of December last; that, on the 21st of the same month, while at sea, Four Men were discovered secreted in the Hold whose names will be found in the Margin.* It is possible that these men may have been Convicts, although they denied being so on my questioning them, and, as there were no British Authorities at Lintin, I had no opportunity of ascertaining the fact, as to whether they were or were not Prisoners.

I further beg leave to state that I proceeded up to Canton, leaving my Vessel at Lintin, and, on my return, found that the men alluded to had absconded.

I have, &c,

THOS. MCDONNELL, R.N.,
Commandg. the Elizabeth.

[Enclosure No. 2.]

Mr. F. Rossi to Colonial Secretary Macleay.

Sir,
Police Office, Sydney, 30th Sept., 1830.

Herewith I have the honor to transmit the information of John Deale, a seaman belonging to the Brig Elizabeth of which Thomas McDonnell is Master and now lying in Port Jackson, relative to the escape of Four Convicts,† Prisoners of the Crown from this Colony on Board that vessel in the month of December last; and I request that the opinion of His Majesty's Attorney General may be obtained for my guidance, as to the steps (if any) proper to be taken by me under the circumstances.

I have, &c,

F. Rossi, P. Supt. of Police.

P.S.—Deale's narrative can be corroborated by Mr. Henry Miller, Peter Higgin and Jas. Dugrant, Seamen on Board the Elizabeth.

F.R., J.P.

[Sub-enclosure.]

Statement by J. Deale.

Monday, 27th Sept., 1830.

John Deale, Seaman belonging to the Brig Elizabeth now lying in Sydney Harbour, has this day stated that, on Sunday, December 12th, 1829, the said Brig sailed on her Voyage from Sydney to China; that, after two or three days' sail from Sydney at Sea, Four Men were brought up from the Hold, and placed upon Deck; the names of the said four men were as follows, viz.:—

2. Michael Taylor, a Taylor belonging to Mr. Pendray.
3. Willm. Creed, a Taylor belonging to Mr. Pendray.
4. John Holloway, or Oliver, occupation not known.

John Deale further states that a Seaman named John Henry Miller found the said four Men in the hold, and, when they were brought on Deck, the Capt'n Thos. Macdonald called all hands on

DARLING TO MURRAY.

the Quarter Deck and enquired if any of them knew the said Four Men. John Deale said, Yes, I know Fowler, he was a Carpenter in the Lumber Yard.

James Clifford, Cook of the said Brig, also said, I know Mich. Taylor. He is a Tailor, and worked at Pendray's, the Tailor at Sydney, and so did William Creed. Holloway or Olliver I do not know, but Deale said I know his face some where in Sydney.

Upon this, the Captain stamped his foot on the Deck, and said, I do not want to know who they are, I only want them to walk over my Shipside, the first Land we make; the Captain then ordered them to go forward, and said keep yourselves together and I will use you well.

Thus they proceeded on the Voyage, Fowler acting as Carpenter, and the other three as Landsmen to pull and haul. Deale further states that the Four Men were not Confined, they shared in common fare in all respects as the rest of the Ship's Crew and under no restriction during the whole of the voyage to China.

Deale also says that, during the Voyage, when off Norfolk Island, the Captain Called the said Four Men, and pointing over the Ship side, there is Norfolk Island, but did not attempt to Land or put in, but stood off with a light Breeze.

When they arrived at China, the said four Men were under no restraint whatever. They went up to Wampow in a China Boat, without any restriction; they had liberty the same as the rest of the Ship's Company.

Fowler and Holloway, at Wampow, shipped on board the Two Friends of Boston, and Taylor Shipt on Board the Thos. Scathergood of Boston; what became of Creed, Deale says he does not know.

Deale says this Statement was made to John Fletcher, Chief Constable at Hobart Town, and he Fletcher directed him to state the whole of the transaction to the Chief Constable at Sydney.

Read over and Sworn, this 30th September, 1830, Before F. Rossi, J.P., Supt. of Police.

Deale further stated that he was not able to Come on shore before to give this information for this reason; he says, the Captain is very unwilling to let the Crew Come on shore, and he Deale came this day with the Boat, and, in the absence of the Captain, came on the sly to the Police Office and will make Oath, if required, that this statement is true.

ATTORNEY-GENERAL BAXTER TO COLONIAL SECRETARY MACLEAY.

Sir, Attorney General's Chambers, 2nd October, 1830.

In acknowledging the receipt of your Letter of the 1st inst., Letter transmitting therewith to me a Letter from the Principal Superintendent of Police, and the deposition of Jno. Deale, Seaman on Board the Brig Elizabeth, Thos. McDonnell, Master, relative to the Escape of the Four Prisoners named in the Margin,* from the Colony in that Vessel to China.

In reply to your request that I should give my immediate opinion as to the measures proper to be taken in this Case, and whether the Captain's Conduct ought not to be investigated, I have the honor to state, for the information of His Excellency the Governor, that I am of opinion that no Case could be made out against the Captain either under the local ordinance, or the Act of Imperial Parliament, 9 Geo. 4, Cap. 83.

I have, &c.,
ALEX. M. BAXTER, Atty. Genl.

[Enclosure No. 4.]

MR. F. HELY TO COLONIAL SECRETARY MACLEAY.

Principal Superintendent of Convicts' Office, 15th October, 1830.

Sir,

With reference to your Letter of the 11th inst. No. 30/837 enclosing a Letter from the Principal Supt. of Police with the deposition of John Deale, a Seaman on board the Elizabeth, relative to the Escape of the four Prisoners named in the Margin* from hence in that Vessel, I have the honor to inform you.

1. That William Fowler, pr. Prince Regent 4, is a Runaway from Hyde Park Barrack. This man had the indulgence of sleeping out of Barrack, and was absent from Sunday Muster on the 12th December last, and was discharged as a Runaway from the Barrack on the 15th of the same Month. He was at the time employed as a Carpenter in the Lumber Yard, and, being an out of Barrack Man, might have been absent a day or two previously without being missed, as he would likely have the Saturday at all events to work for himself.

2. Mich. Taylor, pr. Eliza, was reported as a Runaway from the Service of Mr. Wm. Pendray on the 11th December, 1829, and has not since been apprehended.

3. John Oliver, pr. Asia, was reported as a Runaway from the Service of Mrs. Jas. Chisholm since the 9th Decr., 1829, and has not since been apprehended.

4. These three Prisoners were advertised in the Gazette on the 19th December, 1829.

5. I can find no account of "William Creed," but the Prisoner named in the Margin† absconded from the General Hospital on the 8th December, 1829, and was advertised on the same day, with the others before mentioned. This Man was by Trade a Taylor and did occasionally work for Mr. Pendray, and, not having been heard of since the day of his absconding, I have little doubt of his being the Man called "Creed."

I have, &c.,
FREDK. HELY.

[Enclosure No. 5.]

COLONIAL SECRETARY MACLEAY TO LIEUTENANT MCDONNELL.

Sir,

Colonial Secretary's Office, 22nd November, 1830.

On the 30th September last, I received and communicated to the Governor your Letter, dated the 28th of that month, acquainting me, for His Excellency's information, that, on the 21st of

† Marginal note.—William Sullivan Guilford.
December last, Eight days after the Brig Elizabeth had sailed from hence for China, Four Men, whom you name as in the Margin,* were discovered secreted in the Hold, and that they may have been Convicts, altho' they denied being so, and You had had no opportunity of ascertaining the fact; but that during your absence from the Vessel while she lay at Lintin they absconded.

I am now directed by His Excellency to transmit to You the enclosed Copy of a declaration made by John Deale, one of the Seamen of Your Vessel on the 27th September and sworn to before the Principal Superintend't of Police on the 30th, the day on which I received Your Letter. This declaration, which it is said can be corroborated by Three other Seamen of the Elizabeth, states that the names of the Men, who were discovered in the Hold, are Thos. Fowler, Mich. Taylor, Wm. Creed and John Holloway or Oliver; and that you were expressly informed at the time that they were recognized as Runaway Convicts from this Colony, but that nevertheless You took no measures whatever for securing them or putting them under any kind of restraint.

This Statement differs so materially from that Contained in Your Letter, that His Excellency is desirous that You should have an opportunity of Explaining Your Conduct in the matter; and I am Commanded to inform You that, unless Your Explanation be perfectly satisfactory, His Excellency will feel it his indispensable duty to report the case to the Lords Commissioners of the Admiralty.

I am also directed by His Excellency to transmit to You the Copy of a Letter from Messrs. Connell and Co. of Manilla, dated the 11th of May last, stating that, as the brig Elizabeth was there at that place, bound direct for Port Jackson, they had applied to You thro' your Agent to receive on Board of your Vessel a British Convict, who had secreted himself in the Ship Sarah, when she had sailed from hence in January last, and Escaped from that ship at Manilla; but that you positively refused to take him, although you were offered every reasonable remuneration for his Passage. His Excellency commands me to observe that he is disposed to believe that there is some mistake in this statement; but he thinks it proper that you should have an opportunity of answering it; and I have the honor to request that You will state to me for His Excellency's Information whether or not You refused to receive the Convict alluded to on Board of Your Vessel, for Convoyance to this Colony; and if so, the Cause of such refusal, the same being Contrary to Law as well as inconsistent with the Conduct expected from a British Officer under such circumstances.

I have, &c,

ALEX. MCLEAY.

[Enclosure No. 6.]

LIEUTENANT MCDONNELL TO COLONIAL SECRETARY MACLEAY.

Sir, Elizabeth, 30th November, 1830.

I have the honor to acknowledge the receipt of your Letter of the 22nd inst., accompanied by a "Statement of John Deale," as also a Copy of a Letter addressed to You by Messrs. Connell and Co. of Manila.

In reply, I beg leave to state that they are both incorrect.


SIR I. VOL. XVI—E
I left this Port in the Elizabeth on the 13th December last. On the 22nd of the same month whilst at Sea, I discovered by accident that Four Men, whose names are noted in the Margin,* were secreted in the Hold; I had them brought on Deck; they positively denied being Convicts, nor did John Deale intimate to me the Contrary. He merely observed that he had seen one of them at Sydney, but this was no proof of their being Convicts. I however took every precaution that prudence and my limited means would permit to prevent disturbance.

I divided these Men into Watches, and armed my Officers, giving them strict injunctions to watch them narrowly, though, judging from their appearance, I did not apprehend danger. On the 25th of December, the Elizabeth’s Log Book states “at 4 p.m. down Larboard studding Sails; at 5 a Heavy Squall, bore up and shortened Sail, at 8 discovered Norfolk Island.”

I offer this remark from my Log Book in refutation of Deale’s “Statement.” That I could have called up Four Men supposed to have been Deserters from Sydney, at Night, when the “Island bore S.S.W. 7 or 8 Leagues” and in the face of my Officers and Crew, “and pointing over the Ship’s side, said, there is Norfolk Island” is too ridiculous to admit of Credit.

Is it possible, Sir, that I could have so far forgotten what was due to myself, as to have committed such a flagrant breach of duty and propriety. I have to request that you will be pleased to make known to His Excellency that I am incapable of the conduct that this Man would fasten on my Character, and that, while I court investigation, I am fearless of the result. I had neither Irons nor Handcuffs on Board, which, in some measure, obliged me to adopt this line of treatment to the Men in question that I pursued. On my arrival at Lintin, there was no authority with whom I could lodge them; I proceeded in a China Boat to Canton, and on my return to the Vessel found that they had escaped. I am quite ignorant as to where they went.

With regard to Mr. Connell’s Charge, I beg leave to acquaint you that I do recollect a Verbal Application being made to me by a Mr. Kerr, a Clerk in the Employ of Messrs. Symes and Co. of Manilla, for the Passage of a Person supposed to have been a Convict from New South Wales; but as the Applicant to Mr. Kerr refused to Communicate with me on the subject, as the Master and Owner of the Elizabeth, for I had no Agent, I did not feel authorized to take such a serious responsibility on myself as the imprisonment of a British Subject, without some document or sufficient reason to justify the Act.

Trusting that my Explanation, in both cases, may prove satisfactory to His Excellency,

I have, &c.,

THOS. MCDONNELL, Lt., R.N.

[Enclosure No. 7.]

MESSRS. E. I. CONNELL AND CO. TO COLONIAL SECRETARY MACLEAY.

Sir,

Manilla, 11th May, 1830.

We beg leave to acquaint You for the information of His Excellency the Governor of New South Wales that, on arrival here of the Ship Sarah, from Your Port 9th January, her Commander

Captain Henry Colombine reported having two men on board, who had secreted themselves in the ship previous to her departure from Port Jackson, and were not discovered until they were some days at sea.

There being no British Consul here, or any other person authorized to take charge of them, it was Capt'n Colombine's intention to deliver them up to the Resident of Singapore, or to the proper authorities at the first British settlement he might touch at; but one of them, who calls himself Thomas Simpson, found means to escape from the ship when she was about getting under weigh from this port bound to Cadiz, and could not then be found, but has since been taken and lodged in prison, where he still remains.

Before the ship would be allowed to depart, we, as the consignees of her, were obliged to become securities to this government (conformably to the regulations of the port) to be answerable for the expenses of apprehending him, and maintaining him until means were found of sending him away.

The brig Elizabeth being here, and bound direct to Port Jackson, we made application to her commandant, Capt'n Macdonnell, thro' his agent, to take Simpson back, at the same time offering him any reasonable remuneration for his passage he might require; but he positively refused to take him on any terms, unless compelled which we had not the means of doing.

We made application to this government for the purpose, who declined to interfere in the business, further than to give the enclosed certificate of Simpson being in prison.

We exceedingy regret being disappointed in our wishes to send him back, the more especially as he must now be kept in prison until specially claimed by some British authority, which is a very great hardship, as he probably does not deserve it; and it is also very unpleasant to us to be obliged to maintain him in that situation for an indefinite period.

We therefore beg leave to request that you will please to lay the case before his excellency the Governor, whom we trust will give early directions for the removal of Simpson; as well as for the payment of any expenses we may have been at for his maintenance.

We beg further to mention that, in the event of any of his majesty's ships touching here shortly, we shall report the business to the commanding officer, in hopes that he may remove him.

We have, &c.

E. I. Connell and Co.

GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch No. 17, per ship Royal Admiral; acknowledged by Viscount Goderich, 6th November, 1831.)

Sir, Government House, 3rd February, 1831.

I have the honor to forward for your information, in pursuance of the intention expressed in my despatch of the 5th of October last, No. 63, copy of a general order, containing the arrangements for the augmentation of the mounted police, which indisposition and a variety of pressing business have prevented me transmitting before the present moment.
1831.
3 Feb.

Statement re police submitted.

Regret at disapproval of increase of police.

Police engaged in pursuit of bushrangers.

Necessity for augmentation of mounted police.

In order to your seeing at one view the former and present scale of this Establishment and the Expense attending it, I do myself the honor to enclose for that purpose a comparative statement of the number of men employed and the rates of Pay allowed, a reduction of 1d. per day in the Pay of the Corporals and of 2d. in that of the Privates having taken place.

I regret, Sir, to find by your Despatch of the 21st of April last, No. 27, which I received on the 21st of October by the Lord Melville, that you were not disposed to sanction the augmentation in the Mounted Police, which was reported in my Despatch of the 2nd October, 1829, No. 107.

You are pleased to observe that, unless the Bushrangers appear at one and the same moment in different directions, that a portion of the Police might be detached from one station to another. My letter, above alluded to, shews that this was the case; that two distinct Bodies of Bushrangers were actually out at the same time and at a very considerable distance from each other, the one at Bathurst having defeated the Party of the Mounted Police, which had been sent in pursuit, with the loss of some men and Horses. The Party, which pursued the Bushrangers from Hunter's River, were out eight weeks before it succeeded in capturing them. Six of these have been executed and ten of those taken at Bathurst.

You may be assured, Sir, there is no desire on my part to extend the Mounted Police beyond the number necessary for the service on which that Description of Force can be employed with advantage. Feeling that I am responsible for the security and tranquillity of the Colony, it is my duty to state to you what I consider necessary for these purposes; and I now beg respectfully to express my opinion that the present Establishment of the Mounted Police cannot consistently with these objects be reduced. Waismley and Webber, the last of Donahoe's party,* who so long infested this part of the Country and were a terror to the Inhabitants, have been taken about 30 Miles from this, shewing that three Parties were out at the same time and proving the necessity of the Mounted Police being of sufficient strength to admit of its being dispersed. When the extent of this Colony is considered and it is recollected that Convicts under sentence are working in every direction without even the common means of security, which, to avoid Expense, have not been resorted to, the Employment of a Hundred Men at an Expense of £1,642 10s. a year cannot I think under such circumstances be considered unnecessary or extravagant.

Being anxious to remove any erroneous impression, which may have been received as to the Police Stations being unnecessarily

* Note 14.
numerous in this Colony, I have been led to compare the numbers with those at Van Diemen's Land; and I find that, notwithstanding the great disproportion of the two Colonies both in extent of Territory and amount of the Population, the Stipendiary Magistrates are not only more numerous at Van Diemen's Land, but receive much higher Salaries. It appears by the Almanach that eleven Magistrates are employed in that Colony. In this, there are only eight. In Hobart Town, there is a Chief Police Magistrate and an Assistant. In Sydney, which is infinitely larger, with a Population of the very worst description, there is only the Chief Magistrate without an Assistant. At Van Diemen's Land, the Police Magistrates are generally Civilians, paid I believe from £300 to £400 a year with allowances for a House and Forage for a Horse. Here, there are only two civilians employed, who receive £300 a year each, without any allowances. I have been able to make arrangements for the employment of officers of the Military Service in several of these situations, in order that the duty might be performed at the least possible Expense, and these Officers receive only £150 a year. I beg not to be understood as intending to mean that the Police Magistrates at Van Diemen's Land are paid at too high a rate, but, on the contrary, that the Civilians here are paid much too low. For example, it was stated to me not long since that the Magistrate at Parramatta (the Second Town in the Colony, where the Police Court has a great deal of Business) who received only £300 a year, paid £120 for a House. It is evident, therefore, he does not possess the means of supporting his situation with even common respectability. I have instanced these facts, Sir, as a proof that I have shewn the very reverse of want of attention to economy. I have, however, steadily pursued the direct Path of my public duty without regarding the consequences.

I now beg, Sir, to assure you that it would not be possible to discontinue the Police Magistrate at the "Stone Quarry Creek," until some other arrangement be made, without occasioning such inconvenience to the Inhabitants as it would not be proper to subject them to. That station was established in consequence of the Bench at "Cawdor" having been necessarily discontinued, which is at the distance of 8 miles from the "Stone Quarry." The Magistrate, Mr. William McArthur, who was in the habit of attending the Cawdor Bench, was at too great a distance to assist at the "Stone Quarry." Mr. Antill's appointment was
Reforms proposed in police establishment.

therefore not a matter of choice but of necessity, who was the only Magistrate near that place, and could not be expected to do the whole of the duty gratuitously.

I have for some time past had in view the revision of the Police Arrangements of the Colony generally; but my Hands are so completely tied that I know not how to proceed. I am in fact afraid to incur any Expense, tho' the arrangement would ultimately have the effect of saving ten times the sum. For instance, in pursuance of the above intention, I was anxious to establish a Bench in a Central situation, which could do the Business at present transacted at "Campbell Town," "Bringelly" and the "Stone Quarry." A situation was pointed out, but Buildings necessary for the purpose are required, the erection of which would cost a few hundred Pounds. I have not proceeded in this, though calculated to produce a considerable saving, fearing it might not be approved. The three Benches mentioned must therefore be continued, until some arrangement of the nature alluded to can be made. Another object of the revision of the Police Establishment was the employment of Prisoners of the Crown, instead of free Men (who though now free were formerly Convicts) as constables. I have myself little doubt the duty would be at least as well performed, if certain advantages were held out as an inducement to good conduct, and a saving of no inconsiderable sum might be made. I have also had it in contemplation to reduce the Scale of gratuities to Prisoners employed as overseers, etc., from three Classes to two, which will be more simple and less Expensive. But the business of this Government is increasing to such an extent as to leave those employed in conducting it without one moment's time for the consideration of matters, which require more than ordinary attention.

I will not close this communication without again assuring you that my exertions are invariably directed to give effect to the views of His Majesty's Government, and I trust you will be satisfied, on a review of the facts stated in this letter, that my proceedings have been governed by the strictest attention to economy. If, from a sense of public duty, I am occasionally under the necessity of pointing out objections which cannot be foreseen at Home, or of proposing arrangements the necessity or advantage of which can hardly be judged of at the distance of 16,000 Miles, I do so in the persuasion that an intimate knowledge of local Circumstances, the result of five years' experience, will justify the opinions I have formed and give them some weight in your estimation.

I have, &c.,

RA. DARLING.
SYDNEY, 16th October, 1830.

His Excellency the Governor has been pleased to place the Establishment of the Mounted Police on the following Establishment, with the rates of pay and allowances specified, viz.:

<table>
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<tr>
<th>Rank</th>
<th>Per diem.</th>
<th>Allowance in lieu of forage at 2/- per diem.</th>
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<tr>
<td>Captain Commandant</td>
<td>7 6</td>
<td>2 horses</td>
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<td>3 Subalterns of Division</td>
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<td>1 Serjt. Major and Pay Serjt.</td>
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<td>6 Serjeants</td>
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<td>16 Corporals</td>
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<tr>
<td>77 Troopers</td>
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The above to take place from the 25th of last month.

2nd. The Governor has further been pleased to appoint Captain Location Forbes, 30th Regiment, Captain Commandant of the Mounted Police, and Lieut. Blackburne, 17th Regiment, to the charge of a Division of that corps.

3rd. The Head Quarters will be at Sydney.

Lieut. Brown Commanding the 1st Division will continue at Bathurst.

Lieut. McAllister Commanding the 2nd Division will be stationed at Goulburn Plains; and

Lieut. Blackburne Commanding the 3rd Division at Maitland.

4th. The Officers of Divisions will report on all points connected with the arrangement, distribution, and equipment of their divisions to the Commandant, and the Commandant will, as may be necessary, make his application to the proper departments.

5th. On such matters as relate to the Police of the Colony, Officers Commanding Divisions will communicate with the Colonial Secretary, for the information of the Governor. The necessary orders will then be given through the Colonial Secretary, to the Commandant of the Corps, who will make such arrangements as circumstances may require and communicate with the officers of Divisions accordingly.

6. Those officers will constantly keep in mind the object of their appointment, and will use their best exertions to preserve the tranquillity of the neighbourhood in which they are employed. They will communicate with the Magistrates and co-operate with the Superintendents of Police of their respective districts, taking care at the same time not to harass their men and injure their horses by employing them on every idle rumour. One means of avoiding this will be a judicious distribution of their Divisions, by placing small parties at convenient stations and relieving the men individually.

7. The Officers and Men, as they cannot otherwise perform their duty effectually, will make a point of obtaining a knowledge of all the “Bush Roads.” The men must be frequently removed from station to station, and the Commandant will continue the present system of sending them from one district to another according to the regulations at present in force.

8th. The expenses of this Corps will be paid from the Military Chest, and are to be charged under the head of “Convict Establishments.”
1831.  
3 Feb.  
Relief of P. Aubin.  
Duties of commandant.  

9th. According to the foregoing arrangement, Captain Aubin will be relieved from the Superintendence of the Mounted Police at Maitland.  

10th. The Commandant of the Mounted Police will assist the Major of Brigade in carrying on the general duties of the Command, when those of his own Corps permit.  

By Command,  
K. Snodgrass.  

[Enclosure No. 2.]  
[A copy of this return is not available.]  

GOVERNOR DARLING TO SIR GEORGE MURRAY.  
(Despatch No. 18, per ship Royal Admiral.)  

Sir, Government House, 5th February, 1831.  

I have the honor to report for your information that the following arrangements and additions have taken place in the Establishments of the Public Departments specified, "Vizt.":  

Governor's Office.—1st. I find I omitted to report at the time that a Clerk was transferred from this Office to the Colonial Secretary's in the Month of September last, so that my Office consists at present of the Private Secretary and one Clerk only. In making this arrangement, I endeavoured to transfer part of the Business which had previously been transacted here; but I am not sanguine as to the success of the measure, the Colonial Secretary, who is as competent to his duties as any Man can be and whose information and experience have rendered his services important to the Government, having already more to do than he can attend to, and the Business of his office being consequently much in arrear. In stating that my office now consists of the Private Secretary and one Clerk, I beg to be understood as meaning Persons paid by the Government, as, since the latter end of the year 1827, I have employed an Additional Person for whom however no charge has been made. The Business, which I have myself personally to attend to, is in fact so burthensome that I should be extremely glad to be relieved from a great portion of it. I beg to refer you to the Despatches forwarded on the present occasion as an instance of the extent of it in this individual branch, independent of the Multifarious local matters, which require my constant attention.  

If you should take the trouble of looking at the despatches forwarded by the present opportunity, you will be satisfied that their preparation must have required much time and attention, and I persuade myself you will agree with me that, as in the Governments of India, the Despatches should generally speaking be prepared by the Secretary to the Government, and not by the Governor. It is I think very important that the Governor should
DARLING TO MURRAY.

not be so much occupied as I have been by mere office Business; but, anxious as I have been to relieve myself of a portion of it, I confess I have not been able to discover any means by which it could be properly accomplished. To effect it, some new arrangement will be necessary and additional assistance will be required. I find that I adverted to this subject on the 22d of April, 1829, in a Separate letter, which I had the honor to address to you at that time, and to which I now beg leave to refer you.

Dockyard.—2nd. I beg to report that I have discontinued the Dockyard situation of Storekeeper in this Establishment from the commencement of the present year. The Salary of the office was £150 per annum. But, in providing for the due performance of the Duties, I have been under the necessity of raising the Salary of the Clerk of that Department from £61 to £91 3s., and to appoint a free Person to the situation in the place of a Prisoner holding a Ticket of Leave, it appearing highly injudicious to employ Persons of this Class in any place of trust. The saving by this arrangement will be £118 15s. per annum.

Post Office.—3rd. In consequence of the increased duties of Post-office, the office and the retirement of the Clerk, who received £170 a year, I have appointed two Clerks, that number being indispensable, one at the rate of £120, and the other at £80, which occasions an additional Expense of £30 a year; The revenue of the Post Office amply admits of this, as it has considerably increased of late.

Land Board.—4th. My Despatch No. 7 by the present oppor-untiy will inform you of the steps that were taken to retain the services of Mr. Busby and prevent additional Expense. The arrangement having failed, I have been under the necessity of appointing a Clerk to the Board at a Salary of £130 a year. The Services of this Board, which embraces the assignment of Convicts and which is frequently called on to report on different matters as they occur, are very important, and could not be made available without a competent Clerk. Different expedients have been resorted to from time to time to have the Clerical Duties performed, when the employment of a permanent Clerk became necessary to the efficiency of the Board.

Carters' Barracks.—5th. The Salary of the Superintendent of this Establishment has been raised £22 5s., that is, from £127 15s. to £150 per annum. The enclosed Copy of a letter from Mr. Murray, which was submitted to the Executive Council, will I trust satisfy you, as it did the Council, of the justice of his Claims.

* Note 20.
I request Sir, that you will be pleased to sanction these arrangements, and I trust you will be satisfied that, in their adoption by the Local Government, every possible attention has been paid to economy.

I have, &c, &c

EA. DARLING.

[Enclosure.]

MR. A. MURRAY TO COLONIAL SECRETARY MACLEAY.

Sir, Carters' Barracks, 3rd January, 1831.

I have the honor to request you will allow me to approach His Excellency the Governor through You, and that you will please to submit to His consideration the pecuniary Circumstances of my situation as Superintendent of Carters' Barracks; and, whilst I express my grateful sense of the favors and promotion I have already received from His Excellency, I hope, on his consideration of the following statement, He will be graciously pleased yet further to extend to me the liberality of the Government.

The Salary of the Superintendent of Carters' Barracks is at present £127 15s. per Annum, whilst that of the Superintendent of Hyde Park Barracks and Grose Farm and Longbottom is £150 each. The duties of Carters' Barracks are however in my opinion at least equal to, if not greater than those of either of these Establishments. For, though the Number of Prisoners at Carters' Barracks is much less than at the former, and the extent of Land in charge much less than at the latter, yet, when it is recollected that the Superintendent of Carters' Barracks has in charge from forty to fifty Horses and a corresponding Number of Carts and Harness for the supply of the Public Departments, and that he has the distribution of those every day to meet the requisitions of those Departments; that he has not only the Barrack discipline of about two hundred Prisoners generally, but the particular management of from eighty to one hundred boys, who are certainly more difficult to control than a like Number of men, as also the Superintendence of a Lumber Yard for their instruction, and in Charge a supply of Stores for their employment, which is accountable for and renders attested accounts of every quarter; that the Tread Mill is also under his Superintendence, and that he manages the Cultivation of a Government Garden for the growth of Vegetables for Prisoners in Sydney, which yielded, in the Unfavorable Season of 1829, at the Contract price, vegetables to the Amount of £405; it will appear that the duties of Carters' Barracks collectively are at least equal to those of either of the Establishments named.

I have on the 12th inst. had the honor to serve Government Nine Years, and, with the exception of Mr. Fraser, have been longer in the service in the Colony than any Superintendent now under Government. How I have discharged my duties during that period is not for me to say, but happily I have come within the Notice of yourself and the officers of His Excellency's Staff, and, on your and their good opinion, I can Confidently rely for a favorable answer to any reference His Excellency may deem necessary to make.

I am extremely reluctant to trouble His Excellency for any increase of Salary; but, as I have now held the Situation of Carters' Barracks upwards of three Years at a considerably smaller
Salary than the Superintendents referred to, I trust His Excellency, considering the equality of duties and the length of my Servitude, will not deem my application premature, and pardon me when I now respectfully request that my Salary may be advanced equal to that of the Superintendent of Hyde Park Barracks.

I have, &c,

A. MURRAY, Supt., C.B.

GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch No. 19, per ship Royal Admiral; acknowledged by Viscount Goderich, 5th August, 1831.)

Sir, Government House, 7th February, 1831.

I have to request your authority that the charge of £174 Is. 11d. may be admitted in the public accounts, being the Amount of Costs and Damages awarded in an Action of Trespass brought by Mr. E. S. Hall against Archdeacon Scott.

In order to a full understanding of the case, I do myself the honor to refer you to my Despatch, dated the 25th August, 1829, No. 99, and to your reply of the 20th of May last, No. 41, and to state that, when Mr. Scott was proceeding to embark for England on the 26th of October, 1829, Notice was served upon him that an Action of Trespass had been commenced against him at the suit of Mr. Hall. The case was tried before Mr. Justice Dowling and a special Jury on the 6th of April, 1830, and a verdict of £25 Damages given for the Plaintiff. Should you wish for more particular information, I would respectfully beg leave to refer you to the Sydney Gazette of the 10th and 13th of April last, which contain a Report of the Trial.

I do myself the honor to enclose the Copy of a letter from Mr. Charles Cowper, applying, on the part of Mr. Scott, that the Expenses might in this case be paid by the Government; and also an Extract from the Minutes of the Executive Council, which explain the ground on which the Council recommended the same.

I have, &c,

R. DARLING.

P.S.—I should propose the sum being charged to the Church and School Fund.

[Enclosure No. 1.]

MR. C. COWPER TO COLONIAL SECRETARY MACLEAY.

Sir, Sydney, 27th July, 1830.

I have the honor to enclose the Bills of Costs in an action Request for of Trespass brought by Mr. E. S. Hall against Archdeacon Scott, which was tried before Mr. Justice Dowling and a special Jury in April last, when a Verdict of £25 damages was given to the Plaintiff.

* Note 21.
On behalf of Archdeacon Scott, I respectfully solicit that His Excellency will authorise the Expenses to be defrayed from the Colonial Revenue.

I have, &c.,

CHARLES COWPER.

Keith, £96 11s. 2d.; Norton, £52 10s. 9d.; Verdict, £25; £174 1s. 11d.

(Enclosure No. 2.)

[A copy of the minute of the executive council, dated 17th August, 1839, will be found in a volume in series II.]

VISCOUNT HOWICK TO GOVERNOR DARLING.

(Despatch per ship Eleanor.)

Sir, Downing Street, 10th February, 1831.

The Lords Commissioners of the Admiralty being desirous that you would cause strict enquiry to be made as to the quantity of New Zealand Flax or Hemp (the Phormium Tenax) that could annually be procured from those Islands, and at what price per Ton it would be delivered at Sydney and also in England, I am directed by Viscount Goderich to request that you will transmit to this office such information as you may be enabled to obtain upon this subject.

I am, &c.,

HOWICK.

GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch marked “Separate,” per ship Royal Admiral; acknowledged by Viscount Goderich, 19th September, 1831.)

Sir, Government House, 10th February, 1831.

In acknowledging the receipt of your Despatch of the 22d July last, No. 66, informing me of the proposed appointment of Mr. Baxter, the Attorney General of this Colony as a Judge at Van Diemen’s Land, it becomes an indispensable duty on my part to put you in possession of certain recent occurrences here as connected with Mr. Baxter, in order that you may determine as to his eligibility for the office in question.

Having received information when on a visit lately to the District of Hunter’s River, which I was recommended to make in consequence of the state of my Health, that Mr. Baxter’s conduct in the Supreme Court and in the Police Office had evinced a state of mind, which appeared to render him unfit for the performance of his duties; I immediately addressed a letter to the Judges, of which the enclosed is a Copy, but I did not receive their answer until my return to Sydney. I enclose herewith a copy of it for your information, which I regret is not
more explicit; but, conceiving, as the Attorney General had previously sent in his resignation, that the object of the reference made to them would be answered, they expressed their wish, as you will observe that their opinion on the "delicate subject" referred to them might not be required.

I did not think it necessary to press the matter, as Mr. Baxter was declared Insolvent by the Supreme Court on Monday the 31st of last Month, which circumstance, I am informed, would of itself disqualify him from officiating as a Judge.

As your Despatch, which I have now the honor to acknowledge, intimates that Mr. Baxter is to continue in the discharge of his duties until the arrival of his Successor, I was induced on my return to Sydney to consult the Executive Council as to the expediency of permitting him to retire, though fully satisfied myself he could not, with any degree of propriety from the notoriety of his proceedings, be permitted any longer to Act as Attorney General.

As the best means, Sir, of putting you fully in possession of this unpleasant matter, I do myself the honor of transmitting for your information two Minutes of the Proceedings of the Executive Council which have taken place upon it. The Deposition of Mrs. Baxter contains a detail of her Husband's inhuman treatment of her, which a knowledge of his disreputable habits, being addicted to drinking to great excess, would alone render credible.

This unfortunate Woman is now in a state of complete destitution, her Husband having abandoned her. I was induced in consequence to bring her situation under the consideration of the Executive Council, it appearing desirable, from the respectability of her connexions, she should not be left with her children dependent on the charity of the Public.

You will perceive, Sir, by the Enclosure No. 4, that the Council recommended that the Sum of £150 should be advanced to enable Mrs. Baxter to return to England, and she expressed a desire to avail herself of an opportunity which then presented itself; but, Mr. Baxter having taken one of their Children and persisted in his refusal to allow it to accompany her, she could not be prevailed on to proceed and remains here without any means of support.

In order to complete the series of the correspondence, I here-with enclose the reply to Mr. Baxter's letter of resignation, which Document will be found in the Minute of Proceedings of Council of the 1st inst. Enclosure No. 3. The reply was forwarded as soon as the Council broke up. I have adverted to this circumstance
1831.
10 Feb.

Conduct of A. M. Baxter at police office.

Correspondence with A. M. Baxter.

Habits of A. M. Baxter.

Effect of inefficient legal advisers.

Difficulties of government.

though perhaps unnecessarily as you will perceive by Enclosure No. 8 that Mr. Baxter comments on the date of the Letter accepting his resignation.

I also beg to transmit a statement of Mr. Baxter’s conduct at the Police Office on the 17th ultimo, as adverted to in the previous part of this Letter.

It will be seen on reference to Enclosure No. 4, appendix G, that Mr. Baxter applied for information as to the Communications which he had been apprised it was my intention to make to you and the Lieut. Governor of Van Diemen’s Land. On receiving the Colonial Secretary’s letter in reply, appendix H, Enclosure No. 4, He addressed a letter to him acknowledging its receipt, of which I do myself the honor to forward a Copy. It is not necessary to remark on that letter or on another, a Copy of which I also enclose, which was received with the former. They both speak for themselves.

Having adverted to Mr. Baxter’s disreputable habits, it may not be improper to instance the preference he has always shewn for the Society of Persons with whom he ought not to have associated. It will be seen by his Letter of the 24th Ultimo, Enclosure No. 3, that he speaks of having tendered his resignation to the Colonial Secretary in presence of his friend Mr. Nicholls. This person is a native of the Colony, the Clerk of Mr. Moore, the Crown Solicitor, whose principles may be known by perusing a letter* bearing his signature in the Monitor Newspaper of the 2nd inst., which is enclosed.

I may I hope be permitted to ask, what must be the situation of this Government with such advisers and such supporters. It cannot be a matter of surprise that it has failed in every thing it has undertaken, as it always must do, when the legal advisers are not competent, Zealous or well disposed. Mr. Nicholls is the person, who has been employed by the Crown Solicitor to Strike the special Juries, and to attend on the part of that officer at the taxing the Bills of Costs. It will be seen, on reference to my Despatch No. 25† by the present opportunity, the manner in which this duty has been performed.

It is, Sir, I assure you very painful to me to have had occasion so frequently to bring matters of this Unpleasant nature under your Notice. I trust, however, that these occurrences will serve to convince you of the Arduous Nature of this Government. The Archdeacon’s report of Mr. Wilkinson’s Conduct, which is forwarded by this opportunity, will furnish some proof of it. I have been no party in that matter. I cannot however avoid repeating that no one can have an idea of the difficulty of conducting Public Business here without a personal knowledge of

* Note 22. † Note 23.
the Individuals I have had to deal with, and of the nature of this Anomalous Community and equally Anomalous Government. The labour and fatigue, which I have consequently endured, cannot easily be conceived. I am myself unfortunately too sensible of it.

I have, &c.,

RA. DARLING.

P.S.—I have omitted to mention that, expecting Mr. Kinchela’s early arrival, I have not appointed a person to Act as Attorney General; indeed, I am not aware where I could conveniently have found a competent one.

I have, &c.,

E.D.

[Enclosures.]

Copies of these papers are not available.]

GOVERNOR DARLING TO SIR GEORGE MURRAY.

(Despatch No. 21, per ship Royal Admiral; acknowledged by Viscount Goderich, 25th September, 1831.)

Sir, Government House, 11th February, 1831.

I have the honor to acknowledge the receipt of your Despatches of the 1st of January and the 12th of June last year, No. 1 and 46, and beg to transmit, for your consideration and decision, the accompanying documents, which relate to the Revd. F. Wilkinson, one of the Chaplains to whom your Despatches allude.

No. 1. Copy of the Archdeacon’s letter of the 20th September last, with the correspondence between him and the Revd. F. Wilkinson from the 9th of July to the 13th of Sept., 1830.

No. 2. Copy of the Archdeacon’s letter of the 18th of October, with the correspondence which had passed between him and Mr. Wilkinson, from the 7th to the 27th of September, 1830, and No. 3. Copy of the Archdeacon’s letter of 9th of February, with correspondence between him and Mr. Wilkinson, from the 25th of October to the 11th of November, 1830.

The Enclosures No. 1 relate to the Report, which the Archdeacon was called on to make in consequence of your Despatch No. 1 of the 1st of January, 1830, having reference to the representation made of Mr. Wilkinson’s Conduct by Archdeacon Scott.

The Enclosures No. 2 relate to a proceeding which took place during the period of the correspondence which is contained in the Enclosures No. 1.

The Enclosures No. 3 comprise Mr. Wilkinson’s remonstrances against the Archdeacon’s proceedings, with Mr. Broughton’s replies.
Concurring in the view taken by the Archdeacon of Mr. Wilkinson's proceedings, I was induced to Act on the Authority conveyed to me in the last paragraph of your Despatch of the 1st of January, 1830, and I accordingly directed Mr. Wilkinson's suspension from the functions of his Office.

I have not thought it necessary to enter into the particulars of Mr. Wilkinson's proceedings on the recent occasion, as the Enclosures afford every information that can be required, while the Archdeacon's letters appear to me to convey a very clear and correct view of the matter.

It being Mr. Wilkinson's intention to remain here, until your decision on his case shall be received, I have authorised the issue of his Salary in the mean time, though, as he declined to avail himself of the offer of a Passage to England, I should not have felt it necessary to allow him his Salary, had it not appeared to the Archdeacon and myself, by your Despatch of the 12th of June last, that his final removal from the Service was to await your decision.

Should you determine to remove Mr. Wilkinson from the Service, I request I may be informed whether he is to be furnished with a Passage to England at the Public Expense and to what period he is to be allowed Salary.

I have only, Sir, further to state for your information, that the Communication directed by your Despatch of the 1st of January, 1830, to be made to the Revd. Mr. Wilton, was addressed to him accordingly through Archdeacon Broughton.

I have, &c.,

RA. DARLING.

[Enclosures.]

[Copies of these papers will be found in a volume in series VII.]

VISCOUNT GODERICH TO GOVERNOR DARLING.
(Despatch No. 21. per ship Eleanor.)

Sir,

Downing Street, 14 Feb., 1831.

I have the honour of transmitting to you His Majesty's Instructions on the subject of my Despatch of the 9th of January, together with a copy of the printed terms, which have in consequence been issued for the information of persons intending to become settlers, and of the general Order which has been promulgated to the Army in reference to Military Officers. I take the opportunity of adding what further observations seem to be requisite in order to enable you fully to understand the views which have led to the change of policy, which will be thus carried into effect.
The first point, to which I shall call your attention, is the omission of that part of your former instructions,* by which you were required to reserve 1/4th of the Crown Lands, in each Hundred and County, for the purpose of maintaining the Church and School establishments.

This change has been made in compliance with the recommendation contained in the Report* of the Commissioners of Enquiry, already transmitted to you. The reasons they have assigned for this recommendation sufficiently prove the propriety of adopting it. I may add that, as these lands, in their present state, are of little or no value, and any they may in future possess must be derived from the industry of the Owners of the adjoining lands, any income to be derived from them for publick purposes must in fact, like every other branch of the revenue, be a tax on the industry and capital of the Colonists. It comes, therefore, simply to be a question, whether it is the best means of raising the sum which is required; a question on which there cannot be a doubt, when it is remembered, that, while they cause very serious inconvenience to the Settlers, these reserves, at the present moment, do not even pay the expense of management; that the whole cost of the Church Establishment is defrayed out of the ordinary revenue; and that, therefore, the effect of the system is to lay a heavy tax on the Colony, at the present moment, with a view to a future exemption from taxation. The policy of the proposed change is to afford an immediate relief and to trust for the means of meeting the future expense of the Church Establishment to the same sources from which it is at present defrayed, and which will, of course, become more productive as the colony advances in wealth and population; if that advance is promoted, as there is every reason to believe, by the sale of lands hitherto reserved, they will by that means at least as effectually contribute to the relief of the revenue hereafter as if they were retained in the hands of those by whom they are now managed.

The next subject, to which I have to refer, is the manner in which Naval and Military Officers are to receive the advantages, on which it has been deemed right to afford them in order to encourage their emigration.

It is obvious that grants cannot be made to any without entirely destroying the principle, which I have been most anxious to establish, of all lands being indiscriminately offered for publick competition; I therefore propose that, whenever it is wished to favour either officers or individuals who have claims from their publick services, it should be done not by making them grants of land, but by remitting a certain sum from the

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*Note 24.
1831.
14 Feb.

Abolition of discretionary power in allotment of lands.

It has been deemed right to discontinue the discretionary power, which has hitherto been possessed, of refusing to individuals, under peculiar circumstances, the power of acquiring land. There might be very good reasons for withholding grants from persons of objectionable character, but these do not, it appears to me, apply when the question is, whether they should be permitted to purchase; indeed I know not how such persons can give better security that they will not make an improper use of the wealth they may acquire, than by converting it into land.

Objections to valuation of land.

Regulations by executive council. Difficulties expected in introduction of change of policy.

All regulations of detail as to the time and mode of sale are for the consideration of yourself and the Council.

It is perhaps too much to expect that some difficulty should not at first be experienced in carrying into effect the proposed change of policy; such is almost always the case when a long established system, however faulty it may have been, is abandoned. I am, therefore, quite prepared to hear from you that it may for a time be impossible to effect sales of land, and of loud complaints from those who are desirous of obtaining grants. Representations will doubtless be made that the value fixed upon land is too high, that large tracts are necessary for grazing, that a great hardship is inflicted upon those whose applications have been too late, and that some warning ought to have been given of the proposed change. This last objection is perhaps plausible; but, upon consideration, is clearly without any real force, as it is obvious that any long warning of the change of system would, in fact, be to postpone its operation for an indefinite period, from the number of grants which would be previously obtained.

With respect to the price which has been fixed upon land, it will I doubt not be thought extravagant by those who have been accustomed to obtain it, practically speaking, for nothing; were the price not higher than that which it has hitherto been attempted to realize, it would not effect one of the chief objects in view, a great restriction of the extreme facility of acquiring land, which now exists. This is absolutely essential for the
purpose of checking the dispersion of Settlers, to which is mainly


be attributed the heavy expense, in proportion to the popu-


tion, of every branch of the Colonial establishment. Every

facility, which can be afforded to those who are engaged in rear-
ing cattle, consistently with the attainment of this object, will

be given by continuing the practice of letting to the best bidder

the lands which cannot be sold; it being however clearly under-
stood that such lands are only to be let from year to year, and

that, if applied for, they are to be exposed to sale according to

to the rules already laid down.

I have in a former dispatch fully explained to you the reasons

which have induced His Majesty's Government rather to trust

to the interest of purchasers to secure their cultivating the land

they may acquire, than to any regulations requiring them to do

so and preventing its alienation; it becomes, however, a question

of some difficulty what course is to be followed with regard to

those to whom land has already been granted under such condi-

tions. It is obvious that, if they are now allowed to dispose

do it, they will obtain an advantage never contemplated at the
time their grants were made; on the other hand, if prevented

from doing so, they may be unable to improve it, while, until

the expiration of seven years from the date of their grants, their

neglect would give to the Government no right to interfere,

and it would therefore remain unproductive to the Colony.

Under these circumstances a middle course, perhaps, will be the

best; and I should wish you to consult your Council on the

expediency of giving up the enforcement of the conditions

referred to, and substituting for them a small tax on all un-
cultivated land, permitting at the same time, the holders to
dispose of it (notwithstanding the engagement they are under
to the contrary) on the payment of a fine.

With respect to the arrears of quit-rents, I think it is a neces-
sary consequence of the new regulations that all claims to indul-
gence with regard to them should cease, and that those, who
have acquired their lands on terms so much more favourable
than will in future be granted, should at least be required to
abide by the bargain they have made.

The same principle will apply to the Instalments due on the
Lands purchased during the administration of Sir Thomas
Brisbane, for the postponement of which a Memorial from the
parties interested was transmitted in your Despatch of the 20th
of May, 1828, and which appears to have been already refused
by His Majesty's late Government.

GODERICH.
[Enclosure No. 1.]

[A copy of these instructions* will be found in a volume in series II.]

[Enclosure No. 2.]

Draft of Proposed General Order.

H.M. GOVT. having deemed it expedient to substitute new Regulations for those at present in force, respecting the system of granting land in the Australian Colonies, and according to which no land will in future be disposed of otherwise than by Public Sale, it has become necessary to make a corresponding change in the arrangements, which have hitherto been in force with respect to the Military Settlers, and which have been published to the Army in the General Orders,† dated June 8, 1826, May 16, 1827, and August 24, 1827.

His Majesty has accordingly been graciously pleased to declare that all the advantages held out to the Officers of the Army under those Orders, as far as relates to the Sale of Commissions, shall continue and remain in force; and, with a view that each individual Officer may derive the same benefit with respect to an allotment of land as has been held out in those Orders respectively, His Majesty has been pleased to command that the following arrangements shall be promulgated for the information of those Officers, who may be disposed to become Settlers in New S. Wales and Van D. Land in substitution for those contained in the General Orders above alluded to.

The Officers of the Army, wishing to become Settlers, shall like all other individuals procure land only by purchase at the Public Sales; but they shall be entitled to have a remission of the purchase money to the following amount, provided that they shall produce from the General Commanding in Chief satisfactory testimonials of good conduct and of unexceptionable character.

Officers, who have served 20 years and upwards, shall have a remission of £300.

Officers, who have served 15 years and upwards, £250.

Officers, who have served 10 years and upwards, £200.

Officers, who have served 7 years and less than 10, £150.

Each individual Officer, who may obtain this remission, will be required to give security that he or his family shall reside at least 7 years in the Settlement, and he will also be required to provide for his own passage to the Colony and for that of his family.

Governor Darling to Sir George Murray.

(Despatch No. 22, per ship Royal Admiral; acknowledged by Viscount Goderich, 15th October, 1831.)

Sir,

Government House, 15th February, 1831.

The Revd. Mr. Marsden and the Revd. Mr. Cartwright having set forth claims similar to those on the part of the Revd. Mr. Cowper and the Revd. Mr. Hill, which I had the honor

* Note 25. † Note 26.