Note 11, page 96.

Those provisions.

By the forty-second and forty-fifth clauses of the statute, 5 and 6 Vict., c. lxxvi, provision was made that the District councils be empowered to make orders and bye-laws "for providing for the Establishment and Support of Schools," and that one-half of the expense of the police establishment of the colony (exclusive of the convict establishment) should "be defrayed by Assessment upon the several Districts of the Colony, in such Proportions as shall be from Time to Time fixed by the Governor and Legislative Council."

Note 12, page 109.

_I closed the Session by Proclamation._

The circumstances which preceded the closing of the session have been noted on page xxi et seq., volume XX.

Note 13, page 113.

These Resolutions.

The first resolution was quoted in the first paragraph of the memorandum of Sir George Gipps.

The second resolution was as follows:

"That, nevertheless, the Governor has, without being authorised so to do by any such Ordinance as aforesaid, appropriated, according to his own pleasure, the sums of £1,085 8s. 4d. in 1844, and also the sum of £1,005 in 1845, and several other sums, being part of Her Majesty's said Revenue within the said Colony, arising from taxes, duties, rates and imposts, on the ground that these sums had been previously appropriated by Ordinances of the Governor and former Legislative Council."

Note 14, page 130.

The provision in the 5th Clause.

The fifth clause was as follows:

"And whereas an Act was passed in the seventh year of Her Majesty's reign, intituled, 'An Act to give a preferable Lien on Wool from season to season, and to make Mortgages of Sheep, Cattle and Horses valid without delivery to the Mortgagee'; and whereas the said Act may be annulled and disallowed by Her Majesty, and it is expedient to remove doubt as to the validity of engagements, legally made under that Act before the disallowance of the same can be known in the Colony, Be it enacted, That all mortgages of sheep, horses or cattle, and all liens on wool, legally made under the said Act before the disallowance of the same shall be notified in the Colony, shall, during the continuance of this Act, be valid and effectual in the law to all intents and purposes, notwithstanding the disallowance of that Act."

Note 15, page 131.

_Her late husband._

The reference was to Henry Nelson Carrington, whose treatment by Mr. Justice Willis was reported by Sir George Gipps in a despatch, dated 13th October, 1842 (see page 321, volume XXII).

Note 16, page 165.

_Your Letter of the 3d Instant._

The reference was to the letter signed by H. Corry (see page 138).
COMMENTARY.

Note 17, page 169.
The unfortunate dissensions.
These "dissensions" have been noted in the introduction to volume XX.

Note 18, page 175.
Under Secretary Hawes.
In the year 1846, Benjamin Hawes was appointed parliamentary under secretary for the colonies in succession to lord Lyttelton.

Note 19, page 175.
My letter.
A copy of this letter will be found on pages 651 and 652, volume XXIV.

Note 20, page 191.
The Proclamations, issued by the Governor previous to the year 1825 are in Manuscript and those from 1825 to 1832 were printed.
This statement was slightly inaccurate. A selection of the proclamations and general standing orders from the year 1791 to 1802 was printed in the year 1802 (see note 185, volume III). The proclamations issued from the beginning of the administration of Governor Hunter to the end of the year 1824 were contained in manuscript volumes but those issued subsequent to February, 1803, had also been printed in The Sydney Gazette and New South Wales Advertiser. From the year 1825 to 1832, the proclamations together with the acts of council were printed in volumes of "Acts and Ordinances."

Note 21, page 197.
A Copy of the Speech.
In this speech, Sir Charles Fitz Roy announced his appointment as governor of New South Wales, and stated his intention to administer the government on sound, just and constitutional principles, and to initiate a policy for the well-being, happiness and prosperity of the colony. He announced no definite policy, but stated that the estimates would be immediately submitted to the council. The address in reply was adopted without division.

Note 22, page 199.
Some superior Functionary were to be appointed.
This is the first proposal, in the official despatches between the secretaries of state and the governors, for some form of federal unity. Before the administration of Sir Charles Fitz Roy, there was no recognised system adopted for the examination of acts prior to assent being given by the governor. Sir Charles Fitz Roy adopted the practice of submitting each act for the opinion of the attorney and solicitor-general prior to taking any action on it (see pages 774 and 775).

Note 23, page 201.
Also page 262.
My Despatch North Australia No. 1.
A separate series of despatches were written in relation to the affairs of the new colony of North Australia. These despatches will be found in a volume in series III. In the numbered series of the despatches for the colony of New South Wales, frequent references are made to them.
A fresh expedition.

On this expedition, Ludwig Leichhardt proposed to cross the continent of Australia from east to west. On the 10th of December, 1846, he left a station on the Condamine river with a well-equipped party, flocks of sheep and goats, and some bullocks, horses and mules. When in the Dawson country, wet weather was encountered for some weeks, and in consequence members of the party suffered from fever and ague. On the Mackenzie river, the members of the party were too weak to attend to the live stock, and Leichhardt decided to return. On the 6th of July, 1847, the expedition returned to the Condamine, after losing all its stock and with the members of the party suffering from starvation and illness.

Note 25, page 211.

Your services in Upper Canada.

Some details of the career of J. W. Willis in Upper Canada will be found on pages 119 and 120, volume XX.

Note 26, page 215.

A Despatch.

This despatch was dated 15th September, 1842 (see page 279 et seq., volume XXII).

Note 27, page 224.

Two Pier Glasses for the Public Rooms in the Government House.

This was the government house, which in 1846 was nearly completed, and which with additions now (1925) forms the state government house. The pier glasses are still extant.

Note 28, pages 230 and 525.

A Mr. Bateman.

The reference was to John Batman, who obtained by an alleged treaty the cession of large areas of land from the aborigines in the district of Port Phillip (see note 40, volume XVIII).

Note 29, page 234.

Considerable relief.

By the act of council, 9th Vict., No. 25, relief was granted to the Savings bank by limiting the amount of deposits on which interest was payable, by increasing the amount which the directors were empowered to lend on mortgage, and by enabling the directors to lend money to the corporations of Sydney and Melbourne (see page 633, volume XXIV).

Note 30, page 240.

The scheme.

The route proposed for steam communication with England was via "Torres strait and Port Essington to Singapore, to connect with the existing line of steamers to the last port. It was proposed that a monthly service should be maintained by iron vessels of from five hundred to six hundred tons, and from one hundred and fifty to two hundred horse-power.
Note 31, page 263.

The Letters Patent.

These were the letters patent, whereby the colony of North Australia was established in that portion of the continent of Australia, lying north of the twenty-sixth parallel of south latitude (see volume in series III); they were dated 17th February, 1846.

Note 32, page 266.

The Act.—Another Despatch.

The act was 9 and 10 Vict., c. civ; the despatch was dated 29th November, 1846 (see page 271 et seq.).

Note 33, page 267.

Marginal note.

Copies of this correspondence is not available.

Note 34, page 268.

The 8th Condition in the Royal Charter.

This "condition" will be found on pages 566 and 567, volume XI.

Note 35, pages 294 and 295.

The following despatches.

These despatches were principally covering letters to the enclosures. Those enclosures, which are available, will be found in the volumes of the series to which they belong.

Note 36, page 299.

Also page 316.

The progress.

The despatches, dated 9th September and 9th November, were written from camps at the head of the river Salvator, and on the river Baloune; the despatch, published on the 31st December, 1846, was dated "Camp by Snodgrass Lagoon, 14th December, 1845."

Note 37, page 335.

The recommendation.

The recommendation by the executive council was summarised by Sir George Gipps in his despatch, dated 29th April, 1846 (see page 26 et seq.), the two dissentient members being the bishop of Australia and C. D. Riddell, the colonial treasurer.

Note 38, page 338.

The oath of Supremacy.

This oath was as follows:—

"I do swear that I do from my heart abhor, detest and abjure as impious and heretical this damnable doctrine and position that princes, excommunicated or deprived by the pope or any authority of the see of Rome, may be deposed or murdered by their subjects or any other whatsoever. And I do declare that no foreign prince, person, prelate, state or potentate hath or ought to have any jurisdiction, power, superiority, preeminence or authority, ecclesiastical or spiritual, within this realm."
COMMENTARY.

Note 39, page 357.

A Ship wreck.

This wreck occurred about three miles to the south of Terrigal inlet, on the 17th of January. For three days the ship had experienced very thick weather, and the captain, thinking he was in the latitude of Sydney and fifty miles from land, stood in for the land. Shortly after 1 p.m. breakers were observed and high land to the north and south, which prevented tacking. The captain thereupon beached the ship.

Note 40, pages 392, 690 and 734.

The sudden death of Sir George Gipps.

After his return to England, Sir George Gipps was offered the command of the royal engineer department at the Tower hamlets, which post he accepted. On the 28th of February, 1847, the eve of his departure from his sister’s house at Canterbury to assume this command, he retired to rest apparently in his usual health, but, reclining on a sofa, he suddenly expired at the early age of fifty-six, the cause of death being heart disease, aggravated by his strenuous administration in New South Wales.

Note 41, page 417.

Your Dispatch No. 25 of the 30th of Sept. last.

In the original letter-book of Sir Charles Fitz Roy, which is preserved at state government house, Sydney, there is the copy of a despatch, dated 30th September, 1846, and numbered 25, reporting the arrival of lieut-colonel Barney, but without instructions or commission. A note on this despatch states that it was cancelled, and a despatch, numbered 25, with the quarterly returns for immigration purposes, was substituted. It is evident from earl Grey’s reply that a copy of the cancelled despatch was sent to England; it will be found in a volume in series III.

Note 42, page 445.

Also page 739.

A severe accident.

The accident was caused by the horse, ridden by Sir Charles Fitz Roy, falling, when Sir Charles Fitz Roy’s leg was bruised very severely from the ankle up to the knee.

Note 43, page 446.

A Country House.

The reference was to the government house at Parramatta, which was surrendered by Sir George Gipps on the 1st of January, 1846, under instructions from the secretary of state (see pages 376 and 724, volume XXIV). This house is now used as a preparatory school for King’s school.

Note 44, page 447.

My two former Governments.

In the year 1837, Sir Charles Fitz Roy was appointed lieut.-governor of Prince Edward island, and, in the year 1841, governor and commander-in-chief of the Leeward islands.
Note 45, page 483.
Also pages 489 and 594.

*Your Despatch No. 4.*

These despatches belonged to the series of North Australian despatches, which will be found in a volume in series III (see also note 23).

Note 46, page 499.

*Despatch of 29th March, 1837.*

A copy of this despatch will be found on page 716, volume XVIII.

Note 47, page 615.

*India and Australia Mail Packet Compy.*

By the preliminary prospectus, this company was provisionally registered, and it was proposed to obtain a royal charter. The capital proposed was £1,000,000 in fifty thousand shares of £20 each. It was proposed to establish steam communication with India, Australia and China, and for this purpose "to run a Packet (in the first instance once a month) to Alexandria, to correspond with a Packet from Suez to Aden, Ceylon, Madras and Calcutta, and another Packet from Ceylon to Sydney direct (via Singapore). The prospectus was signed by John Yates, who was the secretary.

The second prospectus was issued after incorporation by royal charter, dated 20th May, 1847. The contents of this prospectus were similar to those contained in the first.

Note 48, page 627.

*A Pamphlet.*

This was an octavo pamphlet, containing eight pages, which was published at Sydney in the year 1847.

Note 49, page 702.

*A central authority.*

The necessity for uniformity in legislation within the Australian colonies was thus early recognised. As will be noted in later volumes, the power to establish a general assembly for the Australian colonies was included in the bill submitted to parliament, but was deleted by the house of Lords.

Note 50, page 732.

*A private establishment.*

The observatory was established privately by Sir Thomas Brisbane, who, on his arrival in the colony, brought with him at his personal expense two astronomers, Charles Rumker and James Dunlop, with the necessary instruments (see note 137, volume XI).

Note 51, page 768.

*Resolutions.*

These resolutions were laid on the table of the legislative council and were ordered to be printed on the 8th of June, 1848, together with remarks on them by William Lithgow, the auditor-general. These will be found in the *Votes and Proceedings.*
SYNOPSIS.
## Synopsis of Despatches

The reference to the despatches marked "a" in the sixth column will be found on pages 677-9, volume XXIV.

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