COMMONWEALTH OF AUSTRALIA

HISTORICAL RECORDS
OF
AUSTRALIA.

SERIES III.
DESPATCHES AND PAPERS RELATING TO THE SETTLEMENT OF THE STATES.

VOLUME II.
Tasmania: July, 1812—December, 1819.

Published by:
THE LIBRARY COMMITTEE OF THE COMMONWEALTH PARLIAMENT.
1921.
EDITORIAL NOTE.

After the conclusion of his administration, lieut.-governor Davey sent most of his official papers to his friend and patron, the earl of Harrowby. These papers may still be extant. If at any future date these or other papers are found, they will be published in an appendix to a later volume.

The student will find certain documents relating to the years 1812-1819 in volume III of this series. These documents were submitted to the commission of inquiry, held by J. T. Bigge in the year 1820.

Fredk. Watson.
GENERAL SYNOPSIS.

The papers in this volume are classified as follows:—

**Despatches**
- during the administration of major Geils (pages 1 to 9).
- lieut.-governor Davey (pp. 13 to 179).
- lieut.-governor Sorell (pp. 183 to 432).

**Despatches**
- to and from the commandants at Port Dalrymple (pages 435 to 545).

**Miscellaneous papers**
- relating to the administration of the government in the island of Tasmania (pages 547 to 754).
INTRODUCTION.

MAJOR ANDREW GEILS.

On the 1st of July, 1812, the settlements at Port Dalrymple became subordinate to the government at Hobart town, and all the settlements in the island of Tasmania were united under the one administration. At this date, major Andrew Geils* was commandant at Hobart town, and ipso facto became administrator for the whole island. He held office until the 20th of February, 1813, when he was superseded by the arrival of lieut.-governor Davey.

Geils was quite unfit to be an administrator, and Governor Macquarie stated† that, “in the exercise of his temporary power, he displayed not only a sordid, mean and covetous disposition, but, in many instances, shewed himself also venal and corrupt.” Governor Macquarie charged‡ Geils with the removal from the public stores for his own private use and profit of large quantities of spirits, sugar, and other provisions, iron, tin, tools of all sorts, nails, sawn timber, shingles, laths, etc., and with the appropriation of twenty-nine convicts for his own service, although they were clothed and victualled at the expense of government. Before Governor Macquarie was aware of his misappropriations of government property, Geils had made most preposterous requests. He asked for a grant of three thousand acres with a liberal proportion of cattle from the government herds for his six children; and he sought permission to purchase the government house at Hobart town. Governor Macquarie naturally refused these requests, but he offered Mrs. Geils a grant of twelve hundred acres with twelve cows and four working oxen from the government herds on the usual terms of three years’ credit.

Andrew Geils administered the government at Hobart town, at first for southern Tasmania and afterwards for the whole island, for a period of twelve months. During these months, no progress was made in the colony; the public buildings were neglected, and their construction prevented by the misappropriation of materials

* See note 226, volume I in this series.
† See page 460, volume VIII, series I.
‡ See page 53.
INTRODUCTION.

by Geils; and there is little worthy of historical note except the unbridled prevalence of bushranging, and the arrival, on the 9th of October, 1812, of the Indefatigable, the first ship to carry convicts from England to Tasmania. The union of the administrations caused little evident changes, and Geils was too preoccupied with personal aims to be concerned with the administration of the settlements at Port Dalrymple under major G. A. Gordon as commandant. After lieut.-governor Davey assumed the government, Geils sailed from the Derwent in the brig Active on the 14th of January, 1814.

LIEUT.-GOVERNOR DAVEY.

A more unsuitable man than Thomas Davey could not have been chosen to succeed David Collins as lieutenant-governor at Hobart town. Collins was able, courteous and dignified; Davey was eccentric, rough and undisciplined. Collins devoted his energies to the betterment of the settlement, and died insolvent in the service of his country; Davey wasted days in carousals, and sought and obtained a grant of three thousand acres of land before he had assumed the government. Collins was respected and won the universal goodwill of those whom he governed; Davey was ridiculed, although liked for his kindness of heart.

Thomas Davey was an officer of the marines. On the 18th of July, 1778, he was appointed second lieutenant in the 70th company, and, on the 2nd of November, 1780, was promoted to the rank of first lieutenant in the 142nd company.

In the year 1786, volunteers were called to form four companies of marines for three years' service as the guard on the establishment of Governor Phillip for the settlement to be formed in New South Wales. Thomas Davey was one of the officers who volunteered, and he embarked with lieutenant Thomas Timins and thirty non-commissioned officers and privates on the ship Prince of Wales, one of the transports in the first fleet. After the settlement was formed at Port Jackson on the 26th of January, 1788, he and some brother officers were the cause of the first friction between Governor Phillip and major Ross, the officer commanding the detachment of marines. In March, 1788, he was a member of a battalion court martial, when a private was tried and convicted of striking another private. The court sentenced the private to ask public pardon before the battalion of the soldier whom he had
struck, or to receive one hundred lashes on his back. Major Ross declined to approve this alternative sentence and requested the court to reconsider it. Davey and his four fellow-members, who formed the court, refused to alter their sentence. Ross thereupon placed the five officers under an arrest, and requested Governor Phillip to assemble a general court martial for their trial. Owing to the limited number of officers available, Governor Phillip refused to grant this request and ordered the members of the court to return to their duty, a decision which was disapproved by major Ross.

Within five months of his arrival at Port Jackson, Davey had decided to avail himself of the option of relief at the end of three years. His career in New South Wales was uneventful, and, except for one brief period on detached command, he was stationed at headquarters at Sydney. During his service, he claimed to have obtained a complete knowledge of the language, customs and manners of the aborigines.

In the year 1789, the New South Wales corps was formed to serve in the colony and to replace the marines. This corps was sent from England in detachments, and, after a sufficient force had arrived at Port Jackson, major Ross and most of the marines embarked for England in December, 1791. Davey, however, with two officers and nineteen non-commissioned officers and privates, remained for a further term of service, and returned to England in the transport ship *Atlantic*, which sailed from Port Jackson in December, 1792.

On the 9th of May, 1795, Davey was promoted to the rank of captain-lieutenant in the 16th company, and, on the 18th of November in the same year, to that of captain in the 107th company. He was present at the battle of Trafalgar. After his return to England, he was stationed for some time at Chatham. In the year 1808, he was transferred to Portsmouth. and, on the 25th of April, was granted the rank of major in the army. On the 15th of February, 1809, he was appointed a major of marines at Woolwich.

In October, 1810, the news of the death of lieut.-governor Collins was received in England. As the successor to Collins, the right honourable Richard Ryder, secretary of state for the home
INTRODUCTION.

department, proposed Thomas Davey, and, on the 28th of November, 1810, Davey wrote to the earl of Liverpool applying for the appointment. At this date, Davey was quartered at Cambridge as an inspecting field officer of the marines. In August, 1811, he again made application, and his application was supported by his great patron, the earl of Harrowby. In the meantime, the earl of Liverpool, in a despatch dated 26th July, 1811, had ordered the union of the two administrations in Tasmania. In the beginning of September, the earl of Harrowby notified Davey of his appointment as lieutenant-governor of the whole island; but, although his commission was dated 1st September, 1811, the appointment was not announced officially at the end of November.

It is certain that Davey obtained his appointment by influence and not by merit. He was most unfit to be an administrator. He was kind-hearted but despotic. He was dissolute and profligate. He was careless in his manners and wanting in dignity. At the date of his appointment, he owed a considerable sum for debts contracted as a paymaster of the marines, and his salary as lieutenant-governor was stopped until this debt to the public was liquidated. In October, 1812, Henry Goulburn, under secretary for the colonial department, wrote to Governor Macquarie a private letter about Thomas Davey, and, in reply,* Macquarie stated that he would “use every possible precaution to prevent his making any improper use of the authority He (Davey) is invested with as Lieutenant Governor,” and “the moment I discover that He sanctions any peculation of the Public property, or applies any part thereof, or any Public Money he may be entrusted with, to His own use, I shall take immediate measures to prevent a repetition thereof.” Such remarks were unnecessary about an officer, newly appointed as an administrator, if he was fully suited for the appointment. At the conclusion of Davey’s administration, Governor Macquarie stated that it would have been better to pension Davey at £200 or £300 per annum than to have appointed him lieutenant-governor.

After his appointment, Davey was granted the local rank of lieut.-colonel in New South Wales from the 19th of December, 1811. He devoted some time in London to the problems of his government, and suggested the granting of a patent for the establishment of civil and criminal courts in Tasmania, the transmission

* See page 790, volume VII, series I.
INTRODUCTION.

of stores direct from England, and the appointment of a secretary. In a letter from the under secretary, dated 20th February, 1812, these proposals were refused, and Davey was notified that stores would be supplied when Governor Macquarie thought necessary.

Davey was dilatory in making arrangements for his departure from England, and, on the 22nd of May, 1812, under secretary Peel wrote that Davey must sail at once or other arrangements would be made for the government of Tasmania. In consequence, Davey embarked on the ship Minstrel, which sailed from England on the 4th of June and arrived at Sydney, N.S.W., on the 25th of October following. His personal baggage was shipped on H.M. brig Emu, and was lost when that brig was captured by the American privateer Holkar.* For this loss, Davey subsequently claimed and received compensation.

Davey remained at Sydney until the 10th of February, 1813. During his visit, Governor Macquarie was unfavourably impressed with him, as he exhibited “an extraordinary degree of frivolity and low buffoonery in his manners,” which would be unsuited for his high office in Tasmania.

Accompanied by his wife and daughter, lieut.-governor Davey sailed from Sydney in the ship Frederick on the 10th of February, 1813, and assumed the administration at Hobart town ten days later. He was given most comprehensive instructions by Governor Macquarie, which strictly limited his discretionary powers. Although Davey was lieutenant-governor of the whole island, his powers were less than those of David Collins and William Paterson as lieutenant-governors of southern and northern Tasmania. Collins and Paterson were authorised to draw bills on the lords of the treasury in England, but this power was withheld from Davey. As these bills were the principal means of making remittances from the colony, the facilities for trading with visiting vessels were limited. Davey was prohibited also from chartering ships, entering into contracts for supplies, granting lands, erecting buildings; or alienating live stock, without Governor Macquarie’s sanction. He was ordered to transmit regular returns to Governor Macquarie. The commandant at Port Dalrymple was ordered to submit reports through Davey to be transmitted to Governor Macquarie; but, notwithstanding these orders, Governor Macquarie frequently communicated direct with the commandant.

* See note 222.
INTRODUCTION.

Probably the most remarkable fact, connected with lieut.-
governor Davey's administration, is the extraordinary considera-
tion and diffidence with which he was treated by the authorities. 
When Davey was appointed lieutenant-governor, it was thought necessary to warn Governor Macquarie to watch him. Though he was unfavourably impressed by their first intercourse, yet Gov­ernor Macquarie authorised a grant of three thousand acres of land to Davey before Davey had assumed the government. Even when Davey was dismissed for misconduct, Earl Bathurst at the same time showed him marked consideration, as will be noted later.

From the day of his arrival at Hobart town, Davey earned a reputation for eccentricity. According to tradition, the day of his arrival was warm and Davey landed in his shirt sleeves with his coat over his arm, stopping at the first house for refreshment. Tradition also names a favoured hotel in Hobart town, where Davey indulged in carousals with convivial spirits, irrespective of the class to which they belonged. His conduct soon earned him the sobriquet of "mad Tom the governor." Davey administered rough-and-ready justice, but, underlying his eccentricities, there was a kindness of heart which won for him the good feeling of the settlers.

In his administration, Davey had many difficulties, which were created by Governor Macquarie or the authorities in England.

The number of convicts was almost constantly insufficient for the requirements of the settlements. Governor Macquarie adopted a public works policy in New South Wales which absorbed large numbers of convict labourers and most of the mechanics and artificers. In consequence, during the three years 1814-1816 he sent only two hundred and thirty-eight male convicts to Tasmania, and those who were sent were mostly the scourings of the convicts in the parent colony. This practice not only delayed the progress on public works in Tasmania and limited the numbers available for assignment to settlers, but increased the prevalence of crime; and the effect of the latter was intensified by the want of criminal courts in the colony.

In his executive duties, Davey was supported in several depart­ments by an inferior staff. Examples may be quoted. P. G. Hogan, who had charge of the commissariat at Hobart town, was tried and found guilty of fraud; P. Mills, the surveyor at Port
Dalrymple, became a bushranger; and J. Smith and J. Mount­garrett, surgeons at Port Dalrymple, were suspected of association with the bushrangers.

In the financial administration, Governor Macquarie limited Davey's powers by denying him the right to draw bills on the English treasury. All payments due for supplies were liquidated at headquarters at Sydney, and traders were delayed in making their remittances. The police fund at Hobart town was established by Governor Macquarie and was used to provide for items of local expenditure; but its revenue was limited by the fact that duties on goods, landed at Hobart town, were levied and paid at Sydney when the ships called first at Port Jackson.

The want of law courts was felt severely during the administration of lieutenant-governor Davey. The prevalence of bushranging and the influx of the worst of the convicts from Port Jackson caused a great increase of crime. All trials for serious offences were held in Sydney; but so great was the inconvenience of such a trial that, in the years 1815 and 1816, only two persons were sent for trial, charged with burglary and murder respectively, accompanied by seven witnesses. In civil causes, a marked improvement was made by the establishment of the lieutenant-governor's court. This court held the power to try all causes where the debt or thing in demand did not exceed in amount the sum of £50. Edward Abbott arrived as deputy judge-advocate in February, 1815; but the court was not opened until the month of January following. Abbott ascribing part of this delay to the proclamation of martial law. This court gave much relief, and, to overcome its limited jurisdiction, it became the practice to divide securities into sums of £50 to bring their recovery within the cognizance of the court. However, the want of a local court prior to the year 1816, and the suspension of the sittings of the supreme court at Sydney from the year 1815 to the year 1817, "led to an accumulation of debt and embarrassment" in Tasmania, which were long and sensibly felt.

Probably the greatest problem in the administration of lieutenant-governor Davey was the suppression of bushrangers and the protection of settlers from their depredations. When Davey arrived, in February, 1813, bushranging was prevalent and had arisen from the neglect or inability of the British government or the administration at Port Jackson to supply adequate provisions for the
settlements. When the public stores had been emptied of provisions during the government of lieut.-governor Collins, the convicts, assigned to the civil and military officers, had been sent into the bush to hunt and procure kangaroos for their masters’ tables. This practice was extended, and the public stores purchased kangaroo meat for issue as rations from all who would supply it. Roving bands of kangaroo hunters were formed, who acquired a knowledge of bush craft and a liking for the freedom of life in the bush. Large sums were paid by the commissariat for the kangaroo meat, and the roving bands earned good wages. When the public stores were replenished by supplies from Sydney, the purchase of kangaroo meat was discontinued by the commissariat. Many of the roving bands, although their livelihood was gone, were averse to return to the ordered life of the settlements, remained in the bush, and maintained themselves by the robbery of settlers and travellers. They were known as “bushrangers.” The bushrangers, most of whom were convicts or ex-convicts, were supported by numberless sympathisers in the settlements, and were kept informed of any movements against them. Their excesses were so great that many settlers were forced to abandon their farms and reside for safety in the towns, and intending settlers refused to occupy their land grants for fear of losing any stock or equipment placed on the land. For a period, the bushrangers had virtual control of large districts, and one of their leaders, Michael Howe, called himself “lieut.-governor of the woods,” and Davey “lieut.-governor of the settlements.” Davey employed the military against them, but, on several occasions when an encounter took place, the bushrangers were victorious. At Port Dalrymple, the bushrangers were joined by Peter Mills, of the survey, and George Williams, of the commissariat department.

Governor Macquarie initiated repressive measures, but his first act was probably the greatest blunder of his long administration. On the 14th of May, 1814, he issued a proclamation* offering a pardon to twenty-nine named bushrangers for all crimes committed, save and except the crime of wilful murder, provided they surrendered and returned to their lawful occupations on or before the 1st of December following. This proclamation in effect was tantamount to a grant of immunity from punishment for all crimes, murder excepted, committed in the island of Tasmania during a

* See page 264, volume VIII, series I.
period of six months. The result was that the number of robberies increased, and bushrangers openly boasted of their immunity from punishment. Before the term of six months had expired, most of the bushrangers surrendered, claimed their immunity, and, after a brief period when the restraints of the town life became irksome, returned to the bush. Instead of assisting and co-operating with lieut.-governor Davey in the suppression of these criminals, Governor Macquarie thus increased the difficulties of Davey's administration.

On the 11th of March, 1815, lieut.-governor Davey offered a reward* of fifty guineas for the apprehension of any bushranger or the conviction of an accomplice, and a free pardon to any bushranger who surrendered and gave information which would lead to the apprehension of one or more of his companions.

Past successes, however, and the after results of Macquarie's proclamation, increased the crimes and audacity of the bushrangers. Under these circumstances, Davey proclaimed† martial law throughout the island of Tasmania on the 25th of April, 1815, and resolved to continue it "until he received an order from Governor Macquarie to put an end to it."

This proclamation was illegal, and Davey was advised against such action by Edward Abbott, who had arrived as deputy judge-advocate in February, 1815. But there was an earlier colonial precedent for such action. In March, 1790, when H.M.S. Sirius was lost at Norfolk island, lieut.-governor Ross placed the whole island under martial law, and his action was approved by Governor Phillip. The power to proclaim martial law was not granted to lieut.-governors, but to the governors or acting governors of New South Wales. The governors exercised this power in similar emergencies, both before and after the year 1815. In March, 1804, Governor King proclaimed martial law in the districts of Parramatta and the Hawkesbury during an insurrection of convicts, and in August, 1824, Sir Thomas Brisbane proclaimed it in the districts west of the Blue mountains when the aboriginal natives became troublesome.

Lieut.-governor Davey reported the establishment of martial law to Governor Macquarie in a despatch dated 30th April, 1815.

*See page 473, volume VIII, series I. †See page 567, volume VIII, series I.
INTRODUCTION.

In his reply,* dated 25th May, 1815, Macquarie censured Davey for the proclamation, repudiated all responsibility, but trusted that martial law would have the desired effect. It was not until the 18th of September that Macquarie wrote† and ordered the revocation of the proclamation. It is thus evident that, although he repudiated the responsibility, Macquarie tacitly acquiesced in the existence of martial law for a period of four months. When he received Macquarie's orders, Davey acted promptly, and martial law was repealed in October, 1815.

Six prisoners were tried by courts martial at Hobart town under martial law. Sentence of death was passed on each prisoner; four were executed, and two, found guilty of aiding and abetting, were reprieved.

Although the proclamation was illegal, some measures were necessary to counteract the evil results of Macquarie's offer of an amnesty to the bushrangers. Davey was supported in the adoption and continuance of martial law by many of the principal inhabitants, and Mr. Commissioner Bigge in his report stated that “the want of a local criminal court was the principal justification; for, when the military or the inhabitants had been successful in apprehending the bushrangers, neither proprietors nor witnesses could be prevailed upon to leave their homes exposed to danger, and repair to Sydney for the purpose of giving their testimony against them, at a great expence to themselves and a great detriment to their property.”

It is certain that the proclamation by Davey was beneficial, and that, during the six months of martial law, the excesses of the bushrangers were checked. After its repeal, bushranging continued prevalent until new measures were adopted by Lieut.-Governor Sorell.

Some progress was made in the public works at Hobart town during Davey's administration. Lieut.-Governor Sorell, in his first despatches, reported‡ that “every diligence and activity seem to be employed.” The principal works were the erection of the first gaol and the commencement of St. David's church. Lieut.-Governor Sorell stated that the gaol was nearing completion in May, 1817, but Mr. Commissioner Bigge reported that it was completed in the year 1815. Bigge described it as having “more the appearance and the accommodation of an hospital than a place of

* See page 110. † See page 126. ‡ See page 196.
INTRODUCTION.

coercion and confinement," and criticised the workmanship and materials used in the building. The foundation-stone of St. David's church was laid by Davey with full ceremony* on the 19th of February, 1817, and, when Sorell arrived, in the month of April following, "the walls were going up and materials in abundance were prepared for continuing the works." But Davey was much hampered in his public works by the want of convict labour, due to the absorption of mechanics by Governor Macquarie on public works in New South Wales which has already been noted.

In the commissariat department, Davey was unfortunate in being supported by dishonest officers. When Davey arrived, L. Fosbrook was deputy commissary. He was suspended a few months later; and, in February, 1814, he was tried by court martial, convicted of fraud, and dismissed from the service. Fosbrook was succeeded by P. G. Hogan; and at the same time the commissariat was made a branch of the army commissariat in England, and Hogan held office as deputy assistant commissary-general. Under the new organisation, Davey did not exercise the large powers over the commissariat which his predecessors held. But, when Hogan was found to be dissolute, incompetent and dishonest, Davey endeavoured to check the abuses,† and, when Hogan issued receipts for consolidation bearing the King's arms for his private benefit, Davey issued general orders‡ regulating the issue to protect the interests of the public. In consequence of his misconduct, Hogan was superseded by William Broughton in August, 1816, and, in the following year, was tried by court martial, found guilty of fraud and dismissed from the service.

During the administration of lieut.-governor Davey, considerable general progress was made in the colony. In June, 1813, the ports at Hobart town and Port Dalrymple were opened to the free importation of general merchandise and, in December, 1814, to that of spirits. Soon after trade developed. Wholesale and retail houses were established successfully by Messrs. Kemp and Gatehouse, E. Lord, T. W. Birch, and T. Reiby, and settlers were enabled to purchase supplies without awaiting the precarious visits of trading vessels. The whale and seal fisheries were developed. A flour-mill was erected at Hobart town. Grain and salt meat were exported; in 1815, 1,770 bushels, and, in 1816, 13,135 bushels of wheat were shipped to Sydney. In the years 1815 and 1816,

* See note 74. † See page 638 et seq. ‡ See page 639.
the south-western and western coasts were explored by James Kelly and T. W. Birch, and Port Davey and Macquarie harbour were discovered. These discoveries opened the trade in that valuable timber, the Huon pine, and T. W. Birch, as a reward, was granted a monopoly for one year in the supply of this timber from Macquarie harbour. In the year 1810, an attempt had been made to establish a newspaper without success; a second attempt in the year 1814 met with a like fate; but, in the year 1816, Andrew Bent made a third and successful attempt, and, on the 1st of June, the first number of the Hobart Town Gazette and Southern Reporter was issued under the official supervision of lieut.-governor Davey.

In the beginning of the third year of Davey's administration, Governor Macquarie wrote a "private and confidential" despatch* to Earl Bathurst, in which he commented severely on Davey's dissipation and profligacy and the effects of such conduct on the colony. He also charged Davey with abuse of power in sanctioning the importation of large quantities of spirits and with dishonesty in his finances. Davey's reply† to these last two charges largely justifies his actions, but there is no doubt about the truth of the report on his dissipation and profligacy. In the same despatch, Governor Macquarie recommended Davey's removal. In his despatch‡ in reply, dated 18th April, 1816, Earl Bathurst announced Davey's removal from office on account of his licentious conduct, and the appointment of William Sorell as his successor. At the same time, Earl Bathurst stated his desire "to carry his (Davey's) supercession into Effect in the way least hurtful to his Feelings and to those of his Family," and Governor Macquarie was instructed to submit to Davey "the propriety of resigning his Situation either previous to or on the arrival of Colonel Sorell," and to give Davey a grant of land and indulgences of live stock and convict labour suitable to his rank.

When he received Earl Bathurst's despatch, Governor Macquarie communicated its contents to Davey and offered him a grant of two thousand acres of land in addition to the three thousand acres already granted.§ Davey decided to continue the administration at Hobart town until relieved by the arrival of his successor, and

* See page 458, volume VIII, series I.  † See pages 636 and 645.  ‡ See page 113, volume IX, series I.  § The grant of three thousand acres was named Carrington plains, and was situated on the west side of the Coal river. The deed was dated 20th September, 1813.
refused to accept the land offered, as he considered it insufficient. At the same time he claimed compensation for losses sustained by the capture of H.M. brig *Emu* in 1812.

Lieut.-governor Sorell arrived in the Derwent on the 8th of April, 1817, and assumed the government from Davey on the following day. In the month of October following, Davey visited Sydney, where he remained until June, 1818. During this visit, he negotiated with Governor Macquarie for additional land, and requested a grant in the district of Illawarra or in the neighbourhood of Port Jackson, as ordered by Earl Bathurst. Governor Macquarie refused the requests, and offered Davey a grant in Tasmania only. During his visit to Sydney, Davey contracted debts, and, at the end of May, prior to his departure for Hobart town, he requested Governor Macquarie to deposit his grant for two thousand acres in the hands of his creditors. Governor Macquarie submitted Davey’s requests to Earl Bathurst, who, in a despatch dated 24th July, 1818, ordered Davey a grant of one thousand acres in addition to the five thousand already granted or ordered; this additional grant was in full compensation for losses sustained by the capture of H.M. brig *Emu*. As part of this one thousand acres, Davey was granted two hundred acres at New town. Finally by a deed dated 9th January, 1821, Governor Macquarie granted Davey two thousand acres in the district of Illawarra, N.S.W.

Davey returned to Hobart town in June, 1818, but was not successful as a settler. A notice, dated 24th January, 1819, was published, announcing that he had been granted two years’ leave of absence by the lords commissioners of the admiralty to adjust public and private affairs in New South Wales; and it is evident that he intended to return to England. On the 1st of September, 1814, he had been placed on permanent half pay in the peace establishment.

On the 11th of May, 1821, Davey sailed from Hobart town for Sydney in the ship *Regalia*, and in the same ship sailed from Sydney for England on the 15th of August. His only daughter, Lucy Margaretta, remained at Hobart town, and, on the 25th of June, 1821, was married to Thomas Scott, a surgeon. As a marriage settlement, Davey gave her two small farms.

Thomas Davey died in England on the 2nd of May, 1823.

*February, 1921:*

FREDK. WATSON.
DESPATCHES.
HISTORICAL RECORDS
OF
AUSTRALIA.

SERIES III.

UNDER SECRETARY GOULBURN TO LIEUT.-GOVERNOR DAVEY.*
(Despatch per H.M. brig Emu.)
19th Octr., 1812.
[A copy of this despatch will be found on page 524, volume VII, series 1.]

MAJOR GEILS TO GOVERNOR MACQUARIE.
(Despatches per ships Frederick, Indefatigable, and Spring Grove; acknowledged by Governor Macquarie, 28th January, 1813.)
12th and 22nd November, 1812.
26th December, 1812. [Copies of these three despatches are not available.]

GOVERNOR MACQUARIE TO MAJOR GEILS.
(Despatch per ship Frederick.)
Sir, Sydney, 25th Jany., 1813.
1. It was with no small degree of surprise and concern I was lately informed by Mr. Wentworth, the Treasurer of the Colonial Police Fund, that Bills to a very large amount had been drawn on him by your directions in favor of different individuals for very considerable sums of Money, purporting to have been paid at the Derwent for various Purchases made there on account of Government by your authority, including a variety of other charges of minor importance.

2. As no part of my Instructions to you could warrant your drawing on the Police Fund of the Colony to such a large amount, especially for Purchases of Stores for the use of Government, I was under the painful necessity of ordering

* Note 1.
Mr. Wentworth not to honor any of the Bills drawn on him by either Mr. Fosbrook or Mr. Campbell, and I conclude the holders of those Bills have Protested them.

3. By a reference to my Instructions* you will find that it is only for Salaries of Officers and others, appointed in the Colony and not provided for in the Parliamentary Estimate, that you are authorized to draw on the Colonial Police Fund, and that only when the Police Fund of your own Settlement is unequal to the discharge of such Salaries. It was therefore highly irregular and improper to draw on the Colonial Police Fund here for Stores, etc., etc., Purchased for the use of Government at the Derwent, the amount of which ought to have been drawn on the Commissary, as has always hitherto been the custom to do, and which your Depy. Commissary could have informed you of, had you consulted him on this occasion.

4. It does not appear to me that the Purchases, drawn for in these Bills, were at the time absolutely necessary; and they ought not, at all events, to have been made at such exorbitant rates, without first knowing whether the articles could be supplied from the King's Stores at Head Quarters. Several of the items in the Vouchers that have been received are highly exceptionable and irregularly charged. These consequently require explanation, and I have accordingly selected them under their respective heads and dates, in a separate Paper of Queries, to be answered by you, so as to enable me to judge how far I can finally sanction their Payment here by the Acting Commissary and Treasurer of the Police Fund, as well as to enable me to explain to the Lords of the Treasury, in drawing on them for their amount, the real cause of such charges. I now send you this Paper of Queries, which I request you will answer and return to me again by the first opportunity.

5. Herewith you will receive the whole of the Accounts and Vouchers lately transmitted by Mr. Fosbrook and Lieut. Campbell† to the Treasurer of the Police Fund here, who delivered them to me on his receiving them, not being authorized to make any Payment from the Police Fund without my express authority. These Accounts and Vouchers having been referred to the Acting Commissary here, he has examined and made his remarks upon them; adding on the back thereof directions for making them up properly, and accompanying them with the necessary Forms; by which Forms I have to desire they may be made up and then transmitted to Head Quarters for Payment.

I have, &c.,

L. Macquarie.

* Note 2. † Note 3. ‡ Note 4.
MACQUARIE TO GEILS.

[Enclosure.]

STATEMENT of Items in the Vouchers lately transmitted by Depy. Comy. Fosbrook, and Lieut. Campbell, Naval Officer at Hobart Town, to the Treasurer of the Police Fund at Sydney, which are considered exceptionable and require explanation; the Total amount of the Vouchers received being £1,259 3s. 2d.

Queries, etc. Answers.

First. In Voucher No. 1, There are two charges for Gun Powder amounting to £56 5s.; which appears to be quite a sufficient quantity for so small a Settlement for 12 months; and as Demands have lately been made on Head Quarters for more Powder, an account must be sent to the Govr. explaining in what manner the Quantity thus Purchased has been expended.

2dly. In the same Voucher there appears a charge for Six Reams of Writing Paper, which being a large Quantity, the Governor wishes to be informed how it has been expended; whether by the Commandant or Dy. Comy., or both?

3dly. In Voucher No. 2, There are 12 Cordovar Hides charged at £21, and 4,000 Brass Nails at £6; Query—for what purposes were these Hydes and Brass Nails Purchased?

4thly. In Voucher No. 3, There is a charge on the 17th of March for 10½ gallons of Spirits at £17 16s. 6d.; Query—for what Purpose were these Spirits Purchased at so exorbitant a rate?

There is another charge in the same Voucher for 3 Reams of Writing Paper for the I.P.W.* from 4th March to 2d May, 1812, being only 2 Mos. and 2 days, amounting to £9 stg., and also for one Ream of coarse Paper for the use of the Comg. Officer, amounting to £3 stg. The former of these two charges for Writing Paper for the I.P.W. appears most extraordinary and unaccountable; as, it is impossible he could have had occasion for a tenth part of the Quantity in so short a time, the more especially as Stationary has lately been demanded from Head Quarters. Query, therefore, how has all this Stationary been expended?

5thly. In Voucher No. 4, There is a charge of £21 7s. 6d. for 12½ gallons of Spirits Purchased on 20th Feby., 1812; Query—for what purpose were these Spirits Purchased at so exorbitant a rate?

6thly. In Voucher No. 5, There are charges for House Rent for Lieuts. Gunning and Campbell amounting to £5 14s. for each. As these two Officers occupied Government Houses or Barracks, when the Govr. was at the Derwent in Decr. 1811, it is necessary to explain the cause of this charge, and to state by whom these two Barracks are now occupied?

* Note 5.
HISTORICAL RECORDS OF AUSTRALIA.

1813.

25 Jan.

Explanations required re vouchers.

7thly. In Voucher No. 1, There are charges of £16 5s. for House Rent for part of the Commandant's Family; £2 4s. 6d. for Office Rent for the Insr. of Pub. Works; and £7 12s. for House Rent for W. Nicols Supdt. and for Tool-keeper's Hut. The two last are highly irregular and improper charges, nothing of the kind being allowed at Head Quarters, and must therefore be discontinued from the date of that Voucher; as must also the charge of House Rent for the Commandant's Family, unless satisfactorily explained to be indispensably necessary.

L. MACQUARIE.


Answers.

28 Jan.

Despatches acknowledged.

Governor Macquarie to Major Geils.

(Despatch per ship Frederick.)

Sir,

Government House, Sydney, 28th Jany., 1813.

1. I have the honor to acknowledge the receipt of your Letters P'r the Ships Frederick, Indefatigable, and Spring Grove, under dates 12th and 22d November, and 26th December last, together with their several enclosures and accompaniments.

2. The Several Proceedings of the Benches of Magistrates,* held by your orders at Hobart-Town, have been, as far as was deemed necessary, referred to the Judge Advocate here for his legal advice and opinion. I have myself perused those several Proceedings and Papers with particular attention, and, after serious and mature consideration, have given my decisions thereon, and which I have accordingly written and Signed on each of these Proceedings and Papers respectively. I therefore now return you herewith the whole of those Proceedings to enable you to notify to the several Parties concerned my decisions on the several Points referred by you for my consideration.

3. I also transmit you herewith a Copy of the Judge Advocate's Opinions on the charges brought forward by Mr. Ingle against Mr. McCarty; and on the claim of Mr. Loane on his late Clerk John Simpson. You will be pleased to communicate the Judge Advocate's opinions on these Points to all the Persons concerned, together with my opinion on the very malicious and vindictive charges brought forward by Mr. Ingle against Mr. McCarty. I consider the latter extremely ill-used by the former; as, in my view of all the circumstances, no improper or dishonest motive ought to have been attributed to Mr. McCarty's conduct. You will accordingly discharge him from his Bail, and leave him at liberty to pursue his former avocations and Private affairs. I approve of your having appointed Bryan Cullen to act as Supdt. of Govt. Stock at the Derwent, during the time charges of so

* Note 6.
MACQUARIE TO GEILS.

serious a nature were pending against Mr. McCarty; and, as Lieut. Govr. Davey is about taking his departure for the Der-
went, he will appoint such Person as he may think proper to be Supdt. of Govt. Stock on his arrival there, Bryan Cullen con-
tinuing in charge thereof for the present. In my opinion Mr. McCarty has too many Private concerns of his own to attend to to render him a fit Person for this appointment; and, on this ground alone, I do not wish him to be reinstated in it.

I have ordered the Detachment of Royal Marines* to be disbanded on the 6th March next, paying them one month’s subsistence in advance and then to be permitted to go to settle on their Farms, with all the indulgences formerly allowed to the Men of this Corps, who were permitted to become Settlers in this Colony; a List of which indulgences I have furnished Lt. Govr. Davey with, for him to act upon.

4. I do hope none of the Norfolk Island Settlers have con-
tinued to be Victualled from the King’s Stores at the Derwent after the 31st of December last, that being the period I limited for their being victualled up to at the expence of the Crown. I left a Public Order† to this effect with your Predecessor, Capt. Murray, who ought to have handed it over to you with the other Public Documents of the Settlement; but at all events I conclude you must have received my last Orders on this subject in sufficient time to prevent the Norfolk Island Settlers being victualled beyond the prescribed period.

5. I approve of the measures you have pursued in respect to Condemnation of wheat. the condemning the Contract Wheat brought from Bengal for the use of Government in the Ships Frederick and Hope on account of the bad quality thereof. As you say so, I conclude the Contract Spirits and Sugar, brought by these two Ships for Government, are both of good quality. I trust you have directed the Dy. Commissary to be extremely careful of both the Spirits and Sugar thus received, and to keep an exact account of the manner of disposing of the former and how appropriated, as I shall require an exact Quarterly Account of the expenditure of all Spirits thus Purchased for the use of Government to be regularly transmitted by him to the Comy. General at Head Quarters for my information.

6. The Spirits seized by the Naval Officer‡ belonging to Mr. Williams, on the Beach at Hobart Town, I authorize you to restore again to that gentleman, provided you are satisfied in your own mind that they were not intended to be smuggled or clandes-
tinely landed. In case the Hope should still be at the Der-
went, these seized Spirits landed from her must be reshipped again; but, if she has left the Derwent before you receive this

* Note 7. † Note 8. ‡ Note 9.
Letter, the Spirits must be delivered to Mr. Williams' Agent there, on paying the newly ordered Duty of Five Shillings per Gallon for the same to the Naval Officer for the Police Fund.

7. I approve of your having appointed Lieut. Campbell to act as Treasurer of the Police Fund in room of Mr. Fosbrook, who very improperly resigned that office; as it was more regular that he should hold it than any other Person. I cannot however sanction any Salary being paid to Mr. Campbell as Treasurer of the Police Fund, and therefore you are not to pay him any. He has very little to do as Naval Officer, and can very easily discharge the Duties of both offices. In case Mr. Campbell makes any objection to do so, I shall appoint some other Person Naval Officer, who will undertake to execute all the Duties of both these offices.

8. No regular Return or Statement of the Police Fund of Hobart Town has been sent to me for some time past, which I cannot help expressing my surprise and displeasure at. Neither have I received for a great length of time past any Returns of Public Labour and appropriation of Government Artificers and Labourers, which ought to have been made up Quarterly by the Inspector, of Public Works, and transmitted to me by you along with your other Returns of the Settlement. I request therefore that the Inspector of Public Works may be called upon by you to account for this neglect and omission, and to be admonished to pay more attention to his Duty in future.

9. I approve of your having sent Eighty of the Male Convicts, arrived in the Indefatigable Transport, for the use of the Settlement of Port Dalrymple; but you omitted to send me a Return of those you retained at the Derwent, which you ought to have done, specifying to whom they were assigned. I hope most of them were given to the Settlers, and that you retained very few of them for Government excepting the real Mechanics.

10. You ought not to have detained the Detachment of the 73d Regt. arrived in the Indefatigable at the Derwent, the Force there before being amply sufficient for the Protection and various Duties of that Settlement. I am glad however to find you saw the propriety afterwards of sending that Detachment up to Head Quarters in the Ship Hope; but had you permitted the officers and men to come up in the Indefatigable, a considerable expence for Freight or Passage Money would have been thereby saved to Government.

11. Assistant Surgeon Dermott returns by this Opportunity to his duty at the Derwent; as do likewise Sergt. Towse and four Men of the Party that came up as an Escort with the Prisoners lately sent up from the Derwent.
12. The three Soldiers and the two Convicts* McCabe and Townsend have all been tried and found guilty at two separate criminal Courts here. One of the Soldiers (Gorrie) and McCabe and Townsend have been executed pursuant to their Sentence. I have commuted the Sentence of Death passed on the other two Soldiers (Connor and Poney) to Transportation for Life. I have directed the Soldier (James Connor), who came up as an Evidence, to be detained at Head Quarters agreeably to your request. I intend to give the three Bush Rangers, who apprehended McCabe and Townsend, their Emancipations in the course of a few days, in fulfilment of the promise you made to them.

13. You will receive herewith from the Secretary the several Free and Conditional Pardons I promised some time since to different Convicts at the Derwent, which I request you will deliver to them. I have included in this List a free Pardon for Charles Holden, whom you recommend so strongly in your last Dispatch; and I have excluded the names of Ankers and Holmesgrove in consequence of your representing them as unworthy of this great indulgence.

14. I much approve of your having ordered a correct and complete Survey of all the Provisions and Stores belonging to the Crown at the Derwent, under the charge of Depy. Commissary Fosbrook, as taken in Septr. last; and the explanatory Letter and Papers you have sent me lately on this Subject are very satisfactory; and prove at least gross neglect, if not fraud and Peculation, on the part of Mr. Fosbrook and his assistants in the Store. As it is impossible at present to select here any fit Person to replace Mr. Fosbrook, he must be allowed to continue at the head of the office until the arrival of Mr. Allan,† the new Comy. Genl., who brings out some young men with him in the Commissariat Department, one of whom will be appointed on his arrival here to replace Mr. Fosbrook, against whom charges will then be exhibited for Peculation, etc., etc., and for which he will be tried either before a Genl. Court Martial, or a Criminal Court. In the meantime he must be strictly watched, and his friend and assistant Boothman‡ must not be allowed to resign his Situation, but must be continued likewise in office until a new Depy. Commissary and new Storekeeper shall be appointed from Head Quarters. Maumf may be told that he will succeed Boothman, in case he gives useful information, respecting the Depredations committed on the King's Stores by Fosbrook and his assistants.

15. I have given Colonel Davey particular Instructions respecting the Debts due from Individuals at the Derwent to the Crown, which they must be compelled to pay by law, in case they do not immediately liquidate them. When those Debts are recovered,

* Note 10.  † Note 11.
1813.
28 Jan.
Accounts to be credited with moneys received.

Land grants.

Miscellaneous instructions.

their amount must be credited to the Crown by the Depy. Comy. in his Accounts Current with the Comy. General at Head Quarters, and not, as you propose, to the Police Fund; no such credit having ever been intended to be given to that Fund which was meant to be formed only from Duties, Taxes, and Fines levied and collected within the Colony. The Cattle also issued from the Government Herds to Individuals for Payment are credited, when paid for, in the Public Accounts transmitted home to England, and never are credited to the Police Fund.

16. You will receive herewith a Copy of a List of Persons’ Names, to whom I have ordered Grants of Land to be located at the Derwent. In this List is included all those Persons from whom you lately forwarded Memorials to me applying for Lands. You will observe Messrs. Thos. Wm. Birch and Walter Colquhoun are included in this List for Lands. The Secry. has written to Mr. Birch granting him my Permission to complete and launch the Vessel he has now on the Stocks at Hobart Town. The Secretary has also written to Messrs. Knopwood and Fosbrook in reply to their complaint against you respecting the Constable Reardon, signifying to them my disapprobation of the Sentence they passed on him. Mr. Loane has likewise been written to by the Secretary to signify to him my decision on his claim on Govt. for the Fresh Meat he intended turning into the King’s Stores in Decr., 1811, and which claim I now consider as unjust and groundless.

17. I believe I have now replied to all the principal points contained in your last Dispatch of 22d Novr. and Letter of 26th December, 1812; and I have in addition only to request, that, you will afford every information and assistance in your power to Lieut. Governor Davey on his arrival at the Derwent respecting the affairs of that Settlement. I have, &c.,

L. MACQUARIE.

[Enclosure No. 1.]

[A copy of these proceedings is not available.]

[Enclosure No. 2.]

Extracts from a Letter addressed to His Excellency the Governor from Ellis Bent, Esqre., Deputy Judge Advocate, Dated Sydney, 19th January, 1813.

“I beg leave to return to you the papers transmitted to you from Hobart town relative to the charge against Mr. McArty; and also those relative to the Contraversy between Mr. Loane and Mr. Simpson. I have perused both with much attention. The first set of Papers affords room for much and various observation; but I will Content myself with merely offering my opinion
that, in the existing Circumstances of that case, rendered so obscure, and exposed to such suspicion by the very extraordinary and I must add improper Conduct of Mr. Ingle, it is by no means adviseable to continue any prosecution against Mr. McCarty, and I should therefore recommend that all proceedings against him be dropt."

"As to the papers relative to the Disputes between Mr. Loane and Mr. Simpson, I must observe that I consider them as merely of a private nature, and I do not think any tribunal would be able to render the Parties Complete justice without much difficulty and delay as long as such violent personal Animosities subsist between them."

True Extracts:—Jno. Thos. Campbell, Secy.

[Enclosure No. 3.]

[A copy of this list is not available.]
DESPATCHES
TO AND FROM
lieutenant-governor Thomas Davey.

Lieutenant-governor Thomas Davey arrived at Hobart town in the ship Frederick, and administered the government from the 20th of February, 1813, to the 8th of April, 1817.
LIEUTENANT-GOVERNOR DAVEY'S COMMISSION.*

In the Name and on the Behalf of His Majesty, George, P.R.
George the Third, by the Grace of God of the United Kingdom
of Great Britain and Ireland, King, Defender of the Faith,
To Our Trusty and Well-beloved Thomas Davey, Esquire,—

Greeting:—

We, reposing especial Trust and Confidence in your
Loyalty, Courage, and Experience, do by these Presents consti­
tute and appoint you to be Lieutenant-Governor of Our Settle­
ments in Van Dieman's Land, on the Southern Coast of New
South Wales. You are therefore, as Lieutenant-Governor, to
take the said Settlements into your Care and Charge, and care­
fully and diligently to discharge the Duty of Lieutenant-Gover­
nor thereof, by doing and performing all and all manner of
things thereunto belonging. And we do hereby strictly charge
and require all Our Officers and Soldiers who shall be in Our
said Settlements, and all others whom it may concern, to obey
you as Our Lieutenant-Governor thereof. And You are to ob­
serve and follow such Orders and Instructions from time to
time as you shall receive from Us, Our Governor of Our Terri­
tory of New South Wales and the Islands adjacent for the time­
being, or any other your superior Officer according to the Rules
and discipline of War, in pursuance of the trust hereby reposed
in you.

Given at our Court at Carlton House, the First day of
September, 1811, In the Fifty-first Year Our Reign.

By the Command of His Royal Highness The Prince Regent, In
the Name and on the behalf of His Majesty.
LIVERPOOL.

INSTRUCTIONS* TO LIEUT.-GOVERNOR DAVEY.
(Despatch No. 1.)

30th January, 1813.

[A copy of these instructions will be found on page 730 et seq., volume VII, series I.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.
(Despatch No. 2.)

Sir,

Government House, Sydney, 30th Jan., 1813.

1. Herewith you will receive my Instructions of this day's
date for your information and guidance as Lieutenant Governor

* Note 12.
of the Settlements on Van Diemen's Land, and to which I must generally refer, confining myself in this Letter to calling your attention to some Points of minor importance, which are not particularly noticed in your General Instructions above adverted to.

2. Having in my Letter of Instructions* to Major Geils, the present Commandant of Hobart Town, under date 8th Feb'y last, given him orders respecting the different new Public Buildings, including Barracks and Hospital for the Troops, required to be erected at that Settlement with as little delay as possible, I now enclose you Extracts from that Letter fully explanatory of my wishes and sentiments on those important points, and to which Extracts I have to request your particular attention, and that you will carry the orders therein contained into execution within as short a period as the means you possess will admit, commencing immediately to erect the Barracks and Hospital for the accommodation of the Troops, who are at present suffering much inconvenience from the want of suitable Quarters, besides it being highly prejudicial to their Discipline and the good of the Public Service, their being dispersed in different straggling Huts throughout Hobart Town.

3. The same Quantity of Spirits, as the Civil and Military Officers and other Persons in the Service of Government are indulged with at Head Quarters annually at the Government Price, will be allowed to Persons of similar ranks and descriptions at the Settlements under your Command, including the Licensed Publicans. You are therefore hereby authorized, when Ships or Vessels laden with Spirits happen to touch at the Derwent or Port Dalrymple, to permit to be landed from them annually a quantity of Spirits sufficient to serve out to each Person entitled to receive them, the proportion specified in the accompanying Schedule;† at the Government Price, adding thereto the Duty due to the Crown of Five Shillings Per gallon; but you are enjoined not to permit more Spirits to be landed, on any account, than is sufficient for the purpose herein stated. The Government Price for good Spirits, either Bengal or West India Rum, is fixed for the present at Seven Shillings and Six pence Pr. Gallon to the Importer; the Purchaser or consumer paying in addition thereto the Duty of Five Shillings Pr. Gallon due to the Crown, and which is to be credited to the Police Fund of Van Diemen's Land. The Officers, Civil and Military, and other Persons receiving annually the Proportions of Spirits herein adverted to, are invariably to pay the above-mentioned Duty at the time of receiving their Spirits. You will observe that the Duty now fixed on all Spirits imported into any

* Note 13. † Note 14.
part of the Territory, since the 31st of last month, is Five Shillings Per Gallon; which you are accordingly directed to have levied and collected on all Spirits that you may have occasion to permit to be imported into the Settlements under your command.

4. On the Birth Days of His Majesty, the Queen, and Prince of Wales, on New Years-day, and on the two annual Inspection Days, you are hereby authorized to issue from His Majesty's Stores a Donation of half a Pint of Spirits to each of the Non-commissioned Officers and Soldiers; together with an extra Ration of one Pound of Fresh Beef on the four former days; the Mechanics and Labourers in the immediate Service of Government receiving also an extra Ration of one Pound of Fresh Beef on the three Birth-Days and New Year's day. No Donation of Spirits, or extra Rations of Fresh Meat are to be given to the Troops on any other Days in the Year than those herein Specified; excepting only the Day of your assuming the Command of the Settlements on Van Diemen's Land, on which occasion you are authorised to order the prescribed Donation of Half a Pint of Spirits to be issued from the King's Stores to each Noncommissioned Officer and Soldier Stationed at Hobart Town and Port Dalrymple.

5. Having observed, by the Accounts and Returns recently received from the Derwent, that a very large expenditure of Gun Powder and Stationary has taken place at that Settlement, I must recommend to you the greatest frugality in both these articles after you assume the Command. The Supplies of those two articles sent out from Home are very scanty for the Public use, and they are Purchased here at a very great expense to the Crown. I must therefore request that you will be as moderate as possible in your expenditure of them. No Morning or Evening Gun must be fired at the Settlements under your Command; and no Salutes are to be fired at either Place excepting on the three Birth-Days of the King, Queen, and Prince of Wales, or on extraordinary occasions of Particular Public Rejoicings. The Salutes of Merchant Ships must not be returned, as it wastes unnecessarily a great deal of Powder.

6. When Gun-Powder, Stationary, or any other description of Stores are required for the use of the Settlements under your Command, application must be made for them to Head Quarters, from whence only they are to be furnished, and never to be Purchased from Private Merchants or Traders residing in Van Diemen's Land, excepting on very pressing necessity and urgent occasions, when such urgent necessity must be clearly explained and stated at the time of transmitting the Vouchers of such Purchases to the Commissary General at Head Quarters.
7. No Person must be victualled from His Majesty's Stores who is not strictly and justly entitled to that indulgence; and you must be particularly cautious not to permit new Settlers to be Victualled at the expense of the Crown beyond the Regulations of Government, namely, Eighteen Months. As a particular favor and indulgence to the Norfolk Island Settlers, who were removed from thence some few years ago to the Derwent, and in consideration of their claims on Government remaining so long unsettled, I authorized their continuing to be victualled from the King's Stores at Hobart Town up to the 31st December last inclusive, when they were all to cease receiving any Provisions at the expense of the Crown. You will accordingly take care to see that my orders on this head have been duly attended to by the present Commandant and Depy. Commissary at Hobart Town.

8. There are a few of the Norfolk Island Settlers now at the Derwent, who have still unadjusted claims on Government on account of Live Stock and Houses which they left on the Island when they removed from it. I have referred these claims to the Commandant of Norfolk Island to report upon, and, as soon as I receive his answer, I shall authorize you to liquidate them.

9. Having deemed it advisable, when at the Derwent in Decr., 1811, and on my visit of Inspection to the District of New Norfolk, to mark out a very eligible situation for a Township for that District, naming it "Elizabeth-Town," I have to request that you will afford every facility and encouragement in your power to sober, honest, industrious Tradesmen to go to reside and settle there as soon as the Township has been subdivided into regular allotments, which I have ordered the Deputy Surveyor to do. Elizabeth Town is beautifully situated on the Right Bank of the River Derwent in a fertile country; and the River, being Navigable for large Boats so far, renders it in all points of view a very commodious and desirable Situation for a Township for the accommodation of the Settlers in that particular part of the Country for the sale of the various Productions of their Farms, and for sending their Children to be educated at, when a School is established there.

10. From the Negligence and ignorance of the late Depy. Surveyor of Lands* at the Derwent, great and frequent disputes have arisen between the Settlers respecting the Boundaries of their respective Farms, which were so inaccurately measured and described by him that it has been found impossible to adjust these Disputes to the satisfaction of any of the Parties. I therefore deemed it necessary to send Mr. Meehan, then the Acting Surveyor General of Lands, some months ago to Van Diemen's Land, with orders to re-measure and newly describe the whole

* Note 15.
MACQUARIE TO DAVEY.

11. Having some time since received Instructions* from His Majesty's Ministers to evacuate Norfolk Island entirely, and to remove the whole of the Settlers and their Property from thence with the least possible delay, I have lately, in pursuance of these Instructions, sent the Govt. Brig Lady Nelson and the Ship Minstrel, hired Transport, to Norfolk Island to carry these orders into effect. I have directed the whole of the People now at Norfolk Island to be removed to, and landed at Port Dalrymple, where the Acting Surveyor Genl. has already marked out and measured Farms for those, entitled to them, in a very fertile well-watered Tract of country on the Banks of the South Esk River, about Eight Miles from Launceston, and which I have named the District of "Norfolk Plains." The Officer now Commanding at Port Dalrymple has already received orders to send all the People from Norfolk Island, on their arrival at Port Dalrymple, to their respective Farms at Norfolk Plains, and I intend to furnish him with further Instructions respecting their accommodation there, and the liquidation of their several claims on Government for Land and Stock; I expect the Evacuation of Norfolk Island will be effected about the middle of February, and that the People will be landed at Port Dalrymple about the latter end of that Month. In case Mr. Meehan should have entirely completed the Duty he is now employed on at the Derwent by the time the Norfolk Island People arrive at Port Dalrymple, you will be so good as to direct him to proceed thither, overland, in order to Shew the Settlers from Norfolk Island the Farms he has marked out for them in Norfolk Plains, according to their respective claims and my instructions to him on that head.

12. The Lords Commissioners of the Admiralty having signified Permission for to His Majesty's Secretary of State for the Colonies their approbation of such of the Marine Soldiers,† who have been for some years past doing Duty in Van Diemen's Land and who wish to remain in the Colony instead of returning to England, to become Settlers, and Twenty Eight Noncommissioned Officers and Soldiers of the Detachment of Marines having made their election to remain and become Settlers in the Country, I have acquiesced in their request, and have forwarded a Return of their Names to the Lords of the Admiralty, requesting that regular Discharges may be sent out for them. These Twenty Eight men continue still embodied and doing duty at the Derwent; the rest of the detachment, Fourteen‡ in number, having made their

SER. III. VOL. II—B  * Note 16. † Note 7. ‡ Note 17.
1813.
30 Jan.

Marines to be disbanded.

Farms to be surveyed for marines.

Indulgences for settlers from marines.

Cattle to be removed from Port Dalrymple to the Derwent.

18 HISTORICAL RECORDS OF AUSTRALIA.

election to return to England, were accordingly sent thither on board the Private Ship Isabella early in last month. As it will be a long time before the Discharges for these Twenty Eight Marines can be received from England, and as I understand they are very anxious to go to settle on the Lands to be assigned to them, you are hereby authorized and directed to disband them on the 6th of the Month of March next, and to strike them off duty from that date, paying one Month’s subsistence to them in advance from the 6th of March, previous to your disbanding and striking them off all further Military Duties. Mr. Meehan the Surveyor must be directed to locate and measure out Farms for them at the Coal River, or at any other part of the Settlement they may prefer. Lands are to be assigned to them in the following Proportions. Vizt.—To each Noncommissioned Officer, if single, 130 Acres, and if Married 150 Acres; To every Private Soldier, if single 50 acres, and if married 100 Acres; with an addition of Ten acres of Land for every child they may have at the time of the Allotment taking place. They are to be victualled and clothed for Eighteen Months from the King’s Stores, and to receive gratis Seed Grain, and such agricultural Tools and Implements as can conveniently be furnished to them from the King’s Stores. Each Marine Settler is also to be allowed one Male Convict labourer, clothed and victualled from the King’s Stores for Twelve Months, which Government Servants are to be assigned to them as soon as they can conveniently be spared from the Government Public Gangs at Hobart Town. The Marine Settlers are also to receive one Cow each from the Government Herds, on a Credit of Eighteen Months, granting their Bonds for the payment of the Cows so delivered to them. With these indulgencies, it is hoped they will soon become wealthy and useful Settlers. You will therefore direct them to go to reside on, and proceed immediately to the Cultivation of their Farms, as soon as they are disbanded; the indulgence of one Month’s Pay in advance being allowed them on account of their meritorious conduct, and to enable them to fit themselves out with such Necessaries as they immediately require on becoming Settlers.

13. In order to enable you to Supply the Marine Settlers and other Persons, who may obtain Permission to become Settlers at the Derwent, with Horned Cattle, it will be adviseable to make a Draught from the Government Herds at Port Dalrymple to strengthen and increase those at the Derwent, which have been greatly reduced of late in consequence of the large Distribution I directed to be made from them in the course of the last Year. You are accordingly authorized to draw One Hundred Young
MACQUARIE TO DAVEY.

Cows from the Government Herds at Port Dalrymple to add to the few remaining young Cattle belonging to the Crown now at the Derwent; but no Cattle are to be issued to any new Settler, or other Person, without my permission being previously obtained in writing.

14. Herewith you will receive a List of the names of certain Persons, to whom I have granted permission to become Settlers at the Derwent, and in which List is specified the quantity of Land which is to be assigned to each of these Persons, and which you are accordingly directed to order the Surveyor to locate and mark out for them in such parts of the Settlement as Lands can most conveniently be spared at. None of those Persons inserted in the abovementioned List are to receive any Cattle from Government Herds at present, nor any other indulgence as New Settlers, until they go to reside permanently on their Farms; when they are to commence to be victualled from the King's Stores for Eighteen Months; and, as soon as I receive a report from you that they have proceeded to Cultivate their respective Farms, I shall authorize you to make a Distribution of Cattle to them. I wish you however to make an exception in this instance in favor of Mr. John Beamont,* to whom I have directed a Grant of 300 Acres of Land to be made at the Derwent. You are accordingly authorized to order three Cows to be delivered to him from the Government Herds, taking his Bond for the Payment of the same in two years; himself to be victualled from the Stores for Eighteen Months, and to have two Convict Labourers assigned to him, when they can be spared, Victualled and Clothed at the expense of the Crown for the same space of time.

15. In consequence of your requisition to me for a Grant of Land to be made to yourself at the Derwent, I enclose you herewith an order to the Depy. Surveyor General, Mr. Meehan, directing him to locate and measure out for you in any part of the Settlement you may prefer (which may not however interfere with Lands reserved for the purposes of the Crown or Crown Grazing Farms) three Thousand Acres of Land, of which I shall send you a Grant as soon as I receive the delineation and description thereof from the Dy. Surveyor General. You are also authorized to take Fifteen young Cows from the Govt. Herds for your own use for Payment, and on a credit of three years, granting your Bond to the Depy. Commissary for Payment of the same on the terms herein prescribed. You will likewise be entitled to Six Convict Labourers assigned to you, clothed and victualled for Eighteen Months at the expense of the Crown for the purpose of Cultivating your Farm. You are accordingly

* Note 18.
1813. hereby authorized to take Six Male Convicts from the Government Gangs for the above purpose, as soon as your Land has been measured out and described by the Depy. Surveyor General.

16. The number of Magistrates in the Settlement of the Derwent and its immediate Dependencies must be restricted to Five including yourself; four being deemed quite sufficient for Hobart Town, and one for the Districts of Newton and New Norfolk. The present Magistrates, besides Major Geils, are Capt. Murray, the Revd. Mr. Knopwood, Mr. Fosbrook, Mr. Humphry, and Lieut. Gunning. The two latter gentlemen are only acting, and have never been confirmed by me, which, it is necessary they should be in case they were to be continued as permanent Magistrates. Lieut. Gunning, however, having other essential Public Civil and Military Duties to perform, that must necessarily occupy the greater part of his time, you are to direct his discontinuing to act as a Magistrate from the date of your assuming the Command of Van Diemen's Land; and the four Government Men assigned to him as a Magistrate must be immediately returned to the Government Gangs again. I shall have no objection to confirm Mr. Humphry as one of the Five Magistrates at the Derwent, in the event of your finding him, on further acquaintance to be properly qualified for filling that situation with credit to himself and advantage to the Public. There have generally been three Magistrates allowed at the Settlement of Port Dalrymple, and that number will still be continued there after Major Geils assumes the command of that Settlement, himself of course being considered as one of the three.

17. It being essentially necessary for the preservation of the Peace and tranquillity of the Settlements under your command, as well as for establishing a good system of Police, and adjusting petty disputes and differences, and settling petty Debts, that a regular Bench of Magistrates should be assembled weekly at Hobart Town, you are hereby strictly enjoined and directed to do so, presiding yourself invariably at the Bench of Magistrates thus ordered. You will be pleased to direct a Bench of Magistrates to be assembled in like manner and for the same purposes at Port Dalrymple.

18. A number of Male Convicts having, at different times within the last few years, absconded from the Settlements of the Derwent and Port Dalrymple, and betaken themselves to the Woods, or Bush, where they continually molest the Natives of the Country, and from whence they carry on Predatory incursions on the European Settlers and other Inhabitants of the Country, to the danger of their lives and great injury and destruction of
their Cattle and other Property, you are hereby directed to
endeavour to ascertain the number and Names of these Runaways
and Depredators, sending me a List of them by the first oppor-
tunity, in order that the necessary measures may be adopted for
apprehending or destroying them, in case they do not surrender
themselves to justice at the expiration of such period of time as
may be hereafter fixed upon in a Proclamation intended to be
issued by me for this purpose. As the Purchasing of Kangaroo
Flesh for the use of Government is a great encouragement to
these Bush Rangers, who are in the habit of supplying the In-
habitants with it, I have to request that the Purchasing of this
vile sort of meat for the use of His Majesty’s Stores may be
entirely discontinued excepting on very urgent occasions of
scarcity of other Animal Food for supplying the Stores.

19. I have long had it in contemplation to establish a few
Military Posts along the Route between the two Settlements of
Hobart Town and Port Dalrymple for the Protection of
Travellers, and in order to facilitate the Conveyance of Public
Dispatches from the one Settlement to the other overland; and
as soon as I receive the Surveyor’s Report on this Subject, agree-
ably to instructions given him on it, I shall send you orders to
establish them.

20. Having lately received reports from various Quarters that
large quantities of Spirits have been Smuggled and Clandestinely
landed at the Derwent from various Ships and Vessels that have
lately touched there; I have to direct and command that you will
use every means in your power to prevent a further continuance
of this illegal, shameful, and injurious Practice; and when any
Persons are detected in carrying on such illegal Practices to have
them prosecuted and severely Punished according to the Colonial
Regulations established on this Subject.

21. You will receive herewith a Copy of the Invoice of sundry stores shipped
Stores sent Per the Brig Eagle in June last for the use of the p^Wg Eagle.
Settlement of the Derwent, being as large a supply as the State
of the Public Stores here could then afford, and it is hoped will
prove sufficient until further supplies are received from Eng-
land. Understanding however that there is at present no
Stationary at the Derwent for the use of the Public Officers there,
I have directed the Commissary to Purchase some here and to
deliver it to you on your embarkation on board the Frederick.

22. You are hereby directed to call on Depy. Commissary
Fosbrook, as soon as you have assumed the Command of the
Settlements on Van Diemen’s Land, to furnish you immediately
with regular Accounts made out (in Triplicate) from his Books
of all Out-standing Debts owing to the Crown from Individuals,
whether present, absent, or dead, during the time he has acted as Dy. Comy. at the Derwent, under the several administrations of Colonel Collins, Lieut. Lord, Capt. Murray, and Major Geils, respectively; one set of these accounts is to be transmitted to me by the first opportunity, one to remain with yourself, and one is to be transmitted by Mr. Fosbrook to the Actg. Com. General at Head Quarters. From such officers Civil and Military, and other Persons as are now alive and residing on Van Diemen's Land, Mr. Fosbrook must be instructed to demand and receive Payment of their respective accounts forthwith; and the accounts of those Persons, who are absent or are dead, will be transmitted home by me to His Majesty's Secretary of State for the Colonies, to be recovered Payment of in England. All Officers and other Persons, indebted to the Crown, must be ordered by you to pay their respective Debts immediately into the hands of the Depy. Commy., on pain of being prosecuted for the same. Such as are unable to pay their Debts at present must be required to sign their accounts, and grant their Notes of Hand for the several amounts thereof payable in Six Months after date.

23. Such Debts as are thus due to the Crown, and recovered by the Depy. Commissary, are to be credited in his Public Quarterly Acct. Currt. with the Actg. Comy. General at Head Quarters, and not to the Police Fund.

24. Herewith you will receive a Copy of the General orders* issued by me, under date 3d Novr., 1812, which relate to the Settlements under your Command for your further information and guidance.

25. You will not fail to write to me, by every opportunity that may offer, to apprize me of the State of the Settlements now placed under your Government in Van Diemen's Land.

I have, &c,

L. MACQUARIE.

P.S.—

1. I omitted in the body of this Letter to request you will, as soon as practicable after you assume the Command of the Settlements on Van Diemen's Land, direct a general muster to be taken at both the Settlements of the Derwent and Port Dalrymple of all the Inhabitants in these Settlements respectively, Male and Female, whether Free Persons or Convicts, according to the usual Form hitherto observed in taking such Musters; Copies of which are to be transmitted to me by the earliest opportunity, along with your other Returns and Statements of the two Settlements, after you have had a correct survey of the Provisions and Stores taken at both those Places.

2. Similar general Musters of all the Inhabitants in the two Settlements of the Derwent and Port Dalrymple must in future
be taken annually, early in the Months of September in every succeeding year; The said annual Musters commencing with the month of Septr. next, being the time fixed on for taking the general Muster at Head Quarters.

3. Herewith you will receive a copy of an account of Sundry Tools and Implements and other Stores purchased by Major Geils for the use of Government, some little time since, at the Derwent, amounting to £396 4s. Those Stores, together with what were sent in June last Pr. the Brig Eagle, ought to be sufficient for the use of that Settlement for Twelve Months to come.

4. In case, on your assuming the Command of the Settlements on Van Diemen’s Land, you find that the Orders of H.R.H. The Comr. in Chief, Published here on the 3d of Novr. last, a copy of which you will receive herewith, have not yet been carried into effect at the Derwent and Port Dalrymple, you are hereby directed and enjoined to carry the said orders into execution forthwith, and not permit any more Soldiers’ wives to be victualled than the exact number prescribed in the said Orders.

L.M.

[Enclosures.]

[Copies of these papers are not available.]

COLONIAL SECRETARY CAMPBELL TO MAJOR GEILS.

(Despatch per ship Frederick.)

4 Feb., 1813. 4 Feb.

[The following extract only of this despatch is available:]

There is a small Fee† on each of these Pardons of five shillings and sixpence, Half-due to Mr. Robinson, the Principal Clerk in this Office, which I am directed by His Excellency the Governor to request that you will receive on Delivery of the Pardons, and transmit with the amended List to my Care.


1. Herewith he will receive in a small Box the Governor’s Transmission of General Instructions and addl. ones, with their several accompaniments; all which the Govr. recommends to the Lt. Govr. to read and peruse frequently, in order that they may always be in his recollection.

2. The Lt. Govr. ought to be very much on his guard on his arrival at the Derwent against some designing characters there, who will endeavour to impose upon him and mislead his judgment by artful insinuations and plausible but interested projects and Speculations. Messrs. Knopwood, Fosbrook, Humphry,
Loane, Bowden, and Kent,* all come less or more under this description; and, having generally opposed the measures of the present Commandant, the Lt. Govr. cannot be too much on his guard against their machinations. The Chaplain is a man of very loose morals, by report, and ought to be severely admonished when guilty of any impropriety of conduct, and such reported to me. The Dy. Comy. is, I fear, a corrupt man, and must therefore be very narrowly watched as long as he remains in office. His Storekeeper and Confident, Boothman,† must also be narrowly watched as he is considered a bad and corrupt character; but must not nevertheless be removed from his office or suffered to resign, until a new Dy. Comy. is appointed from Hd. Qrs., when a successor will also be appointed to Boothman’s situation.

3. It is strongly recommended to the Lt. Governor to observe the strictest economy in every Department, and to make no Purchases whatever without leave from Head Quarters. He is particularly requested to be as frugal as possible in the expenditure of the Government Stores of all descriptions, especially of Gun Powder and Stationary, neither of which articles are ever to be given away or sold to Individuals. The Victualling Books ought frequently to be examined and no Person suffered to be victualled at the expense of the Crown who is not strictly and justly entitled to that indulgence.

4. Lt. Govr. Davey will receive herewith a memorandum from the Govr. respecting some Convicts now at the Derwent, which he is requested to pay attention to on his arrival there. He will also receive herewith a Meml. from Thos. Fitzgerald, wt. the Governor’s answer thereto, granting him a Salary of £15 pr. annum from the Police Fund of Van Diemen’s Land in remuneration for his services as Clerk to the Bench of Magistrates, and which he is accordingly to receive.

5. Mrs. Geils occasionally rides a mare belonging to Govt., which the Govr. has promised her the use of as long as Major Geils holds any command in Van Ds. Land. The Lt. Governor will therefore be so good as to permit her to retain the use of the said mare till further orders.

6th. The Govr. recommends that George Salter, Free Settler, now proceeding to the Derwent may be appointed Supdt. of the Government Herds there, wt. a Salary of Fifty Pounds Pr. annum, being a very honest sober man.

7th. Mr. Saml. Bate, nominally Dy. Judge advocate, at Hobart Town, but totally unfit for that important office, is not to be employed in any Public Situation whatever.

L.M.

* Note 21. † Note 11. ‡ Note 22.
Memorandum for Lt. Govr. Davey of Names of Convicts arrived lately at the Derwent in the Indefatigable Transport, who are strongly recommended to the Governor's favor and Protection by Persons of respectability in England: vizt.

1st. William Jemmott.—This man has brought his wife and Family with him. He is to be permitted to go on his own hands immediately; and in case he has not the means to maintain himself and Family, they are to be victually from the Store till further orders. In case Mr. Jemmott wishes it, he may be allowed some Land to cultivate, say 30 acres.

2d. John Francis.—This man is by Profession a Surgeon, and is to be sent up to Port Jackson by the first good opportunity, where something will be done for him.

3d. Walter Redpath.—This man bore formerly an excellent character. He is to be allowed to go on his own hands and to have Twenty Acres of Land to cultivate, in case he wishes it.

4th. Samuel Smith.—This man served several years in the Royal Marine Corps, and bore an excellent character. He is to be permitted to go on his own hands after being six months in the colony, in case he conducts himself properly for that time.

5th. George Garrett.—This man is strongly recommended by Mr. Wilberforce, M.P. He is to be sent up to Sydney by the first opportunity, the Revd. Mr. Marsden wishing to take him into his Service.

Govt. House, Sydney, 6 Feby., 1813.

Govt. House, Sydney, 6 Feby., 1813.

Sir,

Herewith you will receive for your information and guidance copy of a Letter of this day's date I have written to the Officer commanding at Port Dalrymple respecting the Settlers and other Persons ordered thither from Norfolk Island on the final Evacuation thereof, the execution of which service is now in progress. You will accordingly take care to enforce the orders and Instructions conveyed to the Officer commanding at Port Dalrymple in the Dispatch to his address, of which the enclosure is a copy.

In case Ensign Pooke and the Detachment of the 73rd Regt., Military to be sent to Sydney, should still be there on your arrival; you are hereby directed to send that Officer wt. his Detachment to Head Quarters by the first good opportunity. I have, &c.,

L. Macquarie.
Governor Macquarie to Captain Ritchie or Officer Commanding at Port Dalrymple.

Sir,

Govt. House, Sydney, 6th Feb., 1813.

Having on the 14th of last month dispatched from hence to Norfolk Island the hired Transport Ship Minstrel for the purpose of evacuating entirely that Settlement, and having ordered the whole of the Settlers and other Inhabitants now residing in Norfolk Island to be removed to Port Dalrymple, which is to become their future residence, you are hereby accordingly directed to make immediately the necessary preparations for their reception and accommodation at that Settlement, and in so doing to be generally guided by the following Instructions.

1. On the arrival of the Minstrel at Port Dalrymple, the whole of the Passengers (the Detachment of Troops excepted) and Live Stock must be landed immediately in order to prevent the Ship coming on Demurrage, which would be a great ex pense to Government, and which, as you will see by the Charter Party, (to be delivered you on her arrival at Port Dalrymple in a Dispatch I transmitted to you by her), will take place in Twelve days from the date of her arrival. If therefore the People and Live Stock cannot conveniently be landed and conveyed to Launceston within that time, you will land the former in the meantime at York-Town, and the latter on the East side of the River Tamer, at some convenient place, so as to be driven up at once to Launceston, and incorporated with the Government Live Stock, the whole of the Horses and Asses (with one or two exceptions) being the Property of the Crown. In case you are obliged to land the Norfolk Island People in the first instance at York-Town, no time must be lost in removing them afterwards to Launceston, and thence to their respective Farms in the District* of "Norfolk Plains," where Lands have already been located and measured out for them by Mr. Meehan,† the Depy. Surveyor General.

2. Previous however to the Norfolk Island Settlers, etc., being sent to occupy their Farms, they must all be paid and settled with by you at Launceston for their Claims on Government for the Cattle and Houses they may have left behind them on the Island and delivered over to Government. In liquidating these claims, you will be guided by a Schedule or Statement of them, which will be delivered to you by Lieut. Crane, the present Commandant of Norfolk Island, on his arrival at Port Dalrymple, paying them in Money for their Houses and Implements.

* Note 23. † Note 24.
MACQUARIE TO DAVEY.

of Husbandry only, and making them payment for their Cattle left behind, in kind at Port Dalrymple, head for head and according to their respective ages and sexes from the Government Instructions for location of Herds. They will wish to be paid in money for their Horses, settlers from Asses, and other Live Stock left behind on the Island; but this, you are to explain to them cannot possibly be done. The whole of them are of course to be Victualled at the expence of the Crown for the periods prescribed by Secy. Windham's Dispatch,* namely; the Settlers of the 1st class with their respective Families are to be victualled and clothed for two years at the Public expence; to be allowed the labour of Four Convicts for the first nine months, and of two for fifteen months longer, also clothed and victualled by the Crown; the Settlers of the 2d class, with their respective Families, are to be clothed and Victualled for two years at the Public expence, and to be allowed the labour of two Convicts for the same period, also clothed and Victualled by the Crown; the Settlers of the 3d Class are to be victualled and clothed at the Public expence, as well as their Families, for one year, and to be allowed the labour of two Convicts, clothed and victualled by the Crown for the same period.

3. The few Convicts, that may arrive in the Minstrel and in the Lady Nelson at Port Dalrymple, are to be as equally as possible distributed amongst the Norfolk Island Settlers, and as many other Convicts are to be assigned to them, according to the foregoing Orders, as you can conveniently spare to them from the number of Male Convicts now at Port Dalrymple. The Settlers and other Persons from Norfolk Island, who may arrive in the Lady Nelson at Port Dalrymple, are to be treated and accommodated exactly in the same manner as is herein directed for those arriving on board the Minstrel. The Farms already located for them all at Norfolk Plains, far exceeding in quantity what they can be strictly entitled to receive by Secy. Windham's Dispatch, you will have no trouble with them on this score, more than merely pointing out their respective Farms to them.

In case Mr. Meehan can conveniently be there at that time, I shall order him to return early in next month to Port Dalrymple, in order that he may point out to each Settler his own Farm in Norfolk Plains. I conclude the Minstrel will arrive at Port Dalrymple in all the present month or early in the next.

4. You will instruct the Depy. Comy. at Port Dalrymple to make out proper and regular Accounts and Vouchers of the Pecuniary Claims of the Norfolk Island Settlers, previous to their being paid, drawing Bills on the Comy. Genl. at Head Quarters.

* Note 25.
for the amount of said Pecuniary Claims, and transmitting to him at the same time a regular detailed separate account of Current thereof.

L. Macquarie, Govr. in Chief of N. S. Wales.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.
23rd March, 1813.

MAJOR GEILS TO GOVERNOR MACQUARIE.
4th April, 1813.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.
5th April, 1813.

[Copies of these three despatches are not available; they were transmitted per brig James Hay and ship Frederick, and acknowledged by Governor Macquarie, 30th April, 1813.]

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.
(Despatch per ship Frederick; acknowledged by Governor Macquarie, 30th April, 1813.)

7th April, 1813.

[A copy of this despatch will be found on page 788, volume VII, series I.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.
(Despatch per brig Cumberland.)

Sir,

Head Quarters, Sydney, 30th April, 1813.

1. I have now the honor to acknowledge the receipt of your Letters under dates 23d March (Pr. Brig James Hay) and 5th Instant (Pr. Ship Frederick) with their respective accompaniments. By the first of those Letters, I was very happy to hear of your safe arrival at the Derwent, and of your having assumed the Government of the Settlement on Van Diemen's Land, now placed under your immediate command.

2. It is with peculiar satisfaction that I seize this opportunity, being the first that has offered since the receipt of your Letters, of conveying to you my entire and fullest approbation of the several Orders you have issued and of the several measures you have deemed it advisable to pursue and adopt on your assuming the command of the Settlements in Van Diemen's Land; which appear to me to be well calculated to promote the welfare and prosperity of those Settlements, as well as to rectify the great abuses that have existed and been practiced in the several Public Departments in those Settlements for a great length of time past.
3. The Measure of Publishing a Proclamation promising a Pardon to those Bush Rangers, who should deliver themselves up on or before the 4th Instant, was highly proper and judicious; and I am happy to find it has been attended with some good effects already, altho' the number who have given themselves up is less than might have been reasonably expected. I am to request, however, that you will not issue any further Proclamations on this head, until you receive further instructions from me on this Subject, after having advised with Mr. Bent the Judge Advocate upon it, previous to any stronger or more coercive measures being adopted for the apprehension and extirpation of this dangerous Banditti of Bush Rangers. Previous to my coming to any final decision on this important point, it is necessary I should be furnished with the names of all such Men as have absconded from either of the Settlements for the last four years, which I have to request you will procure accordingly, if possible, and transmit to me by the first opportunity.

4. By this conveyance per the Colonial Brig Cumberland, I have directed the Commissary to send a considerable supply of salt Provisions for the use of the Settlement of the Derwent; but I am sorry to say it is impossible to send you any Slop Clothing or Stores at present, as the state of the Public Stores here will not admit of it. I expect a Supply from England soon of these Articles, and, when they arrive, I shall not fail to send you a proportion of them. When the last supplies were received from England, a full Proportion of them was sent for the use of the Settlement at the Derwent, and, besides these, Major Geils Purchased a large Supply of all kinds of Stores, Tools and Implements, so that if both these Supplies had been reserved exclusively for the use of Government (as they ought assuredly to have been), you would now have more Tools and Implements and Stores than the Public Works at Hobart Town could possibly require.

5. In looking over the Report of the Survey of the Commissariat Department, I was greatly astonished to find that only 88 Gallons of Spirits remained in the King’s Store, out of 2,000 gallons received for the use of Government from the Ships Frederick and Hope. This appears very extraordinary, and I have directed the Actg. Comy. Genl. here to call on Dy. Comy. Fosbrook for an explanation of this circumstance.

6. As soon as Major Geils closes his Public Accots., and has sufficiently recovered his Health to be able to travel, I request you will be so good as to order him to proceed to assume the command of the settlement of Port Dalrymple.
1813.
30 April.
Relief of military postponed.
Bedding and blankets for military.

Passengers per ship Frederick.
Non-arrival of brig Lady Nelson.

7. For the reasons stated in your last Dispatch, I shall postpone the intended relief of Capt. Murray's Company till the new Barracks are built for the Troops at Hobart Town.

8. I am sorry I cannot send a supply of Bedding for Capt. Murray's Company from hence, there being neither Beds nor Blankets in the Public Stores here at present. In case the State of the Stores at Hobart Town will admit thereof, I have no objection to one Blanket being issued from them to each Non-comm. Officer and Soldier of Capt. Murray's Company.

9. John Francis and James Richardson (the latter a Deserter from Sydney) have both arrived here in the Ship Frederick.

10. The Lady Nelson, with Lt. Greenshields and Ensn. Pooke's Detachment, has not yet arrived here from Port Dalrymple.

I have, &c.,
L. MACQUARIE.

GOVERNOR MACQUARIE TO MAJOR GEILS.
(Despatch per brig Cumberland.)

Dear Major,

Sydney, 30th Apl., 1813.

I have been favored with your Private Letter of the 4th Instant, Pr. Ship Frederick, with its enclosures, which last I now return agreeably to your request.

I am extremely sorry that it is not in my power to sanction or confirm your assumption of the 300 acres of Land belonging to George Guest at Reisdon Cove, that Land having been regularly assigned to and taken possession of by him in part Payment of his Norfolk Island Claims on Government and which of course was guaranteed to him by Government. It consequently follows that no power whatever can deprive him of those Lands without his own free will and consent, which, he solemnly assures me, he never gave either verbally or in writing to any one, and positively denies having ever authorized his son-in-law Mr. Birch, or any other Agent, to sell or alienate those Lands. Indeed, I believe, Mr. Birch himself disclaims having ever made any sale or transfer of them in his Father-in-law's name. As to Capt. Murray's pretending to say they had reverted to the Crown, it is quite ridiculous, as he had no authority for saying so and still less for granting or locating them to any other Person. I certainly did not possess any such Power as Govr. in Chief, and surely Capt. Murray, as a Subordinate Officer of my appointment, could not possibly have been vested with any such arbitrary Power as to deprive any man of Lands regularly granted to him by Government. George Guest was promised by me to receive part of his Lands here, but he never signified the smallest wish or
intention to relinquish his 300 acres at Reisdon Cove, to which of course he has still a fair and most undoubted right, and of which no Power can legally deprive him. Under all these circumstances it certainly was unguarded and irregular in you to take possession of Guest’s Lands without a written authority from himself for so doing, or at least waiting for a reference to me on this Subject before you had taken possession of the Land. I regret exceedingly that you did not pursue these steps as it would have saved yourself a great deal of trouble, expense, and litigation. The only alternative, that I see you have now left, is to make the best bargain you can with George Guest, who, I should suppose would have no objection to sell you his 300 acres of Land at Reisdon Cove at a fair and adequate Price. It is but doing justice to Guest to inform you that he never yet has received any Lands at Port Jackson in liquidation of his Norfolk Claims, whatever idle reports you may have heard to the contrary.

I am sorry to observe that you are prejudiced against Mr. Meehan on account of his interference in George Guest’s business; but I think you do him great injustice in suspecting or accusing him of any improper or unfair conduct on this occasion, as I am convinced he is a man of strict honor and integrity and incapable of doing anything mean, low, or unjust. Indeed I do not know of a more correct or upright man in all the Colony of N. S. Wales than Mr. Meehan is.

I remain, &c,
L. MACQUARIE.

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

Sir,
Govt. House, Sydney, 17th May, 1813.

1. I did myself the pleasure of writing you last on the 30th Ult., per the Colonial Brig Cumberland (which sailed hence on the 5th Instant), in reply to your several Letters of dates 23d March, and 5th and 7th of last month.

2. I enclose herewith a Letter addressed to Capt. Ritchie, Officer commanding at Port Dalrymple, leaving it open for your perusal and information, and requesting you will afterwards forward it to Port Dalrymple, with as little delay as possible.

3. The Contractors for the General Hospital at Sydney, Messrs. Wentworth, Riley and Blaxcell, having some little time ago applied to me for permission to allow a Vessel belonging to them, which they expect soon from Bengal ladened with Spirits for them as part of their Contract, to touch and break bulk at the Derwent for the purpose of selling part of the said Spirits at that Settlement, I am now to signify to you that I have acquiesced
in their request, and have to desire that you will accordingly be pleased to permit the Commander or Supercargo of the said Vessel, on her arrival at the Derwent, to enter at that Port, and to dispose there of such part of her Spirits and other Goods and Merchandize as the Merchants and Inhabitants of that Settlement may require, transmitting to me an exact account of the Quantity of Spirits so landed on account of the Contractors, referring the Duty thereon to be paid at Head Quarters, agreeably to the terms of their Contract.

4. The Government Brig Lady Nelson (which only arrived here from Port Dalrymple on the 7th Inst.) sails again to-morrow for Norfolk Island, with Casks and Salt, in order to enable the Supdt. there to slaughter and salt down the whole of the Govt. Cattle as soon as possible.

5. I send orders to the Supdt. to lade the Lady Nelson immediately on her arrival at Norfolk Island with such Salted Provisions as he has ready, and to dispatch her therewith as soon as possible for the Derwent. On her arrival there, I am to request you will immediately order her Cargo of Salted Meat to be landed and deposited in His Majesty's Stores for the use of that Settlement, dispatching the Lady Nelson immediately afterwards back to Norfolk Island to bring another Cargo of Salt Meat thence to the Derwent.

6. As the Mutton, Beef and Pork Salted at Norfolk Island, more especially the former, will not keep so long good as Salted Meat received from England, I have to request you will not fail to give orders to the Dy. Comy. at the Derwent to issue the Salt Meat from Norfolk Island first, particularly the Mutton, until the whole is expended, before he issues any English Salt Provisions; and, during his issues of the Norfolk Island Salted Provisions, not to receive any fresh Animal Food into the King's Stores at the Derwent, excepting what may be actually required for the purpose of Serving the Troops half their Rations in Fresh Meat Weekly.

7. I request you will be so good as to direct Twelve Casks of the Salted Meat sent from Norfolk Island, namely, 4 of Beef, 4 of Pork, and 4 of Mutton, to be opened, examined, and weighed by the Depy. Comy. in presence of a Committee of Officers immediately on the said Provisions being landed at the Derwent, with the view of ascertaining whether the Weight corresponds with the marked contents, as well as to ascertain the quality of the said Provisions.

I have, &c.,

L. MACQUARIE.
MACQUARIE TO DAVEY.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

(Despatches per schooner Henrietta Packet and brig Campbell Mac­quarie; acknowledged by Governor Macquarie, 10th September, 1813.)

—, 16th, and 21st August, 1813.

[ Copies of these three despatches are not available. ]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per ship Eliza.)

Sir, Government House, Sydney, 10th Sept., 1813.

1. I have the honor to acknowledge the receipt of your Dispatch ( without a date ) Pr. Mr. Meehan, the Depy. Surveyor Genl., who arrived here in the Henrietta Packet on the 19th of last month, together with the several Papers and Documents that accompanied that Dispatch.

2. I have also the honor to acknowledge the receipt of your Public Letters under dates 16th and 21st of last month, together with their several enclosures and accompanyments, Per Ensign Lascelles; who arrived here on the 5th Instant, on board the Brig Campbell Macquarie.

3. I am sorry to find from an attentive perusal of the Returns of the General Muster, lately taken by you, that there are so many Persons still victualled by the Crown; and that notwithstanding the number of Mechanics and Labourers in the immediate Service of Government, that so little progress has been made in the Public Works at Hobart Town. I must therefore request you will endeavour to strike off as many Persons as you can from the Victualling Books; and that you will insist on the Inspector of Public Works paying more attention to his Duty, and applying all the means he possesses to get the Military Barracks and Hospital Completed as soon as possible. If it should appear that the Inspector of Public Works neglects his duty, and does not apply all the means he possesses to the forwarding and completing those Public Works, I authorise you to suspend him and to appoint a more competent Person in his room until my pleasure is known.

I approve of the Plans you have sent me for a Church and Plans for Jail; but I cannot sanction your commencing to erect them until the new Barracks and Hospital for the Military are first completed.

I was much disappointed to find that even the Government House had not yet been put in sufficient repair to enable you to occupy it; but I hope to hear that you have removed into it by your next Dispatch.
4. I was much pleased to learn that George Salter had been so very useful and active in recovering so many of the Government Cattle, that had either been lost or run wild through the shameful neglect of former Superintendents of Government Stock. The conduct of Dennis McCarty in this instance, as well as in many others, appears highly culpable and improper, but I apprehend the Law will not Subject him to any Punishment for such Neglects of Duty or even for Purchasing the Provisions and Cattle from the New Norfolk Settlers, as it appears they voluntarily sold them. But if they signed Bonds for the Cattle they received from the Government Herds, with the restrictions enjoined by me to be inserted in the said Bonds, the Cattle remain in that case the Property of the Crown for three years, and they can be legally seized as such in whosoever's Possession they may be found. If therefore such Bonds have been signed, McCarty can be Criminally prosecuted for Purchasing the Cattle thus delivered, and they ought to be seized immediately, wherever found, as the Property of the Crown. This however does not lessen the crime of the Settlers themselves for selling or parting with the Cattle so given them; and I am therefore to direct that you will, on no account, allow any Cattle to be ever again given from the Government Herds to any Settlers, who have either sold or parted with any of the Cattle they formerly received from Government; as they have thereby forfeited all claim to any further indulgence from the Crown. As the Government Herds have of late been so much reduced by the issues made from them to Individuals at the Derwent, and to the Norfolk Island Settlers recently arrived at Port Dalrymple in payment of their Debts, I must request you will not authorize any further issues to be made from them till further orders, excepting by a written order from me to that effect. The Memorials you sent me from Persons requiring Lands and Cattle will be taken into consideration at some future period; but at present I do not deem it expedient to comply with the requests contained in these Memorials. The Memorials from Persons soliciting Pardons and Emancipations must also lie over for at least twelve months to come, as I do not consider myself at liberty to grant any more than I have already done for Convicts in Van Diemen's Land, for some time to come.

I herewith beg leave to enclose you a Sydney Gazette containing my Regulations* on these very important Points, and by which I request you will be governed in future in transmitting to me Applications for Free and Conditional Pardons and for Lands and Cattle. By these Regulations, you will observe that Tickets.

* Note 28.
of Leave ought not to be given to Convicts (excepting in very
particular cases) until after they have served Government or
Individuals for three years; and I must request you will be so
good as to pay particular attention to this part of the Regu-
lations in question.

5. It will likewise prevent a great deal of confusion and un-
necessary correspondence, if you would make it a rule not to
order any Land to be located or measured for any Person what-
soever, until you receive my sanction for so doing; and I there-
fore strongly recommend this Rule for your adoption, and you
may rely on my paying every attention to your recommendation,
when the Parties recommended are deserving of indulgences of
this description. I am sorry however to inform you that I can-
not sanction nor confirm some of the Locations you directed
Mr. Meehan to make lately at the Derwent, namely Mr. Beamont,
Wade the Chief Constable, Maum the Commissary’s Clerk, Mrs.
Jemott, and Redpath the Convict; what I ordered for them in
the List with which you were furnished, being as much as I
think those Persons are entitled to at present. At some future
period, it may perhaps be advisable to give some of those Persons
more Land; but in the meantime they must be informed that I
cannot approve of their retaining Possession of the Land thus
located for them. You must be aware that no Convict can hold
a grant of Land legally and therefore it appears irregular your
ordering 120 acres of Land to be located for Redpath. He may
cultivate Thirty or Forty acres, and Jemott the same Quantity,
till they are Emancipated, which I shall be happy to do after
they are a reasonable time in the Country, in case they continue
to conduct themselves properly; but I cannot on any account
authorize Mrs. Jemott to receive Lands in her own right,* it being
against the rules I have laid down for my own conduct without
a positive order from Home.

6. I shall not confirm the Land measured out for Major Geils
at the Coal River, on account of the very proper objection made
by you thereto, as the Coal Mine must be exclusively reserved
for the Crown. Major Geils must therefore take up his Land
somewhere else. I am not aware that any reasonable objection
can be made to Mr. Gunning’s receiving a Confirmation of the
Land lately measured out for him between Hobart Town and
Newton, Government having no occasion for retaining that Land.
Besides the Land that Mr. Gunning has relinquished con-
tiguous to Macquarie Point is more than an equivalent for that
which has been measured for him near Newton.

As you appear to wish it, I shall not confirm at present the
Lands lately located for Stynes and Troy, but, in the Proceedings

* Note 29.
1813.
10 Sept.
Land grants to Troy and Stynes withheld.

Disapproval of conduct of A. Geils.

Land and assigned convicts for Mrs. Geils.

Convicts to be assigned to A. Geils.

you sent me respecting those two men, there does not appear any proof of their having committed a Robbery, your own Servants (the Sawyers) having acknowledged that they sold them the Timber found on their Premises. I should therefore be glad to have your Sentiments more fully on this point previous to my deciding on the propriety of withholding their Grants from these two Persons.

7. I have perused your correspondence with Major Geils with great attention, and I am sorry to observe therefrom that that Officer's conduct is highly reprehensible in many instances. His quitting his Station without your leave was very unmilitary and irregular. His employing so many Government Men on his own account, and drawing such a variety of Articles and such very large quantities of Spirits from the King's Stores for his own use, was highly improper and unjustifiable, and has justly incurred my displeasure and disapprobation.

At the time I agreed to give Mrs. Geils a Grant of Land* for herself and her Children (for I was restrained from giving it in the name of her Husband), I never intended that the Quantity of Land should have exceeded Twelve Hundred Acres. With that quantity of Land, I promised to give her Twelve Cows (including two she received at Port Jackson) with a few Government Men on the Store for Eighteen Months. What I meant by a few men (and what I believe I specified) was Six men at most. I am therefore totally at a loss to know how Major Geils could have supposed his wife to be entitled to have Eighteen Men victualled and clothed for 18 months at the expense of the Crown; for I am as yet unacquainted with any rules or Scale for appropriating Government Men to Male or Female Settlers, excepting the Governor's pleasure, and in all similar cases I have not exceeded Six Govt. Men.

I have therefore now to direct that Major Geils may be immediately limited to that number on account of the Lands located for his Wife; and that, as it appears that at least double that number have been victualled already for upwards of Twelve Months, they are no longer to be continued on the Stores. You will therefore be so good as to order the Commissary to discontinue Victualling them from the date of your receipt of this Dispatch. Major Geils will then be entitled only to his four Men as a Magistrate and two men more as Commandant (being a Field Officer) of Port Dalrymple, making in all six men to be continued on the Store in his own right; and you will be so good as to give strict orders that he draws Provisions for no more than that number. I must also particularly enjoin that you will not locate any more Land for Mrs. Geils, or for her

* Note 30.
MACQUARIE TO DAVEY. 37

children; for, I observe, from the correspondence with the Major
that you once had such a Measure in contemplation, which, I
must confess, surprised me a good deal, considering the nature of
my Instructions to you; and of which Instructions I have trans­
mitted a Copy to His Majesty's Ministers. I trust, however, you
will see the propriety of not entering into any similar engage­
ments in future as they cannot possibly be confirmed by me.
You will observe, from the accompanying general orders* recently
issued by me here, that the Commandant of Port Dalrymple is
strictly enjoined never to quit his station without your per­
mission, and that he is also directed to send all his official
Returns and Reports intended for Head Quarters through you.
The small Box you allude to from Capt. Ritchie to my address
ought certainly to have been directed to you in the first instance.
It did contain, however, only the Returns reported to you by
Major Geils.

8. I am sorry I must for the present withhold my confirmation
of your appointment of Mr. Humphreys as a Magistrate at
Hobart Town, until I am better acquainted with that Gentle­
man's fitness for so important and respectable a situation, some
of the reports I have lately heard of him being very unfavor­
able to his character. A long time since it was decided by a Bench of
Magistrates, and approved by me afterwards, that Mr. Humphreys
should pay James Hannaway for 12 Cwt. of Potatoes and a
Breeding Sow, which Decision Mr. Humphreys has hitherto
very daringly resisted and neglected to comply with. I have
therefore to desire that you will call upon him to comply forth­
with with that decision, and to inform him that, in the event of
any further resistance to the Decision herein alluded to, he will
be Publickly dismissed from his present acting situation of
Magistrate, and deprived of any further indulgence from Govern­
ment. In my opinion a man who dares to resist the Law is a
most unfit Person to dispence Laws to others. The man, who
was injured by Mr. Humphreys, has lately sent a complaint to
me stating that his grievances still remain unredressed, which
compels me to address you now on the subject in the manner I
have done.

9. I am very glad to find you are so much pleased with Ensign
Lascelles in his capacity as your Acting Secretary, and I hope
he will continue to give you satisfaction in that capacity. I
understand however that he is generally very much disliked at
the Derwent, on account of his petulance, domineering manner,
and assuming a degree of consequence quite incompatible with
his subordinate situation. I would therefore recommend to you

* Note 31.
1813.
10 Sept.

Refusal of passage money for T. A. Lascelles.

Inquiry re conduct of T. A. Lascelles.

Memorials, etc., received.

Complaints to be investigated by full bench of magistrates.

Proclamation re bushrangers.

to check him, whenever this appears to be the case, and to admonish him to be more modest and more conciliating in transacting Public Business as your Secretary. I am sorry you thought it necessary to send Mr. Lascelles up to Head Quarters, as I do not conceive there was any necessity for so doing. Mr. Lascelles has made application to me to pay for his Passage, but which I have been obliged to decline doing, on the ground of his not coming hither on any real Duty or Public Business. I therefore cannot possibly sanction any charge being made for Ensn. Lascelles's Passage either to or from Head Quarters, and must accordingly enjoin you not to make any charge of this kind in your Public accounts. I have perused the Depositions and Proceedings of the Court of Enquiry respecting Dennis McCarty's charge against Ensign Lascelles, and I concur in the decision of the Court of Enquiry. At the same time, I think the Conduct of Ensign Lascelles was unguarded and irregular in making use of McCarty's name unauthorized, which it appears he did by Mr. Ayres' Deposition and Evidence. But, as Ensn. Lascelles assures me that he did not make use of McCarty's name, in the case in question, I am willing to believe that Mr. Ayres was mistaken. The mistake, however, if it is such, ought to have been rectified on the Proceedings of the Court of Enquiry, in order that Mr. Lascelles's disavowal thereof might appear on record. Mr. Lascelles returns again to his Duty at the Derwent in a few days on board the Ship Eliza.

10. I have attentively perused all the Memorials, Petitions, Letters, and voluminous Depositions, you have thought proper to transmit for my information and decisions. On such of them as require any reply or decision from me, I have noted my answer or decision, and now return them to you again. I must however strongly recommend to you in future to have all complaints of a serious nature investigated by a Full Bench of Magistrates, presiding thereat yourself. On these occasions the Parties implicated should be confronted in open Court. It has always a bad appearance taking Depositions secretly and by one Magistrate only, excepting on very particular occasions; and therefore Depositions of any consequence ought to be taken either in open Court, or at least before two Magistrates.

11. I approve of the Proclamation you Published at the Derwent respecting the Bush Rangers, and hope it will have the desired effect. I shall follow it up by one of my own soon, after having taken the Judge Advocate's legal opinion on the subject, it being one of great importance, and consequently requiring serious consideration.
MACQUARIE TO DAVEY.

12. It gave me great concern to hear of the Piratical seizure of the Unity, Colonial Schooner,* by seven Convicts in the Harbour of Hobart Town. The loss, Mr. Mansell has sustained by this daring capture, falls very heavy upon him poor man and is much to be regretted. I have lately transmitted an account of this disagreeable occurrence Home to His Majesty’s Ministers, and I hope these daring Villains will yet be apprehended at Home, or Picked up in those Seas by some of the Whalers, so as to be brought to condign Punishment. In the meantime I trust you will not fail to take every possible precaution to guard against a similar occurrence.

13. The Five Delinquents sent for Trial here, and the poor Lunatic, together with the Evidences you ordered up, all arrived safe on the 5th Inst. on board Mr. Loane’s new Vessel. The Felons will be Tried by a Criminal Court as soon as possible. I intend ordering back the guard that came up with these Prisoners in the Eliza, in case Capt. Murray can accommodate them with a Passage on board of that Ship.

14. I am glad to find that the Soldiers of the Marine Detachment,† after being disbanded, were so comfortably settled, and I trust they will turn out good and useful Members of Society and industrious Settlers. There are no Agricultural Tools remaining in Store here, or I would have ordered some to be sent to them. They must therefore do the best they can without them.

15. I have no objection to the Treasurer of the Police Fund Clerk for being allowed a Clerk, who may be paid Twelve Pounds a year out of the Police Fund. This Clerk, however, will be quite sufficient for doing all the necessary writing in both the offices of Naval Officer and Treasurer of the Police Fund, while these two offices are held by one Person; and I should imagine that old Warriner,‡ tho’ so much superannuated, is still equal to the Duties of Clerk in the two offices adverted to, as there is so very little writing required in either at present. At all events I cannot sanction any Pecuniary allowance being made to Warriner from the Police Fund excepting he be fit for the Situation now alluded to. If not, you may still continue him on the Stores, which is all the indulgence he can reasonably expect.

16. The very heavy and most unreasonable Drafts, drawn by your Predecessors on the Police Fund of the Colony established at the Seat of Government, render it necessary to put a complete stop to such Drafts in future. I am therefore now to direct that you will not allow or give your sanction to any Drafts being drawn on the Police Fund at Head Quarters in future, excepting for the actual Salaries of Persons holding official situations

* Note 32. † Note 7. ‡ Note 33.
1813.
10 Sept.

Instructions re drafts on police fund and expenditure.

Naval stores for brig Lady Nelson.

Supplies per ship Eliza.

Deficiency of spirits in public stores.

Specimens of natural products.

by my authority, who are not included in the regular Annual Parliamentary Estimate. Any other Drafts that may be drawn will be Protested, and I have therefore to request you will not allow any others than those specified to be drawn on the Police Fund at Head Quarters. All Purchases of Materials for carrying on the Public Works, and extra Labour when necessary, as well as Rent of Dwelling Houses, Barracks, and Offices, must be charged in future in the Public accounts in the Commissariat Department and not to the Police Fund as heretofore. Now that the Ports of the Derwent and Port Dalrymple are opened, I hope you will soon have a rich Police Fund of your own or Van Diemen's Land. But I must once for all strongly recommend to you to make as few Purchases, and employ as few free Persons on your Public Works, as possible, the wages of Free Persons coming very high.

17. In order to enable the Master of the Lady Nelson to continue plying between the Derwent and Norfolk Island, until the Service that Vessel is now employed on shall be completed, I have ordered a Supply of Naval Stores (including a Cable and Anchor) to be sent for her use to the Derwent on the Ship Eliza. But I hope she has been able to return to Norfolk Island again without waiting for these Stores by your borrowing such as she immediately wanted from some of the Whalers at the Derwent.

18. I have also directed the Deputy Commissary General to send you a supply of Stationary, Gun Powder, and Artificers' Tools, for the use of the two Settlements on Van Diemen's Land; and you will accordingly receive these Supplies by the Ship Eliza. Our means here at present do not admit of sending you a larger Supply of these Articles, and therefore you must use all possible economy in their Expenditure so as to make them go as far as you can.

19. I observe with surprise the great deficiency in the Return of Spirits you lately sent me; and it is apparent that great frauds must have been practiced by the Storekeeper, if not by the Commissary himself. I entirely approve of your having ordered the Salary of the former to be stopped to pay for the deficiency of Spirits lately ascertained in the King's Stores at Hobart Town.

20. The Specimens of Lime, Coals, and Hemp of Van Diemen's Land, which you sent me per Mr. Meehan, have come safe to hand, and will no doubt in time prove valuable acquisitions to the Colony in general, as well as to the settlement of the Derwent in particular. When it is more clearly ascertained that the Lime Quarry, lately discovered by McCoy, is really useful,
and that no Trick or imposition has been practiced by him, I shall have no objection to grant him an Emancipation as a reward for this very important discovery. In the mean time, you may indulge him with a Ticket of Leave to go to work on his own hands.

21. Capt. Ritchie, the late Commandant of Port Dalrymple, having officially reported to me that he has had a Road opened and cleared between Norfolk Plains* (where the People lately removed from Norfolk Island have received their Land) and the Town of Launceston at the expense of Government, the Road-maker charging Thirty Pounds for doing it, but offering to receive one Cow in lieu thereof, I have approved of Capt. Ritchie's conduct on this occasion, and have to request you will authorize him to direct the Supdt. of Stock at Port Dalrymple to issue one Cow from the Government Herds there to the man who made the new Road alluded to.

22. Herewith you will receive a List of Persons' names at Port Dalrymple, to whom I long since promised Free or Conditional Pardons, and which are to be transmitted direct to the Officer Commanding there, to be by him delivered to Persons they are designed for. These Free and Conditional Pardons go down by Capt. Townson, who proceeds to Port Dalrymple in a day or two hence in the Brig Trial. I have written you a separate Letter by Capt. Townson respecting himself.

23. By this opportunity, Mr. Hogan, Deputy assistant Commissary General, and Mr. Thomas Archer, Clerk in the Commissariat Department, proceed to the Derwent, the former officer to take charge of the Commissariat Department at that Place, and the latter of that at the Settlement of Port Dalrymple. On the arrival of these officers at the Derwent, you will be so good as to place them in their respective situations at Hobart Town and Port Dalrymple, calling upon Mr. Fosbrook at the former and Mr. Williams at the latter to deliver over charge of their respective offices to their successors, with the necessary Books and Papers for their information and guidance. On these Officers taking charge, a regular survey of all Provisions and Stores on hand, at each Settlement, must be taken by a competent Committee. As soon as ever Messrs. Fosbrook and Williams have delivered over charge of their offices to their respective Successors, they are to be ordered to proceed to Port Jackson by the earliest opportunity that may offer from either Settlement for this Place, for the purpose of finally settling their accounts with the Deputy Commissary General.

24. Some charges† of a serious nature having been sent out some time since by His Majesty's Ministers against Deputy

* Note 23. † Note 34.
1813.
10 Sept.

L. Fosbrook to be tried by court martial.

Commissary Fosbrook for malversation and Peculation in Office, with orders to have his conduct investigated, you will be pleased to apprize Mr. Fosbrook thereof accordingly, in order that he may be prepared to stand his Trial before a General Court Martial on his arrival at Port Jackson. You will also be pleased to apprize Depy. Commissary Fosbrook that, besides those charges preferred against him from England, there will be some additional ones preferred against him by this Government, at the instance of Major Geils, for Peculation and Embezzlement of Provisions and Stores during the Period of the administration of the Settlement of Hobart Town by that Officer, and for some little time antecedent thereto. You will of course direct Mr. Fosbrook to bring up with him such Books, Papers, and Documents as he may deem necessary for his justification, and also such Evidence as he may have occasion to call for in the course of His Trial. I have also to direct that you will send up Boothman* the Storekeeper to stand his Trial along with Mr. Fosbrook for Peculation and Fraudulent conduct in his capacity of Storekeeper. You will likewise not fail to send up Maum,* the late Clerk in the Commissariat Department, along with Mr. Fosbrook, he being a very material Evidence on the part of the Crown.

25. It becomes absolutely necessary that Major Geils should come up to Head Quarters, as being the principal Evidence against Depy. Commissary Fosbrook. You are therefore to direct them to proceed to Port Jackson together by the earliest opportunity that may offer; and I have further to desire that you will order any other Persons to proceed to Head Quarters, along with Major Geils, that he may name and point out to you as Material Evidences on the part of the Crown against Deputy Commissary Fosbrook.

26. Herewith you will receive two General Orders† issued by me here on 28th Augt. and 1st Instant, which you will be so good as to Publish immediately on receipt at Hobart Town and Port Dalrymple, taking especial care that these orders are strictly enforced.

I have, &c.,

L. MACQUARIE.

P.S.—I enclose herewith for your perusal and information an open Letter I have directed the Secretary to write to the Civil Officers at the Derwent in reply to the one‡ they addressed to me on the Subject of the Debts they owe to the Crown, and which they solicited to be remitted. I have negatived their application as being unreasonable and unjust, and have consequently called upon them to pay their Debts without further loss of time on pain of being regularly sued for them.

* Note 11. † Note 31. ‡ Note 35.
Messrs. Hogan and Archer being furnished with full and particular Instructions from the Depy. Comy. General respecting the mode of carrying on the Duties of their respective offices and manner of making up and transmitting their Accounts to Head Quarters, I have to request you will be so good as to afford them every facility in your power to enable them to do so, without interfering with the Details of their offices; each being independent of the other in respect to the making up and transmission of their Accounts.

[Enclosures.]

[Copies of these lists are not available.]

---

**LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.**

(Despatches per ship King George; acknowledged by Governor Macquarie, 26th October, 1813.)

21st and 23rd September, 1813.

[Copies of these two despatches are not available.]

---

**GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.**

(Despatch per brig Active.)

Sir, Government House, Sydney, 26th Octr., 1813.

1. By the arrival of the Colonial Ship King George from the Derwent on the 9th Instant, I have been favored with your Letters under dates 21st and 23d of last month, with their respective enclosures and accompaniments. I was also favored by the same conveyance with Duplicates of two Letters you addressed to me in Augt. last, the originals of which I answered some time since by Ensn. Lascelles. That officer sailed from hence for the Derwent on board the Ship Eliza of Bengal on the 15th of last month, and I presume has joined you again long ere this.

2. I have perused the Proceedings of the Bench of Magistrates you assembled at Hobart Town for the purpose of investigating the legality of the Seizure made by the Naval Officer of the Spirits belonging to Messrs. Collins and Williams landed from the Ship Hope without a Permit, and entirely approve of the Decision of the Bench in this case, as well as of the mode you adopted of distributing the Spirits in question. I now return you the Proceedings of the Bench approved by me.

3. I am concerned to find that the Government Brig Lady Nelson was so much in want of Stores as to occasion her remaining so long at the Derwent for the purpose of procuring them; but I am very glad to find that you did not submit to the
very exorbitant demands made by the merchants there for some of those articles she required, and that she was able to proceed on her voyage to Norfolk Island without them. By the time she returns from thence again to the Derwent, you will be able to supply her wants from those Stores I sent you down for her in the Eliza.

4. In the event of no other favorable opportunity offering in the intermediate time, by any Private Vessel, of sending Major Geils, Mr. Fosbrook, and the other Persons I directed you in my last Dispatch to send up to Head Quarters with the least possible delay, I have now to request you will order them to embark and proceed to Port Jackson on board the Government Brig Lady Nelson, immediately on her return from Norfolk Island, as soon as she has landed her Cargo from thence at the Derwent, it being my intention to dispatch the Kangaroo to Norfolk Island, as soon as she arrives here from England (from whence she is now daily expected), for the purpose of effecting the final Evacuation of that Settlement.

5. In reply to your Letter respecting the arrest of Major Geils for Debt, you must be aware that the Civil Law of England has no respect to Persons, and that it is entirely optional with the Provost Marshal, or the Person who executes the Writ in his name, to give you any previous intimation of the circumstance. It would however be highly necessary that the Provost Marshal’s Deputy should first apprise you of his intention before he executes a writ on any Officer or Soldier under your Command, and I shall not fail to instruct Mr. Gore the Provost Marshal for the Territory to this effect.

6. I was unacquainted, till I received your last letter, with the circumstance of Two Bullocks having been issued from the Government Herds on Van Diemen’s Land to each of the Officers of the 73d Regt. stationed there. This having been done without my authority, I have to desire that you will be so good as to call immediately on these officers for Payment of the Cattle so delivered to them, in money at the Government price, or to repay them in kind if more convenient and agreeable to them.

7. As I consider it yet too early to impose any Duty on Timber exported from this Colony, and as it would be desirable to make first an experiment how the Timber of Van Diemen’s Land will sell in other Countries, I request you will permit Messrs. Collins and Co. to Ship the Eighteen Hundred Spars they have already cut down for a Foreign Market as an experiment, without imposing any Duty thereon. At the same time I very much approve of your having ordered those Spars to be seized in the first instance for the Crown, as they had not obtained any regular
MACQUARIE TO DAVEY.

1812.
26 Oct.

permission to cut them down; and you will be so good as to have it made known Publickly that no Timber is to be cut down in Van Diemen's Land for Exportation without your permission.

8. The Prisoner Richard Johnson,* whom you sent up in the King George, is now in Jail here, and will be brought to Trial as soon as a Criminal Court can be conveniently assembled.

9. George Watts* is the only one of the Prisoners whom you formerly sent up for Trial that has been convicted. He has been sentenced to be Transported to the Coal River† for Seven years.

The rest of the Prisoners who were tried at the same time having been acquitted are now, returned again to the Derwent by the present opportunity, together with the Evidences who came up hither with them, excepting only John Uran (Convict) who having recently committed a crime here, he has been sentenced to work in the Coal-Mines at Newcastle for some time. You will also receive, along with the other men now alluded to, John Jones (alias Gibber Jack) a notorious offender as an illicit Distiller, whom I have ordered down to the Derwent during the period of his Sentence of Transportation, namely, two years from this date. This man must be well looked after, and worked in your Gaol-Gang, being a very bad character.

10. I never gave Mr. Loane any Promise of an allotment of Denial of Ground on "Macquarie Point" (erroneously called Fosbrook's Point). His assertion therefore to that effect is unfounded, and I should suppose the man could only have said so in joke.

11. I now transmit you herewith a List of the Public Offices in Van Diemen's Land entitled to receive Stationary at the expense of the Crown, and I am to desire that no others shall be supplied with Stationary in future. The other Officers and Offices, heretofore improperly supplied by Government, must furnish stationary at their own expense or out of their Salaries. The Stationary required for the use of the Court House ought to be supplied from the Fines levied by the Court. Herewith I now return you the Specimen of the high-Priced Writing Paper you sent me in your last Dispatch, with my remarks thereon.

12. As it would be a very great saving of Writing Paper (which is at present both very scarce and very dear), and also greatly simplify your correspondence with me, I have now to request that, instead of writing a separate Letter on every distinct subject, you will be so good, in future, as to compress as many subjects into one Public Letter or Dispatch as possible, dividing each Subject or information into distinct Paragraphs in one general Letter. This mode will save yourself a great deal of unnecessary writing, prove easier to me to answer, and be the means of saving a great deal of Stationary to the Crown.

* Note 36. † Note 37. ‡ Note 38.
13. I transmit herewith the Duplicate of a Letter I had occasion lately to write to the Comdt. of Port Dalrymple, and which I leave open for your perusal and information, requesting you will afterwards transmit it to Port Dalrymple.

I have, &c.,

L. Macquarie.

[Enclosures.]

[Copies of these papers are not available.]

---

Lieut.-Governor Davey to Governor Macquarie.

(Despatch per cutter Elizabeth; acknowledged by Governor Macquarie, 3rd February, 1814.)

3rd January, 1814

[A copy of this despatch is not available.]

---

Lieut.-Governor Davey to Governor Macquarie.

(Despatches per brig Lady Nelson; acknowledged by Governor Macquarie, 9th March, 1814.)

20th and 24th January, 1814

[Copies of these two despatches are not available.]

---

Governor Macquarie to Lieut.-Governor Davey.

Sir,

Government house, Sydney, 3 Feb., 1814.

1. By the Elizabeth Cutter, which arrived here on the 20th Ult., I received your Letter of the 3rd Ult. with the several accompanying Papers referred to therein. By this opportunity, Mr. Depy. Commissary Fosbrook and Ensign Holmes have also arrived here. The Brig Active from the Derwent having Major Geils and several other Passengers on board arrived on the 29th Ult. The Lady Nelson has not yet arrived, and I begin to entertain apprehensions for her safety, as the weather has been of late very boisterous and the Winds contrary.

2. It is with much concern that I feel compelled to express to you my disapprobation of and astonishment at the sentiments expressed in the 3rd paragraph of your Letter above acknowledged, relative to the administration of Justice in Van Diemen's Land, and questioning the jurisdiction of the Courts established here by Patent* over those Settlements. On giving this subject a moment's further reflection, I trust you will be sensible how injurious and unjust it would prove to the interests of the Public at large were I to adopt the sentiments you have expressed on this subject, and accede to your recommendation by prohibiting the execution of any Writs, emanating from the Courts of Justice here, from being executed in Van Diemen's Land.

---

* Note 39.
MACQUARIE TO DAVEY.

I must decline following you thro' the arguments you have urged in support of this novel and extraordinary Innovation on the establishments, which H.M. Ministers have deemed wise and provident for this Colony, as I do not by any means consider them conclusive even in favor of the expediency of the measure; whilst on the other hand it is completely at variance with the Laws and Regulations uniformly observed under the Patent, since the original establishment of the Colony. It may be sufficient therefore to say that, in the present state of the Population and constitution of the Courts, the sanctioning of this Measure would not only impede but absolutely defeat the entire administration of Justice by leaving every man, who had entrusted Money or property of any kind, totally at the mercy of his fraudulent Debtors who might happen to reside in Van Diemen's Land; and, were such an exemption from legal control to take place, all the fraudulent Debtors of this part of the Territory of New South Wales would also immediately resort to Van Diemen's Land for security against their Creditors. Whilst I thus maintain the paramount authority of the Courts of Justice established here, I am however fully aware of the difficulties, inconvenience and expence attendant on persons residing in Van Diemen's Land being sued for Debts in the Courts here, and consequently compelled to attend them; but this is a circumstance for which there is no Remedy yet at hand, and it must therefore as the less evil be submitted to patiently, until such time as District Courts shall be established by competent authority for the administration of Justice in both Civil and Criminal Cases in Van Diemen's Land, independent of those here. This is a Subject which has by no means escaped my most serious consideration and warmest attention, the best evidence of which is, that the establishment of such Courts with you has been long since recommended* by me to the consideration of His Majesty's Ministers. Until such time however as these Courts shall be established by Patent or other competent Authority, the Laws must continue to be executed in Van Diemen's Land as they have been heretofore; and, to this established order of things, I must demand and shall expect from you not only an implicit and respectful compliance but also a zealous and hearty co-operation.

With regard to the appointment of Mr. Dennis McCarty by Mr. Provost Marshal Gore to be his Depy. to perform his Duties in Van Diemen's Land, I have to apprise you that I was not at all concerned in it, that right altogether resting with the Provost Marshal himself, who has to be answerable for the conduct of his Deputies in the several Subordinate Settlements. This being the case, it rests not either with you or me to interfere with those

* Note 40.
appointments; and therefore it was not by any means necessary
that you should be officially apprized of Mr. McCarty's being
appointed Deputy to Mr. Provost Marshal Gore. As the Provost
Marshal cannot be possibly supposed or expected to perform all
the duties attached to that office in his own person throughout
every part of this extensive Territory, he is of course neces­
sarily obliged to appoint Deputies, and there is no further
restraint on his nominations than that they must be Free Men.
The person lately appointed his Deputy for Van Diemen's Land
happening to be under criminal charges, on which he was to be
prosecuted at the time of his nomination, it was very proper
that you should suspend the exercise of his authority, until by
trial he should be acquitted, if innocent, or otherwise rendered
incompetent to the situation by conviction on the charges. I
now conclude that the Provost Marshal will now appoint some
other person in the room of Mr. McCarty to whom no similar
objections can be made; and he must be permitted to execute
writs and perform all the other duties of his Deputy in Van
Diemen's Land.

Having thus, Sir, very fully expressed to you my sentiments
on this very important and delicate point, I hope and trust that
you will not further agitate it, nor throw any further obstruction
in the way of the due administration of justice at the settle­
ments over which you preside in Van Diemen's Land. On the
contrary, I trust in your own sense of propriety and duty for an
effectual support to the legal administration of the colonial
laws so far as your authority extends.

3. I approve of your having authorized Capn. Ritchie to lend,
from the Govt. herds at Port Dalrymple, two working oxen to
each of the new settlers from Norfolk Island, to enable them to
plough their lands, and have no objection to their being per­
mitted to retain the cattle so lent them, if they wish to become
their purchasers, provided that they enter into the prescribed
bonds for the payment to Govt. of the purchase money on the
usual credits.

4. I am happy to find that the late harvest at the settlements
of Hobart town and Port Dalrymple promised to yield abundant
Crops; and I have therefore to hope that you will find no diffi­
culty in supplying the Govt. stores at both those settlements
with as much Wheat as you will have occasion for until the fol­
lowing harvest time. If you should not be able to procure the
necessary quantity at the present price, I authorize you to in­
crease it to ten shillings per bushel for the present season; and
if any determined combination should exist among the settlers
to keep back their grain at this liberal advance, and should
the necessity of the case demand it, you are at liberty to extend
the price even beyond Ten Shillings, so as to enable you to
procure the quantity necessary for the purposes of Government.
It will be however proper on your part to apprise the Settlers, if
any spirit of combination should appear to you to exist among
them on this subject, that such conduct will render them un­
worthy of and totally debar them from deserving any future favor
from Government.

3. I am sorry I cannot comply with your requisition for Bed­
ding for the Troops and Slops for the Convicts in Van Diemen's
Land, there being none in the King's Stores here at present;
but, having reason to expect a Store Ship from England in the
course of a few months with a supply of those Articles, a pro­
portion of them will be sent to you as soon as possible for the
use of the Settlements under your Command. Neither have I
it in my power to send you a File Cutter or Wheelwright, there
being none of the former in the service of Government and so
few of the latter that none can be spared at present. I shall not
omit however to send you one, when any shall arrive from
home. Instructions shall be given to the Depy. Comy. Genl. to
send you, if procurable, a small quantity of stationary by the
present opportunity; but that article is just now so scarce and
consequently dear that I am apprehensive he will not be able to
send you beyond a very limited Supply.

6. I have no objection to your furnishing on the usual credits
two working Oxen from the Govt. herds to such of the Marine
Settlers as you may consider worthy of that Indulgence; and, if
it shall appear that their present Farms at North West Bay are
of such inferior quality of soil as not to afford them a due
subsistence and recompense for their industry, I authorize you
to instruct the Depy. Surveyor on his return to Van Diemen's
Land to measure out and assign to them other farms of equal
extent to their present in some more favorable District. In con­sideration of your favorable report of John Staples (late of the
Royal Marines) and of my own knowledge of his industry and
good conduct, I authorize you to direct the Depy. Surveyor to
measure and assign to him Sixty acres of Land in addition to
that already granted him.

7. As you state your opinion to be that the Price hitherto
charged by Government for cattle issued on Credit to private
persons (namely £26 per Head) is too much, and that you think
it ought to be reduced to Twenty pounds per Head, I accede to
your suggestion therein and authorize you to make the charge on
all future issues to Individuals £20 per Head to be secured in
the usual way.
8. I shall not fail to adopt such strong measures for the breaking up and totally dispersing the Banditti of Bush Rangers, which you complain of as infesting the Settlements under your Command; and, so soon as the Judge Advocate shall have leisure from the other important duties of his Office, I shall require him to frame a strong legal Instrument on that subject; his time is at the present so fully employed that I will not be enabled to transmit you this Instrument by the present opportunity.

9. I am glad to receive such favorable accounts from you of Mr. Humphreys; and, in consideration of them and the explanation you have given of his conduct on a late occasion, I now confirm your appointment of him as a Magistrate at the Derwent, trusting that he will execute the duties of that important office with impartiality and strict justice, and so as to reflect honor on himself and on your recommendation of him; I am sorry however to find that there are reports here with respect to his conduct as a Magistrate which do not reflect credit on his impartiality and justice, and I have only to hope that they are not well founded.

10. The appointment of Naval Officer at the Derwent has been long since promised (when vacant) to Mr. James Gordon, a Gentleman of great respectability and strongly recommended to me from home. He will consequently succeed Lieut. Duncan Campbell on his Departure with his Corps for Ceylon, whence I have to regret that I cannot comply with your request in favor of Mr. Beamont. I am also extremely sorry I cannot approve of your appointing Mr. Beamont* to act as a Magistrate at the Derwent, as I do not consider him to be of sufficient respectability to exercise with public advantage the duties of so high and important an Office. Neither his Rank or Situation in Life entitles him to this pre-eminence, whilst his being a perfect stranger in the country and consequently totally destitute of the necessary local knowledge are in themselves sufficiently strong objections to his filling that Situation. I have therefore to desire that Mr. Beamont shall not further act as a Magistrate after your receipt of the present Dispatch.

11. The Letter of Mr. MacNeelam, addressed to you and forwarded for my perusal, I now return to you with my Determination written on the back of it. Mr. MacNeelam’s highly improper and insolent conduct to myself as Governor and to my Secretary here have been such as that I never will sanction his becoming a Settler either in Van Diemen’s Land or in any other part of the Territory, I have the honor to govern. I must therefore request that you will on no account locate or permit any Lands or Town Allotment to be assigned to him in Van

* Note 18.
Diemen’s Land. In consideration however of the circumstances stated in his Letter to you, I grant my permission for his remaining in Van Diemen’s Land until the 1st of January next for the settlement of his private affairs, but will not on any account extend permission for his residence there beyond that period.

12. I shall transmit you with my next Dispatch Conditional Rewards for Pardons for James McCoy and John Boon, whom you recommend in consequence of their having discovered a quarry of Lime Stone in the neighbourhood of Hobart Town. The very short time these men have been in the Country would not justify my granting them Absolute Pardons. With my next I shall also send you my answers to the several Memorials you lately transmitted me from Port Dalrymple.

I have, &c.,

L. MACQUARIE.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

(Despatches per brig Spring and schooner Derwent; acknowledged by Governor Macquarie, 9th March, 1814.)

24th and 28th February, 1814.
1st March, 1814.

[Copies of these three despatches are not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per schooner Estremina.)

Sir, Government House, Sydney, 9 March, 1814.

1. Since the date of my last Dispatch (the 3rd Ulto.), the Duplicate of which I transmit you herewith, I have to acknowledge the receipt of your several Letters by the Lady Nelson, the Brig Spring and Schooner Derwent, under the Dates of the 20 and 24 Jan., 24th and 28 Ulto., and 1st Instant.

2. I have to regret that I cannot supply you at present with one article of your late Demand for Sundries, namely Shingling Nails, there not being any in the Government Stores. All the other articles of your Demand, Viz. Iron, Steel and Tools, will be sent you by the Windham Transport, which is to sail in the course of 14 Days.

3. The Windham is to carry a Division of the 73rd Regt. from hence for Ceylon, and also a Company of the 46 Regt., which is to be landed at the Derwent for the relief of the Company of the 73rd, now with you; and the relief for Port Dalrymple is to proceed thither by the Estremina on the 12th Instant.

4. You will receive herewith three separate Parcels of Petitions and Memorials, transmitted to me by you from Persons residing

1814.

3 Feb.

Rewards for discovery of limestone quarry.
at the Derwent and Port Dalrymple, with my Answers written on the backs of them, while I have to request that you will communicate respectively to them.

5. Having found it necessary to limit the periods for the receiving of Memorials and Applications to the Months of June and December in each year, I have to apprise you of that circumstance and to request that you will in future transmit me none but at those fixed periods, agreeably to the Orders and Regulations* published by me on that subject in the Sydney Gazette on the 9th of Jany., 1813, a copy whereof I now send for your Observation and guidance.

6. I have no objection to your issuing to Mr. Wade, the Chief Constable at the Derwent, Two bullocks from the Govt. herds agreeably to your application on the usual credit and security.

7. As you conceive that the neck of Land called "the South Arm" should be reserved for the purposes of Government itself, I shall not give any Locations or orders for Land on it.

8. The Landing and depositing the Spirits from the Schooner Derwent and the Alligator from India in the Government Stores, conformably with the system here to prevent smuggling and illicit trade, I fully approve of, and also of your having made the usual annual issue of Spirits to the Civil and Military Officers of Government at the Settlements of Hobart-town and Port Dalrymple; but, on this Subject, I must caution and enjoin you on no account whatever to permit any part of that now in the Bonded Store to be bartered or sold from thence during the continuance of the Contract† for the General Hospital here, which will remain in force until the first of January in the ensuing year 1815.

I have, &c.,

L. MACQUARIE.

P.S.—You will receive from the Secry. the Conditional Pardons for the two men, who discovered the Lime-Stone Quarry at Hobart Town, and also a few other conditional Pardons for deserving Convicts at the Derwent and Port Dalrymple.

L.M.

GOVERNOR MACQUARIE TO MAJOR GEILS.


Notwithstanding the Court of Enquiry, which was lately assembled by my Order to investigate the Charges exhibited against you by Deputy Commissary Fosbrook, has given it as their opinion "that there is no matter furnished, whereon to found charges to require the investigation of a General Court Martial"; Yet, acquainted as I am with a variety of circumstances,

* Note 28. † Note 27.
connected with these Charges, during the period of your holding the situation of Commandant of the Derwent, which were not brought forward in Evidence before that Court, I cannot consistently with my Public Duty forbear to express to you in this Official manner my decided disapprobation of your conduct in many instances during your command, it having been highly reprehensible and incompatible with those strict Military Principles, which an Officer of your high Rank and experience ought to have been governed by in the discharge of the Public Trust reposed in you.

The following are instances of that line of conduct, which meets my censure, namely:—

1st. Your having taken large quantities of Spirits from the King's Stores at Government price, beyond what you were entitled to receive, to the manifest prejudice of the Interest of the Crown.

2ndly. Your having taken very large quantities of Sugar and different descriptions of Grain and other Provisions from the King's Stores without Authority.

3rdly. Your having taken great quantities of Iron, Tin, Tools of all sorts, Nails, Sawn timber, Shingles, Laths, etc., etc., the property of Government, to your own use, as appears from the returns made by the Inspector of Public Works; and

4thly. Your having appropriated the Services of no less a number than twenty nine Convicts at one time to your own private use, although they were clothed and victualled at the expence of the Crown.

You must have been fully aware that such proceedings, as those now mentioned, were in direct contradiction both to the Tenor and Spirit of the Instructions, which you received from me in being appointed Commandant at the Derwent, and which must have been the more fully before you from the circumstance of your Predecessor having been superceded by you, in consequence of his having taken some similar unwarrantable liberties; but I could not have supposed that you would have pursued so bad an example, otherwise I should never have appointed you to so important a Command.

The high opinion, I had formed of your honor and integrity, led me to consider it unnecessary to lay any particular restrictions on you Personally as Commandant of Hobart Town, concluding that you would have acted up to the true meaning and Spirit of my Instructions. In this respect, I am sorry to say I have been greatly disappointed.

I have much reason also to be dissatisfied with the very trifling progress you made in the erection of Barracks and other Public
Buildings, which I had ordered to be built during the time of your Command. If you had paid due attention to that important part of your Duty, instead of devoting your attention to the improvement of your private Estate, and appropriating so many Government Men to that Service, the Troops would not now be without the suitable and necessary accommodation, to which they are so justly entitled.

How you can account for the appropriation of so many Government Men to your own private purposes, I am at a loss to conjecture; and I am not less at a loss to imagine on what grounds you can justify your having taken such large quantities of Spirits from the King’s Stores for your own emolument at Government price, knowing, as you must have done, that you had no right to do so, and that it was a complete abuse of the Authority vested in you. Your receiving large quantities of Tools, Iron, Nails, Timber, etc., etc., was equally such an abuse of power, as that I know not how you can justify it, those Articles being most essentially necessary for the carrying on the Public Works of Government, and purchased at a weighty expense expressly for those services; your having paid for them at the Government price can certainly never excuse this misappropriation of them at any time, and still much less at that particular time when they were with much difficulty procured at all and at a most exorbitant price.

It is with sincere regret that I find myself compelled to make such strictures on the conduct of an Officer of your rank and experience; but a sense of Public Duty, paramount to all other considerations, forces me thus to communicate my sentiments to you, in order that you may be fully apprized of the light, in which I view part of your conduct during the time of your commanding the Settlement of the Derwent.

I have, &c,

L. MACQUARIE.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

(Despatch per schooner Henrietta Packet; acknowledged by Governor Macquarie, 24th May, 1814.)

2nd April, 1814.

[A copy of this despatch is not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per ship Windham.)

— April, 1814.

[A copy of this despatch is not available.]

Note 41.
MACQUARIE TO DAVEY.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE. (Despatches per ships Eliza and Frederick; acknowledged by Governor Macquarie, 18th August, 1814.)

13th and 23rd May, 1814.

[ Copies of these two despatches are not available. ]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY. (Despatch per H.M. brig Kangaroo.)

24th May, 1814.

24 May.

[ A copy of this despatch is not available. The following was the draft of it prepared by Governor Macquarie:—]

Heads of Dispatch for Lt. Govr. Davey, to bear date 24th May, 1814, to be signed by the Govr. himself.

1st. The Govr. has already acknowledged the receipt of his several Dispatches under dates 3d Jan., and 2d Apr. last, recd. Pr. Elizabeth Cutter and Henrietta Packet some time since, and which were answered per the Schooner Estramina and Ship Windham in March and April last.

2d. In consequence of his own frequent representations on that subject, and the late alarming increase of the Banditties of Runaway Convicts in Van Diemen's Land, and their violence and depredations on the Persons and Property of the Inhabitants in that Country, the Govr. has deemed it necessary to issue a strong Proclamation on this Subject, holding out indemnity for the past to these deluded People, in case they deliver themselves up within the time limited in the said Proclamation, and if not, they must be hunted down and taken dead or alive.

3d. Herewith he will receive 38 Printed Proclamations, which he is to circulate immediately on receipt, and give every possible degree of Publicity to throughout the whole of Van Diemen's Land, and direct several of them to be pasted up on Trees in those parts of the Country, near the Derwent and Port Dalrymple, where the Bush Rangers usually hunt and reside occasionally at, so that they may not be able to plead ignorance hereafter of an indemnity being held out to each of them as chose to avail themselves of this act of lenity and mercy. The Governor heard lately, with great indignation and surprise, that Peter Mills, late Actg. Dy. Surveyor, and George Williams, late Actg. Dy. Comy. at Port Dalrymple, had absconded from that Settlement, and placed themselves at the head of different Parties of these Runaway Convict Banditties. These two Persons are therefore in a more particular manner mentioned in the Proclamation.

* Note 42.
4. The Govr. having information, which he can depend upon, that Mr. Mountgarrett Surgeon at Port Dalrymple, to his eternal disgrace and infamy not only as a Magistrate but as an Officer of Government, connived at both these Persons (Mills and Williams) making their escape from that Settlement, with a view to defraud their just creditors, he has deemed it his duty to remove Mr. Mountgarrett from the honorable office of a Magistrate as being totally unworthy of any longer retaining so respectable and important a situation. Herewith the Govr. transmits a copy of the Genl. Order* dismissing Mr. Mountgarrett, and appointing Mr. Archer to succeed him as Magistrate at Port Dalrymple.

5. The Govr. having laid the Examinations taken some time since at the Derwent, respecting the alleged criminal conduct of Dennis McCarthy there, before the Judge Advocate for the purpose of his naming such of the Witnesses as he might deem necessary for his conviction, with the view of my ordering them up to Head Quarters, along with McCarthy to stand his Trial here for these alleged crimes, the Govr. received a Letter from the Judge Advocate on this Subject, of which a copy is now herewith transmitted for Lt. Govr. Davey's information and guidance. Lt. Govr. Davey will observe, from the opinion given by the Judge Advocate in the Letter alluded to, that all further Proceedings against McCarthy are useless and unavailing. The Govr. therefore advises all further Prosecution against this Person to be dropt, unless better and more decided proofs of his guilt can be adduced than those already brought forward, and which have been greatly weakened by the illegal and very improper manner the Examinations were taken in secret by Mr. Humphrey.

6. In consequence of the very small proportion† of Females there are in the two Settlements on Van Diemen's Land in proportion to the Male Population of those Settlements, the Govr. has deemed it advisable to send down Sixty of the Female Convicts, recently arrived here from Ireland in the Catherine Transport, on board the Government Brig Kangaroo to the Derwent, for which Place they are already embarked on board that Vessel; and Lt. Govr. Davey will receive herewith a List of their names and Sentences. Forty of those Female Convicts are to be retained for to be assigned to the Settlers at the Derwent, and the remaining Twenty are to be sent overland to Port Dalrymple to be assigned to the Settlers there.

7. On the Kangaroo also proceed some of those Persons, who came lately from Norfolk Island with the view to become Settlers at the Derwent and Port Dalrymple, of whose names Lt. Govr. Davey will herewith receive a List, specifying the quantity...
of Land and other indulgencies each Person is to receive from Government at these respective Settlements. By the Kangaroo likewise, the Govr. has ordered a Passage for a man named George Waller, a Convict, who came up here some time since as an Evidence; and three male Convicts, named Widdowson, Byrne and Roache, are sent down to the Derwent in the same Vessel, to be assigned to Settlers there or kept in the Govt. Gangs. They are sent from hence as very bad characters, and for the purpose of breaking up a dangerous chain of connection they had formed here.

8. Mr. Geo. Wm. Evans, the Dy. Land Surveyor* of Van Diemen's Land, with his Family, proceeds by this opportunity to Kangaroo. He assume his Duties on that Island. He is furnished wt. Instructions for his guidance from the Governor, which he will be directed to submit to Lt. Govr. Davey. Mr. Evans will carry down wt. him the Sketches or Charts of Mr. Meehan's late Surveys and measurement of Farms, etc., in Van Diemen's Land, approved by the Govr., and by which Lt. Govr. Davey will direct the Several Settlers and other Persons concerned to be implicitly governed. All the new grants will be made out immediately here, and sent down as soon as possible.

L.M.

[Enclosure.]

[A copy of the proclamation re bushrangers will be found on page 264, volume VIII, series I.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per H.M. brig Kangaroo.)

Sir,

Govt. House, Sydney, 25th May, 1814.

1. I beg leave to inform you that, in consideration of the very important discovery* recently made by the Bearer hereof, Mr. George Wm. Evans, of a very valuable Tract of Land to the westward of the Blue Mountains, I have promised to give him a Grant of One Thousand acres of Land at the Derwent, as a remuneration, in part, for his useful Services on the occasion alluded to. You are accordingly to permit Mr. Evans to mark out for himself, in some eligible situation not already appropriated or required for the use of the Crown, One Thousand Acres of Land, exclusive of Three Hundred Acres which I had formerly given him a promise of on his going down with Mr. Meehan to Van Diemen's Land in 1812, and which last 300 Acres he has chosen near and adjoining to Stanfield's Farm.

2. You will also be pleased to let Mr. Evans have four Govt. men (when they can be spared) for Eighteen months on the

* Note 45.
Store, and Six Cows and four working Oxen from the Govt. Herds, on a credit of three years, to be paid for in money or in kind at the expiration of that period.

3. As Mr. Evans’s Salary as Dy. Surveyor of Lands in Van Diemen’s Land is very small, and totally inadequate to defray the Expences he must necessarily incur in Travelling from One Settlement to another in making his Surveys, I have to desire that you will be so good as to order him to be supplied with the loan of one of the Government Horses from those now at the Derwent or Port Dalrymple. Mr. Evans himself defraying the expence of keeping and feeding the said Horse.

4. In case Mr. Evans should require an allotment of ground to build a House on at Hobart Town, you will be so good to permit him to take possession of the same in some convenient situation.

I have, &c,

L. MACQUARIE.

27 May.

Memorial of complaint against A. Geils.

Regulation of buildings and streets at Hobart town.

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per H.M. brig Kangaroo.)

Sir, Government House, Sydney, 27th May, 1814.

1. I find, on looking over the Papers I received from you in your last Dispatches from the Derwent, that I omitted to return you a Memorial you transmitted to me from William Collins and David Wakefield, Settlers there, containing a complaint against Major Geils. I now return you the said Memorial with my answer on the back thereof, to be communicated to these two men, Major Geils’s answer to their complaint having been transmitted to you in a former Dispatch; from which it would appear that the Major had fulfilled his agreement with Collins and Wakefield. But whether he did so or not, these men deserve no pity, as they ought not to have sold or parted with their Farms to him or any one.

2. Being particularly anxious that no new paltry common Buildings should in future be erected at Hobart Town, and particularly in the area marked out by me as a Public Square* in December, 1811, but on the contrary that all future Buildings in the Town, as well in the Square as in the other parts of the Town, should be built of Stone or Brick, and that all Houses built in the Square shall be two stories high, I must call your attention to this point, and request that you will not allow any deviation to be made by any Person whatever from the orders* I issued on this Subject in Novr. and Decr., 1811, a Printed Copy of which you have in your Possession. It is also highly essential for the order, regularity, and ornament of the Town, that the streets

* Note 46.
BATHURST TO DAVEY.

I had then marked out, and the others since marked out by Mr. Meehan in 1813, should be opened and preserved so in the manner marked out in the Plan of the Town approved by me, and delivered to Mr. Evans, the Dy. Surveyor of Lands; and on which Plan I must request you will not permit any encroachments to be made by any one whatever.

3. I enclose you herewith copy of a Letter addressed to me by Mr. Meehan on the foregoing subject, pointing out some irregularities that have already taken place at Hobart Town by Persons occupying allotments of Ground in the Square and other Places contrary to my orders and Regulations on this head. These Persons must be immediately directed to remove from the allotments they have thus occupied contrary to my orders. Mr. Fitzgerald, the Clerk, and a Constable of the name of Hayes, are of this description and are to be compelled to quit the Premises they have occupied unauthorized, as specified in Mr. Meehan's Letter, and to which I must request your attention. I shall most probably visit Hobart Town in the course of the ensuing year; and, should I find any Houses erected in the Square or in other parts of the Town contrary to my orders, I shall most certainly have them all pulled down, without allowing any compensation to those who have erected them without proper authority.

4. His Majesty's Colonial Brig Kangaroo, commanded by Lieut. Jeffreys, sails early to-morrow morning for the Derwent, as already communicated to you in my Letter of the 24th Instant. As soon as she has landed the Female Convicts, and other Passengers on board of her, at the Derwent, you will be so good as to order Lieut. Jeffreys to return to Port Jackson, allowing him a reasonable time at the Derwent for wooding and watering his Vessel. In case you should have any Prisoners or other Passengers to send to Sydney, you may order them to be provided with a Passage on board the Kangaroo. If you should have any Wheat to spare for the use of Government, it may also be embarked on the Kangaroo for this Place.

I have, &c.,

L. MACQUARIE.

[Enclosure.]

[A copy of J. Meehan's letter is not available.]

EARL BATHURST TO LIEUT.-GOVERNOR DAVEY.

(Despatch per H.M. brig Emu.)

Sir,

Downing Street, 1st June, 1814.

A Patent* for a Court at Van Diemens Land having passed the Great Seal of the United Kingdom, and Mr. Abbott† having been appointed Deputy Judge Advocate to preside therein, you

* Note 47. † Note 48.
1814.

1 June.

Quarters and rations for E. Abbott.

will receive from Governor Macquarie Instructions for the due constitution of the Court, which is to be held at Hobarts Town.

In the mean time, as Mr. Abbott takes his Passage direct for the Derwent in the Colonial Brig "Emu," with his Family, I am to desire that you will appropriate to him such Quarters as may be convenient, and issue to him such Rations as are enjoyed by the other Colonial Officers.

I have, &c.,

BATHURST.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

(Despatches per brig Spring and schooners Derwent and Alligator; acknowledged by Governor Macquarie, 18th August, 1814.)

3rd June, 1814.

11th and 13th July, 1814.

[ Copies of these three despatches are not available. ]

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

(Despatch per schooner Estremina; acknowledged by Governor Macquarie, 21st and 23rd September, 1814.)

5th, 14th, and 15th August, 1814.

[ Copies of these three despatches are not available. ]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per H.M. brig Kangaroo.)

Sir, Government House, Sydney, 18th Augt., 1814.

1. Since closing my Dispatch to you under date 27th May last Pr. the Kangaroo, I have had the honor to receive your several Letters, as specified in the Margin,* with their respective Enclosures and accompanyments, per the Ships Eliza and Frederick, Brig Spring, and Schooners Derwent and Alligator.

2. Having written to you already so very fully by the Kangaroo, very little remains for me to say in reply to your Letters which have come to hand since her first departure, further than noticing those parts of them, which are new and were unknown to me at the date of my former Dispatch herein alluded to.

3. The Kangaroo sailed from hence on the 29th of May for the Derwent, with Male and Female Prisoners and other Passengers, including Mr. Evans the Deputy Surveyor and his Family; and, after an unsuccessful attempt to make good her Passage, she was driven back by Currents and Contrary Winds to the Northward of this Port, and finally returned here again from Port Stephens.

* Marginal note.—13th and 23d May; 3d June; 11th and 13th July, 1814.
MACQUARIE TO DAVEY.

on the 4th Instant for a further supply of Provisions and water as well as to repair her Damages. Being now again fitted out for Sea, she will prosecute her voyage for the Derwent to-morrow.

4. The Culprits* Turner and Foley, who were sent up from the Trial and Derwent and Port Dalrymple respectively, to take their Trial here for their respective offences, were accordingly Tried by the Criminal Court, found guilty, and executed pursuant to their Sentences.

5. Dennis McCarty arrived here from the Derwent on board the Alligator Schooner on the 23d of last month, under a Sentence of Twelve Months' imprisonment in Sydney Jail, where he was accordingly lodged pursuant to the Sentence passed upon him at the Derwent. I cannot, however, refrain from expressing to you my very great surprise that so invidious a distinction should have been made between Dennis McCarty and Andrew Whitehead; it appearing that the Sentence passed on the latter is entirely remitted, altho' guilty in a much greater degree than the former; at least he appears to be so in my estimation from an attentive perusal of both their Trials and of the other Documents you forwarded to me. There certainly appears to me not only a great inconsistency in this distinction but a glaring partiality; for, tho' I have no doubt of Dennis McCarty's guilt, yet the Evidence adduced against him is by no means so clear and satisfactory as that against Andrew Whitehead, whose guilt does not admit of a shadow of doubt.

6. In respect to your wish that Dennis McCarty should not be allowed to return to the Derwent after the expiration of his present Sentence, it will not be consistent with my ideas of justice or propriety to prevent his returning thither unless some new Crime should be brought forward and proved against him before a Criminal Court here. The Man is free, has Property at the Derwent, and therefore cannot legally be prevented from returning thither on the expiration of his present Sentence, in case he should wish it.

7. The series of notorious, disgraceful, and daring instances of Smuggling, which have recently taken place at the Derwent, far exceed anything that has ever yet occurred there or at any of the other Dependencies of this Territory. This Traffick has arrived at a most alarming Pitch of late in Van Diemen's Land, and requires a commensurate degree of vigilance and activity in the Police of your Settlements to restrain and prevent it. I hope that the late Seizures will in some degree check that extraordinary propensity to smuggling, which appears to pervade all ranks and descriptions of People at the Two Settlements in Van Diemen's Land. I cannot therefore too strongly impress on your

* Note 49.
mind the necessity for your directing your most Zealous efforts to restrain and prevent, by every means in your power, this illegal and disgraceful contraband Traffick in Spirits.

8. I never credited entirely the reports, which were in circulation here, respecting your having permitted Fifteen Thousand Gallons of Spirits to be landed within the last Twelve Months at the Derwent; but even the Quantity you acknowledge you have permitted to be landed, namely Five Thousand Gallons, is by far a larger Quantity than you were warranted by my Instructions either to permit to be landed or distributed to the description of Persons specified in the Schedule,* which accompanied those Instructions. I must therefore express my decided disapprobation of your conduct in this instance, more especially as it is a breach of the General Hospital Contract, which you well know I am strictly bound to make good and to fulfil. No Civil Officers at Head Quarters have yet received an issue of Spirits for the present year; and I think you ought first to have obtained my permission before you issued the full allowance of Spirits for the present year to the officers, Civil and Military, in Van Diemen's Land in advance, for which you certainly had no legal authority; added to which, you have committed another very great irregularity in giving a regular issue of Spirits to two Convicts (Messrs. Randall and Bland) equal to what is issued to officers of the highest rank. You must be sensible how very improper and indecorous such very misplaced indulgence is, it being unprecedented at the Seat of Government.

The Contractors will no doubt call upon me, in consequence of this breach of their contract, for an indemnification,† to which they are justly entitled; and thus you have entailed an additional expence on the Crown, besides placing me in a most awkward predicament. The Smuggled Spirits seized, amounting to 2,800 gallons, ought to have been retained in the Bonded Store, until you could receive a communication from me on so important a subject, and not have been sold or thrown into the Market; for, by their being so disposed of, no less than 7,800 Gallons of Spirits have been distributed at Hobart Town within a few months, by your own Statements to me; but I greatly fear that the evil has not even rested here, as it would appear, from Capt. Murray's own confession, that large quantities of Spirits have been landed at Hobart Town from his Ship the Eliza, with regular Permits; which, I am sorry to say, corroborate in some degree the reports circulated here by Dennis McCarty, and which I considered as malicious and unfounded until I read Capt. Murray's Letter and conversed with him on this subject. For your further information, I transmit you herewith an attested Copy of Capt. Murray's.

* Note 14. † Note 27.
Letter addressed to Mr. Wentworth, one of the Contractors for the General Hospital. This transaction certainly requires some explanation on your part, which I hope you will not fail to afford me.

9. The Piratical escape and illegal departure of the Ship Argo from the Derwent is much to be lamented, and is of so atrocious and daring a nature, when coupled with the other circumstances attending that Transaction, as to call for the most severe and exemplary Punishment being inflicted on the Perpetrators whenever they can be found or apprehended. All, however, that I can do at present is to forward a statement of the Circumstances to the Government of Bengal, to which Place the Argo belongs, and request of it to apprehend and send Capt. Dixon back here to be tried for Piracy and seducing away Convicts from this Territory. I have little doubt of Messrs. Loane and Carr having been deeply concerned in this atrocious transaction, as well as in the smuggling of Spirits from the Argo; but as there was no positive proof of this being the case, I could not legally detain them here on mere suspicion.

10. It is always painful to me to Censure the conduct of any officer under my Command, more especially one of your very high rank and Station in the Territory I have the honor to command; but it would be a complete compromise of my own authority, were I to pass over unnoticed the breach of Military Discipline you have been guilty of in detaining Ensign Lascelles of the 73d Regt. as your Secretary at Hobart Town, in direct violation of my positive orders for his proceeding along with his Corps on board the Ship Windham to Ceylon. Your having taken upon yourself the responsibility of suspending this order was highly irregular, unjustifiable, and subversive of all Military Discipline; which you must be fully aware every officer in Command is bound to support and strictly to enforce in every instance for the good of the Public Service. I have therefore to express to you my most decided disapprobation of your conduct in this instance; and, tho' I shall forbear to take any further Public Notice of the disrespect you have so openly manifested on this occasion to my orders and authority, as Governor in Chief and Commander of His Majesty's Forces in this Territory, yet I deem it my duty to apprise you that, should any similar instance occur during the continuance of my command in this Country, I shall be under the painful necessity of taking most serious notice of it in support of my own authority. But, as you attach so much importance to the services of Ensign Lascelles, I have granted him permission to remain with you in Van Diemen's Land, until such time as I shall be honored with the pleasure.
1814.
18 Aug.

Previous communications re T.A. Lascelles.

of His Royal Highness the Commander in Chief respecting him, it being my intention to transmit Home by the earliest opportunity for England Ensign Lascelles’ resignation lately received here from him by the Major of Brigade.

11. You observe to me, in one of your Public Dispatches, that you conceive it an act of injustice my depriving you of the services of Ensign Lascelles. This is rather strong language, and not very becoming or sufficiently respectful from an inferior to a superior officer, independent of its evident inconsistency; for you certainly cannot forget that you wrote to me some time ago expressing your hope that Ensign Lascelles should “be obliged to proceed with his Regiment.” I have still in my possession your original Letter to this effect, and in order to refresh your memory I beg leave to send you a Copy of it herewith. I do not recollect having informed you that I had recommended Ensign Lascelles to the Secretary of State as a fit Person to be your Secretary; if I did, it must have been a mistake or oversight in the hurry of writing you on that occasion. I remember having strongly recommended that you should be allowed a Secretary, because you required the assistance of one; but I did not at all conceive it necessary to mention the name of Ensign Lascelles, as it must be a matter of perfect indifference to the Secretary of State who or what Person you would employ in that capacity, so long as he was adequate to the duties of such an office. At the time I ordered Ensign Lascelles to proceed to Ceylon with his Regiment, I had no reason to suppose that you would have taken upon yourself so serious a responsibility as that of detaining him contrary to my orders, and of course concluded that he would certainly go with his Corps agreeably to these orders. On this principle, I promised Capt. Clarke the Appointment of Inspector of Govt. Public Works at Hobart-Town, on the resignation of that office by Lieut. Gunning. I have accordingly appointed Captain Clarke to that office, and have no doubt of his capability for the discharging of the Duties of it with credit to himself and advantage to the Publick. Indeed I should suppose that Ensign Lascelles’s time must be too much occupied, in the discharge of his Duties as your Secretary, to admit of his executing those of Inspector of Publick Works in so efficient a manner as they ought to be; and consequently I conceive it would not be doing justice to the Publick Service to allow him to hold both offices.

12. I have attentively perused the correspondence, which took place between you and Capt. Clarke of the 46th Regiment, on the subject of the claim set up by him for himself and his Detachment to share in the moiety of the smuggled Spirits recently seized and condemned at Hobart Town. I enclose for
your information a Copy of a Letter I lately wrote to Lieut. Colonel Molle, Commanding the 46th Regt. here, on this subject, in reply to a reference he thought proper to make to me upon it. But, altho' I have decided that Capt. Clarke himself, and those Men of his Detachment who were not employed on this Service, have no right to share, I am at the same time of opinion that all those Persons who were actually present at the Seizure, whatever their rank may have been, have an undoubted right to share equally in the capture of the Smuggled Spirits alluded to. On this principle, the Soldiers of Capt. Clarke's Detachment, who were actually employed in Seizing the smuggled Spirits at Andrew Whitehead's House, have a right to share equally with the other Persons employed on that Service. If, however, the Soldiers employed on that occasion are contented with the remunerations that have been made to them, I shall be satisfied; but, if not, this business must come to a Publick hearing before the Supreme Court at Sydney. I take this occasion to observe that, in my opinion, it was highly improper, irregular, and indecorous to employ your own Confidential Secretary on a service of this description; as it must be evident to every one that his principal object in being employed on such a Service was for his own personal pecuniary advantage. The Chief Constable with some other Constables (and a few Soldiers if deemed necessary) would have been the proper People, and quite sufficient to make the seizure in question, which would have saved Mr. Lascelles from the strong suspicion of acting principally on this occasion from sordid selfish motives. If it had been deemed necessary to employ a Military Commissioned Officer, one of those of the Detachment of the 46th Regt. ought certainly to have been selected in preference to Ensign Lascelles. Under these circumstances I cannot allow that there is any particular merit due to his exertions on the occasion of Seizing the Smuggled Spirits at Andrew Whitehead's House and Premises.

13. I have confirmed your nominations of Messrs. Humphrey and Williams as Magistrates at the Derwent, and herewith you will receive the usual Precepts appointing them to these respectable offices. I must at the same time desire that no more Magistrates may be appointed to act in any part of Van Diemen's Land, without my previous sanction being obtained thereto.

14. I was much concerned to find that the Windham Transport had been so long detained at the Derwent by the unaccountable delay that took place in the Government Schooner Estramina coming round from Port Dalrymple with the Women and Children and heavy Baggage of Capt. Kenny's company, which can only be imputed to the gross neglect and laziness of Mr. Overand
the Commander, and for which I shall dismiss him from the Service of Government on his return here from the Derwent. I was also very sorry to find that the Windham did not take the whole of the two companies, as I am convinced there was sufficient room and accommodation for them on board of that Ship, had the Agent of Transports and the Commander of the Ship acted in the manner they ought to have done, whereby the Crown would have been saved from a great deal of unnecessary expense and delay in conveying the remaining Troops to Ceylon. You will not fail to send up here, by the return of the Kangaroo from the Derwent, any Men, Women, or Children, belonging to the 73d Regiment, who may be still in any part of Van Diemen's Land. I have been for some time past daily expecting the arrival here of the Estramina in consequence of what you wrote me respecting her in your last Dispatch; but, as yet, she has not made her appearance.

15. I am fully aware that the present Military Force in Van Diemen's Land is very inadequate to the Defence of the Country and the necessary Duties to be performed at the two Settlements; but, until the 46th Regt. shall be increased, or a stronger Corps sent out to this Country, it will be out of my power to reinforce your Military Strength, having already detached to Van Diemen's Land a full proportion of the small Force I have at my disposal.

16. I observe from your late Dispatches that the Bush Rangers still continue their Depredations in the neighbourhood of both the Settlements in Van Diemen's Land. I hope the recent example made here of Foley* (one of their number), which they cannot fail of hearing, will have a good effect; and I also trust, when my late Proclamation† is properly circulated and made known to these deluded Wretches, that they will surrender themselves and return to a proper sense of their Duty.

17. In a recent Dispatch‡ from Home, it is announced to me by Earl Bathurst, the Secy. of State for the Colonies, that Mr. Abbott (late Major of the 102d Regt.) has been appointed Judge Advocate of Van Diemen's Land with a Salary of Six Hundred Pounds per Annum, and that he is to come out immediately in the Government Brig Emu to assume his office; and it is probable he may arrive at the Derwent even before you receive this Letter. Mr. Bate§ is consequently superseded, and I am directed to announce to him that the Prince Regent has no further occasion for his Services, which I shall accordingly do by the present conveyance. I herewith enclose you an Extract from the Secretary of State's Letter, relative to the new Civil Court and

---

* Note 50. † Note 43. ‡ Note 47. § Note 45.
MACQUARIE TO DAVEY.

Mr. Bate, for your information and guidance. Mr. Bate must be compelled to give up to Mr. Abbott all the Government Law-Books in his possession, before you allow him to quit the Settlement.

18. The Ships Boxbornebury and Surry have arrived here lately from England with Male and Female Convicts and some Stores for Government; but, a great part of the most essential Stores not being yet arrived, I am unable to send you any by the present conveyance from those now come to hand. I expect, however, that the remainder of the Stores, I wrote for, will arrive in the course of a month hence on board the *Somersetshire Transport*; and, when she arrives, a proportion of all necessary stores (including Bedding for the Troops and Slops for the Convicts) will be sent to the Derwent and Port Dalrymple.

19. As Lieuts. Gunning and Rose of the 73d Regiment have long since sent Home their Resignations, and have consequently been permitted by me to become Settlers in Van Diemen's Land, they are to be permitted to occupy and cultivate the Lands some time since located and measured out for them by the Dy. Surveyor General, by my orders, at the Derwent and Port Dalrymple respectively. They are also to be victualled themselves for Eighteen Months from the King's Store as Settlers, and have each Six Government Men assigned to them on the Store for Eighteen Months, as soon as that number can be conveniently assigned to them; and, if they should wish it, you are to direct the issue of Six Cows to be made to each of them from the Government Herds on three years credit. These are the indulgencies I always intended to extend to Lieuts. Rose and Gunning, whatever time they should become regular Settlers and ceased doing Military Duty.

20. I have observed with much surprise and displeasure that you have sanctioned the name* of the Town you now reside at to be changed from that originally given it by Lieut. Governor Collins, and approved and confirmed by his Majesty's Ministers; and which consequently no inferior power can possibly assume the right of changing. It is therefore my positive orders and commands that you do immediately on receipt of this Letter direct the late adopted change of "Hobart" to be discontinued in all your Public Orders and Gazettes, and that the Town shall be on all future occasions named and written as heretofore "Hobart-Town" and not simply Hobart.

I have, &c.,

L. MACQUARIE.

P.S.—I enclose herewith a Letter addressed by my Secry. to Mr. Bate, which is left open for your perusal and information;

* Note 51.
GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Sdespatch per schooner Henrietta Packet.)

Sir,

Government House, Sydney, 21st Sept., 1814.

1. I have been honored with your letters of the 14th and 15th ulto. accompanied by the papers respectively referred to in them, and shall by a future opportunity reply more particularly to them than on the present occasion.

2. As the Public Service does not by any means require, so I cannot at all approve your having given Capt. Clarke of the 46th Regt. the use of a Government Horse; and I can now only sanction his retaining him for such limited time as may enable him to provide himself with one at his own convenience, and further on the express condition that Government shall not be taxed with the expense of keeping him during that time. I cannot avoid expressing my surprise at the applications made to you by Lieut. Cox and Asst. Surgeon Bush of the same Regiment for the use of Government Horses to be extended to them also; such applications being highly irregular and improper, you will please to inform Mr. Cox and Mr. Bush that they are totally inadmissible and of course cannot be complied with.

3. The last arrivals from the Derwent are the Estramina, which came in on the 25th and the Henrietta Packet on the 28th Ulto.

4. On the 21st Ulto., the Govt. Coll. Brig Kangaroo, Lieut. Jeffreys Commander, sailed hence for the 2nd time for the Derwent and by her you will receive two Dispatches from me. Mr. Evans, the Depy. Surveyor for Van Diemen's Land with his wife and family, are Passengers in her. By this Vessel, I have sent a number of Male and Female Convicts for the benefit of the Settlement under your Command. The Extracts from the Indents forwarded from my Secretary with them will inform you of their names and periods of Transportation.

5. The quantity of Wheat, now in H.M. Stores here, being scarcely sufficient to supply our wants until the next Harvest, and that which I had commissioned from India a considerable time ago not having yet arrived, I hope you will not fail to lade as much Wheat on board of the Kangaroo, as can be conveniently spared from the Derwent and Port Dalrymple. And,
in the event of this Vessel having sailed on her return hither without a Cargo of Wheat before you receive this letter, I request you to avail yourself of the opportunity of the Govt. Brig _Emu_ in the probable event of her touching at the Derwent on her way hither from England to put as much Wheat on board her as you can spare from the supply at the Derwent, and that you will also direct her Commander to proceed with her round to Port Dalrymple and to take in there all the Wheat, which that Settlement can also spare, enjoining Him to proceed from thence to Head Quarters with the least possible Delay.

I have, &c.,

L. MACQUARIE.

---

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per schooner Henrietta Packet.)


In my letter of the 21st Inst. having accidentally omitted acknowledging your letter of the 5th Ulto. enclosing me some proceedings of a Bench of Magistrates in the case of John Hangan at Hobart town, I have now the honor to do so, and to return you those proceedings with my remarks written thereon.

You will also receive herewith the Petitions and Memorials from Hobart town and Port Dalrymple, which I received with your last Dispatch with my answers also written on them. When on this subject, I feel the necessity of again calling your attention to my Government and General Orders* of the 9th Jany., 1813, from whence you will please to observe that All Petitions or Memorials for Pardons, Emancipations and Tickets of Leave, are only to be presented in the month of December in each year; and those for Lands and Cattle in the month of June only in each Year.

These Regulations, being established both for the convenience of the Applicants and for my own ease in the Dispatch of my various Public Duties, must be invariably complied with; and I have therefore to request that you will not in future transmit me Memorials on those subjects at any other times than those prescribed in those General Orders, as the Persons applying at irregular times will have their Memorials returned unanswered.

This consideration I hope will induce you to check the practice by refusing to forward them at any other than the regular periods.

I have, &c.,

L. MACQUARIE.

* Note 28.
GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per schooner Henrietta Packet.)


I have the honor to transmit you an attested Copy of my Government and General Orders of the 3rd Inst. for your future information and guidance, and I have to express my desire that you will render them the most implicit compliance, and cause them to be carried into the fullest effect at the different Settlements under your command in Van Diemen’s Land in the same manner as is in them directed for this part of the Territory.

As your distance from Head Quarters must necessarily prevent these orders from being put into effect so early in Van Diemen’s Land as the 1st of next month (the time prescribed for their operation to commence here), it is my desire that they shall commence in Van Diemen’s Land from and after the 30th of November next.

I do not mean to extend these Regulations at the present time either here or in Van Diemen’s Land to Superintendants, Overseers, Clerks, Schoolmasters, Jailors or Constables, or their families, who are now victualled at the expense of the Crown; and you will please to regulate your conduct in the application of these orders by the same principle.

I have, &c.,

L. MACQUARIE.

[Enclosure.]

[A copy of these orders will be found on page 319, volume VIII, series I.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per schooner Estremina.)


1. Since the Receipt of Your Letters under date the 15th of August last (which I have already replied to by the Henrietta Packet under date the 23rd of the following month of September), I have not been favored with any Communication from You, which from various Circumstances has given me much Surprize and Regret, not being at all Enabled to account for so long a time Elapsing without receiving any Information from You respecting the Settlements under Your Command.

2. Having finally dispatched His Majesty’s Colonial Brig Kangaroo, Lieut. Jeffreys Commander, for the Derwent on the 21st of August last, and no account respecting her having yet reached this thro’ any Channel whatever, I begin to feel extremely anxious in regard to her, and apprehensive that some
Unfortunate Calamity has befallen her. These Apprehensions are Enhanced in no Slight Degree from the Consideration that my Orders to you were express and absolute to send her back hither immediately, without permitting her to make any unnecessary Delay at the Derwent or at Port Dalrymple, in the Event of your having dispatched her thither for such Wheat as Could be spared from that Settlement for the Use of the Stores here. Having given Instructions to the same Effect to Lieutenant Jeffreys, I am at a loss to account for this extraordinary Delay otherwise than by the distressing supposition that she has been either entirely lost or at least so damaged as to preclude the Possibility of her returning hither.

3. Entertaining these Apprehensions, I have now deemed it Expedient to order the Government Schooner Estramina to the Derwent, under the Command of Mr. Ross, to bear you the present Dispatch, principally with the View of Obtaining from you a Detail of the Circumstances respecting the Kangaroo, or of what may have reached you from any other Quarter in regard to her; and, being particularly anxious to be Informed on those points as soon as possible, I have to Convey to you my positive order and Command that you do not detain the present Vessel from returning hither beyond the time that may be absolutely necessary for the Discharge of her Cargo and the preparing of your Dispatches, but that you send her hither with all possible Dispatch, as my uneasiness will be Increased until she returns.

4. Aware of your being in want of Slop Clothing for the Con- victs and Bedding for the Troops at Hobart Town and Port Dalrymple, I have ordered to be Embarked by the present occasion a Proportion of both and also some Stationary and other Stores. You will likewise receive two months' full Rations of Salt Meat for the Number of Persons victualled from the Stores at Hobart Town; the Casks Containing this Meat appearing to be rather leaky, I request you to give orders for it to be Issued immediately in the proportion of half Salt Meat in each Ration until the Supply shall be expended. The Regulation of Issuing half Salt and half fresh Meat in the Ration, now recom- mended to you, has been for some time adopted here, and will be Continued during the hot weather. All the Articles of Slop Clothing, Bedding, Stationary, etc., which are directed for Port Dalrymple, You will please to send thither by Land Carriage; and I must request that you will give particular orders that none of the Articles directed to and destined for that Settlement shall be broken in upon, or opened at Hobart Town, but that they shall be sent in their present State and form to the Settlement for which they have been assigned.
1815.
25 Jan.

Survey of cargo per schooner 'Estremina'.

Requisitions to be transmitted.

Opening of ports to trade.

Duty on spirits.

Prohibition of issue of stores to private persons; and of issue of spirits.

5. Immediately on the Arrival of the 'Estremina' at Hobart Town, you will please to have some Careful and Trust-Worthy Person of the Commissariat Department on board to Inspect and report on the several Articles sent from hence in her, previous to their being Landed at Hobart Town; and, when they shall be discharged, which I have to repeat the Hope will be the Case with the least possible Delay, it will be requisite that Mr. Ross should get a Receipt for the Articles delivered in good Condition by him.

6. Whatever Articles, additional to the present Shipment, you may still require for the Settlements of Hobart Town and Port Dalrymple, you will please to Inform me of by the Return of the 'Estremina', and they shall be forwarded by the earliest opportunity so far as the Stores here will admit. At present I am unable to send you any Iron, Steel, Nails, Powder, Canvas, etc., there being a great Scarcity of them in the Store; but I have every Reason to expect a Store-Ship from England in the Course of two months hence with a plentiful supply of those and several other Useful Articles, whereby I shall be enabled to furnish those required for the Settlements in Van Diemen's Land.

7. The Contract* for the Erection of the General Hospital here having Expired on the 31st Ulto., this Port, and those of the Derwent and Port Dalrymple, have been Declared in my Government and General Orders of that Date, Open and free Ports from the 1st instant for the Importation of Spirits and every other kind of Merchandize from all Countries in amity with Great Britain. You will receive herewith an attested Copy of the Orders above Alluded to for your fuller Information and Guidance on this Subject, and I have to Direct that you shall cause them to be made Public and most strictly Enforced at the Settlements under your Command. The Duty to be levied in future on Spirits being fixed at Seven Shillings Sterling per Gallon, You will be particularly Careful in Causing it to be paid on all Spirits, which shall arrive in Van Diemen's Land after the date of your receiving the present Communication.

The orders of the 31st Ulto. prohibiting the Issue of any Articles from the King's Stores to private Persons, or for other than the public Service throughout this Territory, you are also to have Enforced and most strictly obeyed within the Limits of your Command in Van Diemen's Land.

8. By orders† lately received from Home, All further Issue of Spirits from the King's Stores to the Civil and Military Officers, Superintendents, Overseers, Publicans, etc., at a Government Price is strictly forbidden; and I have hereon to Enjoin you not

* Note 27. † Note 52.
to permit any Issue of Spirits to take place in future throughout Van Diemen's Land from the King's Stores to any Person whatever, whether in or out of the Service of Government.

9. Desirous of availing myself of the local Knowledge and Experience of Mr. Evans,* the Deputy Surveyor of Lands, in my Intended Tour into the newly discovered Country to the Westward of the Blue Mountains, which I mean to undertake about the 15th of March next, I have to request that you will allow him to Come hither by the Return of the Estramina, so as to be in time to proceed with me.

The Government and General Orders and Notice now transmitted you are three in number, and all dated the 31st of December, 1814; the first announces the opening of the Ports here and in Van Diemen's Land; The Second specifies the Rate of Duty to be paid on Spirits from and after the 1st inst.; and the third prohibits the Distribution of Government Stores to any Individual whatever, all which I have had Reference to in the Course of the present Dispatch. I have, &c.,

L. MACQUARIE.

P.S., 26th January, 1815.—On further Consideration, I have deemed it Expedient to send you by this Conveyance, for the Use of the two Settlements in Van Diemen's Land, a proportion of every Description of Artificers' Tools, as well as of Nails, Bullock Harness, a Lathe, etc., etc., in order to enable you the easier to complete the Barracks for the Troops and other necessary Public Buildings at Hobart Town, which I hope to hear are in great forwardness.

Invoices of the Stores, etc., etc., now sent in the Estramina have been transmitted to the Deputy Assistant Commissary General at Hobart Town, who will submit the same for your Inspection.

I request you will not fail to send me by the Return of the Estramina the Result of Your last Annual Musters at the Derwent and Port Dalrymple, and also the Usual Quarterly Returns of those Settlements.

[Enclosures.]

[These three enclosures will be found on page 470 et seq., volume VIII, series I, numbered 2, 3, and 4.]

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

8th, 11th, 12th, and 14th March, 1815. — March.

[Copies of these four despatches are not available. Some of their subject matter is probably mentioned on pages 108 and 109.]

* Note 45.
[Enclosures.]

Return of the Settlers Musters at His Majesty's Settlements, Hobart Town, River Derwent, and Launceston, Port Dalrymple, of Land held and in Cultivation and Live Stock, taken by Order of His Honor Thomas Davey, Esquire, Lieut. Governor of Van Dieman's Land, the 22nd day of November, 1814.

Commissary's Office, Hobart Town.

<table>
<thead>
<tr>
<th>Number of Acres of Land in</th>
<th>Number of</th>
<th>Victualled or not Victualled by the Crown.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belonging to the Crown...</td>
<td></td>
<td>1,485</td>
</tr>
<tr>
<td>.. to Individuals.</td>
<td></td>
<td>1,485</td>
</tr>
<tr>
<td></td>
<td></td>
<td>63</td>
</tr>
<tr>
<td>At Hobart Town...</td>
<td></td>
<td>1,485</td>
</tr>
<tr>
<td>Belonging to the Crown...</td>
<td></td>
<td>1,485</td>
</tr>
<tr>
<td>.. to Individuals.</td>
<td></td>
<td>1,485</td>
</tr>
<tr>
<td></td>
<td></td>
<td>63</td>
</tr>
<tr>
<td>At Launceston...</td>
<td></td>
<td>1,485</td>
</tr>
<tr>
<td>Total...</td>
<td></td>
<td>2,423</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1467</td>
</tr>
</tbody>
</table>

Commissary's Office, Hobart Town.

P. G. Hogan, D.A.C. Gen'l.
DAVEY TO MACQUARIE.

RESULT of the General Musters of the Whole of the Inhabitants
of His Majesty's Settlements at Hobart Town, River Der-
went, and Launceston, Port Dalrymple, taken in the presence
and by Order of His Honor Thomas Davey, Esquire, Lieut.
Governor of Van Diemen's Land.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>At Hobart Town</td>
<td>Launceston.</td>
<td>38</td>
<td>4</td>
<td>128</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8</td>
<td>...</td>
<td>50</td>
</tr>
<tr>
<td>46</td>
<td>178</td>
<td>525</td>
<td>646</td>
<td>332</td>
</tr>
</tbody>
</table>

P. G. HOGAN, D.A.C. G't.
Commissary's Office, Hobart Town, 22d Novr., 1814.

DEPOSITIONS.

Hobart Town.
County of Buckinghamshire, Island of Van Diemen, 22nd August, 1814.

Present:—Revd. Robt. Knopwood; Francis Williams, Esquire; James Gordon, Esquire.

INFORMATION on Oath of Theophilus Fentrill, Corporal in His Majesty's 73d Regt. deposes, On Wednesday last, the seventeenth instant, on my road from Port Dalrymple to Hobart Town, in company with my Son and five other persons, after we had passed Epping Forest, some of the party were in front of me. I saw my Son lift up his hand for me to advance; directly I came up to my party, I saw five men, who immediately ran, on seeing the rest of my party advance; My son and Self threw off our knapsacks and pursued them; I called to my Son to follow me and we would cut them off; we did so; My Son got a head of me, when I got up to him he had his musket to his Shoulder, and a Man laying at the Foot of a Tree; to my great surprise, I found it to be Mackcallister, private in H.M. 73d Regt.; directly I got up, my Son proceeded in pursuit of the others, leaving Mackcallister in my charge; my Son afterwards came up with another Bushranger, whom he secured (Robinson); Mackcallister delivered himself up as a deserter from the 17th light dragoons, the rest of the Bushrangers made their escape; My party proceeded that night to Blackman's River, at which place my party staid all night; next morning my party proceeded to the Tin dish holes, and took Breakfast; two of Mr. Edward Lord's Servants joined us; one of the Servants had a bright Musket with Mr. Lord's name on it; after Breakfast, my party went on to York Plains, at which place Mr. Lord has two Tents pitched with several Stockmen in charge of his Cattle; the overseer of the Stockmen told my party he would
1815.
— March.

Depositions re capture of arms from corporal and private and release of prisoners by M. Howe and gang.

1815.
— March.

Depositions re capture of arms from corporal and private and release of prisoners by M. Howe and gang.

accompany us to Hobart Town, and that he would overtake my party, as the next day I told him, I and my party should halt at the Ovens at Jericho, which place my party reached that Evening; About Midnight the dogs began to bark and instantly Six Muskets were presented at us, Swearing an Oath that if we did not immediately hand out our Muskets, they would blow us to pieces; Howe, Geary, and Mills, I noticed amongst their party particularly active; Howe appeared to be the Captain of their Gang; they called Mackallister out, saying he was a free Man again as soon as he was out; they gave him a Musket; they then called Thomas Howard, who was obliged to go out; they then called out Robinson, saying that he was a free Man again, they also gave him a Musket; they next called Craig, after this they made my party deliver up their Arms, and told us to hand them out with the Butts foremost, or they would fire on us. Mackallister received all the Arms, they then called my party out, one by one, and tied our hands behind our backs, they continued with us 'till day light; about an hour after my party and Self were secured, they untied our hands; when they left us in the morning, Mackallister Robinson and Craig accompanied them; about the middle of the day Craig returned to us, with my Musket which had been given to him, and which he immediately delivered up to me.

his

THEOPHILUS X FENTRILL.

mark

Sworn before us, this 22nd of August, 1814:—REVD. ROBT. KNOPWOOD, J.P.; FRANCIS WILLIAMS, J.P.; JAMES GORDON, J.P.

INFORMATION on Oath of William Merry, a private in His Majesty's 73d Regt. of foot, deposes, On Monday last, 15th of August instant, I left Port Dalrymple, with Corporal Fentrill and others, and on Wednesday the 17th instant, being close by Ireland's lagoon, I saw five Men, whom I judged from their appearance to be Bushrangers, about half a Mile off, coming towards us; as soon as they saw my Party they ran; my party pursued them and took two of them, "Mackallister and Robinson"; Mackallister said, he was on his way to Port Dalrymple to get his Wife's wearing Apparel, that he then intended to return to Hobart Town to surrender himself; My party proceeded on our journey. At the Tin dish holes, whilst my party were at Breakfast, two of Mr. Lord's Stockmen joined us; they were both armed; one of the muskets I examined; it was a light Musket with the Letter L. on the butt of it, and appeared to have been cut with a knife, proceeded on our journey to York plains, at which place Mr. Lord has Tents pitched for his Stockmen; while we were at the Tents we mentioned to Mr. Lord's Overseer "Yorke," that we intended to Sleep at the Ovens; at which place my party reached that Evening; about Midnight and at the time my party were asleep, our Dogs awoke Corporal Fentrill; when I awoke I felt the Muzzle of a musket at my Ear, and heard a number of voices, exclaiming lay still you Buggers, with many horrid imprecations; My party were ordered to hand out the Muskets butt foremost; the Bush rangers took seven Muskets and two pistols and the greater part of our Ammunition; they released Mackallister and gave him a musket; they called out Robinson, and gave him a musket; they then tied our hands behind our backs, but at the request of Beagent, one of their party, they untied our hands, after we had been secured about an hour; Michael Howe appeared to be the person in
Command, they remained with us until daylight, when they left us; Mackcallister, Robinson and Craig accompanied them, they gave Craig a musket; during the night, I particularly noticed in Michael Howe’s hand, the musket marked L, which I had seen with Mr. Lord’s Man at the Tin dish holes; it was quite light from the Fire, that was burning, at the pont of the Oven; I am positive it was the same Musket, Before Howe left us “he said he wished the old Colonel (meaning Lieutenant Governor Davey) was here, he would not believe that the Bush rangers could do such things, but that he would shew him how those things were done, and if he was here, he would send some of the Buck shot through his old Paunch.” Craig returned to my party about 12 o’Clock same day, and brought a Musket, which he delivered to Corporal Fentrill, as well as some Ball Cartridges, which had been given him by the Bush rangers. My party then proceeded on to Hobart Town.

William X Merry.

Sworn before us this 22d of August, 1814:—Rev. Robt. Knopwood, J.P.; Francis Williams, J.P.; James Gordon, J.P.

Information on Oath of Joseph Fentrill, private in His Majesty’s 73d Regt., corroborates the whole of the Proceeding Informations of Theophilus Fentrill and William Merry, and more particularly states, that Michael Howe had the Musket mark’d L, which he had seen with Mr. Lord’s Stock keepers the day before.

Joseph X Fentrill.

Sworn before us this 22d of August, 1814:—Rev. Robt. Knopwood, J.P.; Francis Williams, J.P.; James Gordon, J.P.

Thomas Howards, a convict, called in, corroborates the preceeding Information and is positive that the Musket mark’d L, he saw in the possession of Mich’l Howe on the night of the Attack.

Thomas X Howard.

Rev. Robt. Knopwood, J.P.; Francis Williams, J.P.; James Gordon, J.P.

Information on Oath of William Harrison Craig, a prisoner;—I left Port Dalrymple, in company with Merry and Howard, on Monday last the 15th of August instant; On our Journey, a little on the other side of Epping Forest, we fell in with five Bushrangers, pursued and took two of them; next day, We Breakfasted at the Tin Dish holes, during our Stay, two of Mr. Lord’s Men joined us; I particularly noticed a Musket which one of them had, and Should know it again. We accompanied Mr. Lord’s Men to the Huts on York Plains; while we were at the Huts, we mentioned where we should halt that night; we went on to the Ovens that night; we all laid down and fell asleep; about Midnight I was awoke by the Dogs, and in an instant, the place was surrounded by a party of Armed Men; they presented their Muskets into the Mouth of the Oven and threaten’d to blow off the head of any that should move; they then demanded all the Muskets to be handed out, they told us they knew what Arms we had with us; they tied the Soldiers and called out the Prisoners, and told them they
were free again, gave each of them a Musket. I particularly noticed the Musket that I had seen at the Tin Dish holes in the hands of one of the party that had made the Attack; about day light the party went away, taking Mackcallister, Robinson and myself with them to Mr. Lord's Tent Huts, where a breakfast had been prepared for the Bushrangers by Mr. Lord's people. On our way to Mr. Lord's Tent Huts, Michael Howe whistled and his party were immediately joined by Six Bush rangers, one of them commonly known by the name of Fat Jack; he observed to Howe it seems you had no occasion to fire the second Shot. "the meaning they told me, was, that if our party had offered any resistance, they were to fire two Shots and the Six were then to join them." Howe told me, I was the Man that they had been long looking for, that they intended to go to the Schouten Islands to lay wait for a Vessel, and that I was to Navigate her; whilst we were all at Breakfast at Mr. Lord's Tent Huts, the whole of Mr. Lord's Men seemed much pleased at the defeat of the Soldiers, and Trim observed that the Oven Hut should no longer be called by that Name, but should be called the Soldiers downfall; after Breakfast while Howe was shooting at a Mark, I made my escape and joined my first party "the Soldiers," during my Short stay at the Tents it was determined that the party should return and take from the Soldiers their Kangaroo Rugs and wearing Apparel, and to flog Joseph Pentrill with the Sinews of the Kangaroo tail; one of Mr. Lord's Servants said, why did you not take the rugs from them and tear the orders, we had given them, on our Master (Mr. Lord); when I joined the Soldiers party, I told them it was the intention of the Bush-rangers to return and rob them, when they immediately proceeded on their Journey across the Country off the beaten road; Howe had also told me before I left his party, I might either go or stay, that I might remain with his Party or join Mr. Williams, late Commissary at Port Dalrymple, 'till his party were ready for the Schoutens; that he was to be found at a Stock yard at the Fat Doe river; that if I went there and fired a Shot and Hallow'd, Williams wou'd make his appearance, I told Howe that I had heard that Williams had made his escape in the Ship Argo; Howe said he had not, for he had seen him within two days; Howe told me that his party had heard of the intended proclamation of His Excellency Governor Macquarie, for that nothing passed in Hobart Town, but what he and his party had immediate information of; but that he had no intention of availing himself of the Proclamation as his party were gaining strength every day, and he had not done half mischief enough, and that he was just going to begin; he added that if Peter Mills was worth the risk, they would go to Launceston and take him out of the Guard House; that Foley should have been rescued, only, that he was not deserving of it; Mackcallister and Robinson were not allowed to remain with Howe's Party, but were detached to join three other Bushrangers at the Lake River, with directions to lay by the side of Mr. Mountgarrett's Stock Yard, until the Proclamation was made Public; there were about Eighteen Bush rangers assembled at Mr. Lord's Hut, all armed, I heard the Names of Michael Howe, Regent, Richardson, John Mills, and Fat Jack.

W. H. CRAIG.

Sworn before us this 22d of August, 1814:—REV. ROBT. KNOPWOOD, J.P.; FRANCIS WILLIAMS, J.P.; JAMES GORDON, J.P.

"A true Copy from the Court Records":—T. DAVEY, Lt.-Govt.
MEETING OF BENCH OF MAGISTRATES.

Hobart Town, 30th August, 1814. At a Meeting of a Bench of Magistrates.

Present:—Reverend Robert Knopwood; Francis Williams, Esquire; James Gordon, Esquire.

The Following Letter, written and addressed to His Honor Lieutenant Colonel Davey, Lieut. Governor, Van Diemen's Land.

Sir,

We have the honor to acquaint you that during the last week Theophilus Fentrill, a corporal, William Merry and Joseph Fentrill, private Soldiers in His Majesty's 73d Regt., appeared before us and gave Information on Oath, that on their way from Port Dalrymple to this Settlement having three Prisoners in their Custody, they were surprized on the night of the 18th instant by a party of Armed Men, who released the prisoners and possessed themselves of their fire Arms and Ammunition, accompanying these Violent Acts with horrid threats against your person and Government. This of itself does, in our opinion, call for the immediate adoption of the most decided and Severe measures for apprehending those daring Miscreants. But it is painful to add, that an Outrage of a more Atrocious nature has since been committed at Mr. Ingle's farm, on Saturday last, by a Banditti consisting of fourteen, all well Armed, who forcibly entered his dwelling House, and, having secured the Servants there, plundered it of property of the Value of Seven Hundred pounds Sterling, and then most cruelly abused the person of a female residing on the Spot. We can easily conceive the regret and astonishment Your Honor must naturally feel, that such an abominable Scene Should have occurred, and that within twelve miles of the Seat of Government; And we are confident the most decisive Steps will be resorted to without loss of time to bring the perpetrators of it to that punishment they so deservedly Merit. We therefore take the liberty strongly to recommend that Military force be ordered out in aid of the Civil authority, and that they be directed to bring by force of Arms all Bushrangers they may fall in with, Lenity "towards Villains of this description " would be ill applied, and in the present instance ought not to be thought of. We venture to predict that unless a Speedy Stop is put to the System of Bushranging, on the approach of Summer the greater part of the prisoners on the Settlements on this Island will join the Lawless Band now in the Woods, and many valuable Lives will be lost 'Ere they are subdued. It has been intimated to us, that if the Bushrangers are not speedily suppressed, the Inhabitants will be under the necessity of conciliating them, by supplying them with such necessaries as they may require, in order to prevent their Property from being Plundered.

Forming as we do a part of your Honor's Government, We feel it our duty thus to lay our Sentiments before you, and to submit to your consideration the disgrace that must fall on every part of the Police of this Settlement, should the actors of these unprecedented depredations be allowed to escape with impunity. We are anxious to receive your Honor's directions on the subject, and we beg to assure you that no exertions on our part shall be spared to give Effect to them.

We have, &c.,

REV. RT. KNOPWOOD, J.P. JAMES GORDON, J.P. FRANCIS WILLIAMS, J.P.
HISTORICAL RECORDS OF AUSTRALIA.

1815.
— MARCH.

Measures to be taken against bushrangers.

LIEUTENANT-GOVERNOR DAVEY'S ANSWER.

Government House, Hobart Town, 31st August, 1814.

Gentlemen,

I have to acknowledge the receipt of your letter of yesterday’s date, and it would be needless for me to comment on the Opinions of Gentlemen, whose sentiments claim my highest respect.

And Gentlemen be assured that it is my immediate intention to adopt such measures, as will enable me to discover and bring to Public Justice the disgraceful Banditti, now at large on this Island to the terror of His Majesty’s Subjects. I have, &c.,

T. DAVEY, Lieut.-Govr.

The Worshipful Bench of Magistrates, Hobart Town.

"a true Copy."

Hobart Town, County of Buckinghamshire, Island of Van Diemen,
26th October, 1814.

Present:— A. W. H. Humphrey, Esquire; James Gordon, Esquire.

Information on Oath of William Holsgrove, who deposes, “That, being at the house of Mrs. McCarty at New Norfolk on Sunday evening, the 23d instant, about the hour of Nine, I sat in the parlour with Mrs. McCarty. I heard a noise in the kitchen. Mrs. McCarty observed to Mrs. Hibbins and another female, “who were present,” that it was only the Servants playing; upon which Mrs. Hibbins, with her infant in her Arms, left the room to proceed to the Kitchen; instantly I heard a voice saying down and lay there. I observed to Mrs. McCarty that the Servant Girl (having screamed out) was in fits or all was not right”; upon inclining to rise from my Chair, I observed an Armed Man presenting a Musket much disguised, his face being blacked with soot, who commanded me to lay down or he would blow my brains out. I said I was down; he then said down on your knees; upon which I fell on the Ground; two armed men then came up to me. I told them I knew their design, and gave them my Pocket-handkerchief; they said down further with you. I went upon my Arms, and I was desired to give but one Arm at a time; having fastened my hands with my Handkerchief, one of the Men attempted to put his hand on Mrs. McCarty, who was under the Table where she had secreted herself. I observed that, as they had got possession of the house, that I hoped they would not violate the persons of the women. I desired Mrs. McCarty to come from under the Table, as the Men had said they would not hurt her person; she accordingly came from under the table, and they then tied her hands also; after they had so tied Mrs. McCarty and me, they brought into the parlor from the Kitchen the persons tied in the Kitchen, one by one, “Lucas and Whitehouse.” A third Armed Man came in with them; after remaining some time, they enquired where the other Women were, who had secreted themselves and remained so some time; they then said, We have come here for fire Arms, Ammunition, and particularly mentioned a barrel of Gunpowder, Tea, Tobacco, and provisions, and to take Mrs. McCarty and her Sister, or Mrs. McCarty’s Sister, or both, “I cannot speak positively” away; they called on Mrs. McCarty to go with them and shew them where the arms were first; I then observed that I did not like to suffer Mrs. McCarty to go out of my presence; upon which the Captain of the Gang, “as they called him,” called upon me to go with Mrs. McCarty, as I was her friend, and that no violence should be committed
DAVEY TO MACQUARIE.

whatever; they then said that they were the protectors of Mrs. McCarty as well as myself against any of their own people who might attempt to molest her and Self. After we were in the Bed Room, they untied Mrs. McCarty's hands and asked her for the fire Arms. Mrs. McCarty gave them a double barrel'd pistol from her Book case and a Gun; they then commenced to pack up the contents of all the drawers and boxes in the Room, consisting of wearing Apparel, Silver Spoons, and several Gold trinkets, together with Bed and table Linen; they then took a barrel, containing about Seventy or Eighty pound weight of Gunpowder; they then took the contents of two Chests of Green Tea, and put it into Sheets, leaving the Black Tea behind, observing that Mrs. McCarty had drank Green Tea long enough; they then went into the Store Room and brought out two Telescopes and some other property, which I did not particularly see; about this time, they observed to Mrs. McCarty they would let her know who were her Enemies; they produced a paper to her, which was afterwards shewn to me; it contained a list of the property which was in Mrs. McCarty's house (mentioning Money and Rum in the list), and from which list they demanded the things, all of which they found with the exception of the Money and Rum, and Signed with the Signature of Michael Downes; and the same was directed to J. Mills. They further observed that the Robbery was to have been accomplished two months before; but, if it had, that the Stone Mason Doran was to have assisted them, if they required it. This information they said they also received from Downes; they then enquired for a chest of Tea with Dollars concealed in it; being assured that there was no such thing, They observed that it was time to have Tea, and insisted upon Mrs. McCarty and myself making Tea and waiting upon them; they took Tea with us; at this time, Mrs. Hibbins and Mrs. McCarty's Sister and the Servant Girl were discovered, and came into the same Room. It might be then 12 o'Clock. I requested to go out of the house; they observed it was dangerous and they had better go out first; one of them went out and returned shortly; when I went out, they told me to go without my Hat, and, if I saw a big fellow, not to go near him, as he did not wish to be seen by me. I went out and observed a Man standing by the Shed. I returned into the house; whilst taking Tea, they observed that their Gang consisted of Sixteen, but only Nine were employed on that Service. In the course of conversation, one of them observed that the Proclamation of the Old Gentleman was a very favourable one for them, if they wished to Embrace it; for, if they returned on the first of December next, what they were then doing would be done away with, unless that they were then secured and taken to Camp, which there was little fear of. After taking Tea, they proceeded to pack up the Property to a very considerable amount, I should suppose little short of Six hundred pounds, which they took away with them in Mr. McCarty's large Boat; previous to their leaving the House, they retired my hands behind me, likewise Whitehouse and Lucas, and placed us in an inner Store Room. Mrs. McCarty and the rest of the family were left in another Room; they then locked the outer Door and laid the Key on the threshold. We heard them about the House some time, and just at the Break of day I passed through the Kitchen door to fetch some wood for the fire, Lucas was with me. We heard a Noise in the Straw Shed, and, as I was proceeding towards it, "Lucas said do not you see it is a Man there. You may as well come in." Upon looking, I observed it was a Man. I returned in. In about half an hour after, I went to the wharfe and observed a Boat and the Oars

SEK. III. VOL. II—F
1815.
— March.

Depositions re robbery of house of D. McCarty by bushrangers at New Norfolk.

gone, and no person to be seen. Previous to their departure, Mrs. McCarty requested them not to take a small box, which she much esteemed, observing that she had heard say there was honor amongst thieves; they rebuked her for calling them thieves, and said that they were Bushrangers and Free Booters, but no thieves, and the first December next would settle it all. During the conversation, they said it would have done our hearts good to have seen Captain Townsend dance when they took his Gold and Gold watch away.

Description of the Bushrangers.

A Short Man, 5 foot high; No Jacket, in his Shirt Sleeves, Waistcoat and Cloth Trousers; from his Dialect, I supposed him born in London; said that he had been in the Commissary's Office, and that he knew me in the Commissary's Office at Sydney.

A tall Man, 5 foot 7 or 5 foot 8 high; Dressed in a Cloth Jacket, Cloth Trousers, dark hair and spoke in a north Country Dialect; thin lips and was called the Captain of the Gang.

The Third Man was in complete Kangaroo Dress, constantly wearing his Cap over his Eyes.

The fourth Man was a big man, standing by the side of the Shed.

A. W. H. HUMPHREY, J.P.; JAMES GORDON, J.P.

Hobart Town, 28th October, 1814.

INFORMATION on Oath of JOHN WHITEHOUSE, states: That, on Sunday evening 23d instant about Nine o'Clock in the evening, I was sitting in the Kitchen appertaining to the house of Dennis McCarty at New Norfolk, together with William Lucas and Ann Jones, when I heard a gentle knock at the outside Door. Lucas called out "whose there," and, no one answering, he got up and went to the Door; on opening it, the Muzzels of three or four Muskets were presented into the Kitchen. Lucas attempted to close the Door on them, when three men with their Faces blacked rushed upon the Door and forced their way in; they called out to him and Deponent to lay down, and, Lucas remaining on his Feet, a musket was snapped at him, which flashed in the Pan, and he then laid down, and they tied Lucas' hands behind him, and then tied Deponent's; on the Men entering the Kitchen, Ann Jones screamed out, which alarmed the Men, and they instantly cried out to some of their Comrades to Guard the Front door, as they perceived the Persons sitting in the Parlour looking out to see what was the matter to occasion the Scream. As soon as Lucas and deponent were secured, they proceeded to the Parlour, where they secured the persons there, Viz. Wm. Holsgrove and Mrs. McCarty, by tying their hands; they then came into the Kitchen and removed Lucas and Deponent into the Parlour, and then placed a Watch on the Kitchen Door; after they were all secured in the Room, the first demand made by the Robbers was for a Bill of £100 Sterling and a Gold watch, which they stated they had particular information of; then they demanded the Fire Arms and a Keg of Gunpowder, which they got going directly to the places where these Articles were, as they had a List of the Articles in the house and where they were placed; the only Arms Deponent saw them take were one Double Barrel'd Pistol: they then un tied the hands of Mrs. McCarty and insisted on her going into the other Rooms to give them the different Articles out of her Drawers, etc.; they went into the Bedroom several times, and the Deponent states that he saw them bring out several Bundles, apparently
containing Linen and wearing Apparel, Tea, Sugar, and other Articles, which they placed by the front door in the passage. The Robbers then insisted on a Fire being made to prepare Tea for them, and insisted on Mrs. McCarty attending them; this was to the best of Dep. Smith's recollection about 12 o'Clock; during the conversation while at Tea, they informed Mrs. McCarty that a List of the Articles which List they had shewn her, was obtained from Michael Downes, and that he "Downes" was the person from whom they had got all their Information; one of the Robbers who called himself Mills shewed the List again to Mrs. McCarty, which List was signed with Downes' name; but Mrs. McCarty said she did not think it was his writing; but the Robbers insisted that it was his writing; shortly afterwards they enquired for a Man of the name of Doran, saying they expected he was there, as he knew of them coming and was to have assisted them, and that they had appointed to come two months before, but they had brought good Cats to punish him as much as he could bear, had they found him, because he had deceived them; one of them also said that had Downes been there (who they found on Enquiry was not) that he would have put a ball thro' his head as he had deceived them. On hearing the Cock crow two or three times, they proposed to be off, one of them observing that they had to go and punish Bob Hay, for, if they went and took his Sugar and Nankeen, they could sell cheaper than he did. Deponent further states that they had untied the hands of himself, Lucas and Holsgrove, to relieve them, having at first been tied very tight, and that, previous to their going away, they retired their hands and locked the Three Men in the Store Room, leaving the Family in the Parlour, warning them not to stir out of the house, as there would be some one about the House till Daylight; after being locked up, Deponent saw them no more; further states that, during the Time the Robbers were there (it might be about five hours), they frequently went out one at a time as if to speak with some one outside, and to see if the Kitchen Door was Guarded. And further states that on the Robbers first entering the Kitchen, the Man, who afterwards called himself Mills, said that they were not come to hurt the person of any one in the house except that "Damned Whore Mrs. McCarty and she they would f——, afterwards they would plunder the house and then set fire to it"; and Deponent says further that he heard him (Mills) afterwards make use of the same words or words to the same purport to Mrs. McCarty in the Parlour, and verily believes they would have done it, but for the interference of William Holsgrove. Dept. was that morning sent in Company with four others in a Boat to search for the Boat, which the Robbers had taken away with the property, which they found at the Entrance of Herdsmen Cove unhurt, and all the Oars in her.

A. W. H. HUMPHREY, J.P.; JAMES GORDON, J.P.

WM. LUCAS, living in the House of Mrs. McCarty, corroborates the foregoing informations and adds that, on the Robbers entering the Kitchen, the Man who called himself Mills and was called by the Men present their Chief, he is certain was not the Mills that came out with him in the Ship Indefatigable. He also knows Ellis Beagent very well, and is positively certain that he was not one of the Men in the House; the tall Man was very much marked with the Small pox, dark hair and whiskers, well featured, a very active Man, as he danced several Jigs

JOHN X WHITEHOUSE.

WM. LUCAS, living in the House of Mrs. McCarty, corroborates the foregoing informations and adds that, on the Robbers entering the Kitchen, the Man who called himself Mills and was called by the Men present their Chief, he is certain was not the Mills that came out with him in the Ship Indefatigable. He also knows Ellis Beagent very well, and is positively certain that he was not one of the Men in the House; the tall Man was very much marked with the Small pox, dark hair and whiskers, well featured, a very active Man, as he danced several Jigs
in the Parlour very neatly; he also knows Michael Howe very well, and is certain that Howe was not one of them in the House. The person, who first entered the Kitchen and Snapped a musket at him, said “he was very sorry that he had Snapped it, for that it was Ten thousand chances to one that he had been a dead Man”; and further adds that he afterwards saw the same Man draw the contents of the same Musket, Viz. One ball and 14 buck Shot with plenty of Powder.

That, during the conversation at Tea, one of the Robbers ridiculed the idea of any fear on Account of what they had to apprehend for the Crime, they were then committing, for, he said, the Old Gentleman had given them a fine Chance to do just as they liked; and, on Deponent's asking them if they did not intend to deliver themselves up before the Term allowed them by the Proclamation expired, they replied No! they would be damned if they would, as they were going out of the Country in 10 or 12 days, and said as he was a Prisoner he might go with them, and that he should share a part of their Booty, as they were worth Four thousand Pounds Sterling.

WM. X LUCAS.
A. W. H. HUMPHREY, J.P.; JAMES GORDON, J.P. mark

A true Copy.

A LIST of Articles stolen from the House of Mr. Denis McCarty,
New Norfolk, 23d October, 1814.

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Three Silk Dressers trimmed with French Lace</td>
<td>£26 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Three Silk Pelisses (one trimmed with Lace)</td>
<td>£26 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seven yards Pink Silk 20s</td>
<td>7 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Six yards flowered Do. 20s</td>
<td>6 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One Silk Mantle</td>
<td>4 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One black Lace Shawl</td>
<td>10 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One white do. do</td>
<td>10 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forty Yards Black and white Lace 16s</td>
<td>32 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One black Lace Tippet</td>
<td>3 15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One purple Velvet do trimmed with Lace</td>
<td>2 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One white leather Tippet</td>
<td>3 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two Silk Scarfs 25s</td>
<td>2 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One yellow Silk handkerchief</td>
<td>1 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One blue Cloth Mantle</td>
<td>4 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One white Dimity Do</td>
<td>1 15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Twelve white Cambric Muslin dresses Seven trimmed with Lace</td>
<td>37 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Five Muslin Dresses with Lace</td>
<td>25 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Four Colour'd Do</td>
<td>10 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Four Cambric Muslin petticoats</td>
<td>2 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Three common Do. Do</td>
<td>3 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eight Cheimes</td>
<td>8 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nine Pairs White Silk Stockings</td>
<td>15 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two pair black Stockings</td>
<td>4 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eleven Yards black Lustrée 20s</td>
<td>11 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One Pelisse</td>
<td>8 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One pair Gold Clasps</td>
<td>8 8 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two pairs Silver do</td>
<td>6 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two pairs Gold Ear Rings</td>
<td>4 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One Gold Ring</td>
<td>1 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One large Topaz (Gold Seal)</td>
<td>10 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Three Neck Laces with Clasps</td>
<td>10 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One pair Bracelets</td>
<td>1 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One Scarlet Spencer</td>
<td>4 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One common Shawl</td>
<td>0 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Five pairs Dress Shoes</td>
<td>0 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ten pairs Common Do</td>
<td>5 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One pair Sheets</td>
<td>0 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Three table Cloths</td>
<td>3 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One Quilt</td>
<td>4 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Twelve Silver Tea Spoons</td>
<td>0 16</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Three Silver Salt Spoons</td>
<td>9 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One Silver large Spoon</td>
<td>1 15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One red Morocco Work Box</td>
<td>1 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One pair Hold M Germany Work Box</td>
<td>3 0 0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
DAVEY TO MACQUARIE.

A List of Articles stolen from the House of Mr. Denis McCarty, etc.—continued.

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Thread Case with Needles</td>
<td></td>
<td>£0.15 0</td>
</tr>
<tr>
<td>Two Silver Thimbles</td>
<td>1</td>
<td>£0.05 0</td>
</tr>
<tr>
<td>Sixteen Pieces tape 5s.</td>
<td>4</td>
<td>£0.00 0</td>
</tr>
<tr>
<td>A quantity of Thread and Pins</td>
<td>3</td>
<td>£0.00 0</td>
</tr>
<tr>
<td>Three Straw Bonnets</td>
<td>6</td>
<td>£0.10 0</td>
</tr>
<tr>
<td>Two dress Caps with Lace</td>
<td>8</td>
<td>£0.00 0</td>
</tr>
<tr>
<td>Sixteen Yards Ribband 3s.</td>
<td>2</td>
<td>£0.00 0</td>
</tr>
<tr>
<td>Two pieces Calico</td>
<td>5</td>
<td>£0.00 0</td>
</tr>
<tr>
<td>Four Waistcoats</td>
<td></td>
<td>£0.00 0</td>
</tr>
<tr>
<td>One Great Coat</td>
<td>4</td>
<td>£0.10 0</td>
</tr>
<tr>
<td>Six Pairs Pantaloms</td>
<td>4</td>
<td>£0.10 0</td>
</tr>
<tr>
<td>One Sentant Coat</td>
<td>2</td>
<td>£0.00 0</td>
</tr>
<tr>
<td>Eight yards printed Calico 5s.</td>
<td>2</td>
<td>£0.00 0</td>
</tr>
<tr>
<td>One Chest Tea</td>
<td>30</td>
<td>£0.00 0</td>
</tr>
<tr>
<td>One hundred pounds Sugar 15d.</td>
<td></td>
<td>£0.00 0</td>
</tr>
<tr>
<td>One Cask containing 56 lbs. Powder 15s.</td>
<td></td>
<td>£0.45 0</td>
</tr>
<tr>
<td>Twenty eight Pounds Shot 2s. 6d.</td>
<td>3</td>
<td>£0.10 0</td>
</tr>
<tr>
<td>Ten pounds tobacco 10s.</td>
<td>5</td>
<td>£0.00 0</td>
</tr>
<tr>
<td>One Iron pot</td>
<td>1</td>
<td>£0.00 0</td>
</tr>
<tr>
<td>Sixteen Muslin Handkerchiefs</td>
<td>4</td>
<td>£0.16 0</td>
</tr>
<tr>
<td>One dimity Sofa Case</td>
<td>4</td>
<td>£0.00 0</td>
</tr>
<tr>
<td>Two Telescopes</td>
<td>30</td>
<td>£0.00 0</td>
</tr>
<tr>
<td>One Pocket Compass</td>
<td>1</td>
<td>£0.10 0</td>
</tr>
<tr>
<td>Two yards Cambric Muslin</td>
<td>2</td>
<td>£0.00 0</td>
</tr>
<tr>
<td>One yard Muslin</td>
<td>0</td>
<td>£0.14 0</td>
</tr>
<tr>
<td>Six and half Yards trimming 8s.</td>
<td>2</td>
<td>£0.12 0</td>
</tr>
<tr>
<td>Three dozen Buttons 18d. ea.</td>
<td>2</td>
<td>£0.14 0</td>
</tr>
<tr>
<td>Three do. do. 2s. 6d. doz.</td>
<td>0</td>
<td>£0.07 6</td>
</tr>
<tr>
<td>One Gold Breast Pin</td>
<td>2</td>
<td>£0.00 0</td>
</tr>
<tr>
<td>One double barrelled Pistol (the Pair cost 30 Guineas).</td>
<td></td>
<td>£0.54 6 7 6</td>
</tr>
</tbody>
</table>

Quantity of Articles taken out of a dressing Case.

Quantity Silk.

INFORMATIONS OF THREE BUSH RANGERS' ESCAPE.

Hobart Town, County of Buckinghamshire, Island of Van Diemen, Depositions re capture and escape of three bushrangers.

14th January, 1815.

Present:—Reverend Robt. Knopwood; James Gordon, Esqr.

GEORGE NELSON, Prisoner Servant to George Weston Gunning, Esquire, On Oath:—That, on Wednesday the 11th instant in the afternoon, John Johnson, Mr. Gunning's Shepherd, in looking after his Sheep discovered two Bushrangers with a dead Sheep on their backs; he returned to the Hut and DepONENT with a Musket accompanying him; on Deponent's perceiving they were armed with two Muskets, went back for more help; he returned accompanied by Johnson, Whitehead and White, all Servants to Mr. Gunning, and came up with the Bushrangers, from whom they took two Sheep, one Skinned and the other not skinned but dead; they desired them to go away and never let themselves be seen in that Quarter again. On the Thursday 12th instant, William Austin, another Servant of Mr. Gunning's, on looking for his horned cattle, met with three Bushrangers. On Austin's coming to the Hut with his Cattle, informed Deponent, who went to the House of Richard Tray for assistance. Deponent accompanied by others went in search, but could not meet with them. On the same Evening, Deponent, coming up to Hobart Town, on passing the Hut at the Opening (called Campbell's Hut) discovered the dogs belonging to the Bushrangers laying at the door; he returned for assistance and accompanied by Simon White, William Austin and a Servant of Mr. Hogan (called
1815.

Depositions re capture and escape of three bushrangers.

William Hearty) proceeded to the Hut, where they made Prisoners, Hugh Burne, Richard McGuyre, and another Man, whose name he does not recollect, but believes it was Collyer, three noted Bushrangers. They, the Deponent and the others, tied their hands and taking one of their Muskets proceeded to the house of Richard Tray, arrived between 9 and 10 o’Clock in the Evening; it was agreed among the Men, who took the Prisoners that Deponent should go to his own Hut to take care of it, and that White and Austin should remain at Tray’s to guard the Prisoners. Deponent further states that, on the Road from Campbell’s Hut to Tray’s, he asked the Prisoners if they had seen any stray Sheep in the Bush; they replied that they had seen none but a few they had been taking care of for Whitehead, by whom the Deponent understood to be James Whitehead, a Prisoner who had lately returned from the Bush by virtue of the Proclamation; also declares that they were the same Men they had taken the dead Sheep from, the day before they apprehended them, at the Hut, which Sheep belonging to Mr. Gunning and had been butchered as they had their Throats cut.

Sworn before us, this 14th January, 1815:—REVD. R. KNOPWOOD, J.P.; JAMES GORDON, J.P.

A true Copy.

17th January, 1815.

FRANCIS AUSTIN, Prisoner, Servant to George Weston Gunning, Esquire, duly Sworn, states, That, on Wednesday the 11th instant, John Johnson, Shepherd to Mr. Gunning, and Mr. Whitehead, came up to Mr. Gunning’s Hut at the Coal River and took out George Nelson, and informed him that he had seen three Bushrangers take two Sheep upon their Shoulders and carry them towards the Brick Kiln; and then Nelson came back into the Hut and called Deponent, Simon White and James Whitehead to follow him; they armed themselves and went with him; when they had proceeded about ½ of a Mile from the house, Deponent saw John Johnson standing on the Top of a Hill, pointing out the way they were to go to apprehend the Bushrangers; they then proceeded on in the direction pointed out, and, on Nelson having discovered them, they ran away, but Deponent, having gone round the opposite way, met them and levelling his Musket ordered them to stand; they did and Deponent then went up and took a Musket from a Man of the Name of Collier; he then perceived McGuyre to have a Musket, which Deponent desired some of the others to take from him, but they did not. Whitehead then came up to Deponent, and taking the Musket from him, which he had taken from Collier, said this is my Musket, which I gave them; let me see if it is broke, here give it them. Deponent did not immediately give it him, but after taking the Mutton from which Johnson found concealed in their Knapsacks, at the Bushrangers shewing them where another Sheep was, which they had killed, he at the desire of the rest of his Party gave back the Musket. On Nelson calling them Villains for destroying Sheep so wantonly, they replied they would have come to the House, but were afraid to meet with Mr. Gunning, and they only wanted to see Whitehead to get an Iron pot to Cook in, as they had plenty of Ammunition which they procured by selling some Kangaroo Skins, which they brought from Jericho. Whitehead, having the Sheep on his Back, after proceeding about 4 or 500 yards, laid it down, and coming up to the rest of the party called them on one side, and said if you take them up to
DAVEY TO MACQUARIE.

the house that Old Cat (meaning Mr. Gunning's Servant Woman) will tell her Master, so had best give them their Musquets and let them go, and we can say that they run away, only bring up one Napsack and the one Sheep; they then let them go, first warning them never to come near that Place again. On the next morning (Thursday 12th instant), Deponent went out towards Mr. Hogan's farm to bring up the Horn'd Cattle, and, being afraid he should meet with the Bushrangers, he took a loaded Musket with him. On his return home with the Cattle, he met the Bushrangers near Mr. Hogan's farm House, and Collier and McGuire came up to him, Hugh Burn remaining at a little distance. Collier said, I never thought that you Austin would have been the Man to take my Musket from me, as you did Yesterday, but never mind we'll meet again. Deponent then said he would have taken it from his Father in a like case, and was under the necessity of cocking his Musket as they were approaching him, and swore he would blow out the Brains of one of them, if they did not go away. Hugh Burn then called them and they went away. Deponent then went home and reported to Nelson and White what had passed. Nelson said don't mention it to Whitehead, and he would go down to Stynes and Tray to get them to assist them; he (Nelson) did and Richard Tray came up with him. White and Nelson was away for Tray. Whitehead came up and asked where Nelson was, and, on Deponent not giving him a direct answer, said he knew very well where he was gone, but that it would be no good to them. Whitehead then packed up every thing he had in his Master's house, and put them in the Cart and proceeded to Hobart Town, where he was coming on his Master's business. Tray, Nelson and White and Dept. then Armed themselves and proceeded in search of the Bush Rangers; did not find them, but found a Sheep, which had been killed by the Dogs and thrown into a Pond; they also found another whole Sheep and five Sheep Skins; the Skins were thrown into the Water also and Stones thrown on them to Sink them. On coming home, they dispatched Nelson to inform their Master. About 4 o'Clock in the afternoon, Nelson came back to the House and informed Deponent and Simon White that he had seen the Bushrangers in Campbell's Hutt; they then armed themselves and accompanied Wm. Harty (a Servant of Mr. Hogan), proceeded to Stynes, and there got another Pistol, and from thence to Campbell's Hutt; but, before they left Stynes, White asked Stynes and Tray to accompany them, but they both refused; and White then swore that he would not go, as he was no Constable but a Prisoner, and that it was not their business, they being free Men and Settlers. However, White did accompany them, and on the Road they agreed that Harty should enter the House first, and, if they were there, to inform them by his remaining; but, if they were not there, to come and shew himself. Harty had scarcely entered the house, when Deponent saw their Dogs, and he rushed forward, and two of the Bushrangers on his Entering run under the Bed Place and the other under a canvas Tent, which was laying in the Hut. Nelson and White then came in, and Nelson seized a Musket which was laying on the Bed. Downes, the Stock keeper who lives at the Hut, snatched at it and swore it was his. Nelson would not give it to him, but gave it in charge to Harty. They then seized on James Collier, Richard McGwyre, and Hugh Burn, three noted Bushrangers, and tied their hands and then lashed them together. Downes was cooking some dinner and had some Salt Pork and Dough Boys in an Iron Pot, and he requested they would let the Men remain a little while 'till they could have something to Eat; and he gave the Bushrangers all he
1815.
— March.

Depositions re capture and escape of three bushrangers.

had in the Pot, which they Eat; the party then took them and marched them from Campbell's Hut to the house of Stynes and Tray; but, before they went from the Hutt, the Bushranger McGwyre told Downes, that when Whitehead should return, to inform him that they had left his Musket and Dogs at the Hut, and that the other Man (meaning another Bushranger) was at the back of the Sugar loaf with the Sheep and that he (Whitehead) knew very well where to find them. It was between 9 and 10 o'Clock at Night when they arrived at Stynes and Tray's House, who were in Bed; they got up on the Dogs making a Noise and let them in, and Tray lit a Candle for them and then went to bed; but, on being asked if they would assist them to guard the prisoners, they said that, as Deponent and Party had taken them, it was none of their business, and told them to take care of them themselves. Soon after a woman of the name of Margaret Jones, who came down here in the Kangaroo and who cohabits with Richard Tray, came into the Room and made a Bed for the Bushrangers to Sleep upon and then retired. It was agreed among the Men, who took them, that Deponent and White should remain to guard them, and that Nelson should go home to take care of their own House; and, about an hour after Nelson was gone, White called Deponent out of the House and said, "Now, Austin, consider what you are doing; here are two of our Country Men among them, and, if they are taken down to the Town, they are as Dead as if a House should fall on them, and we don't know how soon it may be our own case; and Nelson and I have agreed to let them go; so don't have any Person's blood upon your hands to be called a Rogue among the Prisoners, your comrades, for the sake of 4 or 5 Lousy Sheep, for Mr. Gunning would not go to Sydney to prosecute them for all the Sheep he had." Deponent replied that Mr. Gunning was the best Judge of that, but that he was determined they should not escape from him, if he could possibly prevent them. Deponent and White then went into the house and sat down White close by the Prisoners and Deponent at the opposite side of the Room. In about 5 Minutes, White got up and called McGwyre to him; they went outside the Door. Deponent could not hear the conversation between them, but in about two or three minutes they returned and McGwyre and Burn came up to Deponent and offered him Five pounds, if he would lay down and go to Sleep, as White would loose their hands and let them go. Deponent replied that he should neither lose their hands, or should they escape if he could prevent it. Deponent then went and sat down by the door with his pistol in his hand, and in a little while White said, "Austin, why don't you lay down and take some rest, as you will be very much fatigued going to Town to-morrow"; he replied he would not. White then said, if you are twice as knowing as you are, they will get from you after all. Deponent then called to James Stynes and Richard Tray to take charge of them; they said that they had been reaping all day and were tired and would take no charge. Dep't then asked if they would take charge of them, 'till he went to fetch Nelson; they said they would take no charge of them. White then took the Stool on which he sat, and threw it along the floor in a violent manner to make a noise, but Deponent does not know for what purpose. Shortly after this, Deponent asked White if he would assist him to take them up to their own house; this was about twelve o'Clock at night. White answered he would. Dep't then said, as we shall all have charge of them and they should escape, they would be all equally to blame; but states that he knew if he could get them there that Nelson and Johnson would
not suffer them to escape. The prisoners answered they would not go, as they were nearer to Hobart Town where they were; but deponent insisted on their going, as he saw that White was disposed to let them escape, and that Stynes and Tray would not assist him. Before leaving the house, one of the Prisoners complained that his hands were tied too tight, and White immediately Slacked the Cord to ease him and also the hands of another. On the Road to their house, and not far from Stynes and Trays, Hugh Burn run to the left to gain the Hills. Dep't followed leaving the other two in charge of White; he had not run above Fifteen paces, when White called to him that the other two had also run; he then run after the other two; on calling to them to stand and not obeying him, he fired his pistol at McOwyre, who he saw fall, and returned to White for the other loaded Pistol; but, before he got up to him, he fired it in the Air, saying now that's enough, for Stynes and Tray must have heard both reports, as also Mr. Lord's people and Ankers', who live at no great distance; having no Ammunition, Deponent went home and called Nelson to go with him to where the Dogs were left; but, being very dark and 5 or 6 miles from their house, they did not go. Depon't further states that, while he was at Campbell's Hut, he observed Whitehead's Rug, and Nelson asking Downes if Whitehead had been there; he said that he had and left all his Things as he went past with the Cart.

Sworn before me:—James Gordon, J.P.

Francis X Austin.

Governor Macquarie to Lieut.-Governor Davey.

(Despatch per schooner Geordy; acknowledged by lieut.-governor Davey, 30th April, 1815.)

13 March, 1815. [A copy of this despatch is not available.]

Lieut.-Governor Davey to Governor Macquarie.

(Despatch per schooner Henrietta Packet; acknowledged by Governor Macquarie, 18th July, 1815.)

13 March, 1815. [A copy of this despatch will be found on page 472, volume VIII, series I.]

[Enclosure No. 1.]

[Enclosure No. 2.]

Depositions.

10th March, 1815. Informations respecting the Stacks of Wheat set on fire by the Bush Rangers. A. W. H. Humphrey, Esq., etc., etc.

Hobart Town, 10th March, 1815.

Present:—James Gordon, Esquire.

Information of Adolarius William Henry Humphrey, Esquire, on Oath states:—that about three week ago, while engaged in getting in his Harvest at Pitt Water, he received a letter from His Honor the Lieutenant Governor, requiring his immediate attendance in Hobart Town, in consequence of which he came to Town and hath since that
time been discharging his duties as Justice of the Peace in the Court House. About Eleven o’Clock this morning, as he was passing down towards the Wharf, he was met by a Constable of the name of Bingham, who informed him that he left Pitt Water about daylight this morning, having Slept at the House of Robert Nash, Settler, last night; at about twelve o’Clock at Night, while he was at Nash’s House, a Man came in great haste to inform Nash that all the Corn Ricks and Barn belonging to Bartholomew Reardon, one of the district Constables at Pitt Water, had been set fire to by some malicious persons and entirely consumed; and that the wheat and barley Ricks, belonging to this Informant, were then on fire. Bingham and Mrs. Nash then went on the rising Ground, from whence they could see his premises, when they perceived them all in a blaze; the Ricks of Informant contained the whole of the Grain grown on his farm; the Wheat was the greatest Crop Informant had ever seen and was averaged by every one, who had seen it not only before it was cut but after it was Stacked, to have yielded from 35 to 40 Bushels pr. Acre. Informant has not been able to learn whether his Dwelling house and out buildings have been destroyed. A. W. H. HUMPHREY.

Taken and Sworn before me, one of His Majesty’s Justices of the peace, at Hobart town, this 10th day of March, 1815:—JAMES GORDON, J.P.

a true Copy:—T. DAVEY.

JOHN BINGHAM, free man and Constable at Pitt Water, states on Oath:—Yesterday about two o’Clock in the afternoon, a man of the name of Hunnaway came to his place with two Bullocks and a Cart with some Sugar and Tea, Flour, etc., etc., who requested Informant to take the Articles in the Cart over Pitt Water in his Boat to Hunnaway’s house or Nash’s House, where he lives; he did and, it being late, he stoped at Nash’s house all Night. About two o’Clock in the Morning (10th March, 1815), a man on Horse back came to Nash’s house, who desired him to look to his Wheat Stacks, as Bartholomew Reardon’s Stacks and Barn were totally burnt, having been set fire to by some Malicious Persons, and that Mr. Humphrey’s Stacks were then in a blaze; the Man, who came on Horseback, was a Servant of Bartholomew Reardon’s. Informant then went upon the rising Ground between Nash’s house and Reardon’s, accompanied by Mr. Nash, who, when he could see Mr. Humphrey’s Premises, and he saw them all on fire, but, as he did not go to the house, does not know whether the Dwelling House is burnt; he returned to Nash’s House, and from thence immediately took his Boat and came across Pitt Water, and proceeded to Town to give Information. The Man, who came to Nash’s House, told Informant that, the Night before the Stacks were burnt, they were alarmed at Bartle Reardon’s by the barking of his Dogs; that Reardon and his Servants went all round the Premises, and he supposes they had been prevented committing the act the night before. JOHN BINGHAM.

Taken and Sworn before me, one of His Majesty’s Justices of the peace, at Hobart town, this 10th day of March, 1815:—JAMES GORDON, J.P.

a true Copy:—T. DAVEY.

Information on Oath of JOHN BROUGHTON states:—That, on Saturday morning early, the Eleventh March instant, he received orders to go to Pitt Water; that he accompanied John Huxley and George
DAVEY TO MACQUARIE.

Ashton, Constables, who with him arrived on Saturday Evening; went to Bartholomew Reardon's house; enquired about the fire and burning of the Stacks of Wheat; in the course of conversation with Bartholomew Reardon, he understand that the paper (which he now delivers into Court) was found near to the Stacks burnt belonging to Mr. Humphrey. "Copy of which is as follows."

[This paper had the words "For in justes and we begin the next is B R'eardonby . . . for you all." Between the words "is" and "for" was a sketch of a musket pointed at a man's head.]

Informant received the paper from John Berehall, one of the district Constables at Pitt Water, who told him that his boy (Billett) had found it near to Mr. Humphrey's Stacks, which were burnt. Huxley and himself traced the feet of two horses both coming from and going to Mr. Humphrey's Farm. Huxley observed "that he could take his Oath" that the prints had been made by the feet of the Horses, which were stolen from his place at Kangaroo point, belonging to James Gordon, Esqr., and Wm. Maum, Storekeeper.

JOHN BROUGHTON.

Taken and Sworn before me, one of His Majesty's Justices of the Peace, at Hobart Town, this 13th March, 1815:—A. W. H. HUMPHREY, J.P.

a true Copy:—T. DAVEY.

Information on Oath of NATHEMEL AYERS, Settler, states:—that on Thursday night last he slept at the house of Bartholomew Reardon's at Pitt Water, and about one o'Clock in the morning had occasion to go out, when he discovered one of the Corn Stacks on fire; he immediately return'd into the house to alarm Reardon and his Servants, who instantly got up, but, before they could get to the fire, it had communicated to the roof of the Stacks and also to the Barn, which was immediately contiguous, and, with all their Exertions, were not able to save more than 40 or 50 Bushels of Wheat, which was threshed and about a dozen Sheaves, as the fire then became so hot, the people could not get near it; about 4 of an hour after Depoent had given the Alarm, on looking towards Mr. Humphrey's House, "which is near a mile distant," he discovered a very bright light; and, as soon as a Man could be spared (in 10 Minutes or less), he sent one to inform Mr. Humphrey's Servants and to see if they were up, supposing his Stacks were on fire. Depoent further states that there was no fire in the Stubble or Grass any where in the Neighbourhood, and that it was very evident the Stacks had been set fire to Maliciously.

N. AYERS.

Sworn before me, this 13th March, 1815:—JAMES GORDON, J.P.

Hobart Town, 13th of March, 1815.

Present:—James Gordon, Esqr.

'INFORMATION' on Oath of BARTHOLOMEW REARDON, Settler in the district of Pitt Water, deposes:—About One o'Clock in the morning of Friday last, I was alarmed by Mr. N. Ayers informing me that my Corn Stacks were on fire. I instantly called my Servants, but, before I and my Servants could get to the Barn, the whole of my Stacks and Barn were completely on fire. I with my Servants used every exertion, but could not save more than about a Dozen Sheaves and forty or fifty Bushels of threshed Wheat. I sent a Servant to see if Mr. Humphrey's Servants were up, as I perceived a bright light at his house.
13 March.

Depositions re burning of stacks of
A. W. H. Humphrey and
B. Reardon by bushrangers.

about a Mile off, suspecting his Stacks were on fire also. The Loss sustained was the whole of the Crop grown on about Seventy Seven Acres of Ground, Viz.

65 Acres of Wheat; 10 Barley; 2 Pease,
which were entirely consumed except Fifty Bushels of Wheat for the consumption of my family, and the forty or fifty Sheaves saved from the Fire. Also my Barn, which I was then on the point of completing, on which I had expended from Four to Five hundred pounds Sterling; and I am positive there was no fire in either the Stubble or Grass in the Neighbourhood, and that it must have been Maliciously Set fire to

BARTHOLOMEW REARDON.
Sworn before me this 13th day of March, 1815:—JAMES GORDON, J.P.
A true Copy from the Court Record.

9 April.

[Enclosure No. 2.]

INFORMATIONS, D. McCarty and Christopher Hacking, on Charles Carlisle's Death.


DENNIS MCCARTY, Settler at New Norfolk, on Oath states:—That, about 9 o’Clock on Monday morning last, while at breakfast, a Man, "Servant to Charles Carlisle," came running in and informed me that a large party of Bush Rangers were plundering the Settlement, and that they were coming to my house. I called all my Servants into the House immediately, and distributed them about the house to wait their Attack. Mr. Jemott was there in the House, who took charge of part of the Servants at one end of the House, and myself with the other Servants at the other part of the House; after waiting some time in expectation of their coming up, Charles Carlisle and Thomas Murphy came to the House and informed me that the Bush rangers had taken a different rout, as if they were afraid to attack my House. I then made Enquiry into their Strength and the manner in which they were armed, and, finding them very strong, I nevertheless thought that, with the proper Assistance of the Neighbouring Settlers, we might take them. I, therefore, ordered a Horse to be Saddled and sent Thomas Newby amongst the Settlers to desire them to Muster all the Arms, which the Banditti had left, or all that could be got, and to meet at the Rear of Hay's House, where I conjectured they were

* Note 53.
DAVEY TO MACQUARIE.

gone, and that I would, with the Party I had, attack them in front; at the same time to make all the Noise they could, when I commenced the Attack in front; when Newby returned, I sent him to look out for the Bush rangers, being apprehensive they would secret themselves, and, when I was out with the Party return and load my Boats with their Plunder and make their Escape. Newby returned and informed me they were at Hay's house with a Sentry walking in front of it. I then took and Armed my Servant, and went towards Hayes's; when we got near the house, we were informed they had left, and were gone to James Triffit's. I then pursued, sending to Hay's to collect all the Force he could and follow; on my Arrival at Triffit's, they were gone, and I was informed they had just left the House after stripping it of every necessary, and that they had taken George King along with them with the intent, as was supposed, to Murder him. I enquired the Rout they had taken, and found they had gone toward Macquarie Plains. I then consulted with the Party with me, and, they promising to support me when I found the opportunity to rush on them, I pursued, tho' I was fearful we were not strong enough, for I had been informed they were Nine in Number with Twelve Muskets, two double Barrel'd Guns, and a number of Pistols, and my party had only Five Fowling Pieces and three Pistols; about two Miles from Triffits, I came up with them; they were sitting, and, before I saw them, I was within twenty yards of them; they were just on the Edge of a Plain among the Trees, and I in the open Ground; wishing to gain the Trees, I with the Party rushed forward to gain the Shelter of the Trees also, and, when I had got within Fifteen yards of them, I saw two of them seize their Muskets and stand; the rest run. I immediately fired and a Man fell; they then perceiving that only one man rush'd on with me, they returned and took up the Arms they had left in their Hurry, and commenced firing on me. I was, therefore, under the necessity to retreat to the nearest Shelter; they had then got themselves placed behind a hollow Tree with holes in it, thro' which they fired, and, as my party came up to support me, they were all wounded except one young Man, who supplied me with Ammunition. Mr. Jamott, I believe, was the Man who fell first, and, in less than five Minutes, the rest dropt; and, finding myself with only one Young Man by me, I prepared to retreat, when the Bush rangers called out to me to lay down my Gun and give myself up. I replied, I would not, but would have another Shot, and then see who could run fastest. As soon as I got down to my house, I sent out my Cart to bring in the Wounded, and sent Newby down to Hobart Town with a Letter to the Lieutenant Governor to inform him of the circumstance.

Dennis McCarty.

Sworn before us, this 29th day of April, 1815:—A. W. H. Humphrey, J.P.; James Gordon, J.P.

Christopher Hacking, free man, on Oath states:—that he was out with McCarty's Party, and was present during the whole of the Transaction, and was the only Person who remained with the People after they were wounded; states that he was armed with one Pistol, and, after McCarty had retreated, the Bushrangers called out to rush, and Three ran up the Hill after McCarty, and the rest stood behind to keep a look out, fearing there were more people to attack them. One of the Bushrangers, Peter Geary, formerly a fifer in the 73d Regt., then run up to Thomas Murphy, who was laying Wounded and bleeding much through his Clothes, and, putting the Muzzle of his Musket to his
1815.
30 April.

Depositions re murder of C. Carlisle by bushrangers.

1815.
25th April.

Depositions on Inquest on body of C. Carlisle, Murdered by Bushrangers.

HISTORICAL RECORDS OF AUSTRALIA.

breast, Swore he would shoot him. Deponent then was standing by Carlisle, and heard another Man call out to Geary not to Shoot him; then Geary said, let us flog him. Murphy replied, for God's sake don't use me ill, for I am a dead Man already; the Bushrangers then gathered up all the Arms, which belonged to the wounded, taking the pistol and Ammunition he " this Deponent " had; they then asked him how many there were of McCarty's Party; he told them. After consulting among themselves, he asked them if he might go for a Cart; they told him to go, and one of the Bush Rangers took off his handkerchief and gave it to Deponent to tie up Carlisle's Wound; they spoke to Carlisle, and said they were very sorry for his fate; he replied that he forgave them, and begged they would not destroy his Stock, which one of them promised they would not, and shook him by the hand. Geary then went up to O'Burn, who was laying on his face and with his foot pushed him over, saying, what fellow is this." Deponent told him he belonged to McCarty's Schooner, and he then left him. Deponent then went for a Cart, and on the way met with some people coming out with a Wheelbarrow, saying they could not get a Cart, and had brought a barrow; he returned and they took in the Wounded to James Triffit's, where a Cart came from McCarty's. When Deponent returned to the wounded, the Bushrangers had left them, taking all the Arms there were. Three of the Men, who Deponent knew, Viz. Geary, Hugh Burn, and Collyer; he further states that there was a Man among them, who had a large lump or Swelling over his right Eye.

Sworn before us, this 29th of April, 1815:—A. W. H. Humphrey, J.P.; James Gordon, J.P.

Inquest on body of C. Carlisle, Murdered by Bushrangers.

25th April, 1815. Depositions on the Inquest on the body of Charles Carlisle. Hobart Town, County of Buckinghamshire, Island of Van Diemen.

Depositions taken on an Inquest, held at Hobart Town, this 25th day of April, 1815, on view of the body of Charles Carlisle, Prisoner, now lying dead, before Adolarius William Henry Humphrey, Gentleman, Coroner for the County aforesaid.

George Bush, assistant Surgeon in His Majesty's 46th Regt. of foot, called and duly sworn, deposes:—I have examined the Body of Charles Carlisle here lying dead. Am of opinion that his Death was caused by loss of blood in consequence of the division of the principal Artery of the Thigh, and the wound appears to me to have been caused by a Musket Ball, or several Balls together, as the Orifice is very large.

George King, Prisoner, duly Sworn deposes:—About 8 o'Clock yesterday morning (24th inst.), a party of Bushrangers, consisting of Eight Men and one Black Girl, Viz. Whitehead, Peter Septon, Michael Howe, Hugh Burn, Richard Collyer, and the fifer belonging to the 73d Regt., also Richard McGwyre, came to the River Plenty, as I was informed by Thomas Francis, and that they had killed a Government Cow. I also heard that they went to Thomas Gay's, a constable, and took possession of the Articles which the party (of which Gay was one) had taken from them a short time before; the Bushrangers then proceeded to Barnes' house, asked for fire Arms, as I was told, then went to William Able's and enquired for fire Arms and also for me: they afterwards went to Charles Carlisle's house, from whose house they took some property, Viz. a Gold watch, etc., with other Articles as I was told by Flaherty. They then proceeded to Thomas Humphrey's house, asked for his Arms; they then went to Bryant Cullen's house.
DAVEY TO MACQUARIE.

95

when they got a Musket and a Cutlash. ("Whitehead told me this, when I was with his party"); they then went to Robert Hay's, a Constable for the district of New Norfolk. George Porter, Thomas Francis and Self were there (Robert Hay was at this time from home); they had taken him at a stream called the front River. Porter, Self and Francis went out of the House, when I saw the Bushrangers coming. I had a brace of pistols, George Porter had a Musket, as also Francis' one. I with Porter and Francis advanced, when one of the Bushrangers fired a Musket at Francis. I do not know the Man that fired, it was not one of the Men, whose Names I have mentioned. Robert Hay held up his hand as a Signal for me to retire. I then ran from them. Thomas Francis put down his Musket and waited until the Bushrangers came up. Porter also laid down his Arms and stood still; the Bushrangers pursued me and fired Three Shots at me; the Men who fired were Collyer, Howe and Geary; when I could not run any further, being quite exhausted, they came up, two of them laid down their Arms in order to tie my hands behind me, which they did; they made me walk ahead of them, Geary holding a pistol cocked at my back; Peter Septon had a Musket with the Muzzle close to my head and desired me to walk on; they took me to Robert Hay's house and there untied my hands, and four of them, Viz. Howe, Septon, Burn and Collyer stood Sentry over me; the Black Girl, who is a Native of the Island, was placed to watch Robert Hay's front Door; three of the Men then went to Triffitts, Whitehead was one; it is almost a Mile distant from Hay's House; after they had been gone some time, they returned with property, which they had stole from Triffitt, viz. Shoes, Jackets, etc., etc. After this party had returned to Hay's, the whole party went up to Triffitts, as they said to get some Sugar, taking me along with them; as soon as they entered to Triffitt's house, Mrs. Triffitt entreated they would give her back some of the things. Whitehead took off his hat and gave her a Bed Gown not made up. Septon and Howe went into the Room and filled their Knapsacks with Sugar. They all left Triffitt's and proceeded on towards the Stony Hut planes, taking me along with them. At about a Mile and a half from Triffitt's, they sat down to rest and gave me a piece of Green Cow Hide to make a pair of Morgazeens for myself. I had not sat down long, when Dennis McCarty and Brown (alias Kitchme) came running up. Brown ran in among the Bushrangers before any one saw him with a Cutlash. Brown made a Cut with it, but I can't say whether he cut one of them. McCarty called to me and told me to hold down my head. I did so and he (McCarty) then fired off his fowling piece at the party of Bushrangers. I did not observe any one fall; the Bush rangers then ran, but did not go far before they stopped, and again returned. McCarty fired a second time. The Bush rangers then went to a large Hollow tree, some of them got into it in order to fire through holes in the Tree, while the others stood behind it. I then saw Carlisle, Jamott, O'Burne, Thomas Murphy, James Triffitt, Thomas Triffitt, Christopher Hacking, Tooms and another Man, whose Name I do not know, along with McCarty; the party with McCarty had but five Muskets and two or three pistols. I then went behind a Tree and distinctly saw Whitehead fire the first. One Man fell, I am not sure whether it was Jamott or Carlisle. I then saw Michael Howe fire from behind the Tree; one Man then fell, it was either Jamott or Carlisle; they were the two first that fell; there were only two Shots fired, first by Whitehead, second by Howe. I then heard a third Shot fire from behind the Tree, but can't say who fired it. I saw O'Burne fall. I was at this time
behind a Tree, when McCarty told me to run back. I went a little way and stopped. I saw Thomas Triffitt fall; can't say who fired the Shot at him, I was running from them at the time and the Bush-rangers were firing at me. I saw three Balls fall near me. Thomas Triffitt got up and ran from them; such of McCarty's party, who had no Arms, retreated back leaving McCarty and the wounded Men at the Spot where the Men were Shot. I heard the Bush rangers call out to McCarty to drop his Arms and give himself up to them. McCarty's party that were retreating stopped and heard McCarty say, he would be damned if he would, for that he would have another shot at them. McCarty then fired and ran with his party towards the Settlement at New Norfolk; the Inhabitants at the Settlement went in search of the wounded, Crochan was one. In about three hours after, Crochan and others brought Carlisle (the deceased) in a wheelbarrow to his own house, and, as they brought him to his own door, he died. I afterwards saw Triffitt, Jamott and O'Burne brought to McCarty's wounded; O'Burne was wounded through the Jaw; he could not speak; Jamott was wounded in the upper part of his thigh; Triffitt was also wounded in the thigh. Murphy I did not see, I was informed he was wounded in three places. After this I came from New Norfolk to Hobart Town, at which place I arrived about Three o'Clock (25th instant) in the Morning.

Question. Were the Bush rangers anywise disguised, when you saw them? Answer. No! they were all armed with a Musket Each, and some with a brace of pistols as well as Cutlashes.

JOHN BROWN (alias Kitchme), a free man, duly sworn: About 12 o'Clock yesterday (24th instant), hearing that there was a party of Bushrangers committing Depredations in the Neighbourhood of New Norfolk, Robbing from House to House, Mr. McCarty, Jamott, Carlisle, O'Burne, Murphy, Triffitt, Thomas Triffitt, and two Men belonging to Mr. McCarty went in search of them. On starting, it was agreed to take them or Die in the attempt; to our great surprize, we overtook them about ¼ of a Mile at the back of Triffitts; they were sitting down making a pair of Morgaeens for George King. McCarty and I went first. McCarty got within 40 yards of them and then fired; one Man fell but got up again; I do not know who he was. I then ran in among the Bush rangers, who left their Arms and went a small distance, looked back, and, observing no other persons but myself and McCarty, they returned and took up such of their Arms, as they in their hurry had left behind them. McCarty then retreated back to a Tree, where his party were and loaded again. McCarty then said, Now you Dogs, if you are Men, face us like Men. I had no Musket only a Cutlash, with which I struck at several Men, but did not wound any one; finding there was no one close to me, I retreated and joined my own party. I do not know the Names of the Bush rangers; there was Eight Men and one Native Black woman. The Bush rangers got behind a Tree and commenced firing. I saw Three of McCarty's party fall, Carlisle, Jamott and O'Burne. Upon McCarty looking round and seeing the Three Men fall and laying on the Ground, McCarty then ran; the Bush rangers run after him, calling to him, saying, 'McCarty, Stop, You Scoundrell, it is you we want, or we will blow your brains out.' McCarty replied, I will have a run for it! I returned to the Settlement.

PATRICK FLAHERTY, a prisoner holding a ticket of leave, Servant to Charles Carlisle, the deceased, called and duly Sworn, deposes:—Yesterday morning (24th instant), I was cooking breakfast for my
DAVEY TO MACQUARIE.

Master about 8 o'Clock as near as I can recollect, when Three Men entered the Hut of the deceased, Charles Carlisle, and each presented a Musket at me, and charged me not to Stir on pain of death. I told them there was nothing in the house worth their troubling their heads about; they then attempted to burst the Door of the Room, where my Master was laying, but my Master got up and opened the Door; they forced him out of his room into the kitchen, he having only his Shirt on. My Master asked permission to put his trousers on, which they granted. My Master desired to know what they had taken; they replied only a little Tea and Sugar, his Musket and what Ammunition that was in the place and then went away, after which I searched his room, found his pocket book gone, his Watch, a pocket pistol, several pairs of Stockings, together with two pair of Silk Stockings. The first Man that entered the house was Collyer, who formerly went in the Government boats; Second Man was Richard McGwyre; third Man was Hugh Burn; fourth Man was the Fifer of the 73d Regt.; fifth Man, I did not know. Outside of the House stood Michael Howe with a pistol, a Musket and a Sword, who had Command of the party, directing the party what to do. Howe directed them to put some flour out of their knapsacks, and put Tea and Sugar in, which they stole from my Master. I also observed Whitehead, who spoke to me through the Window, asked me if there was not two or three parties of Soldiers out, adding, if another party came out, they would then come and Attack the Town and see what they would do then; they took the property and went off; when the Men left my Master's house, I went through the Bush to McCarty's house and informed him what I had seen, but found McCarty, Jamott, O'Burne, Carlisle and others were gone out in search of the Bushrangers; as soon as I got some refreshment, I went after them, but did not proceed any further than Robert Hay's house, being unarmed; while I was at Robert Hay's house, I heard that my Master was wounded. I then went out in search of him. I found him with four Men, who had got him on a Wheelbarrow bringing him to James Triffitt's house; and, on coming up to My Master who was bleeding very much and who said it was a bad job, that he was not long for this world, which he repeated more than once, I went on a little distance and met with two Men, who had O'Burne under their Care. I took O'Burne on my back and carried him to James Triffitt's; to which House My Master was also carried, where he remained for 3/4 of an hour, during which time they Endeavoured to stop the bleeding, but could not with any thing they tied round his thigh. My Master was then put on a Wheelbarrow and conveyed home. I went with the Cart, which Mr. O'Burne was conveyed in to Mr. McCarty's house. On arriving at McCarty's house, I heard that my master was Dead. I then came down to Hobart Town.

JAMES TRIFFITT, Settler at New Norfolk, called and duly Sworn, deposes:—I was one of the party, who went out with the Decesed in quest of the Bush-rangers. Yesterday I saw the deceased fall, but do not know the Name of the Man that shot him, nor can I say whether he was the first Man that fell; but I think he was the Second that fell. I do not know the Names of the Bushrangers.
ROBERT HAY, Constable for the district of New Norfolk, Sworn, deposes:—I saw the Bush rangers but not the whole of the banditti at the house of John Barnes; there were Eight Men and a Native Girl. I knew Whitehead, Howe, Geary, McGwyre, Burn and Collyer; the other two Men I did not know their Names, but one of them had a lump on his Eye; to the best of my recollection the other Man I have seen in the Town, but did not know his Name. I should know him again, if I was to see him. I do not know the Man that went first to pick up the Wounded. I heard the deceased (Charles Carlisle) say more than once, I am a dead Man.

VERDICT. The Jury declare that Charles Carlisle was Murdered on the 24th day of April, 1815, by James Whitehead, Peter Septon, Michael Howe, Richard Collyer, Richard McGwyre, Hugh Burn, Peter Geary, together with another Man whose Name is at present unknown, and a Black Woman, Native of this Island.

A. W. H. HUMPHREY, Coroner.
DAVEY TO MACQUARIE.

New Norfolk. On the Friday morning, the constable (Thomas Gay) and I, having the prisoner in charge, sent the other four men of our party in search of the sheep. I went down to the brink of the river to wash myself and returned to Gay and the prisoner, and then Gay went to wash himself when I guarded the prisoner. I set the prisoner to make a cake, and on my looking round the man made his escape. I presented my musket, which miss'd fire, and, the man gaining the brush wood and a very thick fog on at the time, I lost sight of him. The four men, who went in search of the sheep, joined me and Gay about 10 o'clock with sixty two of the sheep. We then proceeded together to New Norfolk, where we arrived on Saturday the 16th instant. When the prisoner made his escape both the dogs followed him; while the prisoner (Hugh Burn) was in our custody, he told me that the other three men, who had escaped were James Whitehead, Richard McGuyre and William Martin, and that Richard Collyer had charge of the sheep at a little distance from the hut; the party did not see him.

Sworn before me, this 19th day of April, 1815, in the Court House, Hobart Town:—James Gordon, J.P.

Thomas Gay, district constable at New Norfolk, on oath deposes in every particular to the information given by James Triffit, and, as he was one of the party who accompanied him, can say no further.

Sworn before me, this 19th day of April, 1815:—James Gordon, J.P.

George king, ticket of leave, servant to William Abel at New Norfolk, on oath deposes, that, on Saturday the 8th instant about 3 o'clock in the afternoon, I, with William Abel, Richard Hutchinson, stockman to George Salter, and William Davis, stockman to James Triffit, were in the hut we live in. We were surprized by four men with their faces and hands black'd, and well armed with a good musket each; the bush rangers made me and the other three men lay down under the bed place, and cover'd us over with a kangaroo rug to prevent our seeing them; two of the bush rangers stood sentry over us; the bush rangers stop'd all night and made Hutchinson cook for them, and, on the Sunday morning about 7 o'clock, they left the hut, taking with them a musket belonging to Triffit, an ax, two tin dishes, a bag containing about 15 lb. of flour, two tin pots, about 1 lb. of gunpowder and ten musket balls, some onion and cabbage seed, and one gimblet; before they left, they enquired how far they were from the nearest houses; they were told about five miles; they (the bush-rangers) then went to the sheep, which were lying on the plain about 1/2 mile from the hut, and drove off 79 sheep, which they took away with them. On the Monday morning (10th instant), I accompanied Thos. Gay and four men in search of the bushrangers, and on the Thursday we fell in with them about six or eight miles from where they crossed the river; and after several shots were fired, first from the bush-rangers (Whitehead was the first who fired), we succeeded in taking Hugh Burn; we then came back to their hut, when we took away every thing which could be of service, at least I believe so; for, at the time, I and three of the men went in search of the sheep, leaving Hugh Burn in custody of Gay and Triffit. On the Friday, I and the three men found 62 sheep, which we brought to the banks of the river, where we met Gay and Triffit and found the man (Hugh Burn) had effected his escape.
1815.
30 April.
Depositions re robbery at house of J. Triffit by bushrangers and capture and escape of H. Burn.

I was so near the Bush rangers, when they fired, as to know that they were the same Men who had robbed the Hut on Stoney Hut Plains the Sunday previous; their Names were Whitehead, Collyer, Burn and Willm. Martin, known by the name of the Fidler. Burn, when first taken, informed us and my party where the Sheep were; one dog followed Burn, which (as I was told) ran after him when he made his Escape.

GEORGE X KING.

Sworn before me, this 19th day of April, 1815, in the Court House, Hobart Town:—JAMES GORDON, J.P.
A true Copy from the Court Record:—T. DAVEY.

Court House, Hobart Town, 21st April, 1815.
Present:—A. W. H. Humphrey, Esquire; James Gordon, Esquire.
PETER GALLAGHER, Prisoner, Servant to Abraham Hands, On Oath States, I, with Thomas Gay, James Triffit, Thomas Triffit, George King and William Davis went out on Monday the 10th instant in search of the Bush rangers and Sheep, which they stole from the Stoney Hut Plains. We tracked the Sheep across the Fat Doe River, and from thence to the Big River, and about Seven Miles on the South side. On Thursday the 13th instant, we fell in with a temporary Hut and Five Men near it. My party rushed down upon the Men, and, when we came within about one hundred yards, the Bush rangers fired one Musket, and immediately three Muskets were fired, and shortly after another Musket; the Bush rangers then ran away; my party was so near to them that I know the party of the Bush rangers very well; their Names were James Whitehead, John Jones, Richard McGuyre, William Martin and Hugh Burn. We pursued them and made Prisoner Hugh Burn; we then returned to the Hut, where we found two Fore quarters of Mutton roasting at the Fire, and two hind quarters and part of another Sheep and three Kangaroos hanging up. In the Hut was found a loaded Musket, five tin Pots, two Tin Dishes, a kedgeree Pot, about fifteen pound weight of Flour, some Powder, Balls and Lead; immediately after our coming up to the Hut, I with George King went in search of the Sheep; we found Sixty two Sheep, and brought them to the Bank of the River to join the rest of the Party with the Prisoner; on our Arrival, found that Hugh Burn had made his Escape; after that we came down to New Norfolk and arrived on Friday Night about 9 o’Clock. I am positive that the Prisoner (William Martin) now before the Court is one of the Men who fired upon my party.

PETER GALLAGHER.

Sworn before us, this 21st day of April, 1815:—A. W. H. HUMPHREY, J.P.; JAMES GORDON, J.P.

INFORMATION of WILLIAM MARTIN, Bush ranger, states that he, with Jones, Collier and McGuyre, were the persons who robbed the house of David Gibson at Fort Dalrymple of two Gown Pieces of Muslin, one Silver Tea spoon, and two Silver Table Spoons, two Sheets, one handkerchief containing some Tea, 1 Pistol and one Musket, two pieces of Nankeen and one Pair of Pantaloons. The pistol was left at Mr. Fisk’s house the night of the robbery by Hugh Burn. That Burrell, a Stock keeper to Mr. Ingle at the Cross Marsh, supplied him and his Party with Gunpowder, for which they gave him the Fowling Piece, Silver spoons, Ladle and a Child’s Silver Pap Spoon, which was stolen from Mr. Fisk. That it is now about three weeks or a Month since
Whitehead joined the party he was with; that Whitehead was brought to their Hut in Abyssinia by Burrell. Whitehead there informed him of the Stacks and Barns being set fire to at Pitt Water; also informed them that it was done by George Watts and Thomas Garland, and that it was those two Men, who stole Mr. Gordon's horse and Maum's Mare. Whitehead further told them that, in consequence of Watts and Garland having committed such atrocious outrages, he had left them, not conceiving himself safe with them, for he had seen the horses in their Possession, and they (Watts and Garland) had told him (Whitehead) it was them who burnt the Wheat; further says that Burrell was of the Party who took the Arms from the Soldiers in the Stoney Hut on their way from Port Dalrymple; that Howe and Geary were in the Party, which robbed Haward's Cart, when Lieutenant Carne lost his property; and that it is the intention of the party, with which he was, to rob the Houses of Mr. Kent and Daniel Stanfield some time during this Winter, for they had determined on the matter among themselves; also that it was his Party who stole the Sheep from Richard Pitt at the Green water holes, of which only Six were killed, and the rest they turned back; they were very poor; also states that one of his party Jones was frequently supplied by William Williams with Gunpowder and Slugs at the Coal River. The Information given by this Man, William Martin, was voluntary, in the hope of his being Accepted a King's Evidence, and also his Information to Corporal Miller respecting the Robbery at Mr. Fisk's was Voluntary, for without the discovery could not have been made at the time.

Taken before us, this 21st April, 1815.

A. W. H. HUMPHREY, J.P.; JAMES GORDON, J.P.

INFORMATIONS of Mr. Arnold Fisk and others respecting the Burglary at his House.

Court House, Hobart Town, 1st March, 1815.


INFORMATION on Oath of Mr. ARNOLD FISK of the district of Pitt Water, states: That yesterday morning I had occasion to come to Hobart Town on business. I left home about Ten o’Clock. About one o’Clock this day, My Servant (Richard Clark) came to Hobart Town, Informed me that my House had been robbed of all my wearing Apparel, Plate, and Jewellry, and also the wearing Apparel belonging to Mrs. Fisk and my Children, and that by a banditti with their faces disguised, and that they had wontonly destroyed many Articles which they could not take away.

Sworn before us, this 1st day of March, 1815:—REVD. R. KNOPWOOD, J.P.; A. W. H. HUMPHREY, J.P.

INFORMATION on Oath of RICHARD CLARKE, Prisoner, Servant to Mr. Arnold Fisk, states: That between 2 and 3 o’Clock this morning a party of Men came to Mr. Fisk’s house (four of the Men I saw), who rapped at Mr. Fisk’s parlor door, desiring Mr. Fisk to get up. I heard the words as I was laying in the kitchen. I got up and came to the Kitchen door, asked who was that, and what did they want. I strove to open the kitchen door; they said they had a letter for Captain Fisk. When I went out at the Door, a man stepped up and pointed a pistol at my head, and seized me by the Shirt, and took me to the back Yard, and there tied me with a cord (produces a piece of Bullock’s Hide about two Yards long); after tying me, they put me into the Kitchen and Shut the Door; after this, I heard a knocking at the
102

HISTORICAL RECORDS OF AUSTRALIA.

1815.
30 April.

Depositions re robbery at house of A. Fisk by bushrangers.

Parlor Door with an Axe (by the sound); after knocking some time, I heard the door give way; they entered the house, took all the Articles of wearing Apparel, Jewellery, etc., they could find, "as I am informed." I saw the Men take away four parcels of Goods by looking through the Weather boarding of the Kitchen. A Man of the Name of Grimes, "Mr. Kent's Stock-keeper who sleeps in the house," was at first put into the Kitchen with me untied, but, before the Robbers went away, they came and took him "Grimes" to another part of the premises. When I thought the Men were gone, I called to Grimes to come and release me. Grimes said, "as well as Quinby, one of Mr. Humphrey's Shepherds, who happened to Sleep in the house last Night," they were also tied; but Grimes with the assistance of Quinby soon came and untied me, and to convince me that they were tied, Grimes took me to Quinby, who I found tied with his hands behind him, laying on the Bed. Some time after I said to Grimes, it would be proper to send to Mrs. Fisk at Mr. Humphrey's, and inform her of what had happened. Quinby said he would go, if I and Grimes thought proper. Grimes contradicted him saying he would go himself; accordingly Grimes went. At daylight this morning, Grimes returned with Mrs. Fisk, Mrs. Humphreys, and also a Constable of the name of Batholomew Reardon. The Men were well armed with Muskets and pistols, and had Kangaroo Dresses on, their Faces blacked. The Man that put the pistol to my breast was a Short Man; there were two men rather taller; the fourth Man was a tall Man.

Sworn before us this 1st day of March, 1815:—REVD. R. KNO-wood, J.P.; A. W. H. HUMPHREY, J.P.

Court House, Hobart Town, 20th April, 1815.

Present:—A. W. H. Humphrey, Esquire; James Gordon, Esquire.

INFORMATION of THOMAS MILLER, Corporal in His Majesty's 73d Regt., on Oath, deposes: That about the 25th Ult. I was sent out by my Commanding Officer in search of the Bush-rangers; that, after being out in the Woods for upwards of Three weeks without meeting with any of them, I with my Party fell in with two Men at a temporary Hut about Eight Miles to the Eastward of the Fat Doe River; on coming near the hut, the dogs gave the Alarm, when I and my Party rush'd down upon the two Men; they immediately run, and, upon one of my party firing a Shot over the Head of one of them, he stop'd; in about a minute afterwards, I took him in Custody and found him to be William Martin, a Bushranger; the other Man made his Escape, never having been seen except by one of the party at a considerable distance; this was about 10 o'Clock in the morning of Monday the 17th instant; after securing the Prisoner, I returned to the Hut, where I found a Musket (produces), half stock'd with the wood of the Country, and which has a tin pipe solder'd on the Barrel to hold the Ramrod, and a Steel Guard for the Trigger, a Powder Horn with about ½ lb. of Gunpowder; Three tin pots (one a half Gallon and two Quarts); the musket found in the Hut, Prisoner (Martin) owned as his, and also the Powder Horn. At a little distance from the Hut, Deponent found about 30 or 40 Kangaroo Skins, two rugs made of Skins, and Three knapsacks, one containing flour, one Beef Suet rendered, the third contained Sundry Articles as Scissors, a Razor, a Tomahawk, and a few Needles and a Thimble; on the opposite side of the Hut at a little distance from it, William Merry one of the party found a loaded Musket, which I was informed was carried by Richard McGwyre, the Man who had escaped. I and the Party having
the Prisoner then proceeded to the Sweet Water Hills, about Forty Miles from where We were, and stop'd on the Road at Blinkworth's Farm at Bagdad, where We slept that night; on Tuesday about 2 or 3 o'Clock arrived at the Sweet Water Hills; the Prisoner (Martin) took me to the Places, where the Property stolen from Mr. A. Fisk had been secreted. Produces the Property as follows:—

No. 1 Bundle containing:—1 Vol. of the Memoirs of Lord Nelson; 1 Vol. of Storrs's Sermons; 1 Bible; 2 Vols. Tom Jones; 1 Vol. Turnbull's Voyage; 1 Vol. Practical discourse on future judgment; 1 Sheet; 1 Table Cloth; One 4 Set of Bed Curtains; 5 Waistcoats, one of which is a Black Sattin Waistcoat, marked A. Fisk No. 21; 3 Pair of Stockings; 4 Pair of linen pantaloons; 1 Hand Towel; 6 Shirts, 2 of which are not marked, 4 marked A No. 18, 26, 29 and 47; 1 Pair China Cotton Draps: 1 Tablecloth.

No. 2 Bundle containing:—1 Black Sattin Waistcoat, Marked A. Fisk No. 22; 1 Silk handkerch'f; 1 China Velvet color'd Waistcoat, marked A. Fisk No. 4; 1 White linen waistcoat, No Mark; 3 Shirts not marked; 4 Shirts marked A No. 10, 31, 23, 1; a lady's Silk tippet; 2 pair of Linen pantaloons; 1 New Table Cloth; 1 Pair of Cloth Pantaloons; 1 Brown 1 Blue cloth Jacket. No. 4 Bundle containing:—a New Piece of Damask Tablecloth; 2 Shirts not Marked; 4 Shirts Marked A No. 40, 13, 19, 46; 3 Pair of Pantaloons, 'linen' and a Table Cloth.

The latter three Bundles found in a hollow Tree together with a Spy Glass and a Brass hanging Compass at the Sweet Water Hills.

No. 5 a flannel Petticoat containing 15 lb. to 16 lb. of Tea and a small bag containing a little sugar found at the Sweet Water Hills with the above mentioned Three Bundles.

After I had got Possession of the above Property, I was informed by William Martin that a Man of the Name of William Stevens was one of the Party, who had robbed Mr. Fisk. I then went in search of him, and took him Prisoner about 5 o'Clock the same Evening at a Hut on the Neck of Land, which runs out into Pitt Water at Robert Nash's Stock Yard. I then proceeded with the Prisoners Martin and Stevens to Robert Nash's house at Pitt Water, taking along with me Thomas Smith, who was at the Hut with Stevens; and, at Nash's house the same Evening, I took a Young Man of the name of George Kirby, from an information I had of Kirby's having a knowledge of the Robbery and where the Jewellery, which was stolen, had been secreted. I then took Martin, Stevens and Kirby down to Mr. Humphrey, the Magistrate at Pitt Water; and on the same evening Kirby took me to where some more of the Stolen Property was concealed, which Kirby stated he had been forced to take from the Men, who committed the Robbery, as they threatened to shoot Kirby if he did not take them, and which Kirby had afterwards concealed on the bank of the Creek, which runs past Nash's house. I found the following Articles:—one Shirt marked A No. 17; two linen Waistcoats not marked; two Pair of Nankeen Trousers, and one Pair of Linen Pantaloons. I then returned to Mr. Humphrey's house, where I was informed that Thomas Smith, who was at the Hut the night the Robbery was committed, had also several Articles of the Stolen Property given to him. I went in search of Thomas Smith but could not find him that Night. I informed Robert Nash that I wanted Thomas Smith, and on the next Morning (Wednesday) Nash brought Smith up to Mr. Humphrey's, and there he (Smith) informed Mr. Humphrey in my hearing that he knew of the Robbery, and had several Articles forced upon
1815.
30 April.

Depositions re robbery at house of A. Fisk by bushrangers.

THOS. MILLER, Corp'1 73 Regt.
Sworn before us, this 20th day of April, 1815, at the Court House, Hobart Town:—A. W. H. HUMPHREY, J.P.; JAMES GORDON, J.P.

ARNOLD FISK, Settler at Pitt Water, on Oath, states:—that the property produced by Corporal Miller, now before the Court, is the same which was stolen from his house early in March last, with the Exception of One Shirt, which he does not recollect; and tho' the Tea is of the same description as the Tea he lost, yet cannot Swear to it; that one of the Three Tin pots, stated by Corporal Miller to have been found in the Bushrangers' Hut (the half Gallon Pot), He believe to be his property and to have been stolen at the same time with the other things; he knows nothing of the Muskets; he believes the Scissors found in Stevens Hut to be his Property, and that they were stolen at the same time.

Sworn before us this 20th day of April, 1815, at the Court House in Hobart Town:—A. W. H. HUMPHREY, J.P.; JAMES GORDON, J.P.

Examination of William Martin, a Felon.

WILLIAM MARTIN, Prisoner, Bushranger, states:—I, with Collier, Burn, McGwyre, all Bushrangers, had been in the habit of frequenting Stevens's Hut, where We were supplied by him with sundry Necessaries as Sugar, Flour, Gunpowder, etc.; and, on the evening previous to the Robbery at Mr. Fisk's, I, with the persons whose names I have mentioned, went by appointment to meet Stevens at his Hut for supplies, which he was to give for a quantity of Kangaroo Skins he had from us; on joining him at the Hut, Stevens produced a Bottle of Rum, which when Drank Stevens proposed to Rob Mr. Fisk's House: we disguised ourselves by blacking our faces and hands with Charcoal and Water. Stevens the more to disguise himself put on an Old Shirt over his other dress and a Skin Cap; on the road, it was proposed that I should remain on the Hills with the Dogs, whilst the rest, Viz. Stevens, McGwyre, Collier and Burn went to the House; that, in the morning a little before daylight, I joined them at the Hut on the Neck, where they produced the property stolen from Mr. Fisk's house.
which was divided, to each a Part; and some of the property also divided between the two Young Lads (Kirby and Smith), who were in the Hut. We concealed the part which the Bush rangers, McGyre, Collyer, Burn and myself, had among the hollow trees and places, where they were found by Miller; as it was then quite daylight, they went farther up the Country, keeping as much as possible out of the way of meeting with the Settlers; further states Stevens had part of the Silver Spoons and all the Jewellery.

W. MILLS MARTIN.

Taken before us, this 20th day of April, 1815:—A. W. H. HUMPHREY, J.P.; JAMES GORDON, J.P.

Examination of George Kirby.

GEORGE KIRBY, an Apprentice to Robert Nash, Settler, states:—Two days before the Robbery was committed at Mr. Fisk's house, Stevens, Stock-keeper to Nash, asked permission of his Master to go to Town. I was sent to the Hut on the Neck of Land to take care of the Stock in the absence of Stevens; in the middle of the night previous to the Robbery, Stevens returned from Town; in the morning having lost a pair of Bullocks, I went in search of them, and was out all day; in the evening returned to the Hut very much fatigued, when Stevens told me the Bullocks were gone home. Smith and myself went to bed together. About 8 or 9 o'Clock, four Men came to the Hut. I did not know any of them. I saw Stevens, when he went to Town, take some Kangaroo Skins, which, when the four Men came to the Hut, I understood were their property, which he Stevens had taken to Town to Sell. Stevens produced a bottle of Spirits, of which those Men drank, giving me a little; it was then proposed in my hearing that the four Men with Stevens should go and rob Mr. Fisk's house; they all disguised themselves by blacking their faces with Charcoal and Water, and went away; they returned in about three hours. Stevens came into the Hut first and awoke me, and I saw Stevens put something into Smith's Hat, which I believe was Jewellery. Stevens then called the rest into the Hut (there were only three) and produced the property they had stolen; they parted the property, giving some part to myself. telling me never to mention the circumstance, for, if I did, they would certainly shoot me, or if not someone else would; it was hardly daylight when I left the Hut to go to Nash's house, and was there before Sunrise.

Taken before us, this 20th day of April, 1815:—A. W. H. HUMPHREY, J.P.; JAMES GORDON, J.P.

THOMAS SMITH, a Young Lad who takes care of some Sheep belonging to his Father, and Slept at the Hut with Stevens, relates:—About a month or more before the robbery at Mr. Fisk's House, two Bush Rangers came to the Hut, which I knew to be Collyer and Jones. Stevens gave them something to Eat; they stopped all night; about two or three days afterwards, two other bush-rangers, Hugh Burn and Wm. Martin, came to the Hut and stopped one Night. About five or six days before the Robbery, Collyer and Jones brought Twenty Kangaroo Skins to the Hut, and also some Property, consisting of one Sheet and three Pair of Nankee Trousers, one blue Jacket, two Gown pieces of Cambric cut out, two Silver table Spoons and one Tea Spoon, which they left with Stevens to Sell for them; this Property they said they had stolen from a Person of the name of Gibson at Port Dalrymple. Stevens went next morning to his Master (Mr. Nash), procured Two pounds from him and a pass to Hobart Town, and the
1815.  
30 April.  
Depositions re robbery at house of A. Fisk by bushrangers.

Subsequent Morning went to Town and took the Kangaroo Skins with him. Whilst Stevens was away, Kirby came to mind the Stock, and, on the night previous to the Robbery, Stevens returned from Town about the Middle of the Night. The next morning Stevens went to Nash's house, Kirby went in search of a pair of Bullocks, and I went to attend my Sheep and Cattle; at Night about 8 or 9 o'clock three Men came to the Hpt, Collyer, Martin and Burn. Stevens then produced a bottle of Rum, and they drank it, giving a little to me; while they were drinking the Rum, Stevens said, "My Lads, I can tell you how to do a clean thing"; they asked him what it was, Stevens replied, "I know a place where we could go and get what we want, and that as clean as anything," observing that he had seen a cart go down with plenty of Tea and Sugar and also Spirits; they all joined Hands and said they would go with all their Hearts, if they lost their lives by it; they then disfigured themselves by blacking their Faces, and told me and Kirby they would be back in about two or three hours; about that time they came back, all a little drunk. Stevens came first into the Hut, and took something out of his Bosom, which he put into my Hat; the rest of the Men then came in and brought the Stolen Property, which they divided, and Hugh Burn came and gave some to me and Kirby, which we refused; but Collyer said, if we did not take them, he would blow our Brains out, and went to take his Musket; when we, being frightened, said we would take them. Afterwards the Bushrangers went away, taking with them their part; and, shortly after they were gone, Jones, a Bush ranger, came to the Hut and enquired for them; finding they were gone, he put his Musket into my hand and desired me to fire it at a bird, which I did. Jones then said "that's enough, they will soon be here." I then went to look for my Cattle, some of which had strayed to the Coal River, and I was out all the day; when I came home in the evening, Stevens told me that the other Bushrangers had returned about half an hour after I was gone. I have never seen them since at the Hut, but Stevens has told me that he has seen them in the Woods. I know that Stevens gave part of the property, which had been stolen at Port Dalrymple, to Charles Ranoeys's wife to make up for him, for which he was to pay her; and that, when Stevens returned from committing the Robbery at Mr. Fisk's, he brought a Fowling Piece, which he exchanged with Collier for the Musket now before the Court; and I also saw in Stevens' possession several Articles of Jewellery, such as Rings, Necklaces, a cross, and Hair Chain with Gold Clamps, also a large Piece of Money with two Heads on one side, three Table Spoons and one Tea spoon, and a Silver knife, all which Stevens told me were part of the property he got the night of the Robbery at Mr. Fisk's.

Taken before us, this 20th day of April, 1815:—A. W. H. Humphrey, J.P.; James Gordon, J.P.

PROCEDINGS OF BENCH OF MAGISTRATES.

Hobart Town, 22nd March, 1815.  
Present:—A. W. H. Humphrey, Esquire; James Gordon, Esquire.  
INFORMATION on Oath of Thomas Miller, Corporal in His Majesty's 73rd regiment, states:—That he was sent out by the Commanding Officer with a party to apprehend the Bushrangers; that he left Hobart Town the 13th instant, and proceeded direct to Jericho to the Stock yard of Mr. Macneale, and from thence across Scantluss plains to the Eastward; and on Monday the 20th, about 10 o'clock in the morning, going towards the Eastern Marshes, he saw two Men close by a
DAVEY TO MACQUARIE.

small Hut, erected near a Pond of water; he with his party went down upon them and Secured them; they proved to be John Smith and William Elliott, two noted Bush rangers; they had only one Musket and two dogs.

JOHN SMITH states that he took the Musket forcibly from Jonas Martin at John Scott's at the Tea Tree Brush about Six weeks since, at the time that Martin's and Scott's Sheep were at Kangaroo point to be examined by the Magistrates; it was about 12 o'Clock in the day; they found no person in the Hut but Stanley, who had charge; there were two Muskets in the Hut, both hanging up inside; he asked Stanley for them, who refused the Musket; he then took it by force. Stanley said he hoped he (John Smith) was not going to take both Muskets. He replied, No that he would return the one, as soon as he could get another; acknowledges Stanley knows him very well, he having lived at Norfolk Island; further states that at the time he took the musket, Elliott was in company with him.

WILLIAM ELLIOTT examined, relates the same story as Smith has done with regard to them taking the Musket, and that he was present with him.

Remanded.

27th March, 1815.
John Smith and William Elliott brought up for further Examination.

WILLIAM STANLEY, a Marine Settler from Norfolk Island, Sworn:—
I knew John Smith at Norfolk Island. I do not know the other man Elliott. The two men that came to the Hut I live in demanded a Musket; one of them said he would have the Musket; there were two muskets in the Hut; one they took which hung over the Chimney. I cannot say whether the men before the Court were the two men that came to the Hut.

The Prisoners state that Stanley appeared very much frighted at their coming up to the Hut; that they staid no time, but demanded the Musket (John Smith); upon Stanley being asked if they demanded ("by the Prisoner Smith and Elliott") or took anything else, Stanley replied, No, but that they threatened to tie his hands if he did not deliver the Musket and then took it by force.

WILLIAM X STANLEY.

1st April, 1815.
John Smith and William Elliott, Bush rangers, brought up for Examination.

THOMAS RISTOL CROWDER, Principal Superintendent, on Oath deposes:—That John Smith prisoner ran from the Settlement at Port Dalrymple to this Settlement; he was immediately confined in the Guard House; after a short time was directed to work with the Gaol Gang in Irons. On the 24th day of November, 1814, the Gaol Gang was ordered out to the Lime Burners to work, consisting of several Men, when the prisoner John Smith absented himself from the Overseer and Gang; did not see the Prisoner Smith, until he was apprehended by a Party of the 73d Regiment; with regard to William Elliott, he has repeatedly absented himself from Government Employ and gone into the Bush; the Last time he absconded from the Settlement was on the 29th day of November last; he was then Employed as a Stock keeper.

T. R. CROWDER, Principal Superintendent.
JOHN SCOTT residing at the Tea Tree Brush called and Sworn. At the time my Sheep were ordered by a warrant from a Magistrate to be brought up to Kangaroo Bay, and I were in attendance at Court, there was a Musket stolen from my Hut, as I was informed by William Stanley, who was in charge of my Hut, by two Bush Rangers, who forcibly entered the Hut and took the Musket by force. Stanley told me that he did not know the Men who stole the musket. The Musket was the joint property of myself and Jonas Martin.

JOHN SMITH and WILLIAM ELLIOTT, prisoners, brought up and fully committed to take their Tryal before a Court of Criminal Jurisdiction at Sydney, New South Wales, for stealing one musket from the Hut of Jonas Martin and John Scott at Tea Tree Brush in the district of the Coal River between the 8th and 16th February last, the property of said Jonas Martin and John Scott.

A. W. H. HUMPHREY, J.P.  JAMES GORDON, J.P.

LIEUT-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

3rd May, 1815.

[A copy of this despatch, per ship Cochin, is not available; the following paper is extant, and registered as “no date, 1815”:—]

SUMMARY* of the lately received and unanswered Letters from Lt. Governor Davey, with remarks by Governor Macquarie; Vizt.


2d. Do. relative to the attack on Standfield, etc., etc., by the Bush Rangers; applying for an increase of Military Force to subdue them, and dreading further Depredations from these Banditti again soon.

3d. Arrival of Messrs. Thos. and Wm. Salmon, wt. their Families, as Free Settlers at the Derwent, wt. Letter by them from Earl Bathurst ordering Lands etc. for them.

4th. His intention of Building a New Genl. Hospl. on an eligible situation—Not the one fixed on by the Governor.

5th. His great want of Stationary, for the Public Offices, and being obliged to pay Ts. 6d. and 10s. pr. Quire for Paper!!!

6th. Doct. Luttrell, etc., etc., Evidences in the case of Mrs. Clarke sent up to Sydney in the Kangaroo; but Mr. Belbin another Evidence declined coming up.

7th. Desiring to be informed officially of Genl. Dy. Surveyor Evans leave to take for his own use the Materials of the Govt. old Barn at New-Town. Leave was given to Mr. Evans to take it.

8th. His giving Mr. Humphrey a lease of the Govt. Farm at Newtown for 5 years at £50 Pr. annum! Not approved.

9th. Dy. Asst. Comy. Genl. Hogan a Defaulter to Govt. in the sum of £2,297 15s. 9d. Mr. Hogan has obtained Leave of absence from the Govr. to remain at the Derwent for 3 Months from 1st Inst. (Decr.) to settle his Private concerns there.

* Note 54.
10th. Several applications made to him for Lands on the Island of Brune. There can be no objection thereto, making the usual reservation for Townships and Batteries thereon for Government.

11th. Transmitting Reports and Statements, and also Memorials from deserving Prisoners.

12th. Applying for a Pair of Mill Stones for Robt. Nash, who has erected a Windmill at Pitt Water at his own expense. A Pair of Mill Stones will be sent down in the Kangaroo, for which Nash is to grant his Bond, engaging to pay the amount by grinding Wheat for Govt. at Is. per Bushel, when required so to do, until the Price of said Mill Stones is paid; otherwise to forfeit them.

13th. His orders of date 23d Ocr. last to Mr. Gordon to refund the £383 17s. 9|d. paid him erroneously as Commission at 5 Pr. Ct. on the Duties collected by him as Naval Officer and passing thro' his Hands as Treasurer of Police Fund. This order to be followed up, and Mr. Gordon to be compelled to refund that money forthwith.

14th. Recommending Surgeon Noble for a Grant of Land. A Grant of 400 acres to be given him, wt. some small indulgencies.

15th. Stating that Asst. Surgeon Younge has sold the Lands, etc., etc., granted him by Govt.; and also stating that he (Lt. Govr. Davey) has granted 100 acres of Land to Roger Gavin, which is claimed by Danl. Ankers. This appears to be very irregular.

16th. His recommendation in behalf of Six Male Convicts for Mitigations of Sentences. My own Regulations, as well as recent orders from Home, preclude my granting his request in this instance.

17th. His being employed in taking the Genl. Muster since departure of Kangaroo on 4th Novr. last. The high price of Stationary at Derwent rendering a Speedy Supply of that article highly necessary. Slops and Bedding also much wanted. Reports a fine appearance of abundant Crops. His intention of going soon to Port Dalrymple to take Genl. Muster there, and when completed to forward the results thereof to Hd. Quarters.

18th. No Person to be put on the Store after the 31st of this Month for a longer period than six Months.

19th. No more than Sixpence Pr. Pound is to be paid for Meat or Animal Food of any kind turned into Store after the 24th of the Month of January next ensuing.

20th. Henry Rice to be put in Possession of his Land at the Coal River.

21. Return of Names, etc., Victualled since 1st Jany. last.

22. His having 12 Men still on the Store, and others having Men on Store who have no right to any.

23. Ormsby Irwin as overseer.

24. Mr. Evans to come up in the Kangaroo.

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY. (Despatch per schooner Henrietta Packet.)

Sir, Government House, Sydney, 25th May, 1815.

1. Since my last Dispatch to you under date the 13th of March, I have been favored with the receipt of your several Letters, as specified in the Margin* with their respective accompaniments.

2. My time at present will not admit of my replying so fully to your last Dispatches as I could wish; and therefore I must defer doing so till another opportunity offers.

3. I observe with infinite regret that the disturbances in Van Diemen's Land continue still to increase instead of diminishing. But, altho' the daring atrocities of the Bush Rangers have arrived at so alarming a height as to demand the most coercive Measures for apprehending these Banditties, I cannot approve of the very strong step you have recently adopted of declaring Martial Law† in Van Diemen's land, the authority for so doing resting alone in the Governor in Chief; for you must surely be fully aware that neither your Commission as Lieut. Governor, nor the Article of War you quote, give you any such authority, the 4th Article of the 24th Section‡ of the Articles of War not being at all applicable to the present case, there being Courts of Justice in this Territory, of which Van Diemen's Land forms a part. You must therefore take the whole responsibility and consequences of this strong and unwarrantable measure on yourself. I trust however there will be no bad consequences resulting from it, and that it will have the desired effect, altho' I must still think that, had you only adopted the suggestions of Mr. Judge Advocate Bent, they would have produced equally good effects as the proclaiming of Martial Law.

4. Having already some time since signified to you that the highest Price given for Wheat at Head Quarters for the present Season was Ten Shillings Pr. Bushel, and limiting you to give only the same Price at Van Diemen's Land, I cannot approve of the Contract you have lately entered into with Mr. Edward Lord to pay him Twelve Shillings per Bushel, the more especially as I find the Crops at Port Dalrymple this last Season have proved so very favorable and abundant. I shall therefore expect that you

* Marginal note.—8th, 11th, 12th and 14th March; 9th and 30th April; and 3d May, 1815.
† Note 53. ‡ Note 63.
DAVEY TO BATHURST.

I will revoke and cancel your Contract with Mr. Lord, and neither pay him nor any other Person more than Ten Shillings Sterling per Bushel without further authority from me.

5. I cannot approve of your having detained and assigned to Mr. Abbott as a Servant the Convict John Studley, who absconded from hence some time since and was sent back from the Isle of France on board the Ship Eliza. This Man having, with the other Runaways, committed a serious Crime in absconding, I am surprised you would allow yourself for a moment to view his conduct so lightly as to detain him at the Derwent. I must therefore desire that he may be sent up hither in the first Government Vessel, that may touch at Hobart Town, to be Punished here as he deserves.

6. It is my intention to relieve the two Companies of the 46th Regt. now doing Duty on Van Diemen's Land, as soon as I can spare the Government Vessels to carry that measure into effect; and therefore Capt. Clarke must remain in the command of his Company till the regular relief of it shall take place. The Captain of the 46th Regt. whoever he may be, will be appointed to succeed Capt. Clarke as Inspector of Govt. Public Works at the Derwent; and I therefore cannot comply with your recommendation in favor of Lieut. Cox.

7. In the course of a few weeks, and as soon as the now daily expected two Convict Ships shall have arrived from Ireland to enable me to send you a supply of Artificers and Labourers, it is my intention to send down the Emu with these men and a further supply of Stores and Slop Clothing for the two Settlements of Hobart Town and Port Dalrymple.

I have, &c.,

L. MACQUARIE.

LIEUT.-GOVERNOR DAVEY TO EARL BATHURST.

My Lord,

In order to prevent bad Men having the same indulgencies of good ones, I beg leave to lay before Your Lordship the information on this paper* which I received, During Martial Law, from the Commandant at Port Dalrymple; and I pray that such a Character might not be suffered to inherit a further extent of Land on this Island; he is at present in possession of a considerable quantity of Land and came to this country, as a superintendent of convicts with the late Lt. Govr. Collins; and, as a further mark of this man's bad conduct, I beg leave also to lay before Your Lordship a letter, I have received from Capt'n Jones of the Brig Bridgewater from India.

I have, &c.,

T. DAVEY, Lt. Govr.

* Note 55.
GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per H.M. brig Emu.)

Sir, Government House, Sydney, 18th July, 1815.

1. By the Henrietta Packet, which sailed from hence for the Derwent on the 28th of May, I did myself the honor of writing you a Short Dispatch under date the 25th of that month in reply to your last received Letters of dates 30th April and 3d of May Pr. Ships Frederick and Cochin. Since then I have not been favored with any Letters from you.

2. You will receive this Dispatch by Lieut. Forster, Comr. of H.M. Colonial Brig Emu, which Vessel will sail to-morrow or the next day at farthest for the Derwent. By her I send you 18 very useful Artificers, and also a large Supply of Artificers' Tools and Implements, Iron, Steel, Paints, Locks, Hinges, Nails of Sorts, etc., etc., for enabling you to carry on your Public Works at Hobart Town; and likewise a large Supply of Bedding, Slop Clothing, Stationary, and a variety of other useful Stores for the use of the two Settlements of the Derwent and Port Dalrymple. Herewith you will receive a List of the Names and Trades of the 18 Artificers now sent, and also a List of the Names, etc., of the Male and Female Convicts proceeding now in the Emu to the Derwent. The Depy. Comy. Genl. will transmit you an Invoice of the Stores, etc., etc., sent now in the Emu for the use of the two Settlements. One Third of all the Stores thus sent, with the exception of Slops, is intended for Port Dalrymple and must be forwarded to that Settlement overland; but only One Fourth part of the Slop Clothing is to be sent thither, that being more than a full proportion for the number of Convicts now at Port Dalrymple. No Persons of any description, excepting Male and Female Convicts, are to receive Slop Clothing (with the exception of the Military for whom Bedding is now sent); and no Slops are to be issued to any Convict who receives a Salary of upwards of £25 per annum, whatever his Office may be.

3. I regret I could not send you any Labourers at this time along with the Artificers, having been disappointed of receiving a large Supply of Men of that Class by the two Convict Ships expected from Ireland for a long time past, but which have not yet arrived here. I shall, however, not fail to send you some Labourers as soon as I can spare them from hence. In the mean time, I trust and hope you will make use of the means, you will by this conveyance be furnished with, for carrying on your Public Works at Hobart Town, especially those Public Buildings more immediately necessary, namely, a Church, an Hospital, and a Gaol; for, I take it for granted that the Barracks for the
MACQUARIE TO DAVEY.

Military Officers and Men have been long before this time all completed. With the reinforcement of Government Mechanics now sent you, together with those you have already, a great deal may be done; and I must enjoin you to make every possible exertion to get the three principal Public Buildings above mentioned erected and completed as soon as possible, by the Government Mechanics and Labourers, without hiring any Free Men for this purpose.

4. I must call your attention to the enforcing of my orders and regulations* respecting the erecting of Private Buildings in Hobart Town, and to insist on those Buildings being erected in a regular proper manner, according to the new Plan of the Town approved by me and in the possession of the Deputy Surveyor of Lands. I am sorry to learn that Bricks still continue to be made in Liverpool Street, which must entirely destroy the passage through it. I therefore request you will immediately on receipt of this Letter direct the making of Bricks in that Street to be discontinued, and that another Piece of suitable ground, without the limits of the Town, may be appropriated for that purpose.

In order that room may be made for opening the new proposed Streets in Hobart Town, I have to request you will direct the Houses, valued there in June, 1813, to be paid for immediately from the Police Fund according to the valuation then put upon them, and order the Proprietors to remove the said Houses forthwith.

The present Govt. Garden Fence not being in the proper Line, I request it may be removed and erected in the Line to be pointed out by the Deputy Surveyor of Lands.

5. I fervently hope that, long ere now, Tranquility, Peace, and order have been restored in the Settlements of Van Diemen's Land, in consequence of the Measures you lately adopted, and which I trust have been attended with the successful effect you so sanguinely expected from them. However much I may wish this to be the ultimate result of the measure alluded to, I can never admit the propriety of your having adopted it without first obtaining my approbation for your so doing. The proclaiming of Martial Law† by you, I must ever consider as not only illegal and irregular, but also as highly derogatory of my authority as Governor in Chief of this Territory. I have therefore deemed it my indispensable Duty to refer this Strong and extraordinary step of yours to the consideration‡ and animadversion of His Majesty's Ministers.

6. There being several charges made in the Accot. of the Police Fund you sent me lately, made up to the 31st of Decr.,

Note 56.  
Note 53.  
Note 57.  

1815.
18 July.
1815.
18 July.

Irregular charges made on police fund.

1814, which appear to me to be very irregular and improper, I have had them extracted and now send you a List of them with my remarks on the several objectionable items; some of which are totally inadmissible, and consequently never can be sanctioned by me. It is therefore my intention to send Home the Police Fund Account of Van Diemen’s Land for the consideration of His Majesty’s Ministers, unless you can furnish me with satisfactory answers to and explanations of the remarks annexed to the objectionable Items, which answers and explanations I have to request you will be so good as to send me by the return of the Emu to Sydney. No charge, excepting for the allowed Salaries of the Superior and Subordinate Officers of Government paid from that Fund, ought ever to be made in the Police Fund Account, without first submitting the same to me and obtaining my concurrence thereto; and I have now to direct that this rule may be attended to in future in all Disbursements, you may have occasion to make from the Colonial Revenue Collected at the two Settlements in Van Diemen’s Land. The Accounts of the Police Fund must in future be regularly made out at the end of every Quarter, and transmitted Quarterly to me for my information and approval, together with the Quarterly Returns of Port Duties Collected at the Derwent by the Naval Officer of that Settlement.

Promissory notes given by J. Murray.

I was not a little surprised to receive, along with the Police Fund Account, no less than £162 10s. in Capt. Murray’s Promissory Notes, which were received from the late Naval Officer in payment of the Balance due by him as Acting Treasurer. These Notes ought not to have been received by Mr. Gordon, as they are only so much waste Paper; and it was your Duty to have detained Capt. Murray, until he had redeemed these Notes and paid the amount of them to Mr. Gordon. By your not taking this step, Government will most probably lose the sum in question, as there can now be very little hope entertained of Government ever recovering so large a sum from Capt. Murray. I shall however send Home an account of his Debt to the Secy. at War, in the hope it may be recovered from the sale of his Commission, in case he should be permitted to sell it to pay his numerous other Debts.

Probable loss to government.

Contract with E. Lord for supply of wheat.

7. In my last Dispatch of date 25th May, I signified to you that I had disapproved of a Contract you had entered into with Mr. Edward Lord for supplying the Govt. Stores at Hobart Town with Wheat at so high and extravagant a Price, when, by your own information to me, the last Crops in both the Settlements in Van Diemen’s Land had proved so abundant, at the same
time directing that the Contract so entered into might be rescinded and cancelled by you, as you have no right* to make such Contracts, or to enter into any Contract on the part of Government without my special permission. The highest Price paid at Head Quarters this current season for Wheat for the King's Stores being Ten Shillings, you are again Strictly enjoined and commanded not to pay, or allow to be paid, a higher Price than Ten Shillings Sterling per Bushel for Wheat Purchased for the use of Government in any part of Van Diemen's Land.

8. Deputy Commissary Genl. Allan having frequently of late reported to me that he has great reason to be much dissatisfied with the irregular manner in which Dy. Asst. Comy. Genl. Hogan at the Derwent makes up his accots. of that Settlement, being neither made up conformably to the prescribed Forms nor transmitted at the regular periods to Head Quarters; I have now to desire that you will admonish Mr. Hogan on the impropriety of his negligence of these Duties, and require of him to be more correct and punctual in future in making up and transmitting his Accounts to the Head of the Commissariat Department at Head Quarters. I have also frequently heard, with much regret, from different Persons that Mr. Hogan has given himself up very much to intemperance and Drunkenness, so as to render him totally unfit for doing his Duty. If these reports be well founded, you ought to have placed him in arrest and reported the circumstances to me; but, tho' these reports are very general, I trust they are rather exaggerated. If however I should find them confirmed, I shall immediately have Mr. Hogan removed from Hobart Town to Head Quarters and tried by a General Court Martial here, appointing another Person to replace him. I therefore request you will be so good as to warn Mr. Hogan of the serious consequences of his continuing in these low vicious courses, as disgraceful to his own honor and character and essentially ruinous to his poor unfortunate Family.

9. In a Paragraph of your Letter dated 13th March last (which it escaped my memory to reply to in my former Letters), you recommend that Mr. Humphrey and a man named Bar'tolomew Reardon should be indemnified by Government for the losses they respectively sustained by the destruction of their Wheat by the Bush Rangers. You surely could not have seriously considered this subject in making such a recommendation, and what a vast expence you would entail upon Government by admitting such a Claim. For, if Messrs. Humphreys and Reardon are entitled to be indemnified by Government for their losses,

* Note 53.
so are Capt. Townsend, Mr. McCarty, and every other Person who
has been robbed or Plundered by the Bush Rangers for the last
three years in Van Diemen's Land. You must therefore dis­
regard all claims of this Nature, as being totally inadmissible,
and not recommend in future any such to me.

10. I have directed the Secretary to transmit to you by this
Conveyance Nine Conditional Pardons, which I have granted to
Convicts at the Derwent in consequence of your recommenda­
tions in their favour. I could not with any degree of Justice or
propriety grant an absolute Pardon to John Pitchey, that Person
not being yet sufficiently long in the Colony to entitle him to so
very great an indulgence. The Memorials of those Persons,
whose applications for Absolute Pardons or other Favors have
been rejected, are returned to you herewith with my answers on
the face of the said Memorials, for the information of the
Applicants.

11. Mr. Evans, the Deputy Land Surveyor of Van Diemen's
Land, returns now to the Derwent on the Emu, after rendering
this Colony very important Services by his more recent dis­
coversies* in the Country to the Westward of the Blue Mountains.
He will deliver you a Letter from Secretary Campbell relative
to some assistance necessary to be afforded him to enable him to
execute with more facility his extensive Duties as Depy. Sur­
voyor of the two Settlements in Van Diemen's Land, and which
I request you will accordingly grant to him when required.

12. The new Naval Officer† Mr. Drummond, with his Family,
proceeds also by the present conveyance to the Derwent, to
assume the Duties of his office, which you will accordingly place
him in possession of immediately on his arrival at Hobart Town.
He has been paid his Salary (in consideration of being so long
detained at Head Quarters) here up to the 31st of the present
month of July; so that his Salary at the Derwent will have to
commence from the 1st of the ensuing Month of August, from
which date he is to receive it from the Police Fund of Van
Diemen's Land.

13. Having deemed it advisable to appoint Asst. Surgeon
Younge to fill the vacancy of 1st Asst. Surgeon at the Settle­
ment of the Derwent in room of Mr. Hopley, lately promoted to
be Surgeon, Mr. Younge, with his Family, now proceeds to the
Derwent in the Emu to assume the Duties of the Situation he
has thus been appointed to at that Settlement. George Salter,
Supdt. of Govt. Stock at the Derwent, returns to his Duty there
in the Emu, no good opportunity having offered of his returning
sooner.

* Note 59. † Note 9.
14. In consequence of Major Mackenzie’s not having sent up the necessary Evidence to convict the Bush Ranger Peter Mills of the Crimes charged upon him, he has been discharged by order of the Criminal Court, which assembled here lately; and, being now at large, I have agreed, from mere motives of Humanity, to permit him to return to his Family at Port Dalrymple, and he now proceeds in the Emu to the Derwent. I have also permitted John Thomas, a Convict, who was sent up as an Evidence from Port Dalrymple, to return again thither to his Family. Both these Persons have promised to behave well in future; but I confess I have little hopes of the reformation of Peter Mills. A Convict Woman, named Mary Martin, strongly recommended by Mr. Marsden, now proceeds to the Derwent in the Emu, at her own request, to be employed there as a School-Mistress, for which I believe her to be very fit, and therefore recommend that she may be employed in that capacity at Hobart Town. A Convict Man, named Robert Rennea, is sent to the Derwent by this conveyance on account of his making use of some threatening violent language to his late Master, the Revd. Mr. Cartwright, at Windsor, who expressed therefore a particular desire to have the man removed to some considerable distance from him, which is the only reason for sending this man to the Derwent, where probably he will be found an useful Labourer.

15. I once more have to repeat my former orders that the remainder of the 73d Detachment still at the Derwent may be sent up to Head Quarters in the Brig Emu on her return hither; and I trust this order will be paid more attention to than my former orders on the same subject have experienced from you.

16. There being some few Soldiers of the 46th Regt. now at Hobart Town, whose terms of Enlistment have lately expired, and whom therefore Colonel Molle is desirous to have sent up to Head Quarters, you will be so good as to order a Passage for them on the Emu on her return hither. Capt. Clarke has been instructed by Colonel Molle respecting the men to be sent to Head Quarters, and he will accordingly furnish you with a List of their Names.

17. I must also request you will not fail to send up in the Emu to Sydney, the Convict John Studley, whom you allowed to remain at the Derwent as a Servant to Mr. Abbott, and of which I expressed my disapprobation in a former Letter.

18. In case Charles Routhley and John Mills, Convicts Pr. Ship 1st Indefatigable, respecting whom a Separate Letter has been addressed to you by Secretary Campbell, should prefer coming to Port Jackson to remaining in Van Diemen’s Land, you will be so good as to send them up hither in the Emu.

* Note 42.
19. By the Emu, Asst. Surgeon Hood of the 46th Regt. proceeds to Hobart Town to relieve Asst. Surgeon Bush of the same Corps; for which latter officer, you will be pleased to order a Passage on the Emu to Head Quarters.

20. I was in hopes of being able to send you, by this conveyance, the several renewed Grants* of Land of Settlers in Van Diemen's Land; but the other various important Duties, the Surveyors have had to perform, have prevented them from giving the corrected Descriptions in to the Secretary to enable him to make out the whole of the Grants. A great number are however already made out, and I hope the remainder will be completed in a few weeks hence, when I shall not fail to have them transmitted to you for delivery.

21. As soon as I can spare a sufficient Gang of Government Artificers and Labourers for that purpose, I intend removing the Settlement of Port Dalrymple from Launceston to George-Town, and I have written by this conveyance to Major Mackenzie directing him to send as large a Gang of Men as he can spare from the former to the latter Place, to fell and burn off the Timber on the Ground intended to erect the Public Buildings on at George Town, and to make Bricks for the said Buildings. In case you should be able to spare any Brick-makers from Hobart Town, I request you will be so good as to send them to Major Mackenzie to be employed at George-Town, as a great number of Bricks will be required.

22. As the Emu will be immediately required here for other Services, I have to desire that she may not be detained at the Derwent a moment longer than is absolutely necessary. You will therefore be so good as to have her Cargo of Stores, etc., landed as soon after her arrival at Hobart Town as possible, instructing her Commander, Lieut. Forster, to return again to this Port with the least possible delay after he has taken on board his Passengers, Wood, and Water, for the voyage back hither.

I have, &c.,

L. MACQUARIE.

[Enclosures.]

[Copies of these papers are not available.]

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

(Despatch per H.M. brig Emu; acknowledged by Governor Macquarie, 18th September, 1815.)

16th August, 1815.

[A copy of this despatch is not available.]

* Note 68.  † Note 60.
PROCEEDINGS of a General Court Martial held at Hobart Town, 26th June, 1815, by Virtue of a Warrant under the Hand and Seal of His Honor Thomas Davey, Esquire, Lieutenant Governor of His Majesty's Settlements on Van Dieman's Land, and Lieutenant Colonel in His Majesty's Royal Marine Forces, bearing date 21st June, 1815.

President:—Major John McKenzie, 46th Regiment, President; Captain Andrew Clarke, 46th Regt.; Lieutenant Thomas Allen Lascelles, 73d Do.; Lieutenant Douglas Leith Cox, 46th Reg.; Ensign John Skelton, 46th Do., Members; and Edward Abbott, Esqr., officiating as Deputy Judge Advocate. The Warrant appointing the President and Deputy Judge Advocate was read, and the Court and Deputy Judge Advocate being sworn.

Charge:—The Prisoner Hugh Burn was brought before the Court and charged with, That he the said Hugh Burn, not having the fear of God before his eyes, but being moved and seduced by the instigation of the Devil, on the twenty fourth day of April, in the year of our Lord, One Thousand, Eight Hundred and Fifteen, about the eleventh hour in the day, in company with divers others, now at large, with force and arms in the district of New Norfolk, in the County of Buckingham, in and upon one, Charles Carlisle, then and there being in the peace of God and of our Sovereign Lord the King, feloniously, voluntarily, and of his malice aforethought, made an Assault; and that the aforesaid Hugh Burn, in company with divers others then and there, with a certain Instrument, called a Musket, which one of them then and there held in his hands, in and upon the left thigh of the said Charles Carlisle, then and there violently, feloniously, voluntarily, and of his malice aforethought, caused a wound, or struck and pierced, and gave to the said Charles Carlisle, then and there, with a Ball or Balls fired from a Musket, in and upon the aforesaid left thigh, one mortal wound of the breadth of one inch and of the depth of six inches, of which said mortal wound Charles Carlisle then and there died; and so the said Hugh Burn, in company with divers others, then and there, feloniously Killed and murdered the said Charles Carlisle; and further That he the said Hugh Burn, not having also the fear of God before his eyes, but being moved and seduced by the instigation of the Devil, on the twenty fourth day of April in the year of our Lord One Thousand, Eight Hundred and Fifteen, about the eleventh hour in the day, in company with divers others, now at large, with force and arms, in the district of New Norfolk, in the County of Buckingham, in and upon one, James O'Burne, then and there being in the peace of God and of our Sovereign Lord the King, feloniously, voluntarily, and of his malice aforethought, made an Assault, and that the aforesaid Hugh Burn, in company with divers others then and there with a Ball or Balls fired from a certain Instrument, called a Musket, which one of them then and there held in his hands, in and upon the left side of the head of the said James O'Burne, then and there voluntarily, feloniously, violently, and of his malice aforethought, caused a wound, or struck and pierced and gave to the said James O'Burne, then and there with a Ball, or Balls fired from a Musket, in and upon the aforesaid left side of the head, one mortal wound of the breadth of the third of one inch and of the depth of
three inches, of which said Mortal wound the said James O'Burne languished, and languishing lived from the said twenty fourth day of April, in the year aforesaid to the twentieth day of May in the said year, and then the said James O'Burne on the twentieth day of May aforesaid, at Hobart Town, in the Countys aforesaid, of that mortal wound died, and so the said Hugh Burn, in company with divers others, then and there feloniously, killed, and murdered the said James O'Burne against the peace of our said Lord the King, his Crown and dignity.

Charge Second:—That he the said Hugh Burn, with divers others, did feloniously and burglariously break and enter the dwelling house of Arnold Fisk, yeoman at the New Plains in the district of Pitt Water, before daylight between the hours of one and six O'Clock on the morning of the first day of May last, and steal therein six table spoons, mark'd O M B, one silver table spoon, mark'd E M B, six desert silver spoons, mark'd A M F, six silver teaspoons mark'd A M F, one silver soup ladle, no mark, one small azimuth compass, one spy Glass, and divers other Articles of great value, the property of the aforesaid Arnold Fisk, against the peace of our Sovereign Lord the King, his Crown, and dignity.

To the First Charge, the Prisoner Pleaded Guilty.
To the Second Charge, the Prisoner Pleaded Guilty.
The Deputy Judge Advocate Prosecutes.
Here the Prosecution was closed.
The prisoner has no defence to make.

Sentence.—The Court, having maturely and deliberately heard the charges against the Prisoner, to which he pleads guilty, is of opinion that he is Guilty of the charges preferred against him, being a breach of the Articles of War, by virtue of which do sentence him to suffer Death by being hung by the neck until he is dead, at such time and place as His Honor Thomas Davey Esquire, Lieutenant Governor of His Majesty's Settlements on Van Dieman's Land, and Lieutenant Colonel in His Majesty's Royal Marine Forces, shall direct, and his body given over to the Surgeons to be dissected and Anatomised.

J. McKenzie, Major, 46th Regt. and President.
Government House, Hobart Town, 26th June, 1815.
Approved:—THOMAS DAVEY, Lieutenant Governor, &c.

[Enclosure No. 2.]

DEPOSITIONS.

Hobart Town, V.D.L., 11th May, 1815.
Information of Ned Gallagher, Prisoner, Servant to A. W. H. Humphrey, relates as follows:—about Seven o'Clock last Night, a party of Men rushed into the house, where I live (Mr. Humphrey's Kitchen), and swore they would blow out the brains of the first Man who moved; they then first Enquired for Charley, "meaning Charles Baxter," who is out with the party of Soldiers in search of the Bush rangers; when informed he was not there, they said it was very well for him, or they would have made an object of him by cutting off his Nose and Ears and otherwise Mutilating him; previous to this, they (the Men who rushed in) had tied myself and Six other Men who were in the House; after they found that Charley was not there, they enquired for my Master and Mr. Gordon, who they
DAVEY TO MACQUARIE.

expected were there, and, finding that Mr. Humphrey was not at home, said that, if he had, he should not have had the opportunity of flogging any more Men; after placing a Guard over us, they proceeded to ransack the Dwelling House, taking out every thing which could be useful to them; they destroyed all that remained by breaking every thing that they could; while the party were plundering the House, those who were Guarding us made Tea, and the whole of the party by turns drank of it; they filled their Sacks with such Articles as they thought could be useful to them as flour, knives, three pistols, one Musket, Blankets, Wearing Apparel, etc., etc., etc. I should have stated that my Master and Mistress were both from home and the dwelling House locked up; they Enquired if we knew whether Mr. Ayers a Settler had any tobacco, as they wanted some very much; after stoping about an hour, they went away, desiring us not to Stir for some time as their would be some left behind to Shoot any one, who might attempt to go out. I was informed that the party consisted of Eight persons, but I saw only Six, whose names were Michael Howe, James Whitehead, Peter Septon, Peter Geary, Collyer and McGwyre. In conversation, these Men said they knew their doom, and, tho' they were only Eight, they were not afraid of Sixteen of the best Men in the Colony.

NED GALLAGHER.

Sworn before me, 11th May, 1815:—JAMES GORDON, J.P.

a true Copy:—T. DAVEY.

Information on Oath of WILLIAM QUIEMBY, Prisoner, Servant to A. W. H. Humphrey, Esquire, at Pitt Water, who states:—On the tenth day of the present Month, myself together with the other Servants and James Fudden, Servant of Mr. Gordon, were sitting in the Kitchen occupied by Mr. Humphrey’s Servants between the hours of Six and Seven in the evening, when the door was burst open, and three Armed Men rushed in; they were James Whitehead, Peter Septon and Thomas Collyer armed as follows:—Viz. Whitehead with a Musket and a brace of pistols; Septon with a Musket and two pistols, one of which was a double Barrell’d one, which pistol he said “ he got the last engagement ”; Collyer with a Musket and one Pistol, but, before he left the premises, he got another pistol belonging to my Master. On their entering, Collyer gave his Musket to Septon, who with Whitehead stood over us with their Muskets Cocked, while Collyer made us take the handkerchiefs off our Necks and bound our hands across behind our backs, threatening, if we moved from our Seats, to shoot us; while Collyer was binding us, Michael Howe came in and took the lamp out of the place, and went with others, who were outside, into the dwelling house, occupied by my Master and Mistress, which I found they had broken open, leaving Whitehead, Septon and Collyer to guard us; while Howe and the rest were plundering the House, George Green, a fellow Servant of mine, observed to Whitehead that he was sorry to see him in the situation he was. He replied he was sorry to find himself so, but it never would have been the case but for his late Master “ Mr. Gunning,” saying I know I am a dead Man and must make the best of it, and such Articles as they wanted they must seek them, were they could find them and must have them. During this time, Collyer went out, and I heard someone outside desiring him to put on the Kettle and make Tea, which he did and boiled the Tea in the Hut, and then took it into the Dwelling house, and those two Men, who were Sentry over us, were relieved by other two to take Tea. The
time occupied by them at the premises might be from \( \frac{3}{4} \) of an hour to an hour, during which time we had conversation with Six different Men, five of whom I knew, viz. Michael Howe, James Whitehead, Peter Septon, Richard McGwyre and Thomas Collyer; the other Man I heard called by the name of Geary. Septon said he was sorry that my Master and Mr. Gordon were not there, as he would have prevented them serving out Slops any more; and that, if my mistress had been at home, they would have made my Master stand bye, while they did as they thought proper with her, and afterwards done as they liked with him, which I concluded was that they would take away his life, as they said they would prevent him ever flogging another Man; both Whitehead and Septon said, that, if they could fall in with my Master or Mr. Gordon, they would put them on one side; they Enquired for Charles Baxter, a fellow Servant of mine, as they said they had heard he had gone out with a party in search of Bushrangers, and being told he was not at home, they said they would do their utmost to get hold of him but said they would not kill him, only take the Nose of his face, cut his Ears off, and hock him; they enquired for his Brother, John Baxter, who they were told were gone to town in a Cart, which satisfied them they enquired if we knew if Carlisle was dead; and, being informed that he was and buried, they particularly asked if we know the persons, who sat on the Inquest, as they were certain the Jury could not give a verdict of wilful Murder as they were fired upon first; they then packed up every thing they found useful for them, and broke and destroyed every thing, which remained in the house, which last Act they said they would not have committed, had they not found two Pair of Leg Irons in the House. McGwyre then called James Fudden towards the door, and told him to inform us that, if any person Stirred out of the place, he would be shot, as Sentries would be left to guard us till the others had got a sufficient distance with their Plunder.

Sworn before me, this 24th May, 1815:—James Gordon, J.P.

[Enclosure No. 3.]

Inquest on James O'Burne.

Hobart Town, County of Buckinghamshire, Island of Van Diemen.

Depositions taken on an Inquisition, held this twentieth day of May, 1815, upon the view of the body of James O'Burne, then and there lying Dead, before Adolarius William Henry Humphrey, Esquire, Coroner of the aforesaid County.

Mr. Dennis McCarty on Oath deposed:—I knew James O'Burne: he was in my employ three weeks ago as a Sailor. A Banditti of Bushrangers, who are in the Woods disturbing the Settlements, came to the district of New Norfolk where I reside. I knew McGwyre to be one of the party of Bushrangers. I was informed by those persons who knew them that James Whitehead, Michael Howe, Hugh Burn, Richard Collyer, I also heard the name of Jones who had a bump on his Eye, together with Peter Septon and Peter Geary, were of the party; that, about Nine o'Clock in the morning of the day this happened, Word was brought to me that the Bushrangers were plundering, robbing, and had fired at some of the Inhabitants of the Settlement at New Norfolk. I waited some time, judging that they would attack my house, and did therefore prepare for the Attack; finding they did not come
and having been informed that the Robbers had gone to the back River, I sent to see if they were there. I was told that they were, and had a Centry on one of the Houses. I then mustered what force I could and proceeded to Robert Hayes' House. My party consisted of James O'Burne, deceased, who had Volunteered his Services, with a great many other persons. The Bushrangers were gone from Hays's House, before I could get to it with my Party. I then went on to James Triffitt's; they had also left there and gone in the direction of Macquarie district. I and my Party continued the pursuit and came up with the Bush Rangers about a Mile from Triffitt's, when an Action took place, and James O'Burne, here lying dead, received a Musket Shot from one of the Banditti. After the Engagement, I returned home and sent out my Cart to bring in the Wounded, and that this Morning the said James O'Burne died. DENNIS MCCARTY.

THEOPHILUS MITCHELL, a Surgeon, called upon, who saith on Oath:— About three weeks ago, I was called upon to go to New Norfolk to attend some persons, who had been wounded by a Banditti of Bush Rangers and Robbers from the Woods. On my Arrival at Mr. D. McCarty's House, I found James O'Burne, the deceased, dangerously Wounded in the face. I had him immediately removed down to Hobart Town. I have attended him ever since. This morning he died. On dissection found some Slugs, which had (produced) passed through the integuments of his Cheek and lodged in the neighbourhood of some large Arteries, which had occasioned them to Colapse, and frequently cause great hemorrhage, which occasioned Death.

VERDICT. That James O'Burne was Murdered wilfully by James Whitehead, Peter Septon, Michael Howe, Richard Collyer, Richard McGwyre, Hugh Burn, Peter Geary, George Jones, and a Woman Native of this Island who is called Mary. A. W. H. HUMPHREY, Coroner.

a true Copy:—THOMAS FITZGERALD, Ck.

Hobart Town, County of Buckinghamshire, Island of Van Diemen.

An Inquisition, indented, taken at Hobart Town in the County aforesaid, this Twentieth day of May, one thousand, Eight hundred and fifteen, before me, Adolarious William Henry Humphrey, Esquire, Coroner of our Lord the King for the County aforesaid, Upon the view of the body of James O'Burne, then and there lying Dead. Upon the Oaths of Thomas Clark, Foreman, James Mitchell, John McNab, John Lakeland, Thomas Peters, Arnold Fisk, Peter Dillon, William Wilson, Walter Colquhoun, Thomas Newby, William Paterson and John Ingle, twelve good and lawful Men of the County aforesaid, who, being duly Sworn, and charged to enquire on the part of our said Lord the King, when, where, how, and after what manner the said James O'Burne came to his death, Do say upon their Oaths that one James Whitehead, one Peter Septon, one Michael Howe, one Richard Collyer, one Richard McGwyre, one Hugh Burn, one Peter Geary, together with a Man named Jones, and a woman Native of this Island, a Black, not having God before their Eyes, but being moved and seduced by the instigation of the Devil, on the Twenty fourth day of April in the year of our Lord one thousand, Eight hundred and fifteen, about the Eleventh hour in the day, with force and Arms in the district of New Norfolk, in the County aforesaid, in and upon the said James O'Burne, then and there being in the peace of God and of our said Lord the King, feloniously, voluntarily, and of their Malice aforesought, made an Assault, and that the aforesaid James Whitehead, Peter Septon, Michael Howe, Richard Collyer, Richard McGwyre, Hugh Burn, Peter
1815.
16 Aug.
Inquest on body of J. O'Burne, murdered by bushrangers.

Geary, together with a Man of the name of Jones and a Black woman Native of this Island, then and there, with a Ball or Balls fired from a certain instrument called a Musket, which one of them then and there held in his hands, in and upon the left side of the Head of the said James O' Burne, then and there, voluntarily, feloniously, violently, and of their Malice aforethought, caused a wound, or struck and pierced, and gave to the said James O' Burne, then and there, with a Ball or Balls, fired from a Musket, in and upon the aforesaid left side of the Head, one Mortal wound of the breadth of the third of an inch, and of the depth of Three inches, of which said Mortal wound, the said James O' Burne languished, and languishing lived from the said Twenty fourth day of April in the year aforesaid to the Twentieth day of May in the said Year; and then the said James O' Burne on the Twentieth day of May aforesaid in the year aforesaid at Hobart Town in the County aforesaid of that Mortal Wound Died. And so the said James Whitehead, Peter Septon, Michael Howe, Richard Collyer, Richard McGwyre, Hugh Burn, Peter Geary, together with a man of the name of Jones and a black woman native of this Island, then and there, feloniously killed and murdered the said James O' Burne against the peace of our Lord the King, his Crown and dignity. IN WITNESS whereof, as well the aforesaid Coroner, as the Jurors aforesaid, have to this inquisition put their Seals on the day and Year, and at the place first above mentioned.

A. W. H. HUMPHREY, Coroner.

THOMAS CLARK, Foreman L.S.  PETER DILLON L.S.
JAMES MITCHELL L.S.  WM. WILSON L.S.
JOHN MCNAB L.S.  WILLIAM COLQUHOUN L.S.
JOHN LAKELAND L.S.  THOMAS NEWBY L.S.
his  WILLIAM PATERSON L.S.
THOMAS X PETERS mark  JOHN INGLE L.S.
ARNOLD FISK L.S.

A true Copy:—T. DAVEY, Lt. Govr.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

(Despatch per schooner Geordy; acknowledged by Governor Macquarie, 30th October, 1815.)

31 Aug.

31st August, 1815.

[A copy of this despatch is not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per H.M. brig Emu.)

16 Sept.

Sir,

Permission for E. Abbott to visit Sydney.

Government House, Sydney, 16th Septr., 1815.

1. In the event of Mr. Abbott, the Depy. Judge Advocate of Van Diemen's Land, having occasion to come to Sydney for the Settlement of his Private affairs, and providing his Public Duties do not interfere therewith, I have to desire that he may have permission to come to Port Jackson by the return of the Brig Emu hither.
MACQUARIE TO DAVEY.

2. I have further to desire that Mr. Abbott, as a Settler, may be supplied with three Working Oxen from the Government Herds, on a credit of three years, he paying for them at the expiration of that period in Money or in Wheat.

I have, &c.,
L. MACQUARIE.

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.
(Despatch per H.M. brig Emu.)

Sir, Government House, Sydney, 18th Sept., 1815.

1. I have now the honor to acknowledge the receipt of your last Dispatch under date the 16th Ultimo, with its several accompaniments and enclosures, per the Govt. Colonial Brig Emu, which arrived here from Hobart-Town on the 30th of last Month.

2. I am concerned to learn from you that the Outrages and Depredations of the Bush Rangers in Van Diemen's Land still continue to exist, notwithstanding the very strong measures you have thought proper to adopt for the Suppression of the Banditti.

3. As you thought proper to do me the honor to transmit me Responsibility Copies of the General Courts Martial held by your authority at the Derwent, I perused them; but, it was quite unnecessary for you to take the trouble of sending them to me at all, as I had no part in ordering them to be assembled, and consequently the whole responsibility of doing so must rest exclusively with yourself. For, notwithstanding I was of opinion for a long time past that strong coercive measures were necessary for the apprehension of the Bush Rangers, such as I formerly suggested to you after a consultation here with Mr. Judge Advocate Bent, I certainly never thought it was necessary for you to resort to Martial Law, and much less did I think that you would have adopted so illegal and unwarrantable a measure without my previous concurrence thereto.

4. Under these circumstances, you cannot reasonably expect that I should involve myself in so serious a responsibility as that of granting my Warrant for the assembling of a General Court Martial for the Trial of Michael Howe and the other Bush Rangers not yet apprehended. This would be virtually approving of your having declared Martial Law, which I cannot in my conscience do, and therefore you must excuse my not granting the Warrant required in your last Dispatch.

5. Having in my former Dispatch expressed to you my most decided disapprobation of your having declared Martial Law in
1815.
18 Sept.

Martial law to be revoked.

Van Diemen's Land, I can only now repeat the same decided disapprobation of that measure, as insulting and highly derogatory to my authority as Governor in Chief of this Territory, with whom alone rests the power of declaring Martial Law. I have therefore to desire and command that you will immediately, on receipt of this Dispatch, revoke and annul Martial Law in Van Diemen's Land, and Publish in a Proclamation your orders to that effect.

6. I have attentively perused your Correspondence with Mr. Abbott, the Depy. Judge Advocate of Van Diemen's Land, on the subject of his opening the Civil Court* at the Derwent, and I cannot but approve of his reasons for declining to do so under present circumstances, it being totally irregular, unusual, and incompatible for Civil and Martial Law to exist at the same moment in the same Country.

7. I am sorry I cannot consistently with my Public Duty sanction or permit the Depy. Comy. Genl. here to honor your Bills for the Freight of the Wheat you Purchased from Mr. Edward Lord at Port Dalrymple, Ten Shillings per Bushel being all that I can possibly allow to be paid for Wheat Purchased for the use of Government in any part of Van Diemen's Land. By a reference to your Instructions you will see that you are not authorized† by them to enter into any contract without my sanction first obtained; and, as you have acted in this case without that sanction and without any apparent necessity for such a measure, you must take the responsibility of it entirely on yourself.

8. Deputy Assistant Comy. Genl. Hogan continues still extremely negligent in forwarding his Public Accounts to the Depy. Comy. Genl. at Head Quarters, who has of late frequently complained of his great neglect of Duty. In case therefore this officer does not pay the most Strict attention in future to the orders and Instructions he shall receive from the head of the Commissariat Department at Head Quarters, I shall be under the necessity of removing him from his situation and preferring charges against him; and I request you will be so good as to apprise Mr. Hogan of this being my intention.

9. Under the circumstances stated in your last Letter, I approve of your hiring the House therein mentioned for the double purpose of a residence for Mr. Abbott and holding the Civil Courts in, until the pleasure of His Majesty's Ministers shall be received on this Point, altho' I still think the Rent you have agreed to pay for that House much too high.

10. I have not as yet received any answer from His Majesty's Secretary of State for the Colonies to my application for your being allowed a Secretary; but, as soon as I do, I shall not fail.

* Note 39. † Note 58.
MACQUARIE TO DAVEY.

1815.
18 Sept.

to communicate it to you. In the meantime, I cannot sanction any Salary or House Rent being drawn for or paid to Lt. Lascelles as your Secretary.

11. I approve of your Purchasing the Black Colt belonging to Government, which Miss Davey has rode for some time past, at such valuation as may be put upon it by a Competent Committee.

12. At the particular request of Mrs. Abbott, I have remitted the Punishment I intended to have had inflicted here on John Studley, the Runaway Convict, and have assigned him again to her as a Servant.

13. The several Petitions and Memorials for Lands and Cattle from Individuals residing at the Derwent and Port Dalrymple, which you lately transmitted to me, will be considered in due time, and answered by the next favourable opportunity that offers after I have had sufficient time to consider the Claims of the several Applicants.

14. I am sorry I cannot, consistently with the good of the Service, acquiesce in your recommendation relative to the mode of relieving the Two Companies of the 46th Regt. now in Van Diemen’s Land, by changing the one at the Derwent for that at Port Dalrymple. The regular Relief originally proposed accordingly now takes place, and by this conveyance Capt. Nairn with his Company proceeds to relieve Capt. Clarke and his Company at the Derwent. It is intended to relieve the Company at Port Dalrymple also in the same way, as soon as the Emu returns hither from the Derwent with Capt. Clarke’s Company. I have therefore to desire that not a moment may be lost in disembarking Capt. Nairn’s Company after its arrival at the Derwent, relieving all the Out-Posts immediately, and embarking Capt. Clarke’s Company on board the Emu as soon afterwards as possible, together with the small Detachment still at the Derwent belonging to the 73d Regiment.

15. You will doubtless see the propriety of not detaining the Emu at the Derwent a moment longer than is absolutely necessary for executing the important Public Duty she is now sent upon; and I have therefore to desire that you will use every exertion in your power to dispatch her back to Port Jackson as soon as possible, her Services being again immediately required here.

16. Mr. Martin Tims, Provost Marshal of Van Diemen’s Land, who some time since arrived here from England, now proceeds on board the Emu to the Derwent to assume his Public Duties as Provost Marshal, which you will accordingly direct him to do on his arrival there.

17. I have appointed Capt. Nairn of the 46th Regt. to succeed Capt. Clarke of the same Corps as Inspector of Govt. Public
Works at the Derwent, Capt. Nairn’s appointment taking place immediately on and from the date of the embarkation of Captain Clarke’s Company on board the Emu. The Major of Brigade has been directed to transmit you a Copy of the Genl. Order appointing Captain Nairn Inspector of Govt. Public Works at the Derwent.

18. I cannot help conveying to you my decided disapprobation of your lavishing such very large sums of the Public Money as rewards to the Military for apprehending Bush Rangers in Van Diemen’s Land, as being highly injurious to the Public Service, to the Discipline of the Troops, and throwing away Public Money that might be otherwise more usefully expended. I have therefore to desire that this very bad practice may be immediately discontinued after the receipt of this Dispatch, and that no greater reward may be offered or paid in future to any Person for apprehending a Bush Ranger than Twenty Pounds Sterling on any account whatsoever. Your giving any greater rewards will not only ruin the Discipline of the Troops, but will also excite a Collusion between the Parties themselves.

19. Being desirous that the General annual Muster should take place regularly at the same time at the Several Settlements of the Territory, I have to request that you will take the Musters at the Derwent and Port Dalrymple in the ensuing Month of October, so as to be able to transmit to me the usual Returns and Statements thereof in the following Month of November for transmission to England.

P.S.—I must request that you will not, on any account whatsoever, detain the Emu from sailing for Port Jackson, more than Twenty four Hours after the Embarkation of Capt. Clarke’s Company takes place at Hobart Town.

There are Eighty Seven Iron Pots (which there were not sufficient room for when she made her last Trip) now sent on board the Brig Emu for the use of the Settlements in Van Diemen’s Land, which you will order to be received into the Commissary’s Store accordingly.

Sydney, 18 Sept., 1815.

L. MACQUARIE.

LIEUT.-GOVERNOR DAVEY TO EARL BATHURST.

(Despatch per ship Jefferson; acknowledged by under secretary Goulburn, 21st May, 1816.)

Government House, Hobart Town, Van Diemen’s Land,

My Lord, 21st of Sept., 1815.

I have the honor to enclose two Memorials; and, Memorialists being truly worthy Characters and Men of responsibility
and property, I beg leave to recommend to your Lordship that David Lord, his Wife and family, and Mrs. Davis and three Daughters may be permitted to proceed to this Settlement by the earliest opportunity, as Settlers, in a Government Transport, agreeable to the prayer of Memorialists.'

I have, &c.,

THOMAS DAVEY.

[Enclosure No. 1.]

THE MEMORIAL OF JAMES LORD OF HOBART TOWN.

To His Honor Lieut. Governor Davey, etc., etc., etc.

Most respectfully sheweth:

That Memorialist has a Son, with a Wife and a family of five Children, residing at Halifax in Yorkshire, and is desirous of their coming to Settle on this Island.

That, from your Honor's Memorialist's extensive Property and concerns being situated so as to prevent his returning to England for the purpose of bringing them, having nearly Two Thousand pounds out in Mortgages, above that Sum in book Debts, a heavy Stock in Trade and in Live Stock, One Thousand two hundred Sheep, and upwards of One hundred head of horned Cattle, and having lately entered into a Bond to erect a Dwelling House of the first class in this Settlement, which will Cost him upwards of £2,000, Your Memorialist, being upwards of 57 Years of Age, intends the whole for their benefit, all of which he has acquired by his honest Industry since the first establishment of this Settlement under the late Lieutenant Governor Collins.

That your Honor's Memorialist being aware of the very great uncertainty of Such a family obtaining a passage in any other Vessel than a Transport, there being so few sailing from England for any Port in these Territories;

Therefore, Memorialist respectfully Solicits that your Honor will be pleased to recommend to His Majesty's Secretary of State for the Colonies that my Son, David Lord of Halifax, and Family, may be permitted to proceed from England to this Settlement in a Transport as a Settler.

And Memorialist will, as in duty bound, ever pray,

JAMES LORD.

Hobart town, Van Diemen's Land, 5th September, 1815.

IN consideration of the very excellent Character of James Lord, who, by persevering and unremitting Industry, has realised an extensive property in this Settlement, I, therefore, strongly recommend him to your Lordship.

THOMAS DAVEY.

1815.
21 Sept.
1815.
21 Sept.

Memorial of J. Mitchell soliciting passages in transport.

THOMAS DAVEY.

[Enclosure No. 2.]

THE MEMORIAL OF JAMES MITCHELL OF HOBART TOWN,
To his Honor Lieut. Governor Davey, etc., etc., etc.

Most respectfully sheweth:

That your Honor's Memorialist has been a resident at Norfolk Island and this Settlement upwards of Fifteen years, and Settled Free; by his Industry, has realized property to a large Amount; has nearly One Hundred Head of Horned Cattle, and has lately built a Commodious Dwelling house, which will cost Memorialist upwards of Two Thousand Five Hundred pounds to Complete it; is married and his Mother in Law, Mrs. Davis, formerly of Norfolk Island, now residing in London, being left a Widow with three Children, without any provision for their support in England, is desirous of coming to this Settlement, where she has upwards of Eleven hundred Pounds due to her and ten head of horned Cattle; and, from the great difficulty of procuring a passage in any other Vessel than a Transport,

Your Memorialist presumes to Solicit that your Honor will be pleased to recommend to His Majesty's Ministers that Mrs. Davis, of Green Street, Rathbone place, Widow of Aron Davis, late of Norfolk Island, and three Daughters, be permitted to proceed from England to New South Wales in a Government Transport as a Free Settler, she having no property but what is in this Settlement.

And Memorialist, as in Duty bound, will ever pray,

Hobart town, Van Diemen's Land, 11th day of Sept., 1815.

JAMES MITCHELL.

Having examined into the within Memorialist's Application in behalf of Mrs. Davis and three Daughters, I find them to be true, and therefore recommend that they may be allowed to come out as Settlers in a Government Transport.

THOMAS DAVEY.

LIEUT.-GOVERNOR DAVEY TO EARL BATHURST.
(Despatch per ship Jefferson.)

Government House, Hobart town, Van Diemen's Land,

My Lord,

30th September, 1815.

Anxious for the prosperity of His Majestys' Settlements entrusted to my care on this Island, I beg leave, with every sentiment of respect, to solicit Your Lordship's attention to the following particulars.
DAVEY TO BATHURST.

On my arrival here, I found that a great many of the Convicts had fled from the occupations, to which they had been assigned, and, forming themselves into Bandittis in the Woods, were in the daily commission of the most dreadful excesses upon the property of the Crown and private individuals; and, being anxious to adopt such measures as appeared most conducive to their effectual suppression, I accordingly issued a Proclamation, a Copy of which I now have the honor to transmit for Your Lordship's perusal; experience having, however, shewn that this description of persons is not to be reclaimed by mild measures, and there not being any Courts of criminal Jurisdiction on this Island, I have lately felt it my duty to proclaim Martial Law as the only alternative in my power to restore peace and tranquility, the happy effects of which will be made apparent to Your Lordship from a perusal of the accompanying address, and which I trust will be met by Your Lordship's approbation.

The depositions,* which I have now the honor to accompany for Your Lordship's perusal, will I trust afford ample conviction of the necessity of the measure, which I have felt myself empowered to adopt by the 4th article of the 24th section† of the Articles of War.

Having, therefore, furnished Your Lordship with the accompanying documents, I shall forbear, for the present, to make any comments upon them, though I cannot help particularly calling Your Lordship's attention to the latter Article of His Excellency Governor Macquarie's Proclamation‡; from which, it will appear to Your Lordship that a latitude was given for the Commission of crime for no less a period than six Months, and which I cannot help ascribing as the great cause of all the distresses and difficulties, with which these Settlements have lately had to contend, and which surely must have escaped His Excellency's observation, when he sent it forth.

I beg leave to call Your Lordship's most serious attention to the great difficulties, under which this Colony labors, in consequence of there being no Supreme Court or Court of Criminal Jurisdiction established in this Island, and the Deputy Assistant Commissary at this Settlement not having the power of drawing Bills direct on England.

Should Your Lordship deem it expedient to send out annually a few Ships with Provisions and Stores direct to this place, they would be of the utmost advantage to the Colony.

I have, &c.,

THOMAS DAVEY, Lt. Govr., Van Diemen's Land.

* Note 62. † Note 63. ‡ Note 64.
Whereas it is absolutely necessary that some measures should be immediately adopted to guard the well disposed Inhabitants of this Island and their property against the Evils, which do, and may hereafter accrue to them, from their existing in the Woods of this Island "a set of Dangerous Miscreants," who have for a considerable time past been at large therein, committing the most atrocious depredations upon the property of Government and private Individuals; the Lieutenant Governor is pleased to declare that, if those deluded Persons will surrender themselves at Hobart Town on or before the Fourth Day of April next, bringing in with them their Dogs, Arms, Ammunition, Iron pots, Tools, and whatever else they may have with them in the Woods, He will not proceed against them for the several Offences, they may have committed from the Date of their absconding from either of the Settlements of Hobart Town, Port Dalrymple and their Dependencies, to that of their Surrender. But, if they are so blind to their own safety and immediate Interests as not to listen to this Offer of Pardon, which the Lieutenant Governor is anxious to extend to them upon his assuming the Command of the Settlements on this Island, and are resolved to persevere in their predatory and dishonest mode of living, he hereby declares that all and every one of them, who shall not have surrendered himself or themselves on or before the Fourth Day of April next, he or they will be considered Outlawed and dealt with accordingly.

Provided and nevertheless it is to be clearly understood that this Offer of Pardon does not extend to any Person or Persons, who may have been Principals, Aiders or Abettors in any Act or attempt of the Crime of Murder.

Given under my Hand at Government House, Hobart Town, the Eleventh Day of March in the Fifty third Year of the Reign of Our Sovereign Lord George the Third, and in the Year of Our Lord One Thousand, Eight hundred and Thirteen.

Thomas Davey.

God Save the King.

By Command of His Honor The Lieutenant Governor,
Thomas A. Lascelles, Secretary.
[B] Proclamation.

[A copy of this proclamation, dated 11th March, 1815, will be found on page 473, volume VIII, series I.]

1815.

Proclamation re bushrangers and their accomplices.

AN ADDRESS to His Honor Lieutenant Governor Davey, Presented by the Inhabitants of His Majesty's Settlements on Van Diemen's Land, Dated the Fifteenth Day of September, in the Year of Our Lord, One thousand, Eight hundred and Fifteen.

At a Numerous and most respectable Meeting of the Inhabitants of Hobart Town and the adjacent Settlements, convened by public Advertisement, Edward Lord, Esq., in the Chair, to Take into their Consideration the Salutary effects derived from the Proclamation of Martial Law on Van Diemen's Land, an Address was unanimously Voted to His Honor The Lieutenant Governor on the Subject; and the following Gentlemen were appointed to form a Committee to prepare the same:—

Edward Lord, Esquire.
Samuel Bate, Esquire.
William Collins, Esquire.
Thomas Kent, Esquire.
George Weston Gunning, Esquire.
John Ingle, Esquire.
Thomas Macneelance, Esquire.
John Beamont, Esquire.
William Maum, Secretary.

To His Honor Thomas Davey, Esquire, Lieutenant Governor of His Majesty's Settlements on Van Diemen's Land, etc., etc.,

We, the Undersigned, Inhabitants of Van Diemen's Land, beg leave to offer to Your Honor our unfeigned thanks for the wise, firm and energetic measures, which You have been pleased to adopt, at a Time when the lives and properties of every individual, residing under Your Government, were attacked and exposed to the greatest dangers by a Bloodthirsty Banditti of Wretches, who betook themselves to the inland Wilds, setting at defiance all power and controul, under an impression that this Government had not the Authority to punish crimes, however shocking to humanity or distressing to the industrious part of the Community, there being no Court of Criminal Judicature established on this Island; these detestable Monsters having Murdered many of our fellow Colonists and wantonly destroyed
1815.
30 Sept.
Address of thanks to T. Davey for promulgation of martial law.

134

HISTORICAL RECORDS OF AUSTRALIA.

a great portion of their Live Stock and Corn, destined for the Support and maintenance of us all, You wisely and humanely caused Martial Law to be Proclaimed, the only means in Your Honor's power of preventing the repetition of Outrages, and affording us that protection so essentially necessary to the Welfare and Interest of the Colony, the happy Effects of which are felt and acknowledged by us all.

Murderers and Robbers having suffered the Punishment decreed by our just and wise Government at Home for those heinous Crimes, and by the measures now adopted here, the pleasing hope of Security and protection of our Lives and properties is restored and cherished by every Person under Your Government.

But the grand object, for which Martial Law has been Proclaimed, is not as yet fully obtained, several of these Miscreants being still at large. We, therefore, humbly beg Your Honor will be pleased to Continue in force this Law, and adopt such other measures as may appear best calculated to apprehend and bring to condign Punishment, as well, those who have hitherto fled from Justice, as those who may hereafter commit similar Crimes, until it may please His Majesty's Ministers to Take into their Consideration the truly alarming, difficult and ruinous Situation, in which we are placed, in thus being necessitated to recommend the Continuance of a measure so universally repugnant to the feelings of all Englishmen.

We, therefore, most earnestly pray Your Honor will be pleased to submit to His Majesty's Ministers the imperious necessity of the establishment of a Court of Criminal Judicature for this Island, and the appointment of a Law Officer to so important and arduous a Situation.

We beg leave to repeat our acknowledgements for the signal Services You have rendered us, the beneficial Effects of which will long continue to be felt and enjoyed.

[Here followed the names of those present at the meeting, which occupied six pages in double columns of print, when the address was published by Andrew Bent in 1815.]

Answer to the Annexed Address.

Gentlemen,

It affords me pleasure to find that the measures, which I have lately adopted, are in unison with the wishes of so respectable a part of the free Inhabitants residing under my Government.

It is my intention to continue Martial Law, until the object, for which it was Proclaimed, shall have been accomplished.
MACQUARIE TO DAVEY.

1815.
30 Sept.

Reply of T. Davey to address.

I shall not fail to communicate to His Majesty’s Ministers the distresses and difficulties, which the Colonists on Van Diemen’s Land have so long suffered owing to the absence of Courts of Civil and Criminal Jurisdiction.

Gentlemen,

My inclination as well as my Duty will ever deeply interest me in the Prosperity and Happiness of Van Diemen’s Land.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

(Despatch per brig Emu; acknowledged by Governor Macquarie, 30th October, 1815.)

6th October, 1815.

[Despatch per H.M. brig Emu.]

6 Oct.

[A copy of this despatch is not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per brig Emu.)

Sir, Government House, Sydney, 30th Octr., 1815.

1. I have the honor to acknowledge the receipt of your last Dispatch under date 6th Instant, Per Brig Emu, which arrived here from the Derwent on the 14th Instant. I have also to acknowledge the receipt of your Letter of date 31st Augt. last, Per Schooner Geordy, which only arrived here on the 30th of last Month.

2. The Emu sails again to-morrow with the Relief for Port Dalrymple, conveying Brevet Major Stewart and his Company thither, to relieve Major Mackenzie and the Company now stationed there, which is to return forthwith to Head Quarters on board the Emu, together with the 3 Soldiers belonging to the R. Veteran Company now at Port Dalrymple, and such other Passengers as there may be occasion to send up to Port Jackson. By the Emu, Mr. Abbott returns to his Duty at the Derwent.

3. By this conveyance, I also send Twenty one Convict Artificers and Ten Labourers to Port Dalrymple, to be employed exclusively in preparing for the gradual removal of the Principal Settlement from Launceston to George-Town in York-Cove, Major Stewart being furnished with my Instructions to that effect, and which he will shew you when he waits on you at Hobart-Town. The Secretary will transmit you a List of the names and Sentences of the Thirty one Convicts now proceeding to Port Dalrymple; and the Major of Brigade will transmit you a Copy of the Govt. and Genl. Orders of the 28th Inst., on the subject of the Relief of Port Dalrymple.

4. Immediately on the arrival of the Emu at Port Dalrymple, I have directed an Express to be sent to you overland to apprise

* Note 65.
1815. 30 Oct.
Despatches to be sent via Port Dalrymple.

Supply of convict labourers.

Tools and implements for Port Dalrymple.

Stationery.

Revocation of martial law.

Salary for T. A. Lascelles as secretary.

18th November, 1815.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

(Despatch per brig Emu; acknowledged by Governor Macquarie, 27th January, 1816.)

18th November, 1815.

[A copy of this despatch is not available.]
## Result of a General Muster of the Inhabitants of His Majesty's Settlements on Van Diemen's Land

**Taken by Order of His Honor Lieutenant Governor Davey 30th of October 1815.**

<table>
<thead>
<tr>
<th>Establishments</th>
<th>Settlers and Free People holding Land</th>
<th>Male Prisoners</th>
<th>Female Prisoners and Wives and Children of Prisoners</th>
<th>Total Number of Persons including Women and Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil</td>
<td>Military</td>
<td>On Store</td>
<td>Off Store</td>
<td>On Store</td>
</tr>
<tr>
<td>----------------</td>
<td>---------------------------------------</td>
<td>----------------</td>
<td>------------------------------------------------------</td>
<td>-----------------------------------------------------</td>
</tr>
<tr>
<td>At Hobart Town, River Derwent</td>
<td>44</td>
<td>89</td>
<td>384</td>
<td>542</td>
</tr>
<tr>
<td>Launceston, Port Dalrymple</td>
<td>17</td>
<td>58</td>
<td>147</td>
<td>131</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>61</td>
<td>147</td>
<td>531</td>
<td>673</td>
</tr>
</tbody>
</table>

### Account of Settlers and Numbers of Live Stock &c.

<table>
<thead>
<tr>
<th>Acres of Land in</th>
<th>Number of</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wheat</td>
<td>Oats</td>
</tr>
<tr>
<td>Belonging to the Crown</td>
<td>1,884</td>
</tr>
<tr>
<td>Belonging to Individuals</td>
<td>915</td>
</tr>
<tr>
<td>At Launceston</td>
<td>915</td>
</tr>
</tbody>
</table>

| Total number on Van Diemen's Land | 2,797 | 25 | 276 | 72 | 158 | 527 | 33,834 | 37,610 | | | | | |
| Belonging to the Crown | 1,884 | 25 | 200 | 63 | 135 | 527 | 29,317 | 32,160 | 85 | 5,392 | 41,565 | 1,938 | 695 |
| Belonging to Individuals | 915 | 67 | 9 | 333 | 4,514 | 5,450 | | | | | | | |
| At Launceston | 915 | 67 | 9 | 333 | 4,514 | 5,450 | | | | | | | |

Hobart Town, Van Diemen's Land, 30th October, 1815.

P. G. Hogan, D.A.C. G't.
1816.
27 Jan.

Despatch acknowledged.

Convicts per brig Emu.

Erection of public buildings.

Convicts to be assigned to settlers.

Salt meat to be sent to Sydney.

Appointment of E. Luttrell as surgeon.

Soldiers to be sent to Sydney.

J. Drummond to be treasurer of police fund.

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.
(Despatch per H.M. brig Emu.)


1. I have the honor to acknowledge the receipt of your Letter of the 18th of Novr. last, which I received here by the Emu on the 17th of the following Month.

2. I now dispatch the Emu to the Derwent with Sixty Male and Sixteen Female Convicts for the use of that Settlement. The Secretary will transmit you by this same conveyance correct Lists of the Names and Sentences now proceeding in the Emu to the Derwent.

3. The obstacles, which have hitherto opposed themselves to your carrying on and Completing the several necessary Government Public Buildings at Hobart Town from want of Artificers and Labourers, being now effectually removed by the Draught of Artificers I sent you some time since, and the Draught of Government Men now proceeding in the Emu, I indulge a hope that the Public Buildings will go on rapidly and be soon completed.

4. As the Settlers at the Derwent must be very much in want of Labourers, I have to request you will assign them as many of those now sent in the Emu as can conveniently be spared from the Public Works. I shall endeavour to send you a further supply of Government Men in two or three Months hence for the use of the two Settlements on Van Diemen's Land.

5. In the event of your having any considerable quantity of really good Salt Provisions remaining in the King's Store at Hobart Town, I request you will order one Half or three fourths thereof to be shipped on board the Emu for Head Quarters, there being rather a scarcity of Salt Provisions in the Stores here, and a considerable quantity being required for the use of the Emu on her intended Voyage to England.

6. Surgeon Luttrell* and his Family proceed by this conveyance to the Derwent for the purpose of his assuming his Duties as Surgeon of that Settlement. I have once more to desire that the few Soldiers of the 73d Regt., still remaining at the Derwent, may be sent up to Sydney by the return hither of the Brig Emu, and I trust I shall not have occasion to repeat this order again.

7. It having always been my intention that the Naval Officer, for the time being at the Derwent, should also act as the Treasurer of the Police Fund of Van Diemen's Land, I expected that Mr. Gordon the late Naval Officer would have been directed to hand over the charge of that Fund to his Successor, Mr. Drummond together with all the Books and Documents connected

* Note 66.
with the Naval Officer's Department. I have now accordingly to desire that you will be pleased to order the amount of the Balance due Government, on the Police Fund of Van Diemen's Land, up to the 31st of December last inclusive, to be paid forthwith into the Hands of Mr. Drummond the present Naval Officer; and that you will in future consider him as the Acting Treasurer of the Police Fund of Van Diemen's Land. It is however to be clearly understood that he is not entitled to receive any additional Salary in consequence of his so Acting as Treasurer.

8. In consideration of the smallness of the Salary of Mr. Drummond as Naval Officer, I have now to request that you will he so good as to direct that he shall be paid the weekly Lodging Money of a Captain from the Police Fund of Van Diemen's Land, commencing from the date of his arrival at Hobart Town.

9. Mr. Secretary Campbell will transmit you by this conveyance the Grant of your Land at the Derwent, which I have directed to be made out without the usual Clauses and Conditions. By the next opportunity, I hope to be able to forward you all the renewed Grants for the several Settlers in Van Diemen's Land.

10. I enclose for your information and guidance a Copy of a Government Order appointing Mr. William E. Leith to be Prinl. Supdt. and Inspector of Public Works at Port Dalrymple.

11. It being my intention to dispatch the Emu from hence to England the moment she returns from the Derwent, I have now to desire that she may not be detained at the latter Place above 48 Hours, or three days at farthest, on any account whatever; it being of the utmost consequence that she should sail from hence for England some time in the Month of February.

I have, &c.,
L. MACQUARIE.

[Enclosure.]

GOVERNMENT AND GENERAL ORDERS.
Secretary's Office, Sydney, Saturday, 20th January, 1816.

Civil Department.

His Excellency the Governor has been pleased to appoint Mr. William Elliott Leith to be inspector of Government Public Works and Principal Superintendent of Convicts at the Settlement of Port Dalrymple on Van Diemen's Land, With a Salary of Seventy five Pounds Sterling per Annum, Commencing from the first of this present Month of January and to be paid from the Colonial Fund of Van Diemen's Land.

By command of His Excellency,
JNO. THOS. CAMPBELL, Secretary.

True Copy:—JNO. THOS. CAMPBELL, Secy.

* Note 67.  † Note 68.
1816. — Feb.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

7th, 9th and 10th February, 1816.

[Copies of these despatches are not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per schooner John Palmer.)

Sir, Govt. House, Sydney, 13th Feby., 1816.

1. Having received certain information that the undermentioned Male Convicts, who some time since made their escape from Sydney and Newcastle, are now and have been for some time past at the Derwent, I have to desire that they may be apprehended and sent back to Sydney by the first good opportunity: Vizt.

2. Joseph Boney, late Servt. to Capt. Piper, Naval Officer.
3. George Watts, from Newcastle, whither he had been sent under a Colonial Sentence, and from whence he escaped to the Derwent a long time ago.

2. In future, on occasions of Convicts arriving from hence at the Derwent without regular Passports, and on the same coming by any means to your knowledge, I have to desire that they may be immediately apprehended and kept in confinement until an opportunity shall offer of sending them back to Sydney, which I am to request may be done invariably.

3. Whenever any Ship or Vessel from Port Jackson arrives at the Derwent, I have to request you will be pleased to direct the Naval Officer there to muster her Crew and Passengers, and confine in Jail all Persons whom he may find on board that are not included in the Ship or Vessel’s Clearance, in order to guard as much as possible against the escape of Convicts.

I have, &c.,

L. MACQUARIE.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

20th, 21st, 22nd, 24th, and 26th February, 1816.

[Copies of these despatches are not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per H.M. brig Kangaroo.)

Sir, Government House, Sydney, 12th April, 1816.

1. I have the honor to acknowledge the receipt of your several Letters, as specified in the Margin,* with their respective Enclosures, and accompanyments; but, being at present much occupied by a variety of very important affairs connected with

* Marginal note.—7th, 9th, 10th, 20th, 21st, 22d, 24th and 26th of Feby., 1816.
MACQUARIE TO DAVEY.

1816.
12 April.

the general welfare and prosperity of the Colony, it is not in my power to reply now so fully to your late numerous Letters, as I could wish to do, and their importance demand. I must, therefore, for the present, content myself with briefly replying to the more important parts of them.

2. As Mr. Hacking was become superannuated and useless as a Pilot from Drunkenness and other infirmities, it became necessary to remove him from that situation and appoint a proper Person to succeed him; but I cannot by any means sanction your paying so high a Pension as £50 Pr. annum from the Police Fund. I consequently disapprove entirely of this part of the arrangement, and have to desire that Mr. Hacking shall only be paid Twenty five Pounds per Annum as a Pension from the Police Fund after your receipt of this Letter. I approve of your having appointed Mr. Wilson to succeed Mr. Hacking as Pilot; but no Salary should be at all attached to this situation at the Derwent, the Pilots here not being allowed any as they are of course paid by all Vessels Pilotage; and Mr. Wilson must be placed on the same footing, only being Victualled from the King's Store as a remuneration for Piloting the Government Vessels in and out of Port.

3. I regret that it is totally out of my power to afford any relief to the Farmers of Van Diemen's Land, in respect to receiving any part of their Wheat for the present Season into the King's Stores, which are at present so full of this article that I have been obliged lately to order them to be shut against receiving any more for some months; and I fear I shall not be able to receive even the surplus Wheat of the Farmers in this part of the Colony. The Farmers in Van Diemen's Land can therefore look only to the King's Stores at the Derwent and Port Dalrymple for turning in what grain may be required for the use of Government at these Settlements.

4. I am truly sorry that you should propose so many new appointments in the Settlements under your more immediate Government, that must appear to yourself on a moment's cool reflection as not only totally unnecessary, but even absurd; and, of this number, I consider your proposing to appoint a Superintendent of Police at Hobart Town. Your anxiety to serve your friends, Mr. Humphrey and Mr. Lascelles, I fear influences you principally on this occasion; as there can be no necessity whatever for a Supdt. of Police at Hobart-Town with so very small a Population, and where there are already no less than Five Magistrates including yourself. I cannot therefore sanction any such appointment as Supdt. of Police, nor additional Magistrates.
for the Districts, for the best reason in the World, because they are totally unnecessary; and the Crown would be put to a great expence without the Community being benefited by these useless appointments. The whole Population of Van Diemen’s Land was not quite Two Thousand by the last general Muster, and for that number there are no less than Seven Magistrates already who have each four Government men on the Store; and this number must suffice for the present.

5. I by no means concur with you in opinion as to the expediency and propriety of doing away entirely the Government Stock in the Settlements on Van Diemen’s Land, and selling off the whole at Public auction. It would prove a very convenient and advantageous measure for all the great graziers on that Island, as there would then remain no competition, and they might charge Government and Individuals as high a Price as they chose for their Cattle; but, as it is a fixed principle with me to study the interests of the poor as well as of the Rich, I wish to keep up the Government Herds for the benefit of the former for a few years longer, and consequently must decline acceding to your Proposal on this point.

6. In respect to the suspension of Mr. Tims from his office as Provost Marshal of Van Diemen’s Land, you have certainly very far exceeded your authority in adopting so strong a measure. Mr. Tims holds a Commission from His Majesty as well as yourself, and cannot be deprived thereof but by the King himself, or the Sentence of a Court Martial; Consequently all that you could legally do was to place Mr. Tims under arrest, and give in charges against him, to be tried by a General Court Martial, in the event of his having been guilty of any crime that required such investigation. But the fact is he has not been guilty of any crime, and Mr. Abbott’s complaint against this officer was frivolous and unjust, having required of him to do a Duty which he could not legally compel him to do, namely attending the Bench of Magistrates, which is no part of the Provost Marshal’s Duty, unless he voluntarily chuses to perform it. Under these circumstances, I highly disapprove of your having suspended Mr. Tims from his office. I have accordingly directed him to return to his Duty as Provost Marshal at the Derwent, as you will see by the Govt. and Genl. Orders which will be forwarded to you herewith by the Major of Brigade; and have to desire that Mr. Tims may be permitted to resume and exercise the Duties of his office from the date of his arrival at the Derwent. I have also to desire that he may receive the whole of his Pay for the period he has been so unjustly suspended. As Mr. Lakeland,
has however acted in the capacity of Provost Marshal, I authorize you to pay him at the rate of Five Shillings per diem from the Police Fund for the time he has performed the Duties of this office; at the same time, I cannot help remarking that it is very hard that the Crown should be put to this double expense owing to your own and Mr. Abbott's inconsiderate and irregular conduct.

7. As Mr. Riley did not demand Freight for his Wheat, I approve of your having permitted him to send up the 1,000 Bushels of that article in the Brig Guide for Government use, and I accordingly authorized it to be received into the King's Store here. This Gentleman has never made any complaint to me against Mr. Wilson, the Pilot at Hobart Town; consequently it is unnecessary for me to make any further comment on the Papers you enclosed to me on that subject.

8. You state to me your surprise at my ordering the New Naval Officer at the Derwent to take charge of the Police Fund, as you had never been apprized that he was to act as Treasurer of that Fund. Perhaps I omitted to do so on Mr. Drummond's first going down to that Station; but, surely you were well aware that his Predecessor Mr. Gordon acted as Treasurer of the Police Fund merely because he was Naval Officer and not by any Separate appointment; Lieut. Campbell, the former Naval Officer, having also acted as Treasurer of the Police Fund, without ever receiving any other Salary than that of Naval Officer; and my reason for directing the two Duties to be performed by the same Person was to save Government any additional Salary for acting as Treasurer. You are therefore henceforth to consider these two offices of Naval Officer and Treasurer of the Police Fund as blended, and always to be held by the same Person until further orders.

9. You request of me to send you a List of the Names of such Civil Officers at the Derwent as are entitled to receive Lodging Money; but, as I do not consider any of them to be strictly entitled to that allowance, I cannot comply with your request in this instance. I must therefore strictly enjoin you not to pay any Lodging Money, or allowance for House-Rent to either the Revd. Mr. Knopwood, or any other Civil Officer residing in Van Dieman's Land, without a written order from me for that purpose, as I shall not sanction any such charge being made in the account of the Police Fund. If you should, however, after this prohibition, take upon yourself the serious responsibility of making any such Payments from the Police Fund contrary to my orders, I shall consider it my Duty (however painful) to state the same to His Majesty's Principal Secretary of State for
1816.
12 April.
Irregular payments from police fund.

Criticism of payments to G. Bush and T. Mitchell.

Permission to be obtained for all appointments.

T. Mitchell to be sent to Sydney.

Convicts per brig Kangaroo.

the Colonies, Submitting to him the propriety of making such unauthorized Payments an imprest against your Salary as Lt. Governor.

10. In perusing the accounts of the Police Fund of Van Diemen's Land, I observe many very improper and objectionable charges, but which I have not now time to remark on so fully as the importance of the subject requires. I cannot, however, pass over two charges that appear to me to be most unjust, namely £38 10s. paid to Mr. Bush as Actg. Colonial Surgeon, and £34 17s. 6d. paid to a convict named Theophilus Mitchell as Actg. 2d Asst. Colonial Surgeon.

Both these charges stand unauthorized by me, and never can receive my sanction, as I consider them to be most absurd, unnecessary, and a gross imposition on the Crown.

On the death of the late Colonial Surgeon,* his duties of course devolved on the Assistant Surgeon, who is bound to do all the Medical Duties of the Civil Department without receiving any additional Pay until the Vacancy is regularly filled up; and consequently there could be no necessity for appointing asst. Surgeon Bush to act as Colonial Surgeon at all. The allowance of 7s. 6d. per day paid to Theophilus Mitchell as 2d asst. Colonial Surgeon, there being now only one Assistant Surgeon allowed for each of the Settlements on Van Diemen's Land; but, even if a second assistant were allowed, it appears most extraordinary to pay a Common Convict for doing that Duty the same Pay as a first assistant Surgeon holding His Majesty's Commission, as such receives at Head Quarters, where he has ten times the Duty to perform that the Surgeon or asst. Surgeon has at either Hobart-Town or Port Dalrymple. I consequently very highly disapprove of both the charges alluded to, and must ever withhold my Sanction of them.

I must therefore once for all positively enjoin you not to make any appointments, of whatsoever nature, that are likely to entail any expence to the Crown, without first obtaining my permission so to do. In the event of your disregarding this order, I shall be under the painful necessity of preferring a regular complaint against you to His Majesty's Minister for disobedience of orders and contempt of my authority. The Services of Theophilus Mitchell, Convict, above adverted to, being required at Sydney, it is my positive orders that he shall be sent up to Sydney on the return of the Brig Kangaroo hither.

11. His Majesty's Colonial Brig Kangaroo sails on Sunday morning for the Derwent with Forty Male and Sixty Female Convicts for the use of that Settlement; but, in case there should be more Women than are required for the Derwent, you will be

* Note 69.
so good as to send a proportion of them to Port Dalrymple for the use of that Settlement. On board the Kangaroo, I have also ordered Philip Macklin (the Prisoner whom you lately sent up here to be tried by a Criminal Court) and all the Evidences who came here along with him, to be sent back to the Derwent, to be there tried by a Bench of Magistrates; as it appears, on an attentive perusal by the Judge Advocate of the Depositions sent up against him, that he could not be capitally convicted here, and therefore, after consulting with the Judge Advocate on the subject, I have deemed it expedient to order him back to the Derwent, and have to desire that he may be there tried in a summary manner by a Full Bench of Magistrates. You must be well aware of the very great expense to Government, and the serious loss and inconvenience to Private Individuals, who are compelled to leave their Homes and come up to Sydney as Evidences and to remain here for so long a time waiting for the sitting of a Criminal Court, which expense and great inconvenience to Individuals may on most occasions be avoided; and I have therefore now to desire that no Persons, who are Convicts, shall ever be sent up to Sydney for Trial, excepting for the crime of Murder; and that all other crimes and offences, committed by Convicts in any part of Van Diemen’s Land, shall be tried in a summary manner by a Full Bench of Magistrates at Hobart-Town, thereby saving a great deal of money to the Crown, as well as loss of time and great Personal inconvenience to Individuals.

12. As soon as I have a little more leisure, I shall pay all due attention to the several Petitions, Memorials, and applications you have lately sent me in favor of Persons applying for mitigations of their Sentences, or for leave to become Settlers and for receiving Lands and other indulgencies as such; and, by some other early opportunity, I shall send you my answers to all these applications.

13. It being my intention to visit the Settlements on Van Diemen’s Land, in Person, as soon as my more serious and important avocations here will admit of my doing so, I must decline coming to any decision till then as to the expediency of erecting a Township* at Pitt Water, which I must see and examine in Person before any such important measure can be decided upon. For the same reason, I must decline acceding to your recommendation relative to the Lands some time since promised to Peter McGuire and other Persons.

14. The Services of the Kangaroo being again immediately required, I am to desire that you direct the Commander of her to

---

* Note 70.
1816.
12 April.
Brig Kangaroo to return promptly.

return to Port Jackson as soon as possible after landing her Passengers and taking in her Wood and Water; and that you will not on any account permit her to remain above Ten days at farthest at the Derwent.

I have, &c.,
L. Macquarie.

LIEUT.-GOVERNOR DAVEY TO EARL BATHURST.
(Despatch per H.M. brig Emu.)

Government House, Hobart Town,
13th April, 1816.

My Lord,

His Majesty's Colonial Brig, Emu, under orders from His Excellency Governor Macquarie to proceed to England, having put into this Port a few days back on her way thither for the purpose of procuring certain Articles of refreshment necessary for the Voyage, which the Colony at Port Jackson could not afford, but which are produced in the most luxuriant abundance upon this Island, I embrace the opportunity thus offered of communicating to Your Lordship.

The Letter,* which I had the honor to forward to Your Lordship in September last by the Jefferson South Seaman, would inform Your Lordship of the disturbed and embarrassed state in which the Settlements under my command had for some time been placed owing principally to the want of Courts of Criminal and Civil Jurisdiction, together with the measures which I had thought it my duty to adopt as likely in some degree to supply the absence thereof, and I do not entertain any doubt if those measures had been allowed to remain in force that perfect tranquility would long ere this have been established; but I lament to inform Your Lordship that at the time when the most beneficial Effects were resulting from the operation of the tribunal which I had felt myself authorized in establishing, I received the most positive order* from His Excellency Governor Macquarie to revoke and annul Martial Law, which order coming from him my Superior Officer, I could not do otherwise than Obey, notwithstanding it was in direct opposition to the wishes of the most respectable and numerous part of the inhabitants of His Majesty's Settlement under my charge, as will have appeared to Your Lordship by the address which was presented to me upon that Subject in September last, a copy of which was forwarded to Your Lordship by the address which was presented to me upon that Subject in September last, a copy of which was forwarded to Your Lordship by the Jefferson, as is also another by the present opportunity:—And it is now with the deepest regret, I have to report to Your Lordship that by my being thus deprived of the means of bringing Offenders to Justice, the commission of offences has again become frequent; I therefore most earnestly entreat Your

* Note 71.
Lordship to take into Your consideration the alarming state of His Majesty's Settlements on this Island, and the arduous and perplexed situation in which I am placed occasioned by the want of Courts of Criminal and Civil Jurisdiction; it having been found by experience that the present mode of conducting prosecutions by sending Offenders to Port Jackson for trial (a distance of Eight hundred Miles by sea) is altogether ineffectual, it being so distressing and ruinous to the parties concerned that the greatest sufferers have been deterred from complaining of injuries of the most Enormous magnitude, knowing that by so doing they must be transported from their families to prosecute the offenders in a far distant Country, and thereby expose their affairs to neglect and total ruin.

Another great Evil under which His Majesty's Settlements on this Island labor, and to which I beg leave to solicit Your Lordship's attention, is occasioned by the Lieutenant Governor not being Empowered to draw Bills for the necessary Supplies of Government direct upon His Majesty's Treasury, as was done in the time of the late Lieutenant Governor Collins, the present mode being to draw all Bills of the above nature on the Commissary at Port Jackson, by which the Settlers here, who are surely Entitled to equal advantages with those of the Sister Settlement, are compelled to pay considerably more for their imported articles, in consequence of the Expenses which occur to Shipping, that have made Sales here, being obliged to make a Voyage to Port Jackson for the Sole purpose of getting the Bills drawn by the Commissary here, redrawn by the Commissary at that Place on England.

I earnestly request that Your Lordship will be pleased to order that a proportion of the convicts, who are from time to time sent from England for the Settlements in Terra Australis, may be hereafter forwarded direct to this Island, and Your Lordship will not wonder at my making this application, when I state that it has hitherto been a practice to select the worst and most profligate characters from the Gangs at Port Jackson for these Settlements, which, added to the want of Courts as before stated, will account to your Lordship for the numerous Crimes and depredations which have been committed in this Island; Your Lordship will, I have no doubt, learn with surprize that since my arrival here in February, 1813, not more than one hundred and Seventy five Prisoners have been sent to Van Diemen's Land, although some thousands† have been received at Port Jackson; I have frequently in my Public letters to His Excellency Governor Macquarie made application both for people and Stores to enable me to carry on the necessary Public Buildings and furnish those

* Note 72. † Note 73.
1816.
13 April.

Futility of applications for convicts from Sydney.

Erection of barrack, gaol and church.

Request for organ, clock, bells and communion plate for church.

Prospects of the colony.

Export of wheat to Sydney prevented by imports from India.

Settlers with Men, who have been ordered them by Government and particularly those from Norfolk Island, as I cannot but consider it extremely hard that the claims, which those People have upon Government, should not have long since been satisfied, to meet the whole of which it would require at least one thousand Men; But, my Lord, I have found it in vain to look for assistance from that quarter, it having been my misfortune to experience the futility of such dependence, and therefore feel it a duty, I owe to Your Lordship and the Settlements over which I preside, unreservedly to make it known to Your Lordship. Notwithstanding the confined means I have already possessed I have the satisfaction to state that I have been enabled to erect an Extensive, handsome and commodious Barrack for the Troops which they now occupy; A spacious Gaol is in considerable forwardness, and will be finished in two months; a Church is commenced, but I am fearful, unless my means are augmented, it will be some time before it is completed. I respectfully solicit an Organ, a clock, and a sett of Bells for this latter Building may be sent out by the first Transport that may leave England; And as His Majesty graciously condescended to present this Settlement on its first formation with an Eligant service of Communion Plate, I hope Your Lordship will not have any objection to recommend to His Royal Highness the Prince Regent, that the Articles above solicited may be sent out at the Expence of Government.

I can assure Your Lordship that this Island, from its affording in this River and adjacent Bays an extensive Whale Fishery, is well worthy the attention of Government; and I have great pleasure in reporting to Your Lordship that the abundant Crops of Grain and the numerous Herds and flocks of Horned Cattle and Sheep, which it now affords, render it fully capable of maintaining any increase of Population that could be poured into it; and I am happy further to state that I have already been enabled to releive the Settlement at Port Jackson with large Supplies of these necessaries of life, which, from the inferiority of the Climate and Soil to the Northward, they are themselves unable to raise in sufficient quantities for their present population; I am nevertheless concerned to observe to Your Lordship that, in consequence of His Excellency Governor Macquarie having imported a large quantity of Grain by Contract from India, the Settlers on this Island will this Year be deprived of the Market, which they would otherwise have found in that Settlement for a surplus of at least Fifty thousand Bushels of wheat, the Growth of this Season, and which Your Lordship will see must greatly damp the Agricultural exertions of this Island; I therefore anxiously hope your Lordship will be pleased to give instructions
GOULBURN TO DAVEY.

1816. 18 April.

Progress of colony.

Growth of this Island is in future to have a preference to that of any Foreign Country.

My Lord, His Majesty's Settlement at this place has been established only Twelve years, and notwithstanding it has been cramped in all its exertions and deprived of many advantages which the Sister Settlement has enjoyed, it is now rising superior to it in a most pre-Eminent degree, and I pledge myself that in the event of Your Lordship so far honoring it with Your Patronage as to grant the indulgencies, which I have taken the liberty to solicit, that every general and individual exertion shall be made to relieve the Mother country from the burthen of its support, and answer every purpose which His Majesty's Government has in view from its Establishment; I am happy to inform Your Lordship that Private Buildings are rising rapidly, and the Town of Hobart has already assumed an Appearance from Individual Exertions, which does not reflect discredit on the Country which gave it Birth. And Public Buildings would have Kept pace with Private, had not the Settlements on this Island been prohibited for Four years from importing Spirituous liquors from which Article the principal Revenue of these Colonies had theretofore arisen, in consequence of His Excellency Governor Macquarie having Entered into a contract* for Erecting a General Hospital at Sydney, which gave the exclusive Privilege of importing Spirits to Three persons at that place during that Period, and whereby I was deprived of the means which would in a great Measure have Enabled me to accomplish the objects which are yet to be performed.

This letter will be delivered to Your Lordship by Captain Andrew Clarke of His Majesty's,46th Regiment, who resided for nearly two Years under my Command on this Island, who I beg most particularly to recommend to Your Lordship's favorable notice and consideration and who is fully qualified to answer any questions that Your Lordship may require of him respecting His Majesty's Settlements on Van Diemen's Land.

I have, &c.,

THOMAS DAVEY, Lt.-Govr., V.D.L.

UNDER SECRETARY GOULBURN TO LIEUT.-GOVERNOR DAVEY.

(Despatch per ship Surrey.)

Sir,

Downing Street, 21st May, 1816.

Refusal of free passages.

I am directed by Earl Bathurst to acquaint you, in reply to your letter of the 21st September last, requesting that Free Passages might be provided to Hobart Town for Mr. David Lord, his Wife and Family, and for Mrs. Davis and her three

* Note 27.
Daughters, that Government have for some time been under the necessity of discontinuing the practice of giving Free Passages, except in very particular cases, in consequence of the variety of applications of a similar Nature and the Expence thereby incurred.

I am, &c,
HENRY GOUlBURN.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.
(Despatch per brig Ontario; acknowledged by Governor Macquarie, 31st July, 1816.)

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.
(Despatch per brig Ontario; acknowledged by Governor Macquarie, 31st July, 1816.)

Sir, Government House, Hobart town, 9th July, 1816.
Complaints of shipping masters against Deputy Assistant Commissary General Hogan's irregularities by neglecting to consolidate the Store checks at the end of every Quarter in conformity to his Instructions;
It appears in my Judgment great neglect of Public Duty, and no excuse can be admitted on the part of Deputy Assistant Commissary General Hogan, but signal incapacity, or the necessity of competent Clerks to carry on the public Business in the Commissariat Department according to the usual Forms and Practices of the Service, which I am fearful at the present moment suffers from his neglect; and, as I am totally unacquainted with the Form and Duties of the Commissariat Department, I earnestly request that your Excellency will be pleased to adopt such measures, as you may think necessary for the better regulation of that Department. I herewith enclose you a copy of Captn. Dorr's Letter of Complaint.

I have, &c,
THOMAS DAVEY, Lt. Govr.

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.
(Despatch per H.M. brig Kangaroo.)


I have the honor to acknowledge the receipt of your Letters under dates 5th and 9th Instant, with their respective Enclosures and accompaniments, these Dispatches having come
MACQUARIE TO DAVEY.

2. It is extremely painful to my feelings to be compelled from a sense of Public Duty to censure some part of your Public Conduct in almost every Dispatch that I have occasion to write to you, and I do so with the utmost reluctance to an officer of your high rank and experience in the Service; but, however painful to my own feelings and disagreeable to you to find such frequent fault with an officer of your high rank, I cannot shrink from the performance of my Public Duty, when circumstances occur which necessarily call for censure and animadversion.

3. In pursuance of these sentiments, I must decidedly disapprove and censure your conduct in paying to Mr. James Gordon, the late Naval Officer and Acting Treasurer of the Police Fund at Hobart Town, the sum of £383 17s. 9d., being the amount of Commission at 5 Pr. Cent. allowed him by you on the Money passing through his Hands as Naval Officer. You must be perfectly aware that this charge is highly irregular and unwarrantable, as never having received my sanction for making it, and Mr. Gordon himself must be fully sensible that he had no right whatever to any such allowance, none such having ever been promised him; it being always perfectly well understood that the Naval Officer at the Derwent was also to act as the Treasurer of the Police Fund there without receiving any Commission or any extra allowance whatsoever besides his Salary as Naval Officer. You say a similar Commission was allowed by me to Lieut. Duncan Campbell, the Predecessor of Mr. Gordon as Naval Officer at Hobart-Town. I have not, however, the smallest recollection of having sanctioned such a charge; but I have a perfect recollection of refusing that Officer any Commission on his making application for it at two different times, whilst Capt. Murray and Major Geils were Commandants of the Derwent; so that, if such a Charge was ever made by Mr. Campbell in his Accounts, it must entirely have escaped my notice, or have been sanctioned (if it ever was) under very peculiar circumstances and qualified restrictions as to the amount to be allowed and charged, the amount of Duties then collected there being so very small that the Acting Treasurer of the Police Fund at Hobart Town was in the constant habit of Drawing Bills on the Treasurer of the Police Fund at Head Quarters for the Salaries, etc., of extra offices at the Derwent; and, when I remind you that Mr. Wentworth, who has ten times the trouble as Treasurer of the Police Fund here that ever Mr. Gordon has had at the Derwent, and that He receives no Salary or Commission whatever
as Treasurer of the Police Fund of the Colony, you will surely admit that it would be highly unjust to make so odious a distinction in favor of Mr. Gordon. I therefore totally disapprove of your admitting this charge, as a very unnecessary and highly improper expenditure of the Public Money, and have consequently to command and desire that Mr. Gordon shall immediately refund the Commission you have allowed him, and that the same may be forthwith recredited to the Police Fund.

4. The charge you have allowed to be made in the last Police Account transmitted to me of £300 for the Freight from Port Dalrymple to the Derwent of Mr. Edward Lord’s Wheat is at least equally if not more exceptionable than that you have allowed to be made for Mr. Gordon’s Commission just adverted to. I cannot help expressing my Surprise and displeasure at this most unwarrantable and very unjust Charge being now made, after having before signified to you that I could not possibly sanction it, it being well known that you could have Purchased plenty of Wheat at the Derwent for the use of the King’s Stores at Ten Shillings per Bushel, without having recourse at all to Port Dalrymple for Wheat, for which you were to pay Mr. Lord Freight at the rate of Two shillings per Bushel in addition to the prescribed Price; and your making such allowance to this Gentleman is the more extraordinary and unaccountable, when you know that Wheat has been sent up from both the Derwent and Port Dalrymple for the use of the Government Stores at Sydney for Ten Shillings per Bushel without any Demand having ever been made for Freight. I must therefore consider your admitting this charge to be made and paid to Mr. Lord as evidently founded in partiality for the purpose of serving a favored Individual; but your paying him this Freight, after its having been disapproved of and prohibited by me, is highly improper and unjustifiable. I must therefore desire that you will call upon Mr. Lord immediately to refund this money, in case it has actually been paid him, and have the same recredited to the Police Fund. In case of non-compliance with this order, on your own part or Mr. Lord’s, I shall feel it my duty to lay a statement of this Transaction before His Majesty’s Principal Secretary of State, as well as a Statement of the Commission you have allowed to Mr. Gordon, in case that Gentleman does not immediately refund the same; and you must expect that His Majesty’s Ministers will highly disapprove of such lavish and prodigal expenditure being made of the Public Money entrusted more immediately to your Management.

5. However desirable it might be to obtain Possession of the Point of Land belonging to Mr. Edward Lord for the purpose of
erecting a House and Offices for the Lieut. Governor on it, it would be making rather too great a sacrifice to pay that Gentle-
£1,750 stg. for a spot of ground, without a single Building of any sort upon it, not exceeding Twelve Acres of Land. I conse-
sequently highly disapprove of your having agreed to allow Mr. Lord to land 5,000 Gallons of Spirits Duty free, as a remunera-
tion and Payment for the said Trifling Portion of Land; the Duties at 7s. Per Gallon on the said 5,000 Gallons of Spirits amounting to the above mentioned sum of £1,750 sterling. All idea of Purchasing this spot of Land for Government at so very exorbitant a Price must be entirely relinquished, and some other eligible Place will be hereafter Pitched upon in or near Hobart Town for the Site for the House of the Lieut. Governor, when the Funds of the Settlement over which he presides will afford the erection thereof. In the mean time the conditional agree­ment, you have entered into with Mr. Lord for the Purchase of the Piece of Land alluded to, must be immediately rescinded and cancelled; and he must grant his Bond or Security for the due Payment of the Duties due to the Crown on the 5,000 Gallons of Spirits you allowed him to land, which Duties he must be required to pay by regular Instalments within reason­able periods as he obtains sale for his Spirits. I return you here­with the correspondence you sent for my perusal, and which took place on this subject between yourself and Mr. Lord.

6. In a former Dispatch, I signified to you my disapprobation of the measure of your having sent up 2,500 Bushels of Wheat from Hobart Town for the use of the King's Stores here on board the Brig Bridgewater in May last, entirely unasked and unautho­rized by me, no supplies of that article being required for the Stores here at that time. I have now to inform you that no less a quantity than 572 Bushels of that Wheat was landed here in so damaged a state as to be totally unfit for the use of Man, and was consequently condemned some time since by a regular Committee of Survey; so that Government will lose the sum of £285 Stg. by this unauthorized measure of yours, unless it should be deemed advisable by His Majesty's Ministers to stop that sum from your Salary as Lieut. Governor, which I think it not unlikely they will do, as I shall certainly consider it my Duty to lay a statement before them of the loss the Government has sustained by this transaction.

7. In consequence of your own recent unfavorable report of the conduct of Mr. Deputy Asst. Comy. Genl. Hogan at the Derwent, and the numerous complaints formerly made to me by individuals of that officer's very improper and irregular conduct as Head of the Commissariat Department at the Derwent, I have
1816.
31 July.

P. G. Hogan to be removed to Sydney.
Appointment of W. Broughton to charge of commissariat department.

Regulations for administration of commissariat.

Office accommodation for commissariat.

HISTORICAL RECORDS OF AUSTRALIA.

Deemed it advisable, and absolutely necessary for the good of the Public Service, to relieve Mr. Hogan immediately and remove him from the Derwent entirely to Head Quarters. For this purpose, William Broughton, Esqr., Acting Assistant Commissary General has been Selected, and ordered to proceed to the Derwent on board the Kangaroo, now under dispatch, to relieve Mr. Hogan and take charge of the Commisariat Department at that Settlement. Herewith I transmit for your own guidance and observance, and for that of all other Persons concerned in Van Diemen's Land, an attested Copy of the Orders and Regulations, which I have deemed it necessary to frame and Publish under date of the 27th Inst. for conducting the Duties of the Commissariat Department at the Derwent in future, including the increase and expenditure of the Government Stock there, and also relative to the manner of making up and Management of the Police Fund of Van Diemen's Land henceforward. To all which Orders and Regulations I have now to request your particular attention to see that they are strictly complied with by all Persons concerned within the two Settlements under your immediate Government; and I trust it is unnecessary for me to attempt to impress on your mind the necessity of your causing these Orders and Regulations to be most Strictly enforced. I shall expect you will afford Mr. Broughton every aid and support in your power in carrying his Instructions into complete effect, and in remedying the shameful abuses that have so long disgraced the Commissariat Department at the Derwent. Without your support and cordial Co-operation, it will be utterly impossible for Mr. Broughton to effect the radical reform in the Commissariat Department at the Derwent, which he is instructed to do and which is so obviously necessary to be effected. I therefore indulge a hope you will readily afford Mr. Broughton your cordial support and co-operation in carrying his orders and Instructions into effect.

8. It having been stated to me that the present office used by the Commissariat Department at Hobart Town is very inadequate for that purpose from its very small size and other Defects, I have to desire that you will direct the Inspector of Public Works to make such addition to the office alluded to as Mr. Broughton may deem necessary to render it useful and more comfortable for himself and his Clerks; and I have to request that you will order this addition to be made immediately on the arrival of Mr. Broughton at Hobart-Town.

9. Whilst on the subject of Buildings, I beg to observe that it will have an extremely awkward appearance to have the intended New Church* erected in the manner you propose in the angle of

* Note 74.
George's Square, namely, in directing that it shall Stand due East and West. This, tho' commonly the case, is by no means necessary or required by the Cannon Laws; and, as it would not conform to nor correspond with the adjacent Buildings, but, relatively to them and the Streets opening into the Square, would appear a great deformity to build the intended Church due East and West in the Angle pointed out for it in George's Square, I have to request you will waive this Point, and order the Church to be erected in such a site and manner as to correspond with the adjoining Buildings, according to my original intention and Plan of the Town, which Mr. Evans the Deputy Surveyor will more fully explain to you.

10. Having been informed by Mr. Evans, the Deputy Surveyor, that Mr. (late Capt.) Kemp has applied to him to locate and mark out the Lands intended for him in the Interior at a place called Cross Marsh about 40 miles distant from Hobart-Town, I see no good reason why he should not have his Lands there since he prefers that Place, as it would be very desirable to settle the whole of the Country in the vicinity of the Road, leading from Hobart Town to Launceston, as soon as possible, so as to render the communication between the two Settlements more safe and commodious for Travellers.

11. Wishing that all the new streets should be opened and completed according to the Plan which I had made out of Hobart-Town in the year 1811, I now enclose you a Copy of the Return or Report of the valuation of the several Houses and Buildings in that Town, as taken by a Committee of Survey by your own order in June, 1813, and which was delivered to me by Mr. Meehan here lately, in order that the Houses, etc., therein specified may be paid for agreeably to the said Valuation, and then immediately removed by the owners thereof. You will therefore be so good as to issue the necessary orders on this head, and you are authorized to order the amount of the accompanying Account of the Valuation of these Buildings, necessary to be removed, to be charged in the current Quarterly Account of the Police Fund of Van Diemen's Land.

12. Enclosed herewith you will receive a List of the Names of the Witnesses required here at the impending Trial of William Clarke, charged with the Crime of Murder at the Derwent, and who was sent up here some time since without any Witnesses to give evidence to the facts. You must surely be fully aware how useless and absurd it is to send up any Prisoners to be tried here without the necessary Evidences to prove the facts; and I must beg that, in future, when you have occasion to send Prisoners to Head Quarters, you will at the same time send up along
1816.
31 July.

Witnesses required for trial of W. Clarke.

P. G. Hogan to return in brig Kangaroo.

Convicts per brig Kangaroo.

Voyage of brig Kangaroo.

Inability to send stores and clothing.

HISTORICAL RECORDS OF AUSTRALIA.

with them all such Evidences as may be deemed necessary for the Prosecution and Defence of all Such Delinquents. I am now to desire that you will not fail to send up to Sydney, by the return of the Kangaroo, Doctor Luttrell and Mr. Gordon as well as the other Witnesses specified in the accompanying List, required by the Judge Advocate at the Trial of the Prisoner William Clarke, it being my intention to order a Criminal Court to be assembled here for his Trial the moment the necessary Witnesses arrive from Hobart Town, so as to detain them at Sydney as short a time as possible. In case Mr. Hogan should be able to settle and close all his Public accounts before the Kangaroo sails from Hobart Town for Sydney, you are to order him to proceed in her hither; but, in case he cannot adjust and close all his Public accounts in time to come up in the Kangaroo, you must order him to avail himself of the next good opportunity that may offer for Sydney.

13. By the Kangaroo, I now send Fifty Male Convicts to Port Dalrymple, and the same number to the Derwent. In these numbers for the two Settlements are included a large proportion of Artificers for the Public Works, as specified in the Lists which you will receive of the Convicts thus sent from the Secretary, including their respective Sentences of Transportation.

I intended sending Twelve men more to the Derwent, but the Kangaroo could not accommodate this additional number, which were actually embarked but were obliged to be relanded again this morning. The Kangaroo first touches at Port Dalrymple to land her Passengers there, and from thence she is ordered to proceed with as little delay as possible to the Derwent, where I have to request she may not be detained longer than is absolutely necessary, but to be ordered to return to Sydney immediately after she has landed her Passengers and taken in her Wood and Water at Hobart town with the required Evidences and such other Passengers, as you may have occasion to order on board of her for Sydney. I am extremely sorry I have it not in my power to send you now in the Kangaroo a supply of Stores and Slop Clothing for the Derwent, there being very few of the former, and none at all of the latter now remaining in the King's Stores here, nor are there any of the latter to be had to Purchase from the Shops in this Place. But I have every reason to expect a ship will arrive here from England in the course of a month with all kinds of Stores and Slops for the use of the Colony; and you may rest assured I shall not fail to send a liberal Proportion of both those articles for the use of the two Settlements in Van Diemen's Land by the Kangaroo, the moment the expected Store-ship arrives here.
MACQUARIE TO DAVEY.

14. Herewith you will receive the Lists of the names of those Persons residing either at the Derwent or Port Dalrymple for whom I have signed Absolute or Conditional Pardons, or for whom I have issued Grants of Land at either Settlement. You will also receive herewith several rejected Memorials, with my answers on them to be made known to the Applicants. Mr. Secretary Campbell will send by Mr. Broughton the new made out Grants of Land* of the several old Settlers at the Derwent and Port Dalrymple, so long promised them, and which Mr. Broughton will deliver to them on their paying him the prescribed Fees. The last Memorials for Lands and Cattle, which you forwarded to me along with your Dispatch per the American Brig Ontario, I have not now time to take into consideration or to answer, but shall do so by the next good opportunity that offers from hence for Hobart Town.

15. On Mr. Humphrey's sending me a Memorial stating what Lands and Indulgencies he has already received from Government since his first arrival in the Colony, I shall then consider his claims for a further Grant of Land and for the usual indugencies annexed thereto.

16. I have to regret that Major Stewart should have entered into such very unpleasant Disputes at Port Dalrymple as he appears to have done lately with the officers serving under his command there. It is my intention to write to him on this subject by the present opportunity.

17. If you conceive you have any claim for Bat and Forage, claim of you should make application for it at Home, as it is not in my power to sanction your receiving it here without an order from the Secretary at War.

I have, &c.,

L. MACQUARIE.

[Enclosure.]

INSTRUCTIONS FOR REORGANISATION AND ADMINISTRATION OF COMMISSARIAT DEPARTMENT.

27th July, 1816.

1. In consequence of very great neglect and irregularity having for a length of time prevailed in the manner of conducting the duties in the Commissariat department at Hobart Town in Van Diemen's Land, it is now become necessary that the officer at the head of that department should be forthwith relieved, and his situation supplied by another officer of the Commissariat Department.

For this purpose, William Broughton, Esqr., Acting Assistant Commissary General at this station, is ordered to hold himself in readiness to proceed on the shortest notice from hence in His Majesty's Colonial Brig Kangaroo to Hobart Town, and there to relieve Mr. Deputy Assistant Commissary General Hogan, the officer now in Charge of the Commissariat department there, and to Enter upon the execution of the duties of that Department.

* Note 68.
2nd. Complaints (but too well founded) having been made by the Masters of Vessels from India and elsewhere, trading to Hobart Town, that they have experienced much delay and suffered very serious injury in consequence of their having been refused consolidated or other regular Payment for the Store Receipts, which they had received in Payments in the regular course of Trade, although presented at the prescribed Periods;

It is now ordered that in future all Store Receipts or Promissory notes, which shall be issued for the Public Service, shall be regularly called in for consolidation or other legal payment on the 24th of each succeeding Month; and further that all such Store Receipts or Promissory notes issued for the Public Service shall express in clear and distinct terms to whom issued and for what consideration. And a highly improper practice having crept into the Commissariat department at Hobart town, namely, that of issuing Promissory notes bearing the Official signature of the Officer at the head of that Department, whereby the Public have been erroneously lead to consider those Notes as issued for Government Purposes, and consequently that Government was responsible for their Payment, under which Idea much injury may be sustained to the Public, it being well known that such notes have been put into Circulation for private Purposes, totally unconnected with and altogether foreign to the Public Service:

It is ordered that no officer in the Commissariat Department at Hobart Town shall in future issue any Promissory note, bearing his Official signature, unless the same shall be bona fide for the Public Service, and as above directed have the consideration, for which it shall be issued, expressed thereon.

3rd. Immediately on the arrival of Mr. Assistant Deputy Commissary General Broughton at Hobart Town, and previous to his taking charge of the Commissariat department from Mr. Deputy Assistant Commissary General Hogan, His Honor, or the Lieut. Governor, or officer in command there, will please to Order, direct and appoint a General Muster, agreeably to the prescribed form, to take place with the least possible delay of all Persons, who are victualled or receive rations from the Public Stores there, which Muster is to be taken by Mr. Broughton assisted by the Inspector of Public Works and the Principal Superintendent of Convicts, whereby he will be enabled to make out regular victualling Lists for his own use in the department he is about to take charge of, and also to check the returns made for the Rations which may be drawn from the Public Stores under his direction.

4th. The Lieutenant Governor, or officer in Command, is also to order a committee of survey to assemble at Hobart Town on the 25th of the Month, in which Mr. Assistant Deputy Commissary Genl. Broughton shall arrive there, which Committee is to examine and ascertain minutely the quantity of Provisions, Spirits, Stores and every other Article of whatever nature or kind, at that time remaining in His Majesty's Stores there and belonging to the Crown, in order that Mr. Broughton may be thereby enabled to commence his Accounts from that date, and, to avoid broken Periods appearing either in his Accounts or in those of the Officer, whom he is to relieve and who will of Course be expected to make up his Accounts to that date, and to deliver over the Entire charge to his Successor at that time.

In the Event of their being Spirits belonging to Private Persons deposited or Bonded in the King's Magazines at Hobart town, on account of the duties due thereon, a separate survey shall be made out on them by the said committee, and the Spirits so deposited are to be
regauged in order to the ascertaining correctly the Quantity contained in each Cask, and samples are to be taken from Each to ascertain the quality thereof, which Samples are to be delivered in Bottles sealed with wax to the Individuals to whom the Spirits may belong.

5th. Mr. Hogan, when delivering over the charge of the Commissariat department at present under his charge to Mr. Broughton, is to furnish him with a Correct Schedule or list of all debts owing to the Crown, reciting the particular Circumstances under which they had been Contracted; and he is farther to hand over to him all such Bonds or other Securities from Individuals as he may be officially possessed of belonging to the Crown, for which he is to require and Mr. Broughton is to give a receipt in due form. In case of any debts being owing to the Crown, for which Mr. Hogan has not already procured regular written Securities by Bond or otherwise, he is hereby directed to call upon and demand of the Persons owing such debts to pass forthwith to him the necessary Securities for their final payment in the regular prescribed time; and, when obtained, he is to deliver them also in like manner with the others to his Successor Mr. Broughton.

6. As Mr. Broughton cannot be held responsible either for debts on Arrears of Provisions, which may be owing to Individuals by the Crown, previous to his taking charge of the Commissariat department at Hobart Town, Mr. Hogan is ordered to discharge and Settle all accounts of this description previous to his giving up the charge of the department; and he is in like manner also to call in all the outstanding debts, Receipts or Promissory Notes, issued by him bona fide for the Public Service, and to grant thereon Consolidations or Bills on the Deputy Commissary General at Head Quarters here.

In the performance of this duty Mr. Hogan is to be particularly careful to avoid including, in such Consolidations or Bills, any Store Receipts or Promissory notes which have been already included in former Payments.

7th. It being deemed adviseable for the benefit of the Public Service that the official account of the increase, decrease, expenditure and distribution of the Government Cattle at the Derwent should be kept in future by the officer in charge of the Commissariat department, It is now ordered that, immediately on the Arrival of Mr. Broughton at Hobart Town, a Committee of Survey shall be appointed by the Lieutenant Governor or Officer in Command to view and ascertain the number, Age and description of all the Government Cattle at that Settlement; and that all orders for the future delivery of Cattle from thence shall be addressed to the officer at the head of the Commissariat department, who is thereon to affile and register such Orders in his office and to issue Counter Orders thereon, addressed to the Superintendent of the Government Herds for the delivery of the Cattle agreeably to the Original Orders from the Lieutenant Governor.

It is further hereby ordered that the Superintendent of the Government Stock at the Derwent shall send in correct weekly returns thereof on Each Monday, agreeably to the prescribed form to the said officer in charge of the Commissariat, specifying therein the increase, decrease and Remains of the said Stock up to the day on which the said Return shall be made; and, for the more effectual prevention of frauds and Collusions among the Persons Employed to herd and take care of the said Cattle, a Committee of respectable Persons is to be appointed to Survey and report Quarterly in the aforesaid manner on the state of said Herds and Flocks.
160 HISTORICAL RECORDS OF AUSTRALIA.

8th. Returns for Rations are to be sent to the officer in charge of the Commissariat Department, signed by the Proper Officers and to be delivered on each Thursday Morning, so as to Enable the Comm. to Examine and compare them with his own Victualling Lists, previous to his issuing the Rations thereon on the ensuing Saturdays. Any neglect of this Order on the part of the proper officers is to be reported by the Commissary in suitable terms to the Lieutenant Governor or Officer in Command.

All those Persons, who have been already victualled for Eighteen Months from His Majesty's Stores at Hobart Town, not including those Officers or Persons necessarily on the Stores, are immediately to be struck off from obtaining further Rations as soon as Mr. Commissary Broughton shall have taken the Charge of the Commissariat department on him.

The Civil and Military Officers, the Government Artificers and Labourers, and those Government Labourers, allowed officially to the Magistrates and subordinate Civil officers, are to be continued on the Stores as heretofore. The Officer at the head of the Commissariat will be held highly responsible for the due Execution of this Order; and it is to be here understood that the several orders herein expressed, relative to the future conduct of the Commissariat Department at Hobart Town, are to be considered equally to include the Branch of the Commissariat Department at Port Dalrymple, so far as local Circumstances will admit, for which purpose Mr. Commissary Broughton is to furnish the Commissariat officer in charge at Port Dalrymple with a Copy hereof and with such further Explanatory Instructions as may appear to him necessary to give the whole the fullest Effect.

9th. William Maum* and William Holgrove, the former Store Keeper and the latter Subordinate Clerk in the Commissariat Department at Hobart Town, being deemed most Improper Persons to hold their respective Confidential and important Offices are to be discharged from those Offices immediately on Mr. Broughton taking charge of the Commissariat department; and in their room His Excellency is pleased to appoint Mr. William Raynor to be Store Keeper, and Mr. John Flood to be Subordinate Clerk, which Appointments are to take place from the date of their Predecessors being dismissed.

10th. When Mr. Assistant deputy Commissary Hogan shall have delivered over the Charge, and finally wound up and settled all the Public Accounts of the Commissariat Department under his Direction, up to the date of his being relieved by Mr. Assistant Deputy Commissary Broughton, he is hereby ordered to return as soon afterwards as possible, embracing the Earliest Opportunity which may offer for that Purpose.

11th. Many irregular and unauthorized demands having been made for some time past on the Police fund at Hobart Town, whereby it has been unnecessarily impoverished, the Governor deems it necessary to Order and direct that the following Rules and Regulations shall be strictly and undeviatingly adhered to in the future Management and Disposal of said Police fund, Namely:

12th. The Police fund Accounts of Van Diemen's Land shall be made up regularly at the end of every three Months as heretofore by the Acting Treasurer for the time being; and, when so made up, they are to be submitted to and Examined by a Committee consisting of the three following Persons, namely, the Deputy Judge Advocate, the Officer Commanding the Detachment of Troops, and the Officer in Charge of the Commissariat at Hobart town, all for the time being.

* Note 11.
who are hereby authorized and directed to act as a Committee for the Purpose of Examining and auditing the said Account, and Certifying them, when found correct, previous to their being submitted to the Lieutenant Governor or Officer in Command for his approval. These quarterly accounts are to be forwarded by the Lieutenant Governor or Officer in Command by the Earliest Opportunity to the Governor in Chief at Head Quarters for his final Examination and Sanction, and for their Eventual publication in the Sydney Gazette, in like manner as the Accounts of the Sydney Police Fund.

2. As no charge on the Police fund can be considered correct, unless supported by a regular Voucher, the Committee of Examination will attend to this Circumstance, and on no account permit any charge on the fund to pass unless fully warranted by the Vouchers. And the Treasurer is hereby directed not to pay any extra Charge or demand thereon for any sum exceeding ten pounds sterling, unless it shall have previously received the written sanction of the Governor in chief.

The Permanent Authorized Salaries of the Civil Officers, not being Extra Charges, are to be paid as heretofore.

12th. On any occasion, when it may be necessary that the Convicts, whether Artificers or Labourers in the Service of Government, shall be required to work for Government in what is usually termed their own time, the allowance or wages to be paid each Person so employed is never to Exceed the Sum of two Shillings per diem; And it is further Ordered that, if it should be absolutely necessary to Employ free Men at any time as Artificers or Labourers on Government duty, they shall be Each paid a Sum not Exceeding Five Shillings per diem and not more on any Account whatever.

13. It is further Ordered that free Men shall not be Employed in Government Service either as Artificers or Labourers, unless on the most pressing Emergencies, and that the Extra time of the Convicts in the Employ of Government shall not be interfered with, but on occasions of absolute necessity.

14th. The Naval Officer at Hobart Town is to continue to act as the Treasurer of the Police fund of Van Diemen’s Land, and to make up the Quarterly Accounts of it as already directed; but it is here to be fully understood that, as the funds result chiefly from the duties collected by the said Acting Treasurer in his Capacity of Naval Officer, whereby no additional trouble is given to him, that he is not to receive any additional Salary or Per centage Commission for thus acting as the Treasurer of the fund. And, the present circumscribed state of the Colonial funds of this Colony and its dependencies requiring the utmost Economy in the General expenditure, it is required that the fullest Consideration shall be given to this Circumstance by all those in the Service of Government at Hobart Town.

15th. The Lieutenant Governor of Van Diemen’s land or Officer in Command will make out with all Expedition and forward forthwith to the Governor in Chief a Correct Schedule of all the Colonial Salaries now paid from the Police fund at Hobart town, in order to his Examining and Approving the same, when found Correct or not on a higher Scale than the necessity of the Case may require.

16. It being of the utmost Importance to the Public Service that these Orders should be strictly attended to and Obeyed, All persons concerned are hereby strictly Enjoined and commanded to render the strictest Obedience thereto.

LACHLAN MACQUARIE.
6th August, 1816.

[A copy of this despatch is not available.]

[Enclosure.]

**Deposition by T. Seals.**

Hobart Town, County of Buckinghamshire, Island of Van Diemen, 10th July, 1816.

-Present:—His Honor Thomas Davey, Esquire, Lieutenant Governor, Van Diemen's Land, etc., etc., etc., and A. W. H. Humphrey, Esquire, Justice of Peace.

Information on Oath of Thomas Seals, a freeman, who deposes:—

On Thursday the fifth instant, about one o'clock in the day, a Banditti of Bushrangers, consisting of Michael Howe, Peter Septon, Richard Collyer, George Jones and Dennis Geary, came to the Hut in which I live at the Broad Marsh, which is about Forty Miles from Herdsman Cove in the direction to Port Dalrymple Settlement. Michael Howe was the first who presented his Musket to my breast, and directed me to go out into my Hut, asking me who was there. I replied there was no person in the Hut; they then asked me what provisions I had, and if I had any Bread; they observed a piece of Bread on a Shelf, which they took down, and asked me if I had any more; they took some flour out of the box and made some cakes, which they baked in the ashes; they then went to the harness cask and overhauled it to see what meat I had in it; and if I had any Bread; they observed a piece of Bread on a Shelf, which they took down, and asked me if I had any more; they took some flour out of the box and made some cakes, which they baked in the ashes; they then went to the harness cask and overhauled it to see what meat I had in it; they took all they could find; they then said they must kill a young Heifer. I beged of them not, but they insisted they would, and made me drive the Cattle into the Yard, when Peter Septon fired at a young Bullock but missed it; they then made me put a rope on the young Bullock, and tie it to a post. Howe discharged his piece at the Beast, and shot it, and afterwards knocked its Brains out; they then skinned the Beast and roasted some of it, and the remainder they gave to their Dogs. After they had killed the Beast, they stopped with me from Thursday Afternoon until Saturday morning; during the time they remained with me, Jones requested me to procure for him one hundred needles, two clasp knives, two Shirts, two lb. Tobacco and one lb. Gunpowder, for which he said he would give me the watch belonging to the Captain that they shot at the Falls (meaning James O'Burn, Master of the Geordy Sloop), which had a Gold Seal to it, also a pea Jacket with other things, which he said would be of great service to me, but none to him or his party, which I agreed to do; and Jones said he would call in the course of a fortnight but did not mention the exact day. They most particularly cautioned me not to give any information of what they had agreed to do, stating that, if I did, they would be certain of hearing it, and then I must stand clear for they would have my life. They also said, if any parties were sent out after them, they would distress the whole Island by burning the crops and killing the Cattle and Sheep throughout the Country. They exhulted in what they intended to do to Mr. Humphrey, saying that they had not begun with him Yet, for what had been done by Watts and Garland was only a flea bite, but they meant to serve him out. Michael Howe had in his fob pocket Mr. Humphrey's compass, which he showed me; they also threatened...
Mr. Beamont and long Jones, saying that they would kill them and were sorry they had not done it before now. On Saturday morning, the 7th instant, when they were about to leave my Hut, they said they should take me with them towards Mr. Whitehead's Stockyard. They did so, and, when they came within about a mile or a mile and a half from Mr. Whitehead’s Stockyard, the Banditti divided, leaving me in custody of two of the Banditti; they had not been gone more than one hour, when they returned, bringing with them Johnson (Mr. Whitehead’s Stockman), an Iron Pot, a Knife and all the provision, they could find in Johnson’s Hut, with one Dog. The evening before they left my place, Michael Howe sat down and tore a leaf out of my Stock book, and wrote a letter directed to Colonel Davey, which he read to me, and, as well as I can recollect, was as follows:—

“I have called at Mr. Stanfield’s Stockyard, and been under the necessity of Killing a Bullock about Three hundred weight, which I hope you will pay for, as we have been off the Store a long while, but not in the same manner as you had defrayed the Blood Hunter’s Expences, for, if the Blood Hunters comes into my Territory, I will feed them with force meat balls.

“I am, Yours, &c.,

“MICHAEL HOWE,

“Lieut. Governor of the Woods, etc., etc.”

This note they read to me and said, if I did not deliver it to the Lieutenant Governor, they would kill me; but afterwards they took it from me and burnt it.

When the Banditti proceeded on to New Norfolk with Johnson and me, at which place we arrived about two hours before sundown, and the Banditti placed themselves on a high Hill to watch, who went in and came out of Jillett’s house in the district of New Norfolk; about Sunset, the Banditti tied my hands to Johnson and left us in charge of Richard Collyer, while the others consisting of five went down to Jillett’s house. Richard Collyer held in one hand a Pistol and in the other held a knife, with which he said he should cut the strings that tied me and Johnson, and let us loose, provided that the party fired a shot from Jillett’s house. Shortly after the men had been in Jillett’s house, they called to Richard Collyer to bring down Johnson and me to the house, where we remained all night Eating and drinking; they robbed Jillett’s house of what they thought proper and went away about 5 o’clock Sunday morning.

They said that, if I would be a friend to them, they would reward me well, and that there would be no danger in what they would give me, for they were fully determined to be like Turpin to rob from the rich to give to the Poor.

THOMAS SEALS.


GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despach per brig Spring.)

Sir,

Government House, Sydney, 30th Sept., 1816.

1. I have the honor to acknowledge the receipt of your Despatches Letters under dates 8th and 9th of July and 6th of Augt. last, received some time since per Brig Spring.
2. I am concerned to find by your Letter of the 6th of August that so many of the Men I sent to you some time since by the Kangaroo have absconded and gone into the Bush. This must certainly be chiefly owing to the neglect and remissness of your overseers and constables in not more narrowly watching these men for some time after their arrival; and I must request you will order and instruct them to be more attentive to their Duty in future, when Men of this description are received at the Derwent from Head Quarters; for you must always expect that a proportion of the bad men as well as of the good will be continued to be sent from hence to the Settlements in Van Diemen's Land. From the extravagant demand you make in your Letter of the 6th of last month for Two Hundred Prisoners being sent from hence for the use of the Public Works at the Derwent, it would appear that you suppose an immense Depot of some Thousand Prisoners are kept here constantly for supplying the Out Settlements; but this is not the case, no more men being ever kept at Sydney than are actually required for the use of the Govt. Public Works going on here. But at all events I must remind you that, including those men landed at the Derwent from the Indefatigable three years ago, and the several Draughts sent before and subsequent to that period from hence to Van Diemen's Land, you have received more than a full Proportion of Male Convicts for the use of Government and the free Population in the two Settlements in Van Diemen's Land, had they been fairly and impartially distributed amongst the Settlers, which I have good reason to believe has been too little attended to by yourself and your Predecessors.

3. In respect to your Demand for Slop Clothing, Stationary, Tools and Implements, I have already, in former Dispatches, informed you that none of these articles are in the King's Stores, nor to be had from Private Merchants; but I expect a Store-ship soon from England, and, as soon as she arrives here, I shall not fail to send a Proportion of all these articles for the use of the Settlements in Van Diemen's Land.

4. As early as practicable after the receipt of this Letter, I have to desire that you will take a General Muster of all the Inhabitants, etc., etc., on Van Diemen's Land, agreeably to the prescribed Form; and, as His Majesty's Govt. now requires an annual Alphabetical Nominal Return to be sent Home of all Persons who are now or have formerly been Convicts, you will be so good as to transmit to me the original Books, you take down the Names in at the General Muster in Van Diemen's Land, besides the usual Returns termed the Results of the said
MACQUARIE TO DAVEY.

1816.

Musters. It is necessary that these Muster Books and Results should be forwarded to me as early in the Month of December next as possible.

5. I regret it is out of my power to comply with your request in behalf of Mr. Bunster for a Grant of Land, it being contrary to my Regulations to give Lands to any Sea-faring Person without an order from Home.

6. In compliance with your recommendation in favor of Free Persons now residing in Van Diemen's Land for permission to become Settlers, I now enclose herewith a List of the Names of such Persons, as I have deemed it advisable to give new Grants of Land or additions to former Grants, and have to request you will order the Depy. Surveyor to locate and mark out the Lands intended for those Persons, as specified against their respective names in the accompanying List.

7. I return you some few Memorials from the Derwent and Port Dalrymple with my answers on the backs thereof, not being able to grant the requests of the Applicants.

8. Altho' it is now almost Two Months since I dispatched the Kangaroo last to Van Diemen's Land, I am sorry to say she is not yet returned from thence.

I have, &c.,

L. MACQUARIE.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

Oct. 2nd, 4th, and 18th November, 1816.

[Copies of these five despatches are not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.

(Despatch per ship Sophia; acknowledged by lieutenant-governor Davey, 28th December, 1816.)

Sir,

Govt. House, Parramatta, 27th Novr., 1816.

I have the honor to enclose you herewith a Letter* to your address from the Under Secretary of State, which came enclosed to me in my last Dispatches from Earl Bathurst. It conveys to you the official intelligence of the resolution His Majesty's Government have adopted of removing you from your present Command, as Lieut. Governor of Van Diemen's Land, very shortly, and of appointing Colonel Sorrell to succeed you as Lieut. Governor; and, from what Lord Bathurst writes to me on this subject, there is every reason to expect that Colonel Sorrell will arrive here, or at the Derwent, in the course of a few weeks. As he was to sail from England shortly after the date of my last Dispatches. I therefore embrace the present opportunity of giving you this intelligence, but which you are perhaps already

* Note 75.
in possession of thro' the medium of your Private Correspondents in England.

It must of course be fresh in your recollection that, on the occasion of your declaring Martial Law in Van Diemen's Land some time since, contrary to my orders and in contempt of my authority as Governor in Chief, that I signified to you my intention of stating your conduct on that occasion to His Majesty's Ministers. I did so* accordingly, adding thereto your almost total disregard to the Instructions I had furnished you with on your proceeding from hence to Van Diemen's Land, as well as to my subsequent orders and commands on very important Points deeply connected with the Government of those Settlements placed under your immediate command, more especially in your lavish expenditure of the Public Money and your injudicious and extravagant Purchases and Contracts made and entered into on the behalf of Government. The performance of such a disagreeable task was most painful to me, but you left me no alternative, as my Public Duty as Govr. in Chief, paramount to every consideration of Private feeling, imperiously demanded my resorting to the only step left me of supporting my own authority by an appeal to His Majesty's Government in England. If the result of such appeal should ultimately prove a disappoint to you, or injurious to your future views and prospects in this country, you have only yourself and your bad advisers to blame and not me; at the same time that I must ever regret, both on your own account and that of your amiable Family, that I should have been compelled to be in any way instrumental in removing you from a situation of so much respectability and comfort.

Earl Bathurst having authorized me in his last Dispatch to give you a suitable Grant of Land,† not knowing that I had done so already, I beg now to inform you that I have no objection to add Two Thousand acres to the three Thousand already granted to you some time since, and that you may choose this additional Two Thousand acres either immediately adjoining your present Grant, or in any other part of Van Diemen's Land you may prefer, where your doing so will not interfere with the interests of the Crown or with that of Individuals.

I have to acknowledge the receipt of your numerous Dispatches by the Brig Sophia and H.M. Colonial Brig Kangaroo lately arrived from the Derwent, but which I have not now time to answer, but shall do so fully by the Kangaroo, which I intend dispatching direct for the Derwent in about a fortnight hence, with Government Men and Stores for the use of that Settlement.

* Note 76.  † Note 77.

L. MACQUARIE.
GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DAVEY.
(Despatch per H.M. brig Kangaroo.)

Sir,
Government House, Parramatta, 12th Decr., 1816.

1. I now have the honor to acknowledge the receipt of your late several Dispatches Pr. the Brigs Kangaroo, Sophia, and Lynx, with their respective Enclosures and accompaniments, as specified in the Margin.*

2. I have perused the several Depositions you transmitted to me relative to the complaints made by Mr. Eddis, the Commander of the Brig Tweed, against yourself and other officers at the Derwent; and have much pleasure in observing that these complaints were generally unfounded.

3. I have also read the several Depositions you forwarded to me lately relative to the Depredations committed some little time ago by the Bandittis of Bush Rangers and others on Daniel Standfield and other Settlers at the Derwent, which I regret extremely, and cannot help expressing my surprise and displeasure at these Banditties being so long permitted to infest the Settlers in that Settlement, when it is well known that their whole number do no exceed Ten or Twelve Persons at most.

Were you to order Six Soldiers and a few armed Constables to go out after these Marauders, to pursue the Bandittis in their lurking Places, with proper guides, and to remain out in search of them for about a month, I have not a doubt the whole of them might be apprehended in that time. You have already sufficient means in your hands to effect this purpose without my sending you any additional Military Force from hence; and, if you do not employ the means thus at your disposal to preserve the tranquillity and Peace of the Settlements committed to your charge, the responsibility must rest with you and not with me.

In a former Dispatch, I pointed out the means to you to be adopted for suppressing these lawless Bandittis without resorting to the dangerous and ruinous measure of declaring Martial Law.

4. The Prisoner Clarke, whom you sent up hither some time since from the Derwent on a charge of wilful murder, has been tried and acquitted of that Crime. This Trial has put Government to a very great and heavy expence; and I have again, once for all, to desire that you will in future be extremely guarded and cautious in sending up any Prisoner to be Tried by the Courts here, without forwarding along with him the necessary Evidences for and against such Prisoner, and not to send any Person to be tried here for a trivial or slight offence. Colonial

* Marginal note.—13th Ocr., and 24th Do.; and 2d, 4th and 18th Novr., 1816.
Surgeon Luttrell and the other Evidences, who came up hither on the Trial of Clarke, now return to the Derwent on board the Kangaroo.

5. Mr. Gordon, the late Naval Officer at the Derwent, called on me here soon after his arrival from thence, but said nothing to me on the subject of the Money you so improperly paid him from the Police Fund, and which he must be compelled to refund, as nothing he himself or you can say can possibly justify your paying him that money without my authority for your so doing. I shall therefore most certainly hold you responsible to the Crown for the money thus paid by you to Mr. Gordon; and, if he does not immediately refund it, I shall write Home to H.M. Princl. Secry. of State for the Colonies, requesting that the sum of £333 17s. 9d. paid by you to Mr. Gordon, unauthorized by me, may be deducted from your Salary as Lt. Governor of Van Diemen's Land.

6. I understand from the Depy. Surveyor of Lands that you have changed the Scite originally marked out and intended by me for erecting a New Hospital on. I must therefore desire that the Hospital shall not be erected on any other Scite than the one directed and approved of by me. I do not allow Surgeon Luttrell to interfere in cases of this kind, and I shall expect an implicit compliance with my orders on this Point.

7. Having lately received a Petition from Henry Rice, Free Settler at the Derwent, in which he states the great injustice done in depriving him of the Farm located for him at the Coal River some time since by my authority by the Surveyor of Lands, and that, by your order and a most unjust decision of the Bench of Magistrates at Hobart Town, this Land has been given to a Man named Gavin; I have enclosed the said Memorial to Mr. Evans, the Dy. Surveyor of Lands, in order that he may attest the Man's Statement, in case he finds it well founded, and then present the Petition to you for the purpose of redressing the injury done to Henry Rice; and I have to desire that the order given by me on the face of the said Petition may be immediately on receipt carried into effect.

7. In the Return of the number of Persons victualled from the King's Store at the Derwent recently received from thence, I am concerned to observe a great number of Govt. Men assigned to Persons, in and out of office, who have no right whatever to have Government Servants at all on the Store; and amongst the rest I am grieved to see you have no less than Twelve Men victualled on your own account. I am unwilling to make any unpleasant comment on your having this number of Men on the Store; but you know it is improper and that you are not entitled
MACQUARIE TO DAVEY.

1816.
12 Dec.

Assigned
servants of
T. Davey.

8. I am greatly concerned to find that Mr. Hogan, the late Dy.
Asst. Comy. Genl. at the Derwent, is a Defaulter in so large a
Sum as £2,297 15s. 9d. Stg. to the Public, as, I fear, Government
will ultimately suffer from his knavery and improper conduct;
but I trust he will be able to liquidate the greater part of his
Debts by the sale of his Property, which I fear he has acquired
only by the embezzlement of the Public Money and Property
with which he was entrusted. If he can liquidate all the claims
on him on account of Government, I shall be willing to overlook
his Delinquency in consideration of his having a wife and
Family to provide for; but, in case I find Government is likely
to incur any loss from his Delinquency, I must have his conduct
investigated by a General Court Martial.

9. I have, to desire that, immediately on receipt of this Dis-
patch, you will be pleased to order to be made up by Mr. Hogan,
and transmitted to me by the first opportunity that may offer,
a Correct Nominal Return
of all Persons (Male and Female),
who were victualled from the King's Store at the Derwent from
the 1st of January, 1816, to the 24th of September last, both days
inclusive, specifying the date of each Person's being put on or
struck off the Store, and distinguishing the names of such Per-
sons as may have received an Extra-Half-Ration during that
period.

10. I disapprove of the Lease you have given to Mr. Hum-
phrey of the Government Farm at New Town, and desire that
the same may be forthwith cancelled and rescinded by you.

11. I beg leave to inform you that I gave Mr. Evans, the
Depy. Surveyor, permission to take away and apply to his own
Private use the Materials of the Government Old Barn at New
Town, and which I have to desire you will permit him to take
away accordingly.

12. I do not see any objection to Lands being granted to
Settlers and other Persons on the Island of Brune, providing
they have received orders from me for Lands being located for
them at the Derwent; but care must be taken that the fittest
Lands on that Island for Batteries and Townships are reserved
exclusively for Government.

to them, as the Men, you had assigned you with your Lands,
must have been on the Store for the prescribed Period of
Eighteen Months already much longer than that time. I must
therefore desire that they may all be immediately struck off, as
well as all other Government Men assigned on the Store to
Civil and Military officers and other Persons who have no right
to such indulgence.
13. You will receive from Mr. Secretary Campbell a Letter enclosing a List of Names of Persons, to whom I have ordered Grants of Land to be located at the Derwent, and also apprising you of the nature and amount of the indulgencies to be granted to the said Persons along with their Lands. In the List so alluded to, you will find the names of Messrs. Thomas and James Salmon, the two free Settlers lately arrived at the Derwent from England, and also that of Mr. Noble, the Surgeon of the Kangaroo.

14. The several Petitions and Memorials transmitted to me in your recent Dispatches, I have perused and answered, and now return them to you. I am sorry I cannot comply with your request in behalf of the Six Convicts whose Memorials you forwarded to me lately, being unable to give any more Pardons in consequence of recent orders from Home, excepting in very particular cases of long servitude and great Merit.

15. I hope you have long ere now taken all the Musters for the present year at both the Settlements on Van Diemen’s Land, and that I shall receive the Results thereof, as well as the Muster Books themselves, by the return hither of the Kangaroo, agreeably to the orders I lately transmitted to you on this head.

16. I am happy to hear that there are such pleasing and flattering appearances of abundant Harvest this year in Van Diemen’s land. It may not be amiss, however, to apprise you that, in consequence of our having a very abundant Harvest this year in this part of the Colony, it will be impossible to receive any Wheat from Van Diemen’s Land for the use of the King’s Stores here, as, I shall not be able to take half the surplus grain the Settlers will have here this Season.

17. I have now to inform you that I have resolved that no higher Price than Sixpence per Pound for Butchers Meat, or animal Food of any description, required for the King’s Stores in any part of this Territory, shall be paid from and after the 24th of the next month of January, 1817; and I have accordingly to order and direct that you will make this determination known to all Persons concerned at the Settlements of the Derwent and Port Dalrymple; and that you will instruct the officers in charge of the Commissariat Departments at both those Stations not to pay more than Sixpence per Pound for any animal Food received by them on account of Government after the 24th of the ensuing month of January.

18. I have also to desire that you will give Public Notice at the Settlements of the Derwent and Port Dalrymple, that no Settler or other Person is to be victualled from the King’s Stores at those Settlements (with the exception of the Civil and
Military Officers of the Crown, the Govt. Mechanics and Labourers, and other Persons in the immediate service of the Crown) for a longer period than six months, from and after the 31st day of this present month of December, agreeably to orders recently received from His Majesty’s Government at Home to this effect. All those Persons, however, for whom I have already given, or you may hereafter receive orders from me during the continuance of the present month to be put on the Store in virtue of their being allowed to become Settlers in Van Diemen’s Land, are to be Victualled for the time specified in the said orders.

19. By the Kangaroo, I have sent a Pair of Mill-Stones, in compliance with your request, for the use of Robert Nash, on account of his having erected a Wind-Mill at Pitt Water at his own expense; and, as an encouragement to his future industry, he is not to be required to pay immediately for these Mill Stones, but to grant his Bond for their amount, engaging to pay the same in grinding Wheat for the use of Government whenever required so to do until their full Price is liquidated, charging at a rate not exceeding one Shilling per Bushel for the grinding of the said Wheat.

20. Mr. Richard Barker, Free Settler now at the Derwent, having lately applied to me to receive the Lands ordered there for him, in two distinct allotments, I have to signify to you my acquiescence in this Gentleman’s request, and to desire you will instruct the Deputy Surveyor of Lands accordingly.

21. The Government Brig Kangaroo returned here from the Derwent on the 19th of last Month, after a long and unaccountable absence of three Months and a Half in performing a Voyage that is generally made in less than one third of that time by the Common Colonial Craft. I have been waiting impatiently for these last two months for the arrival here of the Surrey, Male Convict Ship, from Ireland, that Ship having also a great Quantity of Govt. Stores on board very much wanted at present both here and at all the Subordinate Settlements; and wishing to send you for the use of the Derwent not only a Proportion of men from those of the Surrey, but also a complete assortment of all sorts of Stores, I have hitherto detained the Kangaroo here to convey them to the Derwent as soon as the Surrey should arrive. She has not yet however made her appearance, and, it being quite uncertain when she will, I have resolved on dispatching the Kangaroo for the Derwent on Monday next, the 16th Instant, with such number of Male Convicts, Slop Clothing and Bedding, and other Stores for the use of that Settlement, as can conveniently be spared. You will accordingly receive by the Kangaroo a complete supply of Slop Clothing and Bedding for
1816.
12 Dec.
Convicts and stores per brig Kangaroo.

Necessity for prompt return of brig Kangaroo.

G. W. Evans to return to Sydney.

Special shipments of convicts and stores.

the whole entitled to the same at the Derwent, together with a number of other Stores, including a good Supply of Stationery for yourself and the Public Offices at that Station. You will also receive Thirty two Male Convicts by the Kangaroo for the use of the Derwent, in which number however are included John Gregory, a Clerk for Asst. Comy. Genl. Broughton, and Ormsby Irwin, whom I send down as an Overseer in charge of those Men, and whom I have to desire may be continued an overseer of Convicts at the Derwent, being remarkably well qualified for that particular situation.

22. It being necessary, on account of the Public service generally, and particularly as she must be dispatched from hence direct for England early in February with Dispatches of the greatest importance, that the Kangaroo should be sent back hither with the least possible delay, I have to signify to you my positive orders and commands that she may not be detained at farthest more than Ten Days at the Derwent from the date of her arrival there, and that she may be dispatched at the expiration of that time without fail by you on her return Voyage direct to Port Jackson. I am also to desire that Mr. Geo. Wm. Evans, the Deputy Surveyor of Lands, may be ordered up to Sydney on board the Kangaroo.

I have, &c.,
L. Macquarie.

P.S.—A Separate Supply of Men, Slops, and Stores will be sent for the use of the Settlement of Port Dalrymple on the arrival of the Surrey from Ireland. There is a Separate Supply of Slop Clothing and Bedding Shipped on the Kangaroo for the use of the Old Norfolk Island Settlers now alive at the Derwent, and which I am to desire may be exclusively reserved for and issued to them.

L.M.

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR DATEY.
(Despatch marked "Private," per H.M. brig Kangaroo.)

13 Dec.
Charges preferred against H. St. John Young.

Sir,
Govt. House, Parramatta, 13th Decr., 1816.

I have the honor to acknowledge the receipt of your Letter of date 2d of last month with its several accompanyments, relative to the charge* you have preferred against Asst. Surgeon Henry St. John Younge, which officer arrived at Sydney from the Derwent on board the Kangaroo on the 19th Ultimo and remains there still under arrest.

Having referred all the Papers you sent me on this subject to Mr. Judge Advocate Wylde for his perusal and consideration, I now enclose you herewith a copy of his answer and opinion; from

* Note 78.
MACQUARIE TO DAVEY.

which you will observe that Mr. Younge cannot be Tried by a
Genl. Court Martial without further Evidence or your being
yourself on the spot to prosecute him. I therefore request to
know, as soon as possible, what you wish to be done further in
this case.

I have, &c.,

L. MACQUARIE.

[Enclosure.]

JUDGE-ADVOCATE WYLDE TO GOVERNOR MACQUARIE.

Sir, Judge Advocate's Office, Sydney, 10th December, 1816.

According to your Instructions of the 9th Instant, I have
duly considered the papers inclosed, relative to Charges* preferred
by Lieut. Governor Davey against Assistant Surgeon Henry
St. John Younge and beg leave to communicate, as suggested, my
private Opinion how far the papers transmitted may go to sub­
stantiate the Charges in the absence of all other Evidence.

The mere production of Surgeon Younge's letter No. 6 will
not of itself be sufficient to support the first Charge of making
use of contemptuous and disrespectful words, unless the Letter
be admitted or proved by competent Witnesses to be of the hand­
writing of Surgeon Younge. The production of it by the Lieut.
Governor will prove the receipt and the Court, connecting and
comparing the first, third and particularly the fourth para­
graphs, will then have to pronounce upon the validity of the
Charge as preferred.

With regard to the Second Charge of neglect of Duty, as "it
is the first and most signal Rule in relation to Evidence that a
prosecutor must produce the utmost Evidence that the nature
of the fact is capable of, and there can be no demonstration of a
fact without the best Evidence, and inasmuch as the Depositions
even of a Witness taken ex parte before a Magistrate cannot be
read in Evidence on the trial of the party, after the Death of
the Deponent," there seems to be no legal or sufficient Evidence,
as the Witnesses themselves must be adduced to be personally
examined as to the facts stated, and it would not be competent
to the Court to receive Depositions in that respect even formally
attested, much less the mere written statements contained in
No. 4 and No. 5; while it is to be observed that the only Evidence
even if properly adduced, in support of this Charge, is the fact
stated by John Wade not of refusal to come but as to the various
excuses made by Surgeon Younge, all the other circumstances
by no means amounting to the proof of Surgeon Younge being
actually at home though denied, which alone could render it
necessary for any answer on the part of Surgeon Younge in that
respect.

* Note 78.
The paper No. 4 does not apply in circumstances to the Charges preferred, except as tending perhaps to explain the second paragraph of the Letter No. 6; but even in that View upon the principle already mentioned, the original correspondence itself must be produced by the respective parties, who would make them Evidence, or, if not the originals, authenticated Copies; when it would be for the Court to decide how far the Language used is to be considered under the Circumstances disrespectful and contemptuous towards a commanding officer.

The paper No. 3 resolves itself merely into statement. A charge of course might be raised on the facts stated, which might then be proved, but cannot be applied to the Charges specifically drawn up by the Lieut. Governor Davey.

Upon these grounds, it does not appear to me that the papers inclosed do furnish sufficient Evidence to substantiate the Charges preferred, as “the practice of the Courts of common law in England, not only upon the footing of Authority, but on principles of wisdom, is the standard for all Courts, civil and military, to resort to in matters of testimony, and Courts Martial must therefore most scrupulously attend to the legal rules of Evidence.”

I have, &c.

JNO. WYLDE, Judge Adve., N.S.W.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

(Despatch per H.M. brig Kangaroo; acknowledged by Governor Macquarie, 7th March, 1817.)

28 Dec.

Sir, Government House, Hobart town, 28th Decr., 1816.

I have the honor to acknowledge the receipt of Your Excellency’s Letter under date the 27th Ultimo (with an enclosure from Mr. Goulburn, Under Secretary of State) apprizing me of the expectation of Colonel Sorell to relieve me on this Station; believe me, Sir, the pleasing intelligence affords me much satisfaction.

Your Excellency also informed me that Lord Bathurst has been pleased to authorize you to give me a suitable Grant of Land*; in compliance therewith, Your Excellency has thought fit to grant me two thousand Acres only, stating that the three thousand Acres, which has already been granted me, had not reached the knowledge of his Lordship; here I beg leave to impress on your Excellency’s mind that, early in the year 1814, I memorialized his Lordship for five thousand Acres as a compensation for the very heavy loss, I met with by the Capture of the Emu†; this five thousand Acres is a portion of Land, which I presume his Lordship intends I should possess independent of any former Grants; and I, therefore, cannot think that the Grant

* Note 77. † Note 79.
of three thousand acres, which I at present possess, can bear the
smallest relation with the good wishes of Lord Bathurst, and I
trust and hope your Excellency will conceive it in the same
light.*

I have, &c.,
T. DAVEY.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

SUMMARY, with Dates, of late Dispatches recd. from Lt. Govr.
Davey, acknowledged by Governor Macquarie, 7th March,
1817.
Dy. Asst. Comy. Genl. Hogan's having got 3 mos. Leave of
absence from 1st Dec., 1816, to settle his affairs at the Derwent,
not officially notified to Lt. Govr. Davey.
1st. Enclosing letter to his address from Mr. Edwd. Lord, Duty on
Mercht. at Hobart-Town, on the subject of reducing the Duty on
Isle of France Rum and Arrach to 5s. pr. Gallon instead of 7s.
as levied on a superior description of Spirits.
3d Letter dated 7 Jany. 1817.
Relative to granting a free Passage from Sydney to the Der-
went to Mary Beachey and her two sons.
4th Letter, dated 7 Jany. 17.
Expressing his determination to have Asst. Surgeon Younge H. St. John
tried by a Genl. Court Martial at Sydney, and expressing his
desire to be permitted to come up to Hd. Qrs. to prosecute him
as soon as he is relieved by Colonel Sorrell.
5th Letter, dated 7 Jany. 1817.
1st. Relative to the Debt due by Mr. Jas. Gordon to Govt. of
£383 17s. 3d., which was erroneously paid him from the Police
Fund of Van Diemen's Land by order of Lt. Govr. Davey, and
referring to have the same settled at Sydney with Mr. Gordon.
2d. Relative to Dy. Asst. Comy. Genl. Hogan's accots., and the
various Demands on him from Messrs. Kemp and Gatehouse P. G. Hogan.
and others at the Derwent.
3d. Result of Genl. Muster promised to sent soon.
4th Letter, dated 8 Jany. 1817.
1st. Relative to Lt. Jeffreys's delay at the Derwent wh. copies
of his Letters and orders to him from Lt. Govr. Davey.
2d. Respecting Suspension of Mr. Justice Bent.
5th Letter, dated — Jany. 17.
1st. Respecting Lt. Jeffreys's unaccountable delay in not sail-
ing from the Derwent.

* Note 80.
176

HISTORICAL RECORDS OF AUSTRALIA.

1817.


2d. Relative to the continued illness of the Revd. Mr. Knopwood, and requiring a Chaplain to be sent from Sydney.

6th Letter, dated 10 Jany. 17.

1st. Respecting delay in sailing of Lt. Jeffreys.

7th Do., dated 11 Jany. 17.

1st. Respecting Revd. Mr. Knopwood's illness.

8th Do., dated 11 Jany. 17.

1st. Relative to delay of Kangaroo in sailing for Sydney.

9th Do., dated 30 Jany. 17.


10th Do., dated do. do. Enclosing sundry Memorials to answer.

GOVERNOR MACQUARIE TO LIEUT. GOVERNOR DAVEY.

(Despatch per brig Jupiter; acknowledged by lieutenant-governor Davey, 3rd May, 1817.)

Sir, Government House, Sydney, 7 March, 1817.

1. I have the honor to acknowledge the receipt of your several Letters as per Margin* per the Govt. Brig Kangaroo and Bengal Brig Jupiter, with their respective Enclosures and accompaniments, all of which I have attentively perused, and shall pay due attention to such parts of their contents as are entitled to consideration.

2. I am sorry to find you are not satisfied with the additional Grant of Two Thousand acres of Land, I lately tendered you in consequence of the instructions I received from Earl Bathurst on that head; but as His Lordship's instructions† leave it entirely to my discretion what quantity of Land to give you, and as I conceive this last offered Grant of 2,000 acres, in addition to the 3,000 I formerly granted you, to be a most liberal handsome grant and fully equal to what you have any just claim to receive, I do not feel myself justified in making any further increase to it without the special orders of the Right Honble. the Secretary of State on the subject, and to whom it is my intention to make a communication upon it, not doubting he will approve of my conduct. In the mean time it is for you to consider as to the propriety of your accepting or rejecting the offer, which has already been made to you of the Two Thousand Acres.

3. Herewith I transmit for your information Copy of a Letter I lately received from Earl Bathurst by the Lord Melville Transport; and, in pursuance of His Lordship's Commands therein contained, I now do myself the pleasure of enclosing you a

* Marginal note.—28 and 30 Decr. 1816; 7, 8, 9, 10, 11 and 30 Jany., 1817.
† Note 77.
MACQUARIE TO DAVEY.

Draft for One Hundred Pounds Sterling on the Acting Treasurer of the Police Fund of Van Diemen's Land, requesting you will grant him your receipt for the same on your receiving the Money.

4. I am truly concerned to learn that you have thought it necessary to order the Acting Asst. Comy. General at the Derwent to Purchase a Quantity of Hay for the use of the Govt. Working Oxen at that Station, as this is a prodigal and shameful waste of Public Money to serve some selfish interested Individuals, it being a sort of Purchase that was totally unnecessary, and one that has never yet been resorted to either at Port Jackson or at any of the subordinate Settlements. I have therefore to express my decided disapprobation of this very extraordinary Purchase; and it is my positive orders that no more Hay shall be Purchased on account of Government at any of the Settlements in Van Diemen's Land in future.

5. I am also much concerned to find, notwithstanding my orders to the contrary, that you still continue to retain a certain number of Government Men in your own Service Victualled at the expense of the Crown, on the plea of your being entitled to them as Lt. Governor and Magistrate. In the former capacity, you certainly can have no right to any Govt. Men to be Victualled more than myself, who have not a single Government Man Victualled, either about my Family or my Person. Neither has the Lt. Govr. of the Territory any Govt. Men assigned to him as such. As to your Claim for 4 Govt. Men as Justice of Peace, it is equally inadmissible, as you do not now preside at the Bench of Magistrates since the appointment of Mr. Abbott to be Judge Advocate, and on whom devolves that particular Duty. Lt. Govr. Molle and myself might with equal justice claim each Four Govt. Men on the Store from being Ex-officio Magistrates, but neither of us have ever thought of setting up so ridiculous a Claim. I must therefore once more call upon you to have all your Government men struck off the Store immediately on receipt of this Letter.

6. In reply to your Letter, enclosing one from Mr. Edward Lord Mercht. at Hobart Town, on the subject of your having taken upon yourself to reduce the Duties from 7s. to 5s. per Gallon on Arrach and Mauritius Rum, in consideration of the very inferior quality of these Spirits, I have to signify to you my Sanction in as far as relates to the Quantity of these Spirits already imported, and lodged in Mr. Lord's Warehouses at Hobart-Town. But it is my positive order that no more Spirits of this inferior description and base quality shall ever be allowed by you to be landed at the Derwent or in any other part of Van
1817.
7 March.

Prohibition of importation of inferior spirits.

Leave of absence granted P. G. Hogan.

Proposed court martial on P. G. Hogan.

T. Davey to visit Sydney after arrival of W. Sorell.

Refund of commission paid to J. Gordon.

Neglect to transmit returns of annual muster and police fund.

Diemen's Land. It being deemed dangerous to the Health of the Inhabitants to be used, and consequently to import any Mauritius Spirits into any part of this Territory in Future should be totally prohibited; and, if such bad inferior Spirits should by any chance arrive in any part of the Territory in future, they must either be re-exported or pay the full prescribed Duty of Seven Shillings per Gallon, as no future reduction of Duty can possibly be allowed.

7. It was owing to an oversight in the Major of Brigade that you were not officially informed of my having given Mr. Depy. Asst. Comy. Genl. Hogan three months leave of absence from the 1st of December last to settle his affairs at the Derwent. That time having now elapsed, you will be so good as to order Mr. Hogan to repair to Head Quarters by the earliest opportunity, that may offer after the receipt of this Letter, to answer here for the improper conduct, which has been imputed to him, and apprize him at the same time that he must prepare to take his Trial before a Genl. Court Martial,* unless he can immediately make good all his Defalcations and liquidate the several Claims against him, and due to Individuals on account of the Store Receipts he has granted and issued, in the name of Government, at the Derwent, which I am much concerned to find are so very heavy.

8. It being my intention to dispatch the Govt. Brig Elizabeth Henrietta for Port Dalrymple and the Derwent with Lieut. Govr. Sorrell immediately on his arrival here from England (now hourly looked for), you will be at liberty to repair to Head Quarters on the return of that Vessel hither, on being relieved by your Successor, for the purpose of prosecuting Mr. Asst. Surgeon Younge before a General Court Martial, which I shall order to be held immediately on your arrival at Sydney, where Mr. Younge continues still under arrest on the charges preferred by you against him.

9. I have adopted the necessary measures lately here to recover Payment from Mr. Jas. Gordon of the £383 17s. 9d. you so improperly and irregularly took upon yourself to pay him from the Police Fund, and which he has agreed to refund, conscious that he had no right to it. I shall therefore not press you further on this subject.

10. I cannot help expressing to you my regret and displeasure at your neglecting to transmit me by the last opportunity the Results of the late Annual Musters taken by you in Van Diemen's Land, and also the Accounts of the Police Fund for the last two Quarters. These are most unjustifiable and unaccountable neglects, as you have had such full and ample time to

* Note 81.
prepare and forward these Documents, and must prove a serious Disappointment to His Majesty's Ministers at Home, as I must transmit Home by the Kangaroo my Annual Returns, imperfect from the want of those of Van Diemen's Land, which will compell me to report to them your unjustifiable neglect in this instance.

11. I regret to find that the long and continued indisposition of the Revd. Mr. Knopwood necessarily prevents his performing his Clerical Duties at the Derwent; but I have it not in my power at present to spare a Clergyman from Head Quarters to go to do Duty at that Settlement.

12. In perusing the several Petitions and Memorials you have lately transmitted to me, I have not failed to pay particular attention to the recent application made to you by the discharged Marines at the Derwent, which on the whole appears to me to be most unreasonable, as they have already had all their just claims on Government liquidated, and have in every respect as Settlers been treated with particular kindness and liberality. They ought therefore to be perfectly satisfied with what has already been done for them as Settlers. It would be most unreasonable in them to expect that Government should make them a present of the Cattle delivered to them from the Government Herds for Payment and on so long a credit; but to convince them that I am disposed to accommodate them in any way I can without actually doing injustice to the interests of the Crown, I have no objection to your extending to them a further credit of Twelve Months for paying their Cattle in kind. The other Petitions and Memorials lately received from you, I now here-with return you, with my answers noted down on the backs thereof.

[Enclosure No. 1.]

[A copy of Earl Bathurst's letter dated 20th July, 1816, will be found on page 147, volume IX, series I.]

[Enclosure No. 2.]


On demand please to pay to His Honor Lieut. Governor Thomas Davey, by order of the Rt. Honble. Earl Bathurst, the sum of One Hundred Pounds Sterling, and charge the same in your accounts of the Police Fund of Van Dieman's Land.

L. MACQUARIE.

To Jno. Drummond, Esq., Act. Treasurer,
Police Fund of Van Dieman's Land.
LIEUTENANT-GOVERNOR WILLIAM SORELL arrived at Hobart town in the ship Cochin on the 8th of April, 1817, and administered the government from the 9th of April, 1817, to the 14th of May, 1824.
COMMISSION* OF LIEUTENANT-GOVERNOR SORELL.

In the Name and on the Behalf of His Majesty.

George P.R.

GEORGE the Third, by the Grace of God of the United King-
dom of Great Britain and Ireland, King, Defender of the Faith,
To Our Trusty and Wellbeloved William Sorell, Esquire, Greet-
ing; We reposing Especial Trust and Confidence in Your Loyalty,
Courage, and Experience, Do by these Presents constitute and
appoint you to be Lieutenant Governor of Our Settlements in
Van Dieman's Land on the Southern Coast of New South Wales.
You are therefore as Lieutenant Governor to take the said Settle-
ments into your Care and Charge and carefully and diligently to
discharge the Duty of Lieutenant Governor thereof by doing and
performing all and all manner of Things thereunto belonging.
And We do hereby strictly charge and require all Our Officers
and Soldiers, who shall be in Our said Settlements and all others
whom it may concern, to obey you as Our Lieutenant Governor
thereof, and you are to observe and follow, such Orders and In-
structions from time to time as you shall receive from Us Our
Governor of Our Territory of New South Wales and the
Islands Adjacent for the time being or any other your Superior
Officer according to the Rules and Articles of War in pursuance
of the Trust hereby reposed in you. Given at Our Court at
Carlton House the Third day of April 1816 in the 56th Year of
Our Reign.

By Command of H.R.H. The Prince Regent in the Name and
on the Behalf of His Majesty.

(countersigned) BATHURST.

INSTRUCTIONS* for William Sorell, Esquire, Lieutenant Governor
of the Settlements on Van Diemen's Land.

By His Excellency Lachlan Macquarie, Esquire, Captain Gen-
eral and Governor in Chief of the Territory of New South
Wales and its Dependencies, etc., etc., etc.

Sir,

His Royal Highness the Prince Regent, in the Name and
on the Behalf of His Majesty, having been Graciously Pleased
to Appoint You to be Lieutenant Governor of the Settlements on
Van Diemen's Land, Subject to such Orders and Instructions as
You may receive from Me, I have deemed it advisable to furnish

* Note 82.
1817.
20 March.

Instructions to
W. Sorell.
Embarkation
on ship
Cochin.

Reading of
commission.

Survey of
public
property.

Public
accounts to be
settled by
T. Davey.

Live stock.

Purchase of
grain and meat.

You with the following Instructions for Your Guidance in discharging the Important Trust with which You are Vested.

1st. You will be pleased to Embark and proceed on board the Ship Cochin, now under Dispatch for the River Derwent in Van Diemen's Land, as soon as that Ship shall be reported ready to receive You.

2d. Immediately on Your arrival at Hobart-Town, You will be Pleased to announce the same to Colonel Davey, the present Lieutenant Governor of that Settlement, and, on the day following, have Your Commission as Lieutenant Governor of the Settlements on Van Diemen's Land Publickly read and announced at the Head of the Troops stationed there, and in the Presence of the Civil Officers and Principal Inhabitants of Hobart Town who must be Assembled for that purpose.

3. As soon as Your Commission has been Publickly read and You have assumed the Command of the Settlements in Van Diemen's Land as Lieutenant-Governor thereof, You are to Order a Committee of Officers to be immediately assembled for the purpose of taking a regular and exact Account and Survey of All Naval and Military Stores, Provisions, Spirits, Grain and Cattle, belonging to the Crown and now in the Settlement of Hobart Town and its immediate Dependencies; of which Survey and Account, You are hereby directed to transmit to Me Attested Copies by the earliest opportunity that may offer for Head Quarters.

4. You are to signify to the Officer, whom You relieve at Hobart Town, that He is to settle, liquidate and close all his Public Accounts, of whatsoever Description, up to the day of his delivering over to You the Charge of the Settlement; and You are consequently to give Public Notice to the Inhabitants that You will not hold Yourself responsible for any Debts or Demands whatsoever, which they may have against Government for Grain, Animal Food or other Articles delivered into the King's Stores, or for Work done for Government, prior to the Date of Your assuming the Command of the Settlement.

5. As the Increase of Live Stock and Grain is of the utmost Importance to the Settlements over which You are to Preside, You are to pursue and adopt such Measures as may appear to You best Calculated for producing this desireable Object, and particularly to restrain any wanton or extravagant Destruction or Waste of Live Stock or Grain.

6. For such Purchases of Grain and Animal Food as You may have occasion to make from the Settlers or other Individuals at either of the Settlements in Van Diemen's Land, the Commissariat Officers are to grant their Receipts until the End of the
Quarter, when they are to be Consolidated, and Bills drawn by
them for their Amount on the Deputy Commissary General at
Head-Quarters, which Bills must be Vouched and approved by
You after You have Compared them with the Vouchers and
Accounts of the several Purchases made by the Commissariat
Officers at either Settlement.

But with the View of facilitating the making up of the
General Commissariat Accounts at Head-Quarters as soon after
the Expiration of each Quarter as possible, You are to authorize
and direct the Commissariat Officer at Port Dalrymple to for­
ward his Accounts, approved by the Commanding Officer there,
to the Deputy Commissary General, as often as direct oppor­
tunities occur from Port Dalrymple to Head Quarters, without
waiting for their being Examined and approved by You, but at
the same time Instructing him to transmit You, through the
Commanding Officer at Port Dalrymple, Duplicates of all his
Accounts and Vouchers, which are likewise to be forwarded to
Head Quarters by You, along with those of the Settlement of
Hobart-Town, Quarterly; and Whether there be an opportunity
of transmitting them or not at the proper time to Head-Quarters,
the Accounts at both Settlements must be made up and Closed
regularly at the End of each Quarter, ready for Transmission
when an opportunity offers.

7. The Price of Animal Food having been lately reduced at
Head Quarters, the same Prices must likewise Extend to all the
Subordinate Settlements, the Prices now allowed being deemed
abundantly liberal for the Encouragement of the Farmers and
Graziers, considering the great and rapidly Increased Resources
of the Colony. You are accordingly on no account to pay more
than Six pence per pound for Beef, Mutton or Pork, nor more
than four pence per pound for Kangaroo Flesh (when under the
Necessity of purchasing Meat of that Description), for any
Quantities of such Animal Food as You may have occasion to
purchase for the use of Government at the Settlements in Van
Diemen's Land, from and after the date of Your assuming the
Command thereof at Hobart Town; the purchasing of Kangaroo
Flesh must never take place, as long as Beef, Mutton or Pork
can be procured for the use of His Majesty's Stores.

8. You are not to Engage Shipping or Enter into any Contracts
for the Supply of Cattle, Grain, Provisions or Stores, from any
distant place or foreign Market, without previously submitting
the same to me and obtaining my approbation of such Engage­
ments or Contracts; excepting only in Cases of the Utmost Emer­
gency, which it is Expected will rarely occur, and then You are
1817.
20 March.

Instructions to
W. Sorell.
Prohibition of
drafts on
treasury.

Payment of
salaries.

Subsistence of
military.

Observance
of religion.

Return of
births, marriages, and
deaths.

HISTORICAL RECORDS OF AUSTRALIA.

to take especial Care to make such Contracts on fair and reason-
able Terms, and not for a larger Supply than may be absolutely
required.

9. You are on no Account to Draw, Yourself, nor permit the
Commissariat Officer at either of the Settlements under Your
Command to Draw Bills on the Lords of the Treasury for any
Purchases You or they may have occasion to make on Account
of Government; for all which Bills must be drawn on the
Deputy Commissary General at Head Quarters, only, as already
directed. Your own Salary as Lieutenant Governor, and the
Salary of all Civil Officers, whose appointments have been Con-
ﬁrmed by His Majesty and are Included in the Annual Parlia-
mentary Estimate of the Colony, are to be drawn for by You
and them thro' the Commissariat Officer at Hobart Town on
the Deputy Commissary General at Sydney. The Subsistence
of the Detachments of Troops, Stationed at the Settlements of
Hobart Town and Port Dalrymple, are to be drawn for Monthly
by their respective Commanding Officers, by Bills on the Regi-
mental Pay-Master at Head Quarters.

10. You will not fail by all proper Methods to enforce a due
Observance of Religion, Morality and Good Order throughout
the Settlements under Your Command; and You are to take the
Necessary Steps to ensure the due and regular Celebration of
Public Worship on Sundays at Hobart Town, and also at the
Subordinate Settlements under Your Command, as often as Cir-
cumstances will permit the resident Chaplain to visit them,
taking particular Care to prevent, by every possible means, any
Profanation of the Sabbath by Idle and profligate People. You
are to give every Encouragement and facility in Your power to
the Celebration of Marriages; and You are to direct the whole
of the Mechanics and Labourers in the Service of Government to
be regularly Paraded and Mustered (as is now the Invariable
Practice at Head Quarters) every Sunday Morning at Hobart-
Town, and marched to Church under the Direction of the In-
spector of Public Works, who must regularly attend these Musters'
and report all Absentees to You, in order that they may be
punished.

11. A Quarterly Return of all Marriages, Births and Deaths,
which occur within the Settlements under Your Command, as
also a Return of all such Male or female Convicts as may
abscend or desert from thence, must be regularly transmitted to
me along with your other reports.

12. On Your Arrival at Hobart Town, and during the Con-
tinuance of Your Command of the Settlements on Van Diemen's
Land, You are to use every Means in Your Power to Conciliate the Friendship and Good Will of the Natives of that Country, Enjoining all persons residing within Your Jurisdiction to live in Amity and Kindness with them, and all Acts of Violence against them, or Interruption given them in the Exercise of their Several Occupations, are to be punished according to the Degree of the Offence.

13. You are to pay particular attention to the State of the Public Works and Buildings of whatsoever Description belonging to the Crown in the Settlements under Your Command, taking care to keep them at all times in suitable good Repair. Whenever any additional Public Works or Buildings shall in Your Opinion become absolutely Necessary, You are Immediately to report the same to me with a full Description of their Use, Extent, and of the probable Expence of Erecting or Constructing them. But You are on no account to Commence Erecting any Public Buildings without previously obtaining my Sanction for so doing.

14. As the Power of making Grants and Leases of Crown Land and Grants of Government Cattle are exclusively Vested in the Governor in Chief of the Territory, all applications, made to You by Free Persons or Emancipated Convicts for Lands or Cattle, must be transmitted to me accompanied by Your own Observations on the Merits and Claims of the Applicants, Specifying whether Married or Unmarried, the Number of which their families consist, how long in the Colony, or any other well-founded Claim they may have for Indulgence from the Crown.

15. The Clandestine Introduction of Spirits into the Settlements under Your Command must be guarded against with the utmost Vigilance, as well as the Clandestine and destructive Practice of Distillation of Spirits; and You are to be Extremely cautious in granting Licences for retailing of Spirituous Liquors, Confining them to as few Persons as possible; and the first Instance of Irregularity in a Retailer should deprive him of his License, and forfeit every Claim to future Indulgence.

16. In the Event of any Ships or Vessels, belonging to Foreign Powers at Amity with His Majesty, being forced to touch at the Derwent or Port Dalrymple in Distress, You will direct their immediate Wants to be relieved and supplied In as far as Your Means will conveniently admit of, so as to enable them to come to Port Jackson for such Repairs and Supplies as they may stand in need of; but You are on no account whatever to spare to such Ships or Vessels a greater Quantity of the Provisions and Stores which may be at Your disposal than may be deemed sufficient for the above purpose.
17. You are to afford every Assistance and Protection in Your power to the private Colonial Vessels that have my Permission to Navigate in Bass's Straits, and on the Coasts of this Territory, Including Van Diemen's Land, for the purpose of procuring Seal Skins and Oil.

18. In order to prevent by every possible means the Escape of any of the Convicts from the Settlements in Van Diemen's Land, You are to take particular Care that all Clandestine Communication with the Possessions of the East India Company, as well as with China and the Islands in the South Sea, to which any Intercourse has been Established by any European Nation, should be prevented as far as Can be done.

19. You are also Expressly Commanded not to permit any Vessels or small Craft to be built at either of the Settlements of Hobart Town or Port Dalrymple, either by Individuals residing at these Settlements or by Foreigners, without previously obtaining from me a written License for that purpose.

20. As there is no Patent for Holding Courts of Criminal Jurisdiction on Van Diemen's Land, all Persons, who may be guilty of serious crimes or Misdemeanors, are to be sent to be tried by the Court of Criminal Jurisdiction established at Sydney by such Convenient opportunities as may offer for Conveying them to Head Quarters, accompanied by the Necessary Evidences. All Crimes not of a Capital Nature and all petty or slight offences and misdemeanors will of course be tried and punished by a Bench of Magistrates, which You are hereby Authorized to assemble as often as You may see occasion for so doing at either Hobart Town or Port Dalrymple.

21. You are Authorized by the Articles of War to try Soldiers for Petty Crimes and Offences, either by Garrison or Detachment Courts Martial, approve the Sentences thereof, and Carry the same into Execution, without making any Reference to me on the Subject. But, should any Officer or Soldier belonging to either of the Detachments stationed at Port Dalrymple and the Derwent commit any Serious Crime or Capital Offence, which you may deem a fit subject for the Investigation of a General Court Martial, he must be sent by the first Convenient opportunity to Head Quarters, accompanied by the Necessary Evidences, to take his Trial before a General Court Martial at Sydney.

22. You are to establish and Enforce as good a System of Internal Police within the Settlements under Your Command as Your Means and Resources Can admit of, in order to preserve the Peace and Tranquility of those Settlements respectively;
and You are to Exert Yourself to the utmost in Exciting the Inhabitants residing within Your Jurisdiction to Habits of Religion and Morality, Honesty, Sobriety and Industry.

23. You are not to fail to transmit to me, by all opportunities to Head Quarters, regular Quarterly Returns, States, and Reports of the Settlements under Your Command in Van Diemen's Land; in which must be specified the Quantities of Grain, Spirits and Stores of every Description, then remaining in Store, the Quantity and Quality of all Provisions or Stores purchased, and the Quantity and Quality of each Article Expended during the preceding three Months, and also the Number and Description of All persons, Civil and Military, Including Convicts, who are Victualled at the Expence of the Crown.

24. On the subject of the Horned Cattle, Sheep and Goats, and Horses and Asses, belonging to the Crown at the two Settlements of the Derwent and Port Dalrymple, I have only to observe, in addition to the Orders contained in the 6th and 15th Articles of these Instructions, that None can be alienated to Individuals, either by Sale or Gift, without my Permission in writing being previously obtained for that purpose, and that too much Attention Cannot be paid to the Increase and Preservation of the Horned Cattle in particular, as occasional Distribution from them will be made to Free Settlers and deserving Emancipated Convicts and other persons who may be permitted to become permanent Settlers in Van Diemen's Land. You are to transmit to me regular Quarterly Returns of the Live Stock of every Description belonging to the Crown at the Derwent and Port Dalrymple, along with Your other General Quarterly Reports and States of those Settlements.

25. In distributing Slop Clothing and Bedding to the Convicts in the Service of Government at the two Settlements under Your Command, it must be clearly Explained to them that they are liable to be punished for giving away or selling any part of them, and that they must be particularly Careful of all such Slop Clothing, Shoes and Bedding as may be Issued to them from the King's Store. The same Caution ought to be given to them in regard to their Provisions, and that they are equally liable to be punished for giving away or selling any part of them.

26. All such Duties and Taxes as may be Levied and Collected on Goods, Merchandize, Wines and Spirits, regularly authorized to be Imported and sold at the Settlements of the Derwent and Port Dalrymple, are to be formed into a Public Fund and to be denominated "The Police Fund of Van Diemen's Land."
Quarterly Return and Account of this Fund is to be made up and regularly transmitted to me along with Your other Quarterly Accounts of these Settlements, stating the Receipts and Disbursements during the preceding three Months. From this Fund are to be paid all fair and Necessary Expenses Incurred on Account of the Police Establishments of the two Settlements, and also the Salaries of all such Colonial Offices and Appointments as are not provided for in the Annual Parliamentary Estimate. But should the Police Fund, thus Established for Van Diemen's Land, prove Inadequate to pay the whole of the Salaries herein Alluded to, they will be paid from the General Police Fund of the Territory, on Your making a Requisition to me to that Effect, and giving me previous Notice of the Amount required, before any Bills are drawn on the Treasurer of the Police Fund at Sydney.

27. I must recommend to You in the strongest Manner to Observe the Strictest and Most rigid Economy in the Expenditure of the Public Money, Provisions, Stores, Spirits, and all other Articles, the Property of the Crown, at the two Settlements in Van Diemen's Land, Consolidated and now placed under your Immediate Command and Control; And You are hereby Strictly Enjoined and Commanded not to make any Purchases, or Incur any Expence whatsoever on Account of Government, that are not absolutely and Indispensably Necessary for the Use of the Settlements over which You preside, and which You may not be able to prove satisfactorily to me were really so, As it will not be in my power to sanction or approve of any purchases or other Expences Incurred Contrary to the Tenor and true Spirit of these Instructions.

28. On the Death or Suspension of any Civil Officer or Magistrate on the Establishments of the Settlements under Your Command, You are hereby authorized to appoint a properly Qualified Person to fill the Vacancy and execute the Duties of such Office, until my Pleasure shall be known, reporting to me with the least possible Delay such Death or Suspension, with Your Reasons for resorting to the latter Measure, and transmitting me the Name of the Person whom You may deem best Qualified for filling the Vacancy.

29. I have now only to add that in the Event of Your Death or Absence from the Command of the Settlements in Van Diemen's Land, It is My Pleasure that the Command and Charge of them shall devolve upon the Senior Military Officer at either Settlement, at the Period of Your Death or Absence, until a regular successor to You shall be appointed by me, After the
Vacancy shall have been officially notified to me, which the said
officer is hereby directed to do with the least possible delay.

I have, &c.,
L. Macquarie, Gov'r. in Chief of N. S. Wales.
Head Quarters, Government House, Sydney,
New South Wales, 20th March, 1817.

P.S.—I enclose herewith for your information and guidance a
Printed Copy of the Port Regulations, and also Printed Copies
of Govt. and Genl. Orders issued by me here under dates 9th
Jany., 1813, and 27th July and 14th Decr., 1816; the two last
Govt. and Genl. Orders relating exclusively to Van Diemen's
Land. Having now fixed on the month of September in each
year, as the best and most convenient time for the Settlers for
taking the usual Annual Genl. Muster of the Inhabitants, Stock,
Land in Cultivation, etc., etc., etc., in the Territory; you will be
pleased to observe the same rule in taking the annual general
musters of the Settlements in Van Diemen's Land, commencing
the said Musters on the first Monday of every succeeding month
of September in each year, so as exactly to correspond with the
time of taking the Musters in this part of the Territory.

L. Macquarie.
Govt. House, Sydney, 24th March, 1817.

[Enclosure No. 1.]
A copy of the port regulations will be found on page 656 et seq., volume VII, series I.

[Enclosure No. 2.]
This was a copy of the general orders relating to applications to the Governor for indulgences; see page 782 et seq., volume VII, series I.

[Enclosure No. 3.]
A copy of these orders will be found on page 155 et seq.

[Enclosure No. 4.]

General Orders. 14th December, 1816.

Much irregularity having for some time past prevailed in the administration of the Civil Government of Van Diemen's Land, either through inadvertency or wilfully, by the assumption of the Power of locating lands and granting Town Leases* to Settlers and others, without previously obtaining the sanction of the Governor in chief of the Territory, which can alone render such locations or leases valid:

His Excellency the Governor therefore, with a view to the guarding the rights of the Crown on the one hand, and securing the Property

* Note 83.
of individuals on the other, which by such irregular practices has become involved, is pleased thus publicly to notify, announce and declare that no Commandant or Lieutenant Governor in Van Diemen's Land either is or has been, by virtue of his Appointment, Commission or Instructions, vested with any Power whatever to make Grants or grants made by lieut.-governor. Leases of any kind within the Dependence of Van Diemen's Land; neither are they authorized or justifiable in issuing of Cattle from the Government Herds to any Person or Persons whatever, unless by the Special sanction and Authority of the Governor in Chief.

And it is further notified and declared that all Grants or Leases of Lands or tenements, and issues of Cattle from the Government Herds, which may have been made by the present or any former Commandant or Lieutenant Governor in Van Diemen's land, or which shall hereafter be made by such incompetent authority, are and shall be deemed null and void to all intents and purposes whatever.

LACHLAN MACQUARIE.


1st. Herewith Lt. Govr. Sorell will receive the Plans of Hobart-Town, and George-Town, in Van Diemen's Land, as altered or designed by The Governor-in-Chief; and according to which Plans he wishes both those Towns to be laid out and completed.

2d. The Govr. in Chief, when he visited the Settlements in Van Diemen's Land in Novr. and Decr., 1811, having given names to all such remarkable Places and Parts of that Country as had not appropriate ones given to them before by any competent legal authorities, he has now the pleasure of handing on herewith to Lt. Govr. Sorell, for his information and guidance, a Schedule* of all the several Places so named by him.

3d. The Works, at George-Town, which were begun in Octr., 1815, soon after Major Stewart's being sent down to command at Port Dalrymple, having from various unaccountable causes made very slow progress ever since to the present time, Lt. Govr. Sorell will be so good, on his first visit to Port Dalrymple, as to institute an inquiry into the real causes of such slow progress having been made with the means Major Stewart possesses of carrying these Works on. It would appear that frivolous disputes frequently arise between the Commandant of Port Dalrymple and the Inspector of Public Works there, and they mutually throw blame on one another in interrupting the progress of the Works going on at George-Town. Herewith Lieut. Govr. Sorell will receive copy of a Letter* lately received by the Governor from Mr. Leith, the Inspector of Public Works, from which Lt. Govr. Sorell will observe that he complains of Major Stewart's not giving him the necessary assistance and support. The Governor, being particularly anxious that the principal Settlement should at as early a period as possible be removed from Launceston to George Town, requests Lt. Govr. Sorell will be pleased to give

* Note 84.
the positive orders to both Major Stewart and Mr. Leith that this Service shall be carried on in future with more diligence, attention, and energy, not suffering any other Service of minor importance to interrupt the speedy completion of this important object.

4th. The Governor not intending to give or order any more new grants of Land to be made in any part of the Territory during the current year (with the exception of those already promised), he requests Lieut. Governor Sorell will not receive or forward to Head Quarters any applications, made to him by Persons residing in Van Diemen's Land, for either Lands or Cattle, until the next annual prescribed period in June 1818.

5th. Lieut. Govr. Sorell will be so good as to detain the Government Brig Elizabeth Henrietta at Hobart Town after her arrival there as short a time as possible, directing the asst. Comy. Genl. to load her with as much good Wheat for the use of the King's Stores here as she can safely convey hither, either in Bags or Bulk.

6th. It being necessary that Mr. Depy. Asst. Comy. Genl. P.G. Hogan (now on leave at the Derwent) should return immediately to Head Quarters to answer for his late improper conduct, Lt. Govr. Sorell will be so good as to order him to embark on the Elizabeth Henrietta for Sydney.

7th. In case Colonel Davey, the late Lt. Govr. of Van Diemen's Passage for Land, should express any desire to come up to Sydney, he is to be accommodated with a Passage on the Elizabeth Henrietta.

L. MACQUARIE, Govr. in Chief of N. S. Wales.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.
(Despatch per ship Harriet.)

Sir, Hobart town, 3rd May, 1817.

I have the honor to acknowledge the receipt of your Excellency's Dispatch under date 7th March last.

I trust your Excellency has omitted the transmission of the Repudiation of 4th Paragraph of your Dispatch of the above date to His Majesty's Ministers, as it will hereafter appear a malicious and vile attack upon my public Character as an Officer, accusing me of a prodigal and shameful waste of Public Money by purchasing hay for Government Working oxen to serve some selfish interested Individual. I will not sacrifice to any selfish views that openness of candour, which can alone secure me the confidence and support of His Majesty's Ministers. I will, without reserve or disguise, speak the truth; the Act never existed; it is an obligation I owe to my Country, to my King, and above all to myself.

T. DAVEY.

1817. 25 March.
LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch No. 1, per ship Harriet; acknowledged by Governor Macquarie, 24th May, 1817.)

Sir,

Hobart Town, 3rd May, 1817.

I have the honor to acquaint your Excellency that I arrived in the Derwent on the 8th and received the Government from Colonel Davey on the 9th ultimo.

The State of the Colony with regard to the Bush Rangers first naturally called for attention, and finding on my arrival that recent occurrences had changed the state of affairs which had governed opinions and measures when I took leave of your Excellency, I beg to trouble you with some detail of them. Upon coming into the River, I found from Capt'n. Nairn that, for some weeks, He had been allowed by Coll' Davey to use his discretion in Military efforts to capture or destroy the Banditti; that two parties (disguised) were constantly out and that one from Port Dalrymple was also in pursuit of them, all having good knowledge of the Country acquired in recent expeditions.

The party under Ensign Mahon of the 46 had just before killed two and wounded a third of the Rangers, and one of Capt. Nairn's parties had taken a native Girl, who had been long with them. Upon the whole, I thought there appeared hopes of success, and the number of the Banditti being now reduced to nine, five of whom were implicated in the Crime of Murder, I deemed it better not to issue an Exclusive proclamation to bring in the other four, which I conceived might render the five more mischievous and desperate, and would make them more difficult to be found. I hope your Excellency will approve of my proceeding in that respect. I at the same time caused it to be signified to Capt. Nairn's parties that, if any of the Minor Criminals should be met with, they might advise them to come in on hope of Mercy. The parties have been incessantly active and have much harrassed the Rangers. At length on the 28th Ulto. a constable from the Country brought me a letter* from Howe, one of the leaders, Copy of which I have the honor to annex. I considered the acquisition of this Man of the first importance both with a view to taking the rest and to discoveries respecting their Abettors.

Capt. Nairn volunteered his services, and I took upon me to give him a conditional pardon for Howe, that is to say a pardon for all his Offences, Murder excepted, and a pledge that I would employ my strongest intercession with your Excellency in his behalf, with a hope of obtaining Your Excellency's favorable

* Note 85.
recommendation of his case for the Sovereign's Mercy, upon condition of his detailing all transactions, pointing out all accomplices and using his utmost efforts in aiding the Troops to find his Companions. His answers to me and the Deposition taken by the police Magistrate bear every mark of truth and agree with what has been before suspected or known. I am very sorry to say that some persons* are implicated, which render the matter most serious; but other testimony must of course be had before any proceedings can be founded. It is however assuredly necessary to sift this train of infamy to the bottom, and, though (as it is evident) half or more of the people may be concerned, the moment approaches for its extinction. Some extracts from Howe's deposition will be enclosed for your Excellency's information, upon which pressure of business in making these Reports to your Excellency, and the correspondence occasioned by the state of the Kangaroo, and Mr. Lord (as elsewhere explained), hardly allow me to make any remarks. As soon as Howe's examination is completed, some people, who can corroborate or contravert his statements, will be examined. In the meantime several Stock-keepers, the chief receivers of stolen Cattle and Goods, are sent for and will speedily be in prison. Through these and the information given by Howe, I trust to find who has supplied Ammunition, etc., to the Banditti.

Permit me most anxiously to solicit your Excellency's favorable consideration of the Case of Howe and to intreat in the strongest Terms that, in the event of his doing his utmost for the detection of his accomplices and abettors, you will be pleased to add to my urgent and pressing recommendation to your Excellency your powerful support in the transmission of his case to the Throne. Before Howe's surrender, I had placed a small party of Troops at Pitwater, where Mr. Gordon is gone to reside, and I have established a weekly communication with Port Dalrymple by parties meeting half-way. Whenever the Force will allow, the Establishment of a permanent party or two on the line of communication will greatly check improper intercourse, robberies of Cattle and other Offences, and will give confidence to the quiet and honest settler.

I shall be anxious to be honored with Your Excellency's Sentiments and Commands and I have, &c.,

WM. SORELL.

[Enclosures.]

[Copies of these two papers are not available.]

* Note 86.
Lieut.-Governor Sorell to Governor Macquarie.

(Despatch No. 2, per ship Harriet; acknowledged by Governor Macquarie, 24th May, 1817.)

Hobart Town, 3rd May, 1817.

Sir,

I have the Honor to address Your Excellency upon subjects arising from your Instructions or from events in this settlement.

1. Having issued, according to Your Excellency’s Commands, a notice for all public accounts to the period of Colonel Davey’s command, to be made up and closed, The Police Fund necessarily came under early consideration. I found from Mr. Drummond that there was no money, that Nine Months’ Salaries to all the Civil officers were in arrear, and orders by my predecessor to a large amount outstanding and ready to come in when Funds should be provided. I desired Mr. Drummond to call in and ascertain all Demands, so that the Fund Account might come to an Audit as quickly as possible, and He is engaged in preparing it; but It cannot be ready for the present opportunity.

By a payment made by Mr. Lord and some other persons, who were indebted on account of duties, about £900 will now be credited to the Police Fund, of which, however, £500 and upwards will be required for the Salaries, and which must of course be paid prior to any other claim.

2. I have called for Returns of the Government Herds, in charge of Superintendents, and, by my own inspection with proper assistance, I shall ascertain their condition, and also the claims of Government upon Individuals for Cattle; at present the Government Herds are, I am informed, at a very low ebb, both as to numbers and quality.

3. With respect to the Public Works, every diligence and activity seem to me to be employed. The Gaol is far advanced and is in course of completion. The Church* is commenced and the Walls are going up, and Materials in abundance are prepared for continuing the Works.

The State of the Government House rendering it uninhabitable not only with regard to comfort, but even as to security and common decency, I have undertaken some addition and alterations, which can be done without any retardment of the public Works in hand, and I am at Mr. Birch’s until the House can be occupied. No attention will be spared on my part to forward the public Buildings now in progress and yet to be undertaken, and I am sanguine in hoping that much will be accomplished in a few months.

4. I have written to Major Stewart recommending him to forward as far as possible the Works at George Town, and to

* Note 74.
support the Superintendent of Works in the due discharge of his duty; and I have signified my intention of taking the earliest moment for visiting the Settlement. I am anxiously waiting a release from avocations here (elsewhere explained) to fix a time for crossing the Island; but the tardy arrival of the Elizabeth Henrietta has yet prevented my being able to do so. Should the season remain such as to give me hopes of getting over and back without detention by the Rains, I hope to be so situated as to set out in about a week.

5. Upon my arrival I found from Mr. Abbott, Depy. Judge Advocate, that he had declined to act under the Commission, which the Judge of the Supreme Court had transmitted to him, to enable him to perform certain functions connected with the proceedings of that Court in this Colony; I forbear to offer any opinions upon this subject; but, as both Mr. Wylde and Mr. Field* considered that, in the arrangement proposed, they had adopted a measure to obviate trouble and to facilitate Justice, I cannot but regret that their intentions have not taken immediate effect.

6. In obedience to Your Excellency's commands, I directed Mr. Depy. Asst. Commy. General Hogan to hold himself in readiness to proceed to Sydney by the Elizabeth Henrietta. Some attempts have been made, or rather I believe professed by him, to settle his Accounts, and Mr. Maum, late Store-keeper, was called upon to furnish Victualling Lists for back periods; but I believe no progress has been made, and they have been twice before me in Mr. Broughton's presence only to accuse each other. Mr. Hogan is I believe so entirely addicted to drinking as to be incapable of business.

7. The State of this Settlement with regard to Medical Officers merits Your Excellency's consideration. The demands upon Mr. Luttrell are frequent, and some Complaints have been made respecting his neglect, upon which I have admonished him. Applications are on that account often made to Assistant Surgeon Hood of the 46th who I believe readily assists. His place and Neighbourhood would occupy a large portion of one Surgeon's time, and the bordering out Districts are wholly without assistance.

8. If Your Excellency had not mentioned that there were few or no arms in Store at Head Quarters, I should have solicited a small supply, there being none here. When Col. Davey proclaimed Martial Law, I understand the Crown servants were armed and sent against the Bush Rangers, and that, of sixty or seventy stand of arms then issued, very few were returned.

* Note 87.
198  HISTORICAL RECORDS OF AUSTRALIA.

1817.
3 May.

Request for increase in military force.

Forty or Fifty Muskets might essentially contribute, in Emergency, to the preservation of good order and security in the Settlement.

9. Your Excellency gave me reason to hope that, on an arrival from Europe, the Companies of the 46th, serving here, should be strengthened thirty men. I venture to urge to Your Excellency the advantage which would now arise from such an addition; and I should feel myself eminently indebted for your acquiescence in this request, upon the success of which I believe the re-establishment of order in the Interior mainly depends.

10. The want of Magistrates in the Country is much felt in this Colony, which, with the deficiency of zealous active Men for Constables, renders it very difficult to get the common duties in maintenance of the Laws efficiently performed. Some of the recent Settlers, who have yet to fix their residence, seem respectable Men and might be useful. In the District of New Norfolk, a Magistrate is much needed, and I am told that a Mr. Thrup, brother of Capt. Piper's son-in-Law, lately came out and now proceeding to Sydney to attend Your Excellency, means to fix himself there by purchase or grant. Mr. Barker I believe has also views in that quarter.

11. Referring to the 19th Article of Your Excellency's Instructions, which prohibit the building of Craft here, I beg to state that one or two small vessels are licensed here, and, being necessary for the intercourse with Pitwater etc., I presume Your Excellency will approve of their continuing. Col'l Davey had given leave to a Man named Burchale, who I find is a respectable Farmer and Constable in Pitwater, to build a sloop; when I visited the District, I found her nearly completed, and, as the Man had gone so far, bears an excellent character and Cultivates a good Farm, I hope your Excellency will permit the Vessel to be licensed.

12. The Man, who is now Wharfinger here, is represented as entirely incapable from age, to which obstinacy and negligence are added to diminish his powers. Some retirement would probably be approved by your Excellency for him; and, as his Salary is £25 per Annum, and the fees make it up to near £100, perhaps a person might be found who would undertake the Office, receiving the Fees at first and the Salary in reversion. A prisoner I believe cannot hold the situation, and I know of no free person, to whom it would be an object and who would be fit for it.

13. I am reluctantly compelled to send three soldiers of the 46th to Sydney as witnesses in a case of Assault.* The Defendant named D. McCarty (who is also under a civil action for

* Note 88.
a most scandalous Offence) is I find from all reports one of the
most turbulent and insubordinate Men in the Settlement. And,
as he has treated the Magistrate very lightly and seems to brave
all power here, it was impossible without a sacrifice of authority
to shrink from the prosecution. The accused handed in to the
Bench a list of witnesses whom he means to require, in which
all their names, Depy: Judge Advocate inclusive, appeared; but,
as they know nothing of the matter except as it came officially
before them, and as his manner had the air of bravado, and, also,
as he on a former occasion gave in a similar paper, I conclude
it to be merely an insolent attempt at intimidation. In any
event the Criminal Court could alone subpoena them, or other
Evidence; and, as the accused admits the assault, I presume such
a demand upon all the Magistrates here, even if legally advanced
and supported, could not find place.

14. The Kangaroo entered this Port on the 30th Ulto. Having
been apprised of your Excellency's Instructions to Lt. Jefferys
to proceed direct on his passage, and finding that He had no
letters for me, I felt it my duty to enquire into the cause of his
putting in here. He stated that he has lost a Boat and suffered
some slight damage in a Gale of Wind, and, in reply to my en-
quiry whether he would be ready for Sea in forty eight Hours,
he replied that he hoped that Time would nearly suffice. I have
given him Carpenters and other assistance, and I have required
him to get ready for Sea with all possible Dispatch. I am rather
apprehensive that strong Measures will be necessary to enforce
his execution of his Instructions, and, should I find it the case,
I shall transmit Copies of the Correspondence to Your Excel-
lencc.

15. The Elizabeth Henrietta came in on the 1st Inst, after a
seven days passage from Port Dalrymple, and bringing her
prisoners all well. I have been happy to learn from Mr. White
that they have behaved very well. Mr. White having stated He
should be ready to receive Wheat in six or seven days, I hope
the Brig may be prepared to sail about the 15 or 16 inst., when I
shall have the honor of again addressing Your Excellency.

I have, &c,
WM. SORELL

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch per ship Harriet; acknowledged by Governor Macquarie,
24th May, 1817.)

Sir,

Hobart Town, 3rd May, 1817.

I have the honor to acquaint your Excellency that Three
soldiers of Capt. Nairn's Company, 46th Regiment, are sent in
1817.
3 May.

Military witnesses per ship Harriet.

the ship Harriet, for the purpose of giving Evidence (already delivered here before a Bench of Magistrates) on the trial of Mr. D. McCarty of this Settlement, for assault.* The papers relative to this case are forwarded to the Honble. Mr. Judge Advocate Wylde, by the Depy. Judge Advocate of this Settlement. I should have forwarded these soldiers by the Government Brig; but, there being no certainty that she can be ready before the 20th Inst., and it is possible her stay might exceed a day or two, though every exertion will be used to get out her Ballast and prepare her for the Wheat, I did not think it safe to miss the present occasion. Mr. Underwood leaves it to your Excellency to order any allowance for the passage of the Men.

I beg to add my earnest request that your Excellency would be pleased to allow these three Men to rejoin their Company by the first opportunity, even their small number being important at this moment. Nothing but a sense of incumbent duty could have led me to send them up.

I have, &c.,

WM. SORELL.

**Note 88.**
SORELL TO GOULBURN.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch per ship Harriet; acknowledged by Governor Macquarie, 24th May, 1817.)

Sir, Hobart Town, 3rd May, 1817.

I have the honor to transmit for your Excellency's information an attested Copy of the Depositions of Ensign Mahon, 46th Regt., and other persons, who, in pursuit of the Bush Rangers, were engaged in a skirmish* with the Banditti in Arms, which terminated in the death of two of them. The Depositions have been forwarded from Port Dalrymple to the Deputy Judge Advocate.

I have, &c.

WM. SORELL.

[Enclosures.]

[Copies of these depositions are not available.]

LIEUT.-GOVERNOR SORELL TO UNDER SECRETARY GOULBURN.

(Despatch per H.M. brig Kangaroo.)

Sir, Hobart Town, Van Diemen's Land, 5th May, 1817.

I have the honor to acquaint you that His Majesty's Colonial Brig, The Kangaroo, Lieutenant Jeffreys, having sailed from Port Jackson on the 9th Ultro. under Instructions from Governor Macquarie to proceed direct to England, came into this Port on the 30th in consequence of loss of a boat and other injury received in a Gale of Wind. I have done everything in my power to expedite the repair and the departure of the Kangaroo.

I have felt it my duty to state to you the circumstance of her coming into the Derwent; and I avail myself of the opportunity to acquaint you that I relieved Colonel Davey in the Lieutenant Government of the Settlements in Van Diemen's Land on the 9th Ultro.

I have, &c.

W. SORELL.

LIEUT.-GOVERNOR SORELL TO UNDER SECRETARY GOULBURN.

(Despatch per H.M. brig Kangaroo.)

Hobart Town, Van Dieman's Land.

Sir, 11th May, 1817.

I did myself the honor to state to you, under date the 6th Inst., the arrival of His Majesty's Colonial Brig The Kangaroo, Lieutenant Jeffreys, on her passage from Port Jackson to Europe, and that having repaired some slight injury, which she had sustained in a Gale of Wind, she was immediately proceeding on her passage.

I am now under the necessity of reporting to you that the conduct of Lieut. Jeffreys, during the latter part of his stay in

* Note 89.
the Derwent, has been so entirely subversive of all law, order and authority, as to compel me to transmit to His Excellency the Governor in Chief a detailed Report thereon, which, with the attendant Correspondence and Documents, will be a foundation for specific Articles of accusation against Lieut. Jeffreys.

The continuance of the Kangaroo at anchor at the mouth of the Derwent in direct disobedience to Lieut. Jeffreys' Instructions affords an opportunity to submit to you, for Earl Bathurst's consideration, the substance of my charges against Lieut. Jeffreys. The pressure of time does not allow of my preparing a full Report with the necessary Documents and Depositions; but these will be transmitted to the Governor in Chief by the first Ship. In the mean time, feeling it my duty that a statement of Lieut: Jeffreys' proceeding should come under your notice upon that Officer's arrival in England, I have the honor to acquaint you that my charges* against him are comprised in the following Articles.

"Direct disobedience and contempt of Lt. Governor Sorell's authority and orders in several Instances with respect to the Police and Regulations of the Port and River, while the Kangaroo was at anchor in the Derwent, thereby encouraging and facilitating the escape of Crown Prisoners, several having been concealed on board the Kangaroo, one man declaring that he had gone on board expressly by Lieut. Jeffreys' orders in direct breach of a standing Regulation of the Colony.

"An Act of hostile aggression, subversive of all Law and order, in attacking in the night, with a Boat full of armed men, a boat belonging to a ship in the Port, which was then acting under the Naval Officer by the Lt. Governor's authority for the maintenance of good order in the Port and River, Lieut. Jeffreys himself heading the Armed Seamen with his Sword drawn, cutting on the head, beating and abusing the Commander of the Boat, dragging him a Prisoner with his Boat's crew on board the Kangaroo, and after having first ordered him to be seized up for Corporal Punishment, placing him in double Irons on the Deck with his people, and keeping him in that situation for several hours even after the Lt. Governor's requisition for the release of Capt. Jones and his Boat's Crew had reached Lieut. Jeffreys.

"For remaining in the Derwent several days after he had reported himself ready, in direct disobedience of his Orders from the Governor in Chief, and in defiance of repeated requisitions from Lt. Governor Sorell to proceed to sea, without one pretence which could justify one hour's delay." I have, &c.,

WM. SORELL.
LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch No. 1, per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 26th June, 1817.)

Sir, Hobart Town, 16th May, 1817.

I have the honor to transmit an account of the Wheat shipped by the Actg. Ast. Commy. General on board the Colonial provisions for Brig Elizabeth Henrietta; also an account of provisions furnished for the same Vessel from His Majesty's Store at this Port.

I have, &c.,
WM. SORELL.

[Enclosures.]

[Copies of these two returns are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch No. 2, per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 26th June, 1817.)

Sir, 16 May, 1817.

I have the honor to transmit to your Excellency an account of articles required for the Public Service at this Station. In order to explain the latter article, viz. the demand for Stationary, I have annexed to the Return, for your Excellency's information, a memorandum of the quantity of stationary handed over to me by my predecessor.

I have, &c.,
WM. SORELL.

[Enclosure.]

[A copy of this requisition is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 26th June, 1817.)

Sir, Hobart Town, 16th May, 1817.

I have had the honor under date the 3rd Instant, by the Arrival of Ship Harriet, to report to your Excellency the arrival in this Port of His Majesty's Colonial Brig The Kangaroo, Lieutenant Jeffreys, and my intention, in Support of your Excellency's Instructions to that Officer, to expedite her departure in prosecution of her Voyage, as far as should be in my power.

I am now under the necessity of submitting to your Excellency a detailed report upon the conduct of Lieutenant Jeffreys, during the latter part of his stay, and upon his departure from this River; copies of correspondence, and depositions of various Persons who were employed upon, or who witnessed the different Acts stated in the Report, accompany it, specific articles of accusation* against Lieut't Jeffreys, founded upon these

* Note 90.
Documents, are also transmitted; and I beg to add my request that your Excellency may be pleased to take such steps thereupon, as the circumstances may seem to require.

I have endeavoured to combine all the evidence which could bear upon the different points of Lieut. Jeffreys’ conduct; all my letters to him and his to me, are included, so that on my side the case stands nearly as perfect as if I were present to establish it; unless Lieut’t, Jeffreys can assign to the Authorities, to which he is accountable, more justifiable reasons for his proceedings than are exhibited in his letters to me, I feel confident that there can be but one opinion upon the Subject.

I lament that a Professional Prosecution was impracticable. I should have sent a Warrant against Lieut’t Jeffreys for the atrocious assault that he has committed, had I not conceived that (even were he to yield obedience to it, a circumstance not likely, when he was acting in open and armed defiance of the Government), his detention would be to interfere with your Excellency’s Instructions and intentions in sending him home, and might in some respect be adapted to his own views.

Under the conviction that it was indispensable both for the Service and myself (as Lieut’t Jeffreys had avowed his intention of alledging complaints against me), that a general remark upon his conduct should go home by the Kangaroo, so that months might not elapse after his arrival in England before anything should appear against him when such serious charges were only waiting for conveyance, I have addressed a Letter to Mr. Goulburn, stating the outline of Lieut’t Jeffreys’ proceedings, and my intention of transmitting to your Excellency by the first ship a full report thereupon. I trust that your Excellency will approve of my having taken that step.

Upon the whole case your Excellency will judge, as it will now be before you fully on my part. I feel that I have done nothing beyond what the maintenance of my authority, the security of the Crown Prisoners, and a due regard to the good order and the revenue of the Settlement required. I have, &c.,

WM. SORELL.

[Enclosure No. 1.]

REPORT to His Excellency the Governor in Chief of New South Wales and its Dependencies &c. upon the conduct of Lieut. Chas. Jeffries, Commander of His Majesty’s Colonial Brig The Kangaroo, when in the Port of the Derwent and adjoining water upon the Coast of Van Diemen’s Land, from the 30th of April to the 13th of May, 1817.

On the 30th of April the Kangaroo came into the Harbour of Hobart Town, having sailed from Port Jackson on the 9th on her
passage to England. The Governor in Chief having Signified to  
Lieutenant Governor Sorell, when at Sydney, that the Kangaroo,  
then preparing for her Voyage to Europe, would not touch at  
the Derwent, but would sail under instructions to proceed direct  
to England, her coming into this Port appeared a positive devia-  
tion. Thereupon, when Lieut. Jeffreys came to report his arrival  
to the Lieutenant Governor, his reason for coming in was neces­  
sarily asked; in reply he admitted himself to be acting under  
Instructions from His Excellency the Governor in Chief of the  
tenor above mentioned, but stated the loss of a Boat on his  
passage from Port Jackson to have occasioned his coming into  
this Port, which loss he should supply as quickly as possible.  
Copies of the correspondence which took place upon this part of  
the case accompany this report.*  

On Monday 5th of May Lieutenant Governor Sorell received  
a Report from Lieut't Jeffreys that the Kangaroo would  
be ready to receive the Mail that evening, which was accordingly  
sent on Board.†  

Upon the following morning the 6th of May, the day on which  
Lieut't Jeffreys was to proceed to Sea, The Lieutenant Governor  
received a report from the Inspector of Public Works‡ and the  
Police Magistrate.§ that Several Crown Prisoners were absent,  
and were supposed to be Secreted on board the Kangaroo, with  
Some of the Crew of which the absentees were Known to have  
been intimately connected, having been brought to this Settle­  
ment in that Vessel. It being known that two Prisoners had  
been found stowed away in the Kangaroo on her leaving Port  
Jackson, the Chief Constable was sent on board with a note, re-  
questing that he might be allowed to search.‖ A man and a boy  
were found, and there being certain grounds for believing that  
others were stowed away, and that several more prisoners were  
sketching an opportunity to embark at night, The Lieutenant  
Governor deemed it necessary to restrict this intercourse by  
intercourse restricted with brig.  

The Lieut't Governor then also being informed that it was Lieut't  
Jeffreys' intention not to proceed to Sea on leaving the Port,  
but to anchor in the River for two or three days, a course of  
proceeding calculated to excite hopes of escape amongst the  
brig.  

* Marginal note.—See Lieut't Governor Sorell's letter of 30th April marked A,  
and Lieut. Jeffrey's Letter marked B of May 1st and Lieut't Governor Sorell's answer  
of same date Marked C.  
† Marginal note.—See Lieut. Jeffrey's letter of 5th May marked D.  
‡ Marginal note.—See Capt. Nairn's Letter of 8th May, marked E.  
§ Marginal note.—See Mr. Humphrey Police Magistrate Letter of 7th May,  
marked F.  
‖ Marginal note.—See Chief Constable's deposition on Oath, marked G.  
†† Marginal note.—See Lieut. Governor's letter of May 6th, marked H.
Prisoners, and to facilitate their attempts, wrote to him expressly to prohibit* his anchoring in the River, as a measure highly improper and dangerous in a Port of this Settlement, and in direct disobedience of the Governor in Chief’s Instructions to proceed directly on his Voyage.

No reply was returned to these letters, which the Chief Constable delivered† on board, except a disrespectful verbal one; but all the requisitions contained in both were directly disobeyed and set at defiance; Lieut’t Jeffreys having ordered the Pilot‡ to anchor the Brig off the mouth of the Port, as if to facilitate the mal-practices in agitation, and in direct contradiction to the General Port Regulations of Port Jackson and of this Place.

At the same time that The Lieutenant Governor learnt this proceeding of Lieut’t Jeffreys.§ intelligence reached him that the object of the movements of the Kangaroo was to land contraband, a large quantity of Spirits, which were on board for that purpose. Many concurrent reports had prevailed and had reached The Lieutenant Governor attributing proceedings of this nature to the Kangaroo on former missions to this Port; but believing it to be impossible that such insinuations should be well founded, when applied to a ship in His Majesty’s Service, though generally credited and vouched here, The Lieutenant Governor confined himself to taking such precautions, as the danger of escape of Prisoners, either in Boats belonging to the Kangaroo or in Shore Boats authorized. The Lieutenant Governor accordingly directed the Naval Officer, in his Boat having therein a small party of Troops, and having also a Boat of a Merchant Ship in the Port under his Orders, to maintain the good order and the Police of the Port and River, and to state his object to Lieut’t Jeffreys, and in the event of his being ordered by that Officer to quit the Kangaroo‖ he was instructed, to keep the two Boats under his command in the River during the Night, and to enforce a due obedience to the Port Regulations, and the particular orders which had been given respecting boat intercourse. About eleven o’clock at night of the 6th of May, the Auxiliary Boat under the Naval Officer’s Orders, commanded by Captain Jones of the Ship Cochin, when rowing at some distance from the Kangaroo, was boarded by a Boat full of armed men from that Vessel, headed by Lieut’t Jeffreys.

* Marginal note.—See Extract from Lt. Governor Sorell’s letter 6th May, marked I.
† Marginal note.—See again Chief Constable’s deposition marked G.
‡ Marginal note.—See Pilot’s deposition marked K, first part.
§ Marginal note.—See Capt’n Jones’s letters of 6th May marked L.
‖ Marginal note.—See copy of Lieut. Governor Sorell’s instructions to the Naval Officer marked M.
Sword in hand, who jumping on board Capt'n Jones's Boat, after calling him by name, followed by several men with drawn cutlasses, Seized Capt'n Jones, and with the most opprobrious language, after cutting him on the head, and beating him Severely, dragged him with his boat's crew prisoners* on board the Kangaroo, where Lieut't Jeffreys gave orders that Capt'n Jones should be seized up for corporal punishment, but afterwards ordered him into double Irons on the Quarter Deck with all his men, where he remained for some hours, even after the requisition of The Lieutenant Governor (in consequence of a report of the event) had been delivered to Lieut't Jeffreys for the release of Capt'n Jones and his people.

This act of aggression on the part of Lieut't Jeffreys in making an hostile attack, with his Ship's Company armed, upon those who were legally employed in maintaining the Lieutenant Governor's Orders, amounting to a perfect outrage upon all Law and Authority, it remained only for the Lieutenant Governor to issue an Order† prohibiting all communication between the Kangaroo and this Settlement, and to pursue suitable measures for enforcing obedience thereto. This Order was delivered to Lieut't Jeffreys by the Chief Constable‡ about two o'clock in the morning of the 7th of May, at the same time that he delivered the Lieutenant Governor's two letters of 7th May.§ one being the demand for the release of Capt'n Jones and his boat's crew. At that time many Persons from the Shore were on board the Kangaroo, a Boat was allowed to proceed from her with an Inhabitant on board, probably to the Shore; and it is a proof that another Boat|| was allowed to come on board from the Shore early on the morning of the 7th, Lieut't Jeffreys having then received the Order to prohibit all communication several hours before, vizt. at 2 o'clock very early on the morning of the 7th the Chief Constable delivered to the Lieutenant Governor a letter from Lieut't Jeffreys.¶

* At daylight of that Same morning, the 7th May, The Kangaroo went down the River, stood out far into Storm Bay, with the wind at North West, and returned at Night and anchored in Storm Bay Passage. The Lieutenant Governor despatched the Naval Officer, accompanied by a Magistrate, and a party of Troops, in two Government Boats, on the 7th with orders to

† Marginal note.—See depoitions of Capt'n Jones, N; Mr. Walsh, his first Officer, O; Chief Constable, paragraph G; The Pilot, Second part, R; and Letter of Mr. Drummond, Naval Officer, marked P, 16th May.
‡ Marginal note.—See Order 7th May marked Q.
§ Marginal note.—See Lieut't Jeffreys's two letters of 7th May marked R.
¶ Marginal note.—See deposition of Young and another waterman marked S.
|| Marginal note.—See letter from Lieut't Jeffreys of May 7th marked T.
1817.
16 May.
Report on
conduct of
C. Jeffreys.

**Brig Kangaroo**

Prisoners
landed from
brig.

maintain the regulations of the Port and River and its outlets; his remonstrances to Lieut' Jeffreys against further delaying his Voyage being repeated on the 8th.*

In the afternoon of the Same day (the 7th) the Waterman's Boat, which in defiance of the prohibitory Order, had been allowed to carry persons from the Shore on board the Kangaroo on the morning of the 7th, without The Lieutenant Governor's Authority, returned into the Port bringing three more Prisoners† who had been found on board the Kangaroo. It will not fail to be remarked as illustrative of the mischievous and destructive conduct pursued by Lieut' Jeffreys, that these men as their defence‡ pleaded having been conveyed on board the Kangaroo by one of the Boats belonging to that Vessel, one of them even expressly stating that he had been sent for by Lieut' Jeffreys, there being at the Same time a standing Order against prisoners going on board Ship, and which, except in very extraordinary cases, is never deviated from, and then only by the Lieutenant Governor's Pass.

From the evening of the 7th when, as above stated, the Kangaroo returned to Storm Bay Passage, She remained at Anchor until the 13th of May. The letters which passed during Lieut' Jeffreys' continuance at that anchorage, after Lieutenant Governor Sorell's of the 8th, are annexed.§

And Lieutenant Governor Sorell has only to remark with regard to the pretences alledged for detaining the Kangaroo there, that, with respect to Wood and Water, that Vessel went out of the Port complete, and Lieut' Jeffreys only sent out to Supply the daily consumption which his own delay created; and as to his Time-Keepers, he had ample means and time for regulating them during Seven days which he remained in Harbour, the Captains of the Ships from England and India having taken their Sights, for regulating their Time-Keepers, behind the House which Lieutenant Governor Sorell inhabits. The Kangaroo having Stood to Sea on the 13th, is Supposed to have proceeded on her Voyage to Europe. WM. SORELL.

Sunday, 18th May.

[Sub-enclosures A to Y.]

[A] LIEUT.-GOVERNOR SORELL TO LIEUTENANT JEFFREYS.

Sir,

Government House, Hobart, 30th April, 1817.

His Excellency the Governor in Chief having Signified to me at Sydney that the Kangaroo under your Command was to

* Marginal note.—See Lt. Governor Sorell's letter of 8th May marked V.
† Marginal note.—See again deposition of Young and another Waterman marked S.
‡ Marginal note.—See Extract from Record Book marked W.
§ Marginal note.—See copies of two letters marked X Y.
SORELL TO MACQUARIE.

Sail under Instructions to proceed direct to England; and it appearing from your report to-day that Such is the Tenor of your Orders from His Excellency, and that the deviation thereupon has arisen from the effects of a Gale of Wind which occasioned the loss of a Boat and other damage, it becomes my duty to state the necessity of your carrying forward with the least possible delay the measures necessary for you to proceed upon your voyage.

Understanding from your report that little more than forty eight hours can be required for this purpose, I conclude that you will be prepared to proceed upon your Voyage, at furthest, on Sunday the 4th inst., and I shall give instructions to limit the time for making up the Mail accordingly on Saturday at 12.

I have, &c.,
WM. SORELL, Lt. Governor.

[B] LIEUT. JEFFREYS TO LIEUT.-GOVERNOR SORELL.

H.M. Brig Kangaroo, Derwent River,

Sir, 1st May, 1817.

I had the honor to receive your Letter of yesterday's date, and beg to assure you every exertion in my power shall be used to forward the Service.

Enclosed I send you a List of Defects and have to request Repairs you will be pleased to order the Government Carpenters and Boat Builders to forward that Service, my own Carpenters being employed in caulking the Decks, a Service which was performed so ill at Sydney, that there is Scarce a part of the Vessel's decks but leaks.

I have, &c.,
CHAS. JEFFREYS, Lieut. and Commander.

[C] LIEUT.-GOVERNOR SORELL TO LIEUTENANT JEFFREYS.

Sir, Government House, Hobart Town, 1st May, 1817.

I have to acknowledge the receipt of your letter of this date, with a list of Defects on board H.M.'s Colonial Brig Kangaroo, under your Command, and a demand that they should be Supplied.

With respect to a Boat, it is not possible for the Government of this Settlement to provide you with one, there being none at all fit for the purpose, and I presume you do not propose to remain here till a Boat could be built. It will be your Duty to supply your wants in this respect by a Purchase, and I believe you can find no difficulty in procuring a boat here. Indeed I am rather surprized at the Demand, as I understood you yesterday to state that you should immediately take measures to purchase a Boat.
210

HISTORICAL RECORDS OF AUSTRALIA.

I have desired the Inspector of Public Works to send on board to-morrow morning Two Carpenters who can be employed in repairing the Half Ports. The Studding Sail Booms I conceive can be made upon your Passage. There is no Government Boat at present in the Port which is capable of being used in Wooding and Watering, but as both articles are so easy of access, and as you have no considerable wants to Supply, having no doubt Sailed perfectly complete from Port Jackson, I can see no occasion for delay on these heads.

It being my duty equally to enjoin, as it is yours to carry into effect, the due execution of His Excellency the Governor in Chief's Instructions, which expressly required you to proceed direct to England, I trust you will see the necessity of preparing for Sea with the utmost expedition; for which I conceive the two ensuing days, with Suitable exertion, will afford Sufficient time.

I have, &c,

WM. SORELL, Lt. Governor.

N.B.—A note followed the foregoing Letter, in a quarter of an hour, to say that a Government Boat has just arrived, and would be given for Lieut't Jeffreys Wood and Watering the next day.

[D] LIEUT. JEFFREYS TO LIEUT.-GOVERNOR SORELL.

H.M. Brig Kangaroo, River Derwent,
Sir, 5th May, 1817.

I have the Honor to inform you that His Majesty's Brig under my Command will be ready to receive the Mail etc. this Evening.

I have, &c,

CHAS. JEFFREYS, Lieut. and Commander.

[E] CAPTAIN NAIRN TO LIEUT.-GOVERNOR SORELL.

Sir, Hobart Town, 8th May, 1817.

Having reported to your Honor on Tuesday Morning the 6th Inst. the absence of three Crown Prisoners, and who upon the grounds which I then mentioned were supposed to be Secreted on board His Majesty's Colonial Brig The Kangaroo, I have now the honor to acquaint you that the Said three Prisoners were found on board that Vessel in the River, and are now in confinement.

I have, &c,

WM. NAIRN, Capt'n. 46th Regt. and Inspector of Public Works.

[F] MR. A. W. H. HUMPHREY TO LIEUT.-GOVERNOR SORELL.

Sir, Hobart Town, 7th May, 1817.

The Substance of the report which I had yesterday the honor of making to you at Government House, and which I have
received your Instructions to communicate in writing, is the following:—

When Lieut't Jeffreys was last at this Port he left on his Farm at Pitt Water two Boys, prisoners for life, whose names were not in Mr. Secretary Campbell's List of the Convicts forwarded by the Kangaroo at that time; Soon after the departure of the Kangaroo, the Boys were brought to Hobart Town, and one of them, John Monice, was assigned to me by Lieutenant Governor Davey. This lad eloped from my House on Saturday last, and has Since been Seen on board The Kangaroo, and I have no doubt but that the three Prisoners, who have been reported absent from the Public Works, are there also.

The opinion, which I expressed that there was a peculiar probability and risk of Prisoners attempting to escape in the Kangaroo, was founded on these considerations. That she had often being employed in transporting Prisoners of that description from Sydney to this place, and during the passage many of them had contracted habits of intimacy and friendship with the Seamen, who would on that account be inclined to conceal them on board, and that being a Vessel in the King's Service her people would not be mustered nor would the constables be suffered to Search her in the way prudent on board of merchantmen on their leaving this Port.

The three prisoners have Since been found on board by Samuel Young, and are now in Gaol.

I have, &c,

A. W. H. HUMPHREY.

[Deposition of John Wade]

JOHN WADE, Chief Constable of the County of Buckinghamshire, Van Diemen's Land, maketh Oath and Sayeth:—that about twelve o'clock on the Sixth day of May Instant, he was sent by His Honor Lieutenant Governor Sorell on board His Majesty's Colonial Brig The Kangaroo, then at anchor in the Harbour with a note addressed to the Commanding Officer on board requesting that he this deponent might be allowed to Search for three Crown Prisoners and a Boy who were absent, and supposed to be Secreted on board that Vessel; That he this Deponent, having searched accordingly, found a Crown Prisoner, but not one of the three for whom the Search was made; that he also found the Boy, and gave him in charge to an Officer, whilst he this deponent proceeded to search other parts of the Vessel, but on demanding the Said Boy after so doing, found that he had been Suffered again to escape, and was not produced. And this deponent further Sayeth that at the hour of three on the Same day he returned on shore, and, having reported to His Honor The Lieutenant Governor the foregoing circumstances, was by His Honor again Sent on board the said Colonial Brig The Kangaroo charged with two letters addressed to Lieut't Jeffreys the Commander, and that this deponent delivered the said two letters to the Chief Officer on board, who took
1817.
16 May.

Deposition of J. Wade re search for convicts on brig Kangaroo:

and re armed assault by C. Jeffreys on patrol boat.

them below to Lieut't Jeffreys; that the said Lieut't Jeffreys presently came on Deck, and said that the Lieutenant Governor's two letters required consideration, and could not immediately be answered, and that this deponent might tell the Lieutenant Governor that as a King's Officer he Lieut't Jeffreys had no right to admit a Constable on board; that the said Lieut't Jeffreys gave orders for The Kangaroo to be got under weigh whilst he this deponent was on board, between three and four o'clock; and that, the Boy not being then found, this deponent returned on Shore, bringing with him another Crown Prisoner who he had found on board on his Second visit to the Said Vessel, the Kangaroo.

And this deponent further Sayeth:—that he waited upon His Honor the Lieutenant Governor about half past eleven at night of the Same day with the Pilot, who brought intelligence that Lieut't Jeffreys had Seized and carried as prisoners on board The Kangaroo Captain Jones of the Cochin and his boat's crew when employed under The Naval Officer in the River; that this deponent then received Orders from His Honor The Lieutenant Governor to proceed on board The Kangaroo with two letters to Lieut't Jeffreys, and an open Order prohibiting all communication between that Vessel and the Shore; that this deponent was informed by His Honor that one of the Said two letters was to require the Surrender to him of Captain Jones and the boat's crew, if he this deponent should find them prisoners on board The Kangaroo; that this deponent accordingly went on board The Kangaroo, which vessel he found at anchor between the mouth of the Harbour and Hobart Town, and delivered the letters and orders above mentioned to Lieut't Jeffreys and Saw Capt'n Jones in Irons on the Quarter Deck of the Said Vessel The Kangaroo; that this deponent waited between two and three Hours, during which time Capt'n Jones remained in Irons, and at the end thereof was with his boat's crew discharged, and that this deponent then returned on Shore with a Letter from Lieut't Jeffreys to His Honor the Lieutenant Governor.

And this Deponent also further Sayeth that he had considered it necessary to report to His Honor The Lieutenant Governor, on the afternoon of the Sixth of May, the probability of Some of the Prisoners effecting their escape unless much vigilance were employed in preventing communication with Boats, and that he himself had cautioned the constables to be alert in case such attempt should be made, and had afterwards by Command of The Lieutenant Governor issued positive orders to the Constables to prevent Boats from going off.

JOHN WADE, Chief Constable.

Sworn at Hobart Town, this Tenth day of May in the year Of Our Lord one thousand eight hundred and Seventeen before me:—A. W. H. HUMPHREY, J.P.

[H] LIEUT.-GOVERNOR SORELL TO LIEUTENANT JEFFREYS.

Government House, Hobart Town,

6th May, 1817, ½ past 2 P.M.

Sir,

The circumstances which have arisen respecting men absent from the Crown Works, and Seamen on Shore from the Kangaroo, render it indispensible to restrict the intercourse with Boats.
You will be pleased to order that no Boats be Suffered to come alongside after five o'clock this afternoon, except one of your own Boats having an Officer on Boat, or a Government Boat dispatched expressly by my Orders. It will also be expedient to allow no more of your Ship's Company to remain on Shore, and to prevent any of your Boats leaving the ship after dusk, and on no account any boat to leave the Side without an Officer.

If these restrictions be not enforced You may have more men absent themselves, and it is of course an imperative duty at this Moment at any inconvenience, to prevent Such an occurrence.

The Police Magistrate has given orders to find the Seamen who were absent this morning; when they are recovered I trust that you are prepared forthwith to proceed to Sea.

I am, &c,

WM. SORELL.

[I] EXTRACT from letters to Lieut. Jeffreys, commanding H.M.'s Coll' Brig The Kangaroo (Copy of the other part not kept), 6th May, 1817.

"I TAKE this opportunity to prohibit expressly, as highly improper in a colony of this description, His Majesty's Colonial Brig, under your Command, from again anchoring within the Heads of the Derwent, Sending out boats within the River, or allowing any to remain alongside after She moves from her present anchorage."

WM. SORELL.

Attested before me, as a true Copy of the Original, Hobart Town this Seventeenth Day of May, 1817:—Ed. ABBOTT, Deputy Judge Advocate.

[K] DEPOSITION OF MICHAEL MANSFIELD.

The Deposition of Michael Mansfield, who being first duly sworn, Sayeth:—I am Pilot at this Station; on Tuesday, the 6th of this present month of May, about two o'clock in the morning, I went on board His Majesty's Colonial Brig Kangaroo, commanded by Lieut't Jeffreys, in order to pilot her out of the River. I remained on board of her till about 3 o'clock in the afternoon, when I got the Vessel under weigh and stood on down the River, but the wind Scanting, and then coming foul, and Lieut't Jeffreys being desirous to wait for some Passengers who were on shore, directed me to bring the Vessel to, which I did, near Sandy Point, about three miles from Hobart Town; between eight and nine o'clock at night, Mr. Drummond came on board the Kangaroo, and Lieut't Jeffreys came on deck to him, when they appeared to have high words. Mr. Drummond told Lieut't Jeffreys he might see his instructions, and they both went down into the Cabin to read them. In about ten minutes after, Lieut't Jeffreys returned on Deck and told me I was not wanted, and Mr. Drummond
then directed me to go ashore to the Lieutenant Governor, and report what Lieut. Jeffreys had said. Mr. Drummond left the Kangaroo the same time as myself, and pulled off in his boat a short distance, in company with my boat, and told me, when I returned with instructions from The Lieutenant Governor, I should find him thereabouts. I reported to the Lieutenant Governor what Lieut’ Jeffreys had said to me on board, as Mr. Drummond had directed me.

Between ten and eleven o’clock on the night of the Sixth of May instant, the Lieutenant Governor gave me a letter to Mr. Drummond, and ordered me to go back and deliver it to him. I got into my boat, and pulled to the place where I had left Mr. Drummond in his boat about nine o’clock that night, but not finding him there, I pulled ahead of the Kangaroo, and off her starboard quarter fell in with Captain Jones in a boat belonging to his Vessel. Captn. Jones hailed me, and asked what boat is that. I told him the Pilot boat. I asked him if he had seen Mr. Drummond’s boat; he Captn. Jones told me she was in shore. I pulled in shore and found Mr. Drummond’s boat; as I passed the stern of the Kangaroo, Lieut’t Jeffreys asked what boat is that. I told him a shore boat; pull ashore immediately, said he. Shortly after I heard Lieut’t Jeffreys hail Captn. Jones. Jones’s boat once or twice, but I did not hear Captain Jones answer; he pulled towards where Mr. Drummond and I were; presently I heard Lieut’t Jeffreys desire his men to man the boat; they did so, and Lieut’t Jeffreys and his men armed with Cutlasses came alongside and boarded Captn. Jones’s boat. I heard him order his men to take charge of Captn. Jones, and if he stirred to cut his head off, or words to that effect, and he would teach a Captain of a Merchantman not to row round a King’s Vessel; they towed Captn. Jones and his boat along side the Kangaroo cheering as they went; as they were towing Capt. Jones away, he called out Drummond, Drummond, I came here under your directions by order of the Lieutenant Governor and will you see me used in this manner. Mr. Drummond’s boat was very near Captn. Jones’s but he did not reply. I then pulled ashore and reported to the Lieutenant Governor that Captn. Jones was taken prisoner and carried on board The Kangaroo. The Lieutenant Governor then wrote a letter and gave it to Mr. Wade, and he and myself went on board The Kangaroo with the letter, when I saw Captn. Jones in Irons on the Quarter Deck. Mr. Wade sent the letter down to Lieut’t Jeffreys, and some time after he released Captn. Jones, who went away in his Boat, and Mr. Wade and myself came ashore. I have heard that Mr. Wade was drunk that night, but I beg leave to state that he was perfectly capable of doing his duty; when waiting for the answer to The Lieutenant Governor’s letter, I observed Mr. Wade was Sleepy, and leaned his head on the companion; it was between twelve and one o’clock at night.

MICHAEL MANSFIELD.

Sworn at Hobart Town, this Sixteenth day of May, one thousand Eight hundred and Seventeen before us:—A. W. H. HUMPHREY, J.P.; A. F. KEMP, J.P.

[L] CAPTAIN JONES TO LIEUT.-GOVERNOR SORELL.

Sir,

Hobart Town, 19th May, 1817.

Agreeable to your Wish that I should state in writing a Communication I had with you relative to some information given me by a passenger in the Brig Kangaroo, as to illicit
Trade in that Vessel; I have to acquaint You that, in a party, this Gentleman said he wished much to get a situation for Capn. Jeffreys' Steward, as in the event of his going to England he would certainly be hanged. I replied it was a pity not to have thought of that at Sydney, as the Vessel intended to have went there direct; upon which he said it was never intended to bring him beyond this place; when I said you this moment told me the intention of the Commander was to proceed direct to England you know, when he left the Company apparently much confused, and on my joining him in the Street, he said what a fool I am, I have Completely let the whole secret out in Consequence of that d——nd Steward, but that was not their sole inducement, for they have 2,000 Gallons and upwards of Rum to land. I said it was impossible to do it, on which he said by G—d they will, if they are obliged to plant it.

I have, &c,
J. F. JONES.

Attested before me, as a true Copy of the Original, Hobart Town, this twenty first day of May, 1817:—Ed. Abbott, Depy. Judge Adv.

[M] LIEUT.-GOVERNOR SORELL TO MR. J. DRUMMOND.

Government House, Hobart Town, 6th May, 1817.

The Naval Officer is ordered to proceed on board H.M. Colonial Brig Kangaroo and not to leave her, until she be clear of the Heads of The Derwent. He will notify to Lieut. Jeffreys, or Officer commanding on board, My positive Order that no Boat, belonging to The Kangaroo, be again allowed to approach the Shore, and He will impede any Boat, proceeding to the Kangaroo from Shore or any other Vessel.

Should the Officer commanding on board The Kangaroo object to the Naval Officer remaining on board, He will, if ordered to quit the Brig, bring away the Pilot with him; and he will in such case employ his Boats as a rowing Guard between The Kangaroo and the Shore till further Orders.

Some Prisoners being now on board The Kangaroo, and others being suspected of an intention to get on board in order to escape, the Naval Officer is required to pay every attention to these orders.

Wm. Sorell, Lieut. Governor.

(Copy attested as above.)

[N] DEPOSITION OF CAPTAIN JONES.

The Information and Complaint of John Francis Jones, Commander of the Ship Cochin, Lying at Anchor in Sullivan's Cove in the Derwent river, Who being first duly Sworn says:—On the Eve of the Eighth
Inst. The Lieutenant Governor finding himself deficient in a boat's Crew, I Voluntarily Offered any part of The Cochin's Ship's Company to supply this deficiency, which was Accepted; I immediately went down to the Wharf, hailed my Ship and got a boat, which I manned alongside My Ship and also sent My Gunner to assist in a Government Boat. I then Came to the Government Wharf, where I met the Lieut. Governor. I was then Ordered by him to proceed under Mr. Drummond's Orders, when I made the remark that I would Act in any Way as far as my Boat's Crew were Capable to execute any Order Mr. Drummond might give; upon which Lieutenant Governor Sorell decidedly said I was under the Orders of Mr. Drummond; I left the Cove in my own boat and Mr. Drummond did so in a Government boat; we pulled away together towards His Majesty's Colonial Brig Kangaroo and, on Coming near to that Vessel, I was ordered by Mr. Drummond to keep on the Starboard Bow, and prevent any Communication from the Ship to the Shore, or from the Shore to the Brig Kangaroo; soon after I took my Station, I was hailed by some person on board the brig to know what boat it was; my reply was that I was not coming on board and would keep outside of their Buoys; upon which I heard a Confused noise on board the brig, ordering her Sailors to jump into the boat; I am Confident it was Capn. Jeffreys' Voice in giving the Orders; I immediately pulled to join Mr. Drummond's Boat for Instructions, and nearly at the Moment I joined them, the Brig's boat came alongside us; Capn. Jeffreys, he was in his boat, exclaimed what Boat is that; I replied it's a boat under Mr. Drummond's orders, who is Close to You this Moment; upon which Capn. Jeffreys said, is that you Capn. Jones. I replied Yes, Sir, and I am on Government Duty; he immediately jumped on board my boat apparently quite amicable; but, on his Coming to the Stern sheets where I was standing, he drew his Sword and said You damned Scoundrel I'll cut you down. I replied if you lift your hand against me, I'll have you overboard, and could I have been aware that You would have Acted in this Hostile way, you should not have come on board My boat. I was immediately seized by two of his Sailors armed with Cutlasses, Muskets, and Pistols, who pinioned me, in the Stern Sheets of the boat, and Captain Jeffreys gave me several blows, one of which has made this severe bruise under my Eye; he said he would teach me how to call one of His Majesty's Officers a fool; at the time of my being boarded by the Kangaroo's boat, Mr. Drummond's boat was close alongside touching Mine, in which I think there were four or Six Soldiers with Muskets and Bayonets fixed, independant of the Men who pulled his boat. I called to Mr. Drummond to assist me repeatedly, but found that he pulled away from and left me. I was towed alongside the Kangaroo by her boat, and on my arrival Capn. Jeffreys said, You Damned Scoundrel, get up the Sides and I'll flog You. Quarter Master get the seizing and Cats ready, for I have caught a Damned Paltry Master of a Merchant Ship. I expostulated and said, Capn. Jeffreys I will not leave my boat; I am under the direction of Mr. Drummond, and you can have no right to force me out of my boat; upon which Capn. Jeffreys Collared me and said, You damned rascal I'll show you what a Man of War's cat is; he tore my Coat under pulling me, broke my Shins over the Thwart, and, being much irritated by this Mal-treatment, I knocked Capn. Jeffreys down in my boat, at the same time declaring I would admit of no conduct that was derogatory to the character of a Gentleman. I was then by the
Orders of Capn. Jeffreys seized by his Sailors, a rope made fast round my body and hauled forcibly upon board the Kangaroo, when Captain Jeffreys exclaimed, the Scoundrel, put him and all his boat's Crew in Irons; I personally, as well as through the Medium of his Officers, remonstrated with Capn. Jeffreys, saying as a Gentleman I would obey any order he might give me, but I would not be put in Irons. I was seized by the Boatswain and two Quarter Masters and forced down on the deck, was put into a Shackel which ran on a long Iron bolt; in that Situation I remained four hours tho' continually requesting Capn. Jeffreys to allow me to walk on deck; it was so excessive cold, I was completely benumbed and I suffered more in this Situation from the Deprivation of my boat Cloak which was in my boat, and was together with my boat and various Articles, Vizt. A pistol, A bottle of Spirits, A bundle of Segars, My hat which was cut thro' by Capn. Jeffreys whilst on my head with his Cutlass, and my Chief Officer's hat, which were all sent on Shore by Capn. Jeffreys in my boat with Mr. Lord; these Articles have not yet been returned to me. About one o'Clock this Morning, the Chief Constable of the County, Mr. Wade, came on board The Kangaroo in Company with the pilot Mansfield, charged with a Letter from The Lieutenant Governor to Capn. Jeffreys, and Mr. Wade gave me to understand that the letter was for the purpose of Claiming my release. I told Mr. Wade, if I had Committed any Offence, I wished to be delivered up to the Civil power to Answer it, and not be kept ironed on board the Brig; Mr. Wade went below, and remained between one and two hours, and, on his return on Deck, he was so much intoxicated as to be unfit for his Duty; upon finding Myself so very much benumbed, I sent to Capn. Jeffreys to say, if he did not take me out of Irons, I should lose the use of my limbs, upon which after a Considerable time every person on board the Brig being Drunk, the Capn. not excepted, I was released from Irons, and after many Applications to the Chief Constable and to Capn. Jeffreys through his Officers on Deck, I was informed (as also My boat's Crew) I might Depart from on board the Brig in my own boat, which had returned from putting Mr. Edward Lord on Shore; My boat's Crew were released from Irons two or three hours before Me. A little prior to my Departure, I requested Capn. Jeffreys personally to return me the Articles which I have before enumerated; he said I had got what belonged to me, and ordered me to go about my business. I then left the Kangaroo.

J. F. JONES.

Sworn at Hobart Town, the seventh day of May, 1817, before Us:—
(Copy attested as above.)

[O] Deposition of John Walsh.

The Deposition of John Walsh, Chief Mate of the Ship Cochin, who being duly Sworn, Sayeth:—between the hours of Eight and Nine O'Clock last Evening, Capn. Jones hailed the Cochin, and I immediately sent him a boat and, when he came on board his Ship, I asked him if any thing was the Matter; he replied that there was, I must go with him; we put four Cutlasses and a brace of Pistols in our boat and a bottle of Spirits, and a bundle of Segars; I went with Capn. Jones and the Boat's Crew to the Government Wharf, where we found Mr. Drummond and four or five Soldiers; we took them...
on board our boat and put them on board a Government Boat designed for Mr. Drummond, who also went on board of her with some of his boat's Crew; but, as the number of his Crew was insufficient, both boats pulled alongside the Cochin and there got one hand to Complete Mr. Drummond's boats Crew. Capn. Jones asked Mr. Drummond if he would have a brace of Pistols; Mr. Drummond accepted the Offer; the Pistols were handed into the Government Boat and then both Boats rowed off from the Ship. After we had left the Ship, Capn. Jones told Mr. Drummond we were under his Direction, and that we should not Act, but by his Orders. We then (both boats) pulled towards the Kangaroo. Mr. Drummond said, we were to pull on the Starboard bow, whilst he Drummond would go on the Larboard bow of the Kangaroo to prevent any Communication between that Vessel and the Shore; we were not long at our Station, when we were hailed by some person on board the Kangaroo. Capn. Jones answered, it was a boat under the orders of Government; then heard Capn. Jeffreys Call for a Musket and ordered his boat to be manned, and said he would soon know whether there was a Government Boat; we now pulled towards Mr. Drummond's Station on the Larboard bow, and had scarcely got alongside of it when Capn. Jeffreys and his boat Manned partly by some of the Brig Jupiter's Crew joined us. Capn. Jeffreys said what boat is that (meaning our boat); they have got some Prisoners on board, and ordered his Boat's Crew to board us and leaped in first himself, and going towards the Stern Sheets, he asked who that was. Capn. Jones answered it is Capn. Jones. I know it is, replied Capn. Jeffreys, You Damned Scoundrel and Curry favouring rascal; I'll learn you to pull round His Majesty's Vessel; he struck Capn. Jones with his fist, and drew his Sword and desired him to sit down, and after Capn. Jones sat down, he trampled on him; then another small boat belonging to the brig Jupiter with two Men in her, one of whom was the Boatswain of the Kangaroo, rowed off from the Kangaroo, and joined Captain Jeffreys; these two Men got into our boat with drawn Cutlasses and laid hold of Capn. Jones and said to him, You damned Scoundrel, if you offer to move, we will Cut you down; seeing the Boatswain of the Kangaroo about to Offer Violence to my Captain, I attempted to disarm him of his Cutlass, upon which Capn. Jeffreys knocked me down, and then took all the Arms out of our boat and ordered his boats to tow us alongside the Kangaroo, and, when we came alongside, he Capn. Jeffreys ordered Capn. Jones on Deck, which Capn. Jones refused; on which the Boatswain of the Kangaroo, and two or three more hauled Capn. Jones up by force; 1 and the Boat's Crew followed without making any resistance. Capn. Jeffreys then ordered My Captain, and his Boat's Crew to be put in Irons, and at the same time to get the Cats up, and he would give us all a damned good flogging. Capn. Jones and his Crew were put in Irons; previous to which Capn. Jeffreys knocked Capn. Jones down several times on the Quarter Deck. I was the only person who was not put in Irons. Capn. Jeffreys made use of abusive Language to Capn. Jones several times. Capn. Jeffreys went down below, and about an hour and half afterwards ordered the Prisoners to be released out of Irons, but immediately after ordered Capn. Jones alone to remain in Irons. I think Capn. Jones was in Irons nearly three or four hours; at about one or two O'Clock this Morning Mr. Wade the Chief Constable and the Pilot arrived on board the Kangaroo charged with a letter from the Lieutenant Governor to Capn. Jeffreys, which I saw immediately
delivered. The Pilot told me the purport of the letter was to demand Capn. Jones's release and his Boat's Crew; Capn. Jones asked the second Officer, who then had charge of the Deck, if he would be good enough to request Capn. Jeffreys to release him out of Irons, that he was getting quite benumbed with Cold, and was fearful he should lose the use of his limbs; the second Officer returned with an Answer from Capn. Jeffreys that he would do no such thing. A Considerable time after the letter brought by Mr. Wade was delivered, Capn. Jones requested Mr. Wade to go down to Capn. Jeffreys to know if himself and the Boat's Crew were to be released. Mr. Wade returned and said Capn. Jeffreys was writing a Letter. Capn. Jones repeatedly asked Mr. Wade afterwards to Communicate to Capn. Jeffreys his wish to be released with his Boat's Crew. Mr. Wade said it was a King's Vessel and he (Wade) had no Command on board 'till Capn. Jeffreys pleased; at the same time Mr. Wade was very much intoxicated, and I several times Cautioned him to be Careful, fearing he would fall down the Companion ladder. After repeated Messages to Capn. Jeffreys from Capn. Jones to release him out of Irons, an order was at length sent up to release Capn. Jones out of Irons, and shortly after a second Message was sent that Capn. Jones and his boat's Crew were at liberty to Depart; previous to our departure, Capn. Jones applied to Capn. Jeffreys for the Articles we left in our boat. Capn. Jeffreys delivered to us four Cutlasses, and one pistol; there is still one pistol, two hats, one bottle of Spirits, and a bundle of Segars, which has not been returned. We then quitted the Vessel.

1817.

MR. J. DRUMMOND TO LIEUT.-GOVERNOR SORELL.

Sir,

Naval Office, Hobart Town, 16th May, 1817.

I beg leave to lay before Your Honor the following detail of occurrences since the night of the 6th Inst. when I received Your Orders to proceed on Board H.M. Colonial Brig Kangaroo, which was lying about three Miles down the river, there to remain, if permitted by Lieut. Jeffreys her Commander, for the purpose of prohibiting all communication between that Vessel and the Shores of this Settlement.

At 9 P.M. of that day, I proceeded in a Boat with four Soldiers of the 46th Regt. Accompanied by Capn. Jones of the Ship Cochin in another boat, who was to give me intelligence of any Boats he might observe; I went on board the Kangaroo and informed Lieut. Jeffreys that I had Your Orders to remain there for the above purpose, and read to him the instructions...
which specified that, if not permitted to remain on board, I was to row Guard round the Vessel; he said he could not allow me to remain on board, on which I left her, and proceeded to row Guard, when about 11 o’Clock P.M. a Boat was hailed from The Kangaroo and immediately the Pilot boat appeared. In a few minutes I heard them hail another Boat from The Kangaroo, which I found was Capn. Jones of the Cochin; directly after I observed a boat come from The Kangaroo towards me, which I hailed and was answered by Lieut. Jeffreys, who asked if it was my boat; I answered him, and he pulled close past me without speaking, towards another boat a head of his Vessel; I observed as he passed that he had a drawn Sabre in his hand; at that time I was laying on my Oars and, not knowing his intention, I pulled after him; on his Coming up to the other Boat (which I knew was the Cochin’s), he immediately jumped into her followed by several of his Boat’s Crew, who I perceived were armed with muskets. I heard Mr. Jeffreys make use of Violent Threats to Capn. Jones, and repeatedly struck on the Gunwale of the Boat with his Sabre, saying, “I’ll teach a Damned fellow of a Capn. of a Merchant Ship to row round a Man of War,” and Ordered Ross his Chief Mate to cut Capn. Jones down, if he attempted to stir; to which he (Ross) answered he would. Mr. J. then Called out “a Prize, a Prize pull her on board,” and taking the Boat in tow took her alongside the Kangaroo; during this time I repeatedly desired Mr. Jeffreys to desist, telling him that the Boat was there Acting under my Orders, to which he paid no attention; but I heard him say that he supposed there was Prisoners in the Boat, and that he was determined to search her. I assured him there were no Prisoners in the Boat, but that she was there by the direction of Your Honor, and under my Orders; to that he made me no reply but said, if I attempted to come alongside his Vessel, he would fire into Me. I told him at his Peril to do so. I then dispatched the Pilot to town to inform Your Honor that Mr. Jeffreys had seized the Cochin’s boat and held Capn. Jones Prisoner on board his Vessel. In about an hour and a half the Pilot returned with the Chief Constable in his Boat, who I learnt was the Bearer of a Letter from You to Mr. Jeffreys; they went on board The Kangaroo where they remained about Two hours; on their return they informed me that Capn. Jones had been in Irons, but was then released; soon afterwards I saw the Cochin’s Boat with Capn. Jones and his Chief Mate in her proceeding to Town; I continued to row guard ’till day light, when I came on Shore; about half an hour before I left her she got under Weigh, and proceeded down the River, with a light breeze from the N.W.
On the Morning of the 7th Instant, in a Conference with Your Honor, You put into My hands the Copy of a Government and General Order which You informed Me, You had transmitted to Lieut't Jeffreys at One A.M. that Morning prohibiting all communication between the Kangaroo and the Shores of these Settlements; and also a Letter addressed to me requiring Me to proceed down the River for the purpose of enforcing the due execution of that Order, and placing under my Direction for that purpose a Detachment of One Officer and 11 Rank and file of the 46th Regt., and that Mr. Gordon a Magistrate would accompany me for the purpose of giving the Sanction of the Civil Power to all Measures, which the execution of Your Orders might require. We proceeded Accordingly, and about 7 Miles down the River observed the Kangaroo hove to in the Bay near Brown's River with the Wind at S.W. with Squally Weather and frequent Showers; shortly after we perceived her, she made sail and stood across the River, and we pulled under the Rocks below the Mouth of Brown's River, where we lay 'till she had made a Stretch to the Westward and tacked again; in two Boards, she cleared the Heads of the Derwent and stood on close hauled with her Starboard Tacks on board down Storm Bay, and, just before dark, we observed her to be 8 or 9 Miles from the Heads; conceiving that it was the intention of her Commander to return, as he kept Close to the Wind, we proceeded to Isle Brune, where we landed on the North End of the Island opposite the entrance of Storm Bay Passage, between 1 and 2 o'Clock; while paying under the Rocks, we observed a Boat leave the Kangaroo, but at such a distance from us, and it blowing a hard Squall at the time, it was impossible for us to intercept her; About 9 P.M. The Kangaroo, as we expected, did return, and came to Anchor in the entrance of the passage; at 4 A.M. of the 8th, we saw the Brig Sophia Anchor about 2 Miles from us in the River; at day light, after refreshing the people, we went on board her and dropt down within half a Mile of the Kangaroo, where we brought up; during the Night the Weather got Milder and the Wind shifted to W. and W.N.W.; about 9 A.M. dispatched a Boat to Town to inform Your Honor of the Return of the Kangaroo, and about 9 P.M. the boat returned with a Letter from Your Honor addressed to Lieut. Jeffreys, On H.M.'s Service, which I immediately took on board, and got his receipt for it. In conversation with Mr. Jeffreys while on board, he said he had Public Reasons for remaining here, which should be submitted to His Majesty's Ministers; that he was going a long Voyage, and that it was necessary to lay in all the Wood and
Water possible, that he should remain 'till he had done so; and that any one interrupting his Boats in that duty must abide the Consequences.

From the time she came to anchor 'till the 13th Inst. when she got under weigh and proceeded out of the River, nothing material occurred, except what Your Honor is already acquainted with, such as Mr. Secretary Ross being the bearer of Letters and taking Mr. Lord and Wm. Cobby out of the Kangaroo, etc. ; and I have only to observe that during that time the Wind was invariably from W.S.W. to N.W. with fine clear dry weather.

On the 13th about half past Twelve in the Day, she rounded the North End of Isle Brune and I, accompanied by Mr. Gordon, crossed the Mouth of the River in a Boat to observe her motions; we saw her standing down Storm Bay, the Wind N.N.W. with all sail set; we returned to the Sophia at half past Three P.M., and dispatched the Pilot and Mr. Kelly the Master to the Heights on Brune Island, to watch the Motions of the Kangaroo 'till Dusk; on their return, they reported her to be about 7 Leagues off, steering S.E. with the Wind N.N.W., all sail set. The Next Morning at day light we proceeded to examine adventure Bay conceiving she might have come to Anchor there during the night, when, on finding she was not there, we returned to Town, where we arrived about One o'Clock on the Morning of the 15th.

I have, &c.,

JOHN DRUMMOND, Naval Officer.

Orders prohibiting intercourse with brig Kangaroo.

[Q] GOVERNMENT AND GENERAL ORDERS.

Government House, Hobart Town, at One O'Clock A.M., Wednesday, 7th May, 1817.

His Majesty's Colonial Brig the Kangaroo Lieut. Jeffreys having proceeded yesterday from her Anchorage in this Port in prosecution of her Voyage to England under His Excellency the Governor in Chief's Orders, all Communication between His Majesty's said Colonial Brig the Kangaroo and the Shores of these Settlements is strictly prohibited.

The Naval Officer is directed to take all necessary Measures to enforce a due Obedience to these Orders in the Port and River. The Police Magistrate will give such directions as he may think expedient for the same purpose on Shore, and the Commanding Officer of the Troops will give the proper Instructions to the Guards at the Landing Place.

WILLIAM SOBELL, Lieut't Governor.

(Copy attested as above.)

[R] (No. 1) LIEUT.-GOVERNOR SOBELL TO LIEUTENANT JEFFREYS.

Government House, Hobart Town,
1 o'Clock A.M., 7th May, 1817.

Sir,

I now transmit You a Copy of an Order which I have just issued as indispensible to the good Order and Security of the Settlement under my Command.
At three o'Clock yesterday, you received from me by the Hands of the Chief Constable, two letters, in direct defiance to both of which you thought proper to act without giving any reply.

You had at that time a full knowledge that several Government Prisoners had escaped from hence and two of them with a Boy had been actually found on board the Kangaroo by the Chief Constable. Nevertheless you Anchored without any Necessity, or even Shadow of Reason whatever off the Mouth of the Port, as if to defy any effort to prevent the Mal-practices in agitation.

You informed the Chief Constable that, as Commander of a King's Ship, you were under no obligation to admit him on board to enquire for Prisoners. Now without advertting to the entire difference which there is between a King's Ship, and one Employed directly under a Colonial Government, I will say that no Officer could justly refuse an Application for search in the Port of a Colony chiefly composed of Prisoners, with Official information that several had escaped, and good grounds for supposing others secreted on board, and after two Men and a Boy had been actually found in that Situation. I will further, Sir, explain to You that I do not by any Means consider You as a King's Officer in an independant Command. You are, so long as you remain in the Harbours or Rivers of New South Wales and its Dependencies or in the Seas adjoining thereto, Under the Orders of the Governor in Chief of the Territory, and in this port you are bound in all Matters that relate to Port regulations and Orders to obey Mine. You have directly disobeyed them, and I therefore apprise you, that I shall report your Course of proceeding, by the first Ship, to His Excellency the Governor in Chief, and to the Lords Commissioners of the Admiralty.

I am, &c.,
WM. SORELL.

[No. 2] LIEUT.-GOVERNOR SORELL TO LIEUTENANT JEFFREYS.

Government House, Hobart Town,

Sir,

I have this Moment received a report that a Boat full of Armed Men from H.M. Colonial Brig under Your Command has attacked a Boat belonging to one of the Ships in the Port which I had placed under the directions of the Naval Officer for the purpose of preserving the good Order of the port and enforcing a due Obedience to the Port Regulations; and any Orders which you had directly disobeyed.
I have now to require you instantly to surrender to the Bearer the Officers and Men, who were in the Boat which You have so unlawfully and unwarrantably attacked and seized; and you may be Assured that your Conduct in this instance shall be made a Subject of investigation by the earliest report that can be made, and upon Specific Charges against You.

I am, &c.,

WM. SORELL.

P.S.—I desire you Clearly to understand that the Naval Officer is directed to Keep his own boat and such other as I shall place under his Charge in the River; and, should you in any way impede or Molest them, You will hold Yourself responsible for all Consequences.

(Copy attested, as above.)

[8] DEPOSITIONS OF SAMUEL YOUNG AND GEORGE CLARKE.

The Deposition on Oath of Samuel Young who said:—that on Tuesday last the sixth day of this present Month of May, about three or four O’Clock in the afternoon, I went on board His Majesty’s Brig Kangaroo with Mr. Mitchell the Port Master, and returned on Shore with him about five O’Clock the same afternoon. The next morning about day break Mr. Lord and Mr. Blaxcell came down to my boat, and we shoved off towards the Kangaroo which was then under Weigh; about half past Eleven o’Clock in the forenoon opposite Blackman’s Bay we boarded the Kangaroo. After making the Boat fast astern of the Brig, George Clarke the Waterman and I went on Deck, where I saw Capt. Jeffreys, who told me he had Two Prisoners on board in Irons and he delivered them into My Charge. I saw a Man on board named William Cobby, who I knew had only a Conditional Emancipation; this Man formerly belonged to this Settlement but came from Sydney with Capt. Jeffreys in the Kangaroo this time. I asked Capt. Jeffreys if he did not intend to send Cobby up. Capt. Jeffreys said he had not settled his Wages with him at present, and that, if I would not return with My Boat for him, He would send Cobby by Land with Mr. Lord. I then got into my Boat, and shortly after three Prisoners were put into her, and we shoved off.

SAMUEL YOUNG.

Sworn at Hobart Town, this Tenth day of May in the Year of our Lord one thousand Eight hundred and Seventeen, Before Me:—A. W. H. HUMPHREY, J.P.

The Deposition of George Clarke, who being duly Sworn saith:—I am a Waterman, and have a Licence to ply a ferry Boat to the Shipping in this Harbour; on Tuesday the 6th day of this instant May, I went on board His Majesty’s Colonial Brig Kangaroo taking with me Mr. Mitchell the Port Master, between 5 and 6 o’Clock in the evening; Mr. Mitchell staid on board the said Brig about three Quarters of an hour, and then I brought him on Shore; on Wednesday Morning the seventh day of this instant May about break of day, Mr. Edwd. Lord and Mr. Blaxcell got into my boat and Young, A constable, and myself rowed towards the Brig Kangaroo which was then under weigh.
When the Kangaroo got abreast of Blackman's Bay, we got alongside of her; it was by this time about 4 past Eleven O'Clock in the forenoon. Mr. Lord and Mr. Blaxcell went on board the Kangaroo. Young and Myself also went on board after Making our boat fast astern of the Kangaroo; soon after we got on Deck, Capn. Jeffreys said, "Young, here are two dammed infernal rascals whom we have just found; take them into your Charge." They were Moses Moses, and Henry Topping, and they were then in Irons on the Deck; some time after I had been on board, Mr. Lord called me down into the Cabin and informed Me that Capn. Jeffreys was very Anxious to send Moses and Topping up to Hobart Town, and that if I would take them up in my boat and return again to the Kangaroo he Mr. Lord would satisfy me for my trouble. When in the Cabin, I saw there one Wm. Cobby, who came into this Country in the Ship Indefatigable and who I know had only a conditional Emancipation; he appeared to be a Steward on board. Young told me he had spoken to Capn. Jeffreys about Cobby. Mr. Lord told me that if I could not return to the Kangaroo with my boat, that he and Cobby would land, and walk up to Hobart Town; while I was standing in the Cabin, one of the Seamen came into the Cabin to Capn. Jeffreys and pointing his finger to the Scuttle, said, there is a Man stowed away down here, in the Bread room; Capn. Jeffreys then Called for the Boat- swain, and two Quarter Masters; they got Candles and Lanthorns and went down and searched, and in five Minutes returned up again and brought with them Samuel Lyons; he was delivered into My Charge. I took him upon Deck, and Capn. Jeffreys ordered My Boat alongside, and the three Men were put into it. Capn. Jeffreys particularly Ordered me not to put into any place 'till we arrived at Hobart Town; we then Shoved off and came up to Hobart Town, and Lodged them in the County Gaol; when Lyons was found, Capn. Jeffreys asked him how long he had been on board? Lyons said three days. Capn. Jeffreys said, I thought you were a long time making me a Pair of Pantaloons. [T]

GEORGE CLARKE.

Sworn at Hobart Town, this Ninth day of May, One thousand Eight hundred and Seventeen, Before me:—A. W. H. HUMPHREY, J.P.

[Approved] Lieutenent Jeffreys to Lieut.-Governor Sorell.

Sir,

Derwent River, 7th May, 1817.

I have the honor to acknowledge the receipt of Your Letter of this day's date at One o'Clock A.M., and, as I am on the point of putting His Excellency the Governor in Chief's Orders into Effect, it is out of My power to enter into a detail of the Circumstances of the Case; I have only to inform you however that you have been misinformed about the Men found on Board His Majesty's Brig, and that I conceive you are unacquainted with the Establishment of His Majesty's Brig I command; and that, during the time I command her, I shall as far as possible act up to the General Naval Instructions; and with respect to the Men and Boat (for I know of no Officer), I have given them and it up to the Chief Constable, in compliance with your Orders. My reason for taking them in Charge was the impossibility of Crediting His assertion of Acting under Your
Honor’s Orders, never having received any intimation to that effect, and further his Calling for Arms and threaten’ning to Shoot the first Man who Came near him, his Boat being Armed at that time.

With respect to the Management of His Majesty’s Brig, I have only Acted as an Officer in the profession to which I belong, and that I suppose Your honor would not be a judge of the Necessity of my Anchoring; I shall take the earliest opportunity of reporting Your Conduct to me during the time I have been in this Harbour.

I was not aware that Your Honor had made any Application for the Constables to search the Vessel under my Command until after dark this Evening, and have to assure You, I will not knowingly take away any prisoner from the Colony.

I lament that more Active exertion has not been made for the recovery of My Sailors, whom I have every reason to believe have been enticed away.

I have, &c.,

CHAS. JEFFREYS, Lt. and Commr.

(Copy attested as above.)

[V] LIEUT.-GOVERNOR SORELL TO LIEUTENANT JEFFREYS.

Government House, Hobart Town,

Sir,

As I find that you still Continue His Majesty’s Colonial Brig under Your Command at anchor in the lower part of the Port of this Settlement in direct disobedience to His Excellency the Governor in Chief’s Instructions, and offering thereby further encouragement to the Crown prisoners to attempt an Escape on board; I now acquaint you that the Naval Officer has express Instructions to enforce a due obedience to My Order of the 7th Inst., dated One o’Clock A.M., prohibiting all Communication between H.M.’s Colonial Brig Kangaroo under Your Command and the Shores of these Settlements, Copy of which Order the Chief Constable has made affidavit of having delivered to Yourself about two o’Clock the same Morning. A proper force under the Authority of a Magistrate is placed in Co-operation with the Naval Officer in Order to the due execution of these Orders, and you will at your peril and under a full responsibility upon Yourself for all Consequences infringe my Orders by attempting to Land any Boat from the Kangaroo on the Shores of Van Diemen’s Land.

I am, &c.,

WM. Sorell

P.S.—I think it proper to add that the Crown Prisoners, who were found secreted on Board H.M.’s Brig under Your Command, have declared upon their Trial that they were Conveyed
on board in one of the Kangaroo's boats, and one of the Men by
Name Lyons, to whom I had refused a pass for the purpose, as
Contrary to a standing regulation, expressly stated in his justi-

fication that he was sent on board by You.

WM. SORELL.

(Copy attested as above.)

[ W ] EXTRACT from the Record Book, Court House, Hobart
Town: Hobart Town, 7th May, 1817.

Present: The Deputy Judge Advocate; A. W. H. Humphrey, Esqr.
WILLIAM HUDSON, Henry Topping, Moses Moses, and Samuel Lyons
charged with being on board His Majesty's Colonial Brig Kangaroo,
secreted with intention Clandestinely to leave the Colony.

William Hudson, Henry Topping, Moses Moses and Samuel Lyons
Know the Charge.

James Brimmer an Overseer spoke as to the general good Character
of the Prisoners. Lyons, Topping, and Moses were in his employ
Nine Months and Conducted themselves very properly.

Moses Moses and Samuel Lyons say they went on board the Kan-
garoo in the Kangaroo's boats, and the latter person at the request
of Capn. Jeffreys.

The Court Order the Prisoners Hudson, Topping, Moses, and Lyons
to Work for Government the same Hours as the Gaol Gang for one
Month, and to be Confined at Night in the Gaol during that period.

ED. ABBOTT, Depy. Judge Advocate.
A. W. H. HUMPHREY, J.P.

(Extract and Copy attested.)

[X] LIEUTENANT JEFFREYS TO LIEUT.-GOVERNOR SORELL.
H.M. Brig Kangaroo, Storm Bay Passage,

9th May, 1817.

Sir,

On a Mature and deliberate retrospection of every Circum-
stance connected with the Correspondence with Your Honor,
which, from the Moment of my Arrival here with His Majesty's
Brig under my Command to repair very serious injuries sus-
tained by Gales of Wind, has so unhappily taken place, I shall
on my Arrival in England necessarily feel it a Duty to submit
such Correspondence to the Heads of those Departments, who
will be impartial Judges of the subject, and deem it necessary
to apprise Your Honor of such My intentions, at the same time
pledging My Word as an Officer and a Gentleman that I never
terained the Most distant wish or was actuated by any desire
to throw the Smallest difficulties to the due adherence and per-
formance of such Orders and Regulations as Your Honor deemed
Necessary to promulgate for the Government of the Settlement
under Your Command; but, when I saw with infinite Concern
that those very Orders and Commands were Calculated to annoy
My feelings and impute Crimes and Charges against My Con-
duct which, if correct, would with great justice deprive Me of

1817.
18 May.
the Rank I have the honor to hold, it became my imperious Duty to check such proceedings so subversive to the established Rules in the Naval Service, and to act in every respect as I have been Compelled to do in the business; and, although my present stay at this place appears contrary to your wish, yet circumstanced as I feel myself in the high Charge and responsibility attached to my proceeding forthwith to England without ascertaining the rate of my Time Keeper, which stopped off the Vicinity of this place, without completing my Wood and Water, necessary for so long a passage, and the Abandonment of the hopes of recovering two of my best Seaman, who have absconded from the Vessel, in addition to Two others who ran at Port Jackson, I cannot in justice to Myself and the good of His Majesty’s Service immediately leave this on my intended Voyage; at the same time I have given the most strict and positive Orders that no Boat from the Shore shall be allowed to come alongside so as to admit of a possibility of any Crown prisoner making their Escape from the Settlement.

I have, &c.,

CHAS. JEFFREYS, Lieut. and Commr.

(Copy attested as above.)

[Y] LIEUT.-GOVERNOR SORELL TO LIEUTENANT JEFFREYS.

Sir, Government House, Hobart Town, 9th May, 1817.

I have just received your Letter of this date, which, not containing one Word in extenuation of your past proceedings nor of your Continued defiance of Your Instructions, I consider unworthy of any reply; but, as you signify an intention of "Submitting the Correspondence which has taken place to the Heads of those Departments who will be impartial Judges of the Subject," and as I am very desirous that you May be enabled to submit My opinion at length, I will apprise you that a report of your Conduct up to the 8th Inst. is already on board Your own Ship in safe hands for transmission to the high Authority to which you will be accountable, and that it will be followed by a List of Specific Charges founded upon Letters and depositions, which will at once bring the whole case under View upon a body of Evidence which it will require something more than evasions and unfounded excuses to repel. In the mean time, I will now furnish you with a brief recapitulation of your Conduct, and You will do well to let this letter accompany the preceding Correspondence, when you submit it.

On the 30th Ulto. you came into this port upon Your own declaration that Injuries sustained in a Gale of Wind compelled you to do so. I knew at the time (and I now possess a Certified
Copy of a Letter from Yourself upon which the report to me was founded) that you sailed from Port Jackson with an avowed determination to come into this Port in direct disobedience to the Governor in Chief's instructions; and I am sufficiently conversant with Nautical Affairs to be assured that your own Log would prove that the very gales with which you contested, to the loss of your boat, to reach the Derwent, would have been fair winds for the passage which it was your duty to have taken. I pass over intermediate circumstances. You received the aid which this Government had the means of giving; on the 5th inst. you reported yourself ready to receive the mail, and on the morning of the 6th it was your duty to have gone to sea; but you did not attempt it. On that morning several crown prisoners were absent. The chief constable was sent with a note to the commanding officer on board requesting he might be allowed to search. You had been searched at Port Jackson, and prisoners were then found on board; prisoners were again found concealed here, though not at first to the number missing; one was allowed again to escape after being in charge of one of your officers. The chief constable went a second time on board, carrying my two letters of the 6th; he received in answer a disrespectful verbal message from you; the letters remained unnoticed, while you acted in direct disobedience to every order and regulation which they contained. You continued to admit shore boats on board up to the morning of the seventh, several hours after my prohibiting letter and general order had reached you. You anchored off the port, ordering the pilot to bear up for the purpose, when he could have taken the kangaroo several miles down the river. At this time you had as was the next day proved (by the landing of the men) several crown prisoners concealed on board, who by their own plea on their trial had been conveyed on board, in the boats of H.M. colonial brig, under your command, and one man expressly by your own order. At midnight of the 6th, when these circumstances combined with other intelligence of your sinister and un-officerlike views, to which your proceedings gave but too much countenance, rendered it my duty to enforce rigidly my orders in the harbour and river, you attacked one of the boats employed for the purpose under the naval officer, who had notified to you his mission, yourself, with drawn sword, heading a boat's crew in which were most of your officers with drawn cutlasses, seizing, cutting, beating and employing the most opprobrious language towards a captain of a merchant ship, who was acting by my authority under the naval officer, dragging him and his boat's crew prisoners on board of the...
1817.
16 May.

Narrative of conduct of C. Jeffreys at the Derwent.

Brig you Command; there first ordering the Capn. in question to be tied up for Corporeal punishment; afterwards putting him in double Irons on the Deck, detaining him for several hours even after my requisition for his release was delivered to you; since that, you have Continued the same Course of disobedience and defiance of all lawful Authority by receiving Shore Boats, detaining Emancipated Men on board, Anchoring in the outlet of the Port, and delaying your Voyage without a Shadow of Excuse for so doing. As to the pretence of regulating Your Time-keeper, Completing Wood and Water etc., they cannot for a Moment impose upon the most ignorant Man, Landman or Seaman. You Completed Your Wood and Water here, where you staid seven days; if not, you did not do your duty; you had ample means of regulating your Time Keepers on Shore here; other Commanders do so and if you did not you again did not do your Duty.

From the Night of the 6th, in which You Committed one of the most atrocious and unparalleled outrages that, I will venture to say, was ever attempted in the Port of a British Settlement, you have continued a Course of Conduct amounting in my Estimation to positive Mutiny, and you are now in the Port of this Settlement in a Character more becoming a Buccaneer than an Officer of the honourable Service to which you belong; further I assure you that nothing, but a determination not to impede or obstruct the Governor in Chief's Instructions and wishes as to Your going to Europe, prevent me from adopting Measures for bringing You to Justice.

However you may rely upon time and distance to weaken the impression or to obliterate the Records of your proceedings, though in an Ordinary Case such an effect might result, in Yours the Offences have been of too flagrant a Character.

My report accompanied by letter or Deposition on Oath from every Individual, who has been Employed or who can testify the facts, will form a Mass of Accusation resting upon such proofs as neither you or any other Man could encounter and refute; One Single paragraph in your letter is alone worthy of Notice. At the Conclusion you say that you have given positive Orders that no Boat from the Shore shall come on board. To the Orders you may have given I attach not the slightest Value whatever. You have already infringed and evaded those Orders as often as Your Views and objects rendered it desirable for you to do so. You admitted Shore Boats, repeatedly after I had prohibited Your doing so, by letter and by General Order, and when You had four prisoners who had been Carried off in Your
Boats concealed on board. But even if your prohibition of these Boats were to be depended on, I consider your Own Boats much more dangerous. It is in proof that Five prisoners, who were found concealed on Board, were carried on board in Your own Boats; that is sufficient; that requires no Comment; But it imposes upon me the duty of enforcing the right which is inherent in My Authority to prohibit Your boats from Landing, or, if they do land, to have them Watch'd and Searched.

I refer you to My letter of the 8th as Containing an Ample Warning of the responsibility which now rests upon You.

I am, &c.,

WM. SORELL, Lieut't Governor.

(Copy attested as above.)

[Enclosure No. 2.]

CHARGES* against Lieut't Chas. Jeffreys, R.N., Commander of His Majesty's Colonial Brig, The Kangaroo, Exhibited by William Sorell, Esqr., Lieut't Governor of Van Diemen's Land, etc., etc.

1. For not taking Sufficient measures, when applied to on the part of The Lieutenant Governor so to do, on the 6th of May, 1817, to have Government Prisoners Search'd for, who were notified to him to be missing, and who were believed on good grounds to be Secreted on board The Kangaroo, two being actually found on board at that time, and three more on the day following, the said Prisoners having pleaded in their defence that they had been conveyed on board in a boat belonging to the Kangaroo, and one of them expressly stating that he had been sent for by Lieut't Jeffreys; and, for sending a disrespectful verbal message to The Lieutenant Governor by the Chief Constable who went on board to claim the said Prisoners.

2. For disrespect to Lieutenant Governor Sorell in neither acknowledging nor replying to two Letters, dated 6th of May, 1817, which were delivered on board to his first Officer by the Chief Constable, and which Lieut't Jeffreys then verbally acknowledged to have received, and for direct disobedience of all the requisitions contained in those Letters, with respect to suffering People from the Shore and Boats to come on board to a late hour in the evening, and on the following morning, and ordering the Pilot to bear up and bring the Brig to an Anchor near the Port, when he could have beat some distance down the river, without any excuse for so doing, in direct defiance of The Lieutenant Governor's Orders, and in disobedience to the Instructions under which he was acting from His Excellency the

* Note 90.
Governor in Chief to proceed direct on his Voyage, Lieut't Jeffreys having reported himself ready for receiving the Mail on Monday the 5th of May.

3. For an Act of hostile aggression, Subversive of all Law and order, in attacking about eleven o'clock on the night of the 6th of May with a boat full of armed Seamen a Boat belonging to the Merchant Ship Cochin, which was then acting under the order of the Naval Officer, by the Lieutenant Governor's Authority, for the maintenance of good order in the Harbour and River, Lieut't Jeffreys himself heading the armed Seamen, with his Sword drawn, abusing the Captain of the Cochin, who commanded the Boat, in the most opprobrious terms, cutting him with his Sword in the Head, beating him Severely, dragging him a prisoner on board the Brig under his command, there ordering Captain Jones to be Seized up for corporal punishment, afterwards putting him in double Irons, with his Boat's crew, on the Deck, and detaining him in them for Several hours, even after The Lieutenant Governor's requisition for the release of Captain Jones and his Boat's crew had been delivered to the Said Lieu­tenant Jeffreys.

4. For again anchoring in the River or entrance of the River Derwent on the 7th and remaining till the 13th of May, in further disobedience of His Excellency the Governor in Chief's Instructions, which had required him to proceed direct to England, and in contempt and defiance of the orders of Lieutenant Governor Sorell, and for there harbouring or keeping on board Inhabitants and Emancipated Prisoners belonging to the Colony, without any authority and in direct contradiction to the positive orders which had been given by The Lieutenant Governor to prohibit all intercourse between The Kangaroo and the Shore of the Settlement.

Hobart Town, 16th May, 1817.

Wm. Sorell.

---

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch No. 3, per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 26th June, 1817.)

Sir, Hobart Town, 16th May, 1817.

1. I have the honor to acquaint Your Excellency that His Majesty's Colonial Brig The Kangaroo, Lieut. Jeffreys, sailed out of the Harbour on the 6th, and remained at Anchor in different parts of the River and its outlet until the 13th Inst.; on that day she got under weigh from Storm Bay passage.
The Conduct and proceedings of Lieut. Jeffreys having called for a particular Report to Your Excellency, I forbear to enter further into that subject in this Letter.

2. The Naval Officer having been employed down the River for many days, it has been impossible for him to prepare the Police Fund Account for the period ending with Colonel Davey’s Command, so that it could go to your Excellency by the Elizabeth Henrietta. It will therefore be forwarded per Cochin, which Ship will sail for Port Jackson in about a fortnight, by which also Colonel Davey intends to take his passage.

3. I am to state to your Excellency that I have authorized Mr. Acting Asst. Commy. General Broughton to make a purchase of a quantity of Blankets. I found the Prisoners in general very destitute of all Bedding, and have had multiplied complaints of the misery they suffer from the cold, now becoming considerable at night. Having been assured that no issue of bedding had taken place in this Settlement since the period at which prisoners became entitled to it, there being neither Blankets or Rugs in Store, nor a possibility, even could they be supplied from Sydney, that they could arrive so as to afford any relief during the Winter, I hope your Excellency will not think it improper to have authorised this purchase. Mr. Broughton considered the price very moderate.

4. William Cobby, an emancipated prisoner brought from Port Jackson in the Kangaroo, was landed here, when a Boat was sent to receive Mr. Lord, who remained on board after Lieut. Jeffreys had returned and anchored in Storm Bay passage. Conceiving that it would be your Excellency’s pleasure that this Man should return to Port Jackson, he proceeds in the Elizabeth Henrietta. It is but just to state to your Excellency that this Man represents himself to have been assured by Lieut. Jeffreys that the Kangaroo would come into this place, which would allow of his being landed. But from his being kept on board after all prisoners had been given up and several days after the Kangaroo had left the port, I have every reason to believe that it was Lieut. Jeffreys’ intention to carry him on. It was in consequence of the incidental declaration of a Waterman that Cobby was known to be on board and was sent for accordingly.

5. There being two limited service Soldiers of Capt. Nairn’s company 46 Regt., whose time is expired and who must be sent to Head-Quarters, I request your Excellency may be pleased to order them to be replaced, with the three Soldiers who were sent up as evidence, as stated in my dispatch of the 3rd, Par. 13. I beg to assure Your Excellency that the duty is most severe upon
1817.
16 May.
Request for military reinforcements.

Military in pursuit of bushrangers.

Attempt of bushrangers to reach Macquarie harbour.

Proposed government mill.

Proposal to build cutter for service in the Derwent.

Request for printing type.

HISTORICAL RECORDS OF AUSTRALIA.

this company at present; and I hope I shall not appear important to you, in earnestly and respectfully urging upon Your Excellency's attention, the grant of a reinforcement of Thirty Men between the Companies stationed in Van Diemen's Land, which you permitted me to hope for at an early period.

6. The parties, who have been employed in pursuit of the Bush Rangers, have been only prevented in one instance, from coming up with them from want of food. The Banditti I have every reason to believe made an attempt to penetrate Westward; and a party from Capt. Nairn's company, having a Native Woman (late Howe's Companion) for a Guide, followed their track and found their fires for eleven days, when absolute Famine compelled the Troops to desist. The Rangers are supposed to have had in view the reaching Macquarie River, in hopes of seizing Mr. Birch's Brig* there. She was, however, in this port, and, had I not since received unquestionable Reports of the Rangers having returned, it was my intention to have taken some steps for the security of that Vessel. Two parties with Guides composed of Men, who had been placed in prison on charges of holding correspondence with the Banditti, are now in pursuit of them; Howe is with one party; and I think there is great hope of intercepting them, whatever route they may take. Most of their late Friends and informants are removed or confined; No supplies have been suffered to go where their incursions were to be apprehended, and they are certainly deprived of many facilities which were before open to them.

7. It would be a great benefit if a Mill could be erected here by Government, and, as there is a Man competent to the purpose, no obstacle exists but the want of Mill Stones, which cannot be procured here. I submit to Your Excellency my request that you would be pleased to order Two Millstones to be sent down for the use of Government here.

8. I have been much indebted to Mr. Birch of this place for permitting his Brig, destined for Macquarie Harbour,* to delay her sailing for several days while the Naval Officer was employed down the River. The great utility of a small Government Vessel here, to enable improper proceedings in the outlet and offing of the port to be checked, induces me to hope that your Excellency will approve of our building a Cutter, which w'd place the Naval Officer, with the Boat's Crew and some occasional addition, in a situation to observe and inspect the lower parts of this extensive port and River.

9. I beg to state to your Excellency that the badness and deficiency of the Type here render the printer† nearly incapable of

* Note 91. † Note 99.
printing the Common papers required for the ordinary details, Advertisements, etc. If any assistance could be afforded from Head Quarters, I should be much obliged to Your Excellency.

10. It is impossible for me to state to Your Excellency in too strong Terms the benefit, which would result to this Settlement from a further supply of prisoners; the number required for the public Works and the deficiency for meeting the many reasonable applications from settlers, independant of such as become entitled to Servants upon taking their Land, would render the addition of Forty or Fifty more of infinite advantage. I have allowed myself to hope that, upon arrival of Male Convicts from Europe at Port Jackson, your Excellency might allow a certain number to be destined for this place; so that these demands might be in some degree answered, until Ships shall be sent here direct from England with prisoners, a measure which Your Excellency was pleased to mention to me your intention of recommending to Government.

11. I am sorry that Mr. White, Commander of the Elizabeth Henrietta, has experienced some misbehaviour and ill-treatment from his crew. In compliance with his desire, I sh'd have brought them to severe punishment, had the power here extended far enough for the purpose; but beyond confinement to hard labour, nothing I find can be done. I have left it to Mr. White to take them with him, recommending him to place the two Men, who struck him, in Irons, and to prosecute them at Sydney, one of the soldiers, who goes up upon the expiration of his term, having witnessed the Assault; but Mr. White appears to consider it dangerous to take these Men on board; and, for the reasons which on that Head he will assign to Your Excellency, I could not urge him to do so.

12. Mr. Broughton has represented to me that, in the contemplation of a Brother in Law of his coming here to Settle, he had purchased some Cattle; and that, his relation having since relinquished his intention of settling here, It would be a favor if he could be allowed to transfer the Cattle in question to the Government Herds in this Settlement and to receive an equal number at Sydney. I beg to submit this request for Your Excellency's consideration; and, as the Government Herds of all species in this Colony are at a very low ebb, Your Excellency will perhaps be pleased to approve of the arrangement, which seems to be quite independent of private advantage.

I have, &c.,
WM. SORELL.
1817. LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch No. 4, per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 26th June, 1817.)

Sir, 16 May, 1817.

I have the honor to transmit to your Excellency a petition which the writer enclosed in one to me. I find him a Man of good character, but, not being aware of his real case, I have lost no time in submitting it to your Excellency.

I have, &c.,
WM. SORELL.

[Enclosure.]
[A copy of J. Hopkins’ petition is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch No. 5, per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 26th June, 1817.)

Sir, 16th May, 1817.

Request of I have the honor to transmit to your Excellency the names, etc., of two prisoners who pray to have their families sent out to them.

I have, &c.,
WM. SORELL.

[Enclosure.]
[The two men’s names were — Maskell and George Miller.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 26th June, 1817.)

Sir, 16 May, 1817.

I have the honor to transmit to your Excellency Copy of a Letter addressed to me by Messrs. Collins and Kent, two Settlers of this Colony. There being no persons here of sufficient knowledge to enable them to form a Judgment of the utility and value of these Gentlemen’s discoveries* and pursuits, nor perhaps of the Capital necessary for conducting them with success and benefit to the Settlement, I feel it my duty to submit the Letter to your Excellency. Their object I presume would be to obtain some privilege in the preparation of the articles in question.

I have, &c.,
WM. SORELL.

[Enclosure.]
[A copy of this letter is not available.]

* Note 92.
Dear Governor,

Hobart Town, 16th May, 1817.

It is with infinite concern that I find myself compelled at the outset of my Service here to transmit to Your Excellency a Report and collection of Papers respecting the conduct of Lieut. Jeffreys. Having annexed every Letter which passed and every document which could throw any light on the subject, I will only here add that Mr. Jeffreys has held a complete contest with the Government of this Settlement in its very port, and has arrogated a right of command, which, if admitted, would reduce the person holding authority in this Colony to a cypher; a few visits from Vessels like the Kangaroo, commanded by such Men as Mr. Jeffreys, would I believe altogether disable the Lieut. Governor from maintaining a semblance of command; but I trust that whatever account he may have to render for the past, he will never again return in a situation to disturb the Colony.

The Kangaroo sailed on the 13th; but, if she had, as was stated to me, a large quantity of Spirits on board, which it was added "must be either landed or planted" (i.e. concealed), the plan may yet be accomplished by going into one of the Bays outside the Heads, where it was not possible for us to follow or to see her. The information of the intended smuggling originated in a moment, I believe, of unguarded communication from a Mr. Blaxcell*; others belonging to the Kangaroo also declared such a plan to be in view; and the long and incomprehensible stay of Mr. Jeffreys, without a shadow even of pretence for it, gave too much countenance to the report. Mr. Lord who went on board the Kangaroo, after communication with the Shore had been forbidden by Letter and order to Lieut. Jeffreys, remained until, at Mrs. Lord's application, I sent an Officer on board to receive him, and to bring on shore Cobbey, an Emancipated Man, who by the statement of a Waterman I found still was kept on board.

At the conclusion of my private Letter of the 3rd, I acquainted Your Excellency that Mr. Lord had abandoned his idea of going home by the Kangaroo, if in reality he ever entertained it. Two of his children went in that vessel. His reply to Mr. Drummond's demand for the duties for the Spirit shipped on board the Kangaroo, as ordered to be made by Your Excellency's Letter of the 7th March last, is now transmitted by Mr. Drummond; Mr. Lord expressly refuses to pay the sum, £253 4s. 0d.; therefore it will be for Your Excellency to direct such steps as you may be pleased to decide upon with respect to the claim.

* Note 93.
1817. 16 May.

Delays in visit to Port Dalrymple.

The detention, which Mr. Jeffreys' stay occasioned to me, and the preparation of papers and Letters for your Excellency by the Elizabeth Henrietta has prevented me from going to any distance from hence. But, after visiting Norfolk on Monday, I propose to cross to Port Dalrymple, and I hope to return so as to report my observations to Your Excellency by the Cochin, which will sail I believe by the 1 June.

I am not yet enabled to state to your Excellency my final impression with regard to the extraordinary implication* of Mr. Knopwood, respecting an intercourse with Bush-rangers. The Deputy Judge Advocate having at my request signified to Mr. Knopwood the propriety of absenting himself from the Bench pending the Investigation, the latter in his justification put into my hand a letter from himself to Col. Davey, with the answer; in which Col. Davey stated that he had authorised Mr. Knopwood to receive Watts, when a Bush-ranger, in order to prevail upon him to come in. But there appears to have been another instance of communication, which, as Mr. Humphrey has explained, was reported to Col. Davey at the time, who then ordered an investigation. Col. Davey's absence from Town for some days has prevented me from having this apparent Mystery cleared up. But I shall be able to report fully upon Mr. Knopwood's case by the Cochin.

I regret to be obliged to intrude so much upon Your Excellency's time; perhaps some of the matters, which I have submitted, might have been forwarded without troubling Your Excellency, the application for example from prisoners to have their families sent out. I felt uncertain whether it would be your wish that applications of that nature should be transmitted to your Excellency or sent at once by me.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch No. 6, per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 26th June, 1817.)

Sir,

17th May, 1817.

I have the honor to transmit to your Excellency Copy of the Report of The Committee of Survey, ordered to assemble here upon my assumption of the Government, in pursuance of your Excellency's Instructions.

I have, &c.,

WM. SORELL.

[Enclosure.]

[A copy of this report is not available.]

* Note 86.
SORELL TO MACQUARIE.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch No. 7, per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 26th June, 1817.)

Sir, Hobart Town, 17th May, 1817.

I have the honor to transmit to Your Excellency statements of Claims adduced by Men in this Settlement for Certificates of freedom on the ground of their sentences being expired.

ANDREW STEWART.—Arrived per Ship Guildford to Port Jackson and by Ruby to this Settlement; Copies of Letters upon his case transmitted herewith.

THOMAS ANGILM.—Arrived at Sydney by the Providence (Barclay Master) in 1811; states himself to have been tried in 1809 or 1810 and sentenced for 7 years; that he came to this Settlement in the Ruby as servant to Col. Geils in 1812; his Name, however, is not in the List of Ruby.

PATRICK FLAHERTY.—Came from India, as Soldier of the 22nd Foot, to be transferred to New So. Wales Corps, but was refused; has been a long time in the Country and has a Ticket of Leave; says he was never tried and is under no Sentence.

and I beg that your Excellency will be pleased to order the necessary enquiry for decision of these claims.

I have, &c,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch No. 8, per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 26th June, 1817.)

Sir, Hobart Town, 17th May, 1817.

I have the honor to transmit to your Excellency a letter, evidence of which Col. Davey had laid before your Excellency, may come under investigation before a Court Martial, is anxious that the testimony of that Gentleman may in such case he secured.

I have, &c,
WM. SORELL.

[Enclosure.]

[LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch No. 9, per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 26th June, 1817.)

Sir, Hobart Town, 17th May, 1817.

I do myself the honor to transmit a Return from the Inspector of Public Works as ordered by Your Excellency's Letter to him of 7th March last.
Since my arrival, I have attended much to the arrangement and progress of the Public Works, and have remarked what has been done and what is now doing under Capt. Nairn’s Inspection; and it is due to truth and Justice to assure Your Excellency that his zeal and personal activity cannot be exceeded. Under the System which prevailed here, Workmen were frequently withdrawn from the Work upon which they were employed, and I believe it to have been impossible for any Inspector to overcome the obstacles which such interruptions occasioned, and which also rendered the Men indifferent and disobedient.

I have strengthened Capt. Nairn’s authority as far as possible, and I can now most conscientiously assure your Excellency that he makes the utmost use of the means which are at his disposal, and that he is incessant in his personal superintendence of the Works.

I beg Your Excellency’s Commands as to the continuance of the monthly Return from the Inspector, or in what form you may wish me to report to your Excellency the progress of the Public Works in the Settlement.

I have, &c.,

WM. SORELL.

[Enclosure.]

[A copy of this return is not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.

(Despatch per schooner John Palmer to Port Dalrymple; acknowledged by lieutenant-governor Sorell, 23rd June, 1817.)

Sir,

Government House, Sydney, 24th May, 1817.

1. I have the honor to acknowledge the receipt of your several Letters under dates 3d Instant, with their respective Enclosures and accompaniments, all of which came to hand on the 12th Instant Pr. the Ship Harriet; but, my time being much engaged at the present moment in making up my Public Dispatches for England by a Ship about to proceed thither by way of Bengal, I am sorry I cannot now answer your Several Letters so fully as I could wish, had I more leisure to do so. I must, therefore, content myself at present with very brief replies to the several subjects contained in your Public Dispatches.

2. I was very happy to hear of your safe arrival at the Derwent on the 8th Ultimo, and of your having assumed the Government of the Settlements on Van Diemen’s Land on the following day; on which occasion I beg to offer you my sincere congratulations, trusting the measures, you are about to adopt for
improving the administration of the affairs of those Settlements, will prove successful and restore them to Peace, tranquility, and respectability.

3. I approve of all the measures you have thought fit to adopt in respect to the Banditti of Bush Rangers. I rejoice to find you have got hold of their Chief and principal Leader Michael Howe, as I hope it will be the means of all the rest of the Banditti being either taken or destroyed. I confess I should have been better pleased had Howe been taken, instead of his having surrendered on terms; but, under all the circumstances of his case, you had no alternative, and I therefore approve of your receiving him on the conditions specified in your Dispatch. Now that he is come in, he may be made most useful; and I shall not fail to employ my best endeavours to obtain the King's Pardon for him for his past crimes and misdemeanours. It will be necessary that a Petition should be sent me from Himself, recommended by you, praying for the King's Mercy; which Petition, with my own recommendation, I shall transmit Home to His Majesty's Government by the first opportunity that offers after receiving his Petition from you. I was always fully impressed with the belief that the Bush Rangers had numerous friends and abettors at Hobart Town, who supplied them with both good information and all sorts of necessaries, otherwise they would not have existed half so long as they have done. I hope Howe will be able to throw sufficient light on this subject to enable you to bring forward some of these bad subjects to Public exposure and Punishment.

4. It was always my intention to have some few intermediate Military Posts established on the Route between the Settlement of the Derwent and that of Port Dalrymple, as soon as the Strength of the two Companies stationed at these Places respectively would admit thereof; and I therefore the more readily concur in the expediency of your adopting this measure as soon as your military strength is augmented. I shall avail myself of the first good opportunity that offers of sending Twenty Soldiers as an augmentation for each of the two Companies of the 46th Regt. now in Van Diemen's Land. I am sorry I cannot send you any Supply of Arms, having none in Store that are of any use; but I hope soon to receive a supply from England, when I shall not fail to send you the number of stands you require.

5. I am much gratified to learn that you found the Public Works at Hobart Town in such forwardness, and that you are so much pleased with Capt. Nairn's exertions. I approve of the additions and improvements you have ordered to be made on the
Government House for the reasons you have assigned; but hope it will not impede the progress of the other Public Buildings so indispensibly necessary. I fear, whatever time you visit Port Dalrymple, you will find the Public Works at George-Town very backward indeed, owing to the misunderstandings that prevail between the Commandant and the Inspector of Public Works, which I must request of you to have investigated at whatever time you have leisure to visit that Settlement.

6. I was not a little surprised to hear that Lt. Jeffreys, the Comr. of the Kangaroo, had presumed to touch with that Vessel at the Derwent in open defiance of my positive Instructions; and that he had dared, in open defiance of the Port Regulations, to carry off in that Vessel, in a secret and clandestine manner, Mr. Garnham Blaxcell,* who, to defraud his creditors, took this opportunity of making his escape from the Colony. I am glad to find you ordered Lieut. Jeffreys away from the Derwent in 48 Hours, of which I very much approve; and I shall not fail to forward Home a regular complaint against him for his insolence, disobedience of orders, and contempt of the Port Regulations.

7. I am concerned to find you are so badly off for Medical Men, but it is entirely out of my power to remedy this evil at present.

8. You have my full authority to appoint a new Wharfinger, when you can find a proper Person for that Office, allowing the Present Wharfinger to retire in the manner you propose.

9. I have no objection to the Sloop now on the Stocks in Pitt-Water being completed, nor to give her a Colonial License when finished.

10. I am aware that additional Magistrates and Constables will require to be appointed in the Interior Districts for the preservation of good order and tranquility; but I would recommend that you should postpone making any appointments of this kind for five or six months, by which time you will become acquainted with those who are the fittest and most suitable Persons for such Offices.

11. I hope you will not fail to send up Mr. Dy. Asst. Comy. Genl. Hogan by the Elizabeth Henrietta, with such Evidences as may be deemed necessary, to enable me to have his conduct investigated here before a Genl. Court Martial.† Mr. Asst. Comy. Genl. Broughton will be able to point out to you who are the proper Persons to send up as Evidences to substantiate the charges against Mr. Hogan.

12. I am sorry to find that the Police Fund of Van Diemen’s Land is so low, and that so many Salaries due from it remain

* Note 93. † Note 81.
yet unpaid; but I hope under your auspices they will very soon
increase and be able to liquidate the whole of the Salaries and
other Demands against it. I was aware that the Government
Herds on Van Diemen's Land were much reduced; but, with a
little more attention and better management on the part of the
Superintendants of Stock, they will soon increase.

13. I was a good deal surprised to find that Mr. Abbott had
declined to act under the Commission sent him from the two
Judges of the Courts here, who are much disappointed at his
having done so, as it would have saved a great deal of trouble to
all Parties, as well as Expense to both the Crown and Indi-
viduals, had Mr. Abbott agreed to act under this Commission.

14. Dennis McCarty will be tried for his most wanton and
barbarous assault on Mr. Whitaker as soon as he arrives here;
and, until then, the three Soldiers whom you sent up as Evi-
dences must be detained here.

15. I have perused Ensign Mahon's Deposition relative to the
Bush Rangers who were shot near Port Dalrymple, and it
appears to have been a measure of necessity in self Defence.

16. I have also perused the List of Convicts you sent me who
state that they are free by servitude; as soon as the Indents can
be examined, Certificates of Freedom will be sent to such of them
as appear entitled thereto.

17. I hope the Elizabeth Henrietta has sailed before now from
the Derwent, and that she will arrive in a very few days, as her
Services here are much required.

18. Mr. Asst. Comy. Genl. Broughton having officially reported
to me that certain charges* have lately been exhibited against
him by Mr. Edward Lord of Hobart-Town, and solicited that the
same may be forthwith investigated, he declaring them to be
malicious and groundless, I have to desire that, as soon after the
receipt of this Dispatch as practicable, you will be pleased to
order the Military Officers now at Hobart Town, joined with the
Deputy Judge Advocate, to form themselves into a Court of
Inquiry for the purpose of investigating minutely and delib-
erately the several charges exhibited by Mr. Edwd. Lord against
Mr. Asst. Comy. Genl. Broughton; and you will be pleased to
direct the Court of Inquiry to report the result of their Pro-
ceedings to you, and to state in their Report their Opinion
whether there appears to them that there are sufficient grounds
for bringing those charges before a general Court Martial. You
will of course not fail to transmit me the Report of the Court of
Inquiry with as little delay as possible.

I have, &c.,
L. MACQUARIE.

* Note 94.
Dear Governor,

Hobart Town, 24 May, 1817.

I had the honor to address your Excellency at length by the Elizabeth Henrietta. The Ship Mary from Bengal to Port Jackson having touched here, I shall now beg to occupy your attention for a short time.

I had deferred troubling Your Excellency upon the subject of Port Dalrymple until I should be able to report from personal observation; but some information which has come to my Ears from an Officer (Ensign Mahon), who came over on a short Leave two or three days ago, has induced me now to address Your Excellency respecting the state of things at Port Dalrymple. I must premise to Your Excellency that Major Stewart reports little or nothing to me upon any subject. I wrote to him on the 19th April stating my intention of visiting Port Dalrymple in a few Weeks and recommending him in the mean time to give Mr. Leith all due support in his duty. Major Stewart stated nothing in reply to show that Extreme Measures were impending; but I now learn from Ensign Mahon that he went to George Town on the 14th or 15th for the purpose of suspending Mr. Leith and to place Lieut. Skelton in the execution of the Office of Inspector of Works. It would be useless and perhaps improper, to trouble Your Excellency with reports of what has passed on either side. On both I feel assured there must be great faults, and it being wholly impossible for Major Stewart to carry on the Public service, in the relation in which he now stands with regard to Mr. Leith, I venture to submit my opinion to Your Excellency of the necessity of removing one of the parties. As to Major Stewart, I fear there is equal laxity in the Civil and Military System under him, and so little respect is entertained for his authority that his being in Command at Port Dalrymple is now worse than useless. Mr. Leith I believe has carried insubordination to a great length; but, if an Officer of reason, able judgement and firmness were placed at that Station, his conduct might perhaps be different; at least he would then have a fair Trial, and if, as I have some fears would be the case, his tendency to insubordination should place him in Hostility with a succeeding Commandant, Your Excellency would have certain grounds for forming a Judgement.

I hear that Major Stewart has lately applied to Your Excellency to be relieved and for leave of absence; upon the former request I sincerely hope Your Excellency's decision may be favourable; And, should it be your pleasure to nominate another
Officer to that Command, I should not only have preceded him
in inspecting the place, but would if possible be there at his
Instalment, and would at that time, and by subsequent visits, do
everything in my power to establish such a system as would tend
to forward Your Excellency's Intentions and orders in the New
Town.

The detention, which the Kangaroo occasioned to me, threw
me so far upon the 4th of June that the intervening space would
have been quite insufficient for fully examining Port Dalrymple.
And, having learnt that Major Stewart was setting out to come
here, I judged it best to fix my crossing the Island for the 5
or 6th of next Month.

I regret to be obliged to state to Your Excellency that the visit of
Bush Rangers on the 19th inst. visited Pittwater. I had reported putwater.
to Your Excellency that a small party of Troops was posted
there, for the protection of the District and to enable the resi-
dent Magistrate Mr. Gordon to remain. I had accompanied the
party when first posted and in placing an Officer with eight rank
and File there, I conceived that Confidence would be given to the
people, and the means afforded of securing the District against
plunder.

It appears that, upon Lieut. Nunn's receiving information of
the Banditti being in the Neighbourhood, he marched his party
(except two who were at Mr. Gordon's and to whom he sent
orders to join him) towards New plains, a House of Mr. Lord's,
where the Rangers were. Lt. Nunn did not wait for those two
Men to come up, but attacked with the remainder, and three of
them, as reported by Lt. Nunn, having been very backward and
having disobeyed repeated orders to advance, He was obliged
to fall back, himself slightly wounded. Instead of pressing upon
the Rangers the moment they gained the Wood and placed them­selves behind Trees, several of Lieut. Nunn's party are stated to
have halted and to have commenced a distant fire. He was
finally obliged to retrograde with the Men who were with him,
to unite the party, which, joined by a Constable and two loyal
Crown servants, again pursued the Robbers but without success.

I consider Lieut. Nunn to have acted precipatately in carry­ing forward his party until the whole were collected, and the
well disposed people could join him; and the affair was, I fear,
very ill conducted, though his own personal exertion was un­questionable. The result has given me great uneasiness, and no
Circumstance since my arrival has occasioned me so much dis­appointment and painful feeling. I had believed that a party
of eight Soldiers (a number equal to the whole Banditti) under

1817.
24 May.
Proposed visit
of W. Sorell to
Port Dalrymple.
Visit of
bushrangers to
Pittwater.
Military
stationed at
Pittwater.
Failure of
military in
attack on
bushrangers.
Adverse criticism of military engaged.

1817.
24 May.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch marked "Private No. 1," per ship Mary.)

Dear Governor,
Hobart Town, 24th May, 1817.

I had the honor to represent to your Excellency, under date 3rd inst., the state of this port with regard to a Wharfinger, the Incapacity and ill health of the person, who now holds the Office, daily increases, so that he becomes, according to the Naval Officer's Reports, wholly inefficient.

If Your Excellency had not fixed upon any one for the situation and should approve of an efficient person being appointed, I beg leave to name two prisoners recently arrived, who I have reason to believe would be fully competent.

Husthwaite, arrived in The Fame.
Cobb, in the Sir Wm. Brusley.

The Revenue would certainly be materially benefited by an active Man being named as Wharfinger, and I should receive with thanks whoever Your Excellency might think proper to select for the Office.

I have, &c,
WM. SORELL.

[Enclosure.]

[A copy of this letter is not available.]
SORELL TO MACQUARIE.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch No. 2, per ship Mary; acknowledged by Governor Macquarie, 26th June, 1817.)

Sir, Hobart Town, 26 May, 1817.

I have the honor to acquaint your Excellency that the Band of Bush Rangers now eight in number appeared in Pittwater District on the morning of the 19th inst.

Information being immediately conveyed of the Circumstance to Lieut. Nunn of the 46th Regt., who was stationed in that quarter, he marched directly towards New plains, a House of Mr. Lord's, with five of his party, sending orders to the three Soldiers, who were at Mr. Gordon's, to join him on the road, and having also the Constable of the District and a servant, armed, who had been a Soldier, with him.

Lieut. Nunn found the Rangers at New plains House, from which they retreated hastily at his approach, and some firing took place between them and his party near the edge of the plain; Lieut. Nunn being wounded, the party fell back across the plain and the Rangers returned to the House where in their hurried retreat they had left their packs.

The party strengthened by the three detached Soldiers (for whom Lieut. Nunn should have waited in the first instance) again followed the Bush Rangers, who left the House after recovering their packs; some more indecisive firing took place when the latter gained the Wooded Hills.

It will be evident to Your Excellency that much more might have been done, and that several faults were committed, which I am going to explain personally to the party, adding to their number to make it up to Ten. Conceiving however that their faults and oversights in this affair were those which belong to very young and inexperienced officers and soldiers, and not arising from want of energy or good will, I have been anxious to afford them an opportunity for further action.

This mode of proceeding seems to me preferable to more marked censure, which, as Reports about the place are already very unfavorable to the party, would only tend to confirm them, and perhaps to prevent any advantage from accruing to those who were employed, in the event of their having another opportunity.

I have, &c.,

Wm. Sorell.
LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch marked “Private No. 2,” per ship Mary.)

Dear Governor,  
Hobart Town, 26th May, 1817.

Though I had the honor of addressing Your Excellency at length by the Elizabeth Henrietta, I am obliged to avail myself of the Ship Mary from Bengal touching here again to trouble you.

Having found it impossible to go over to Port Dalrymple and to afford time sufficient for a proper inspection and enquiry there, so as to return hither by the 4th of June, I have fixed my Journey for the 6th of June. I am unwilling in any degree to touch upon the subject until I can report from personal inspection; but I feel assured, from all concurrent accounts, that the removal of one at least of the Chief public Functionaries will be found by Your Excellency essential for the Service.

I regret to be obliged to state to Your Excellency that the Bush Rangers came to Pitwater on the 19th. I had reported to you that a small party of Troops was stationed there, for the protection of the District and the resident Magistrate. I had accompanied the party when first posted, in the hope that an Officer, with Eight Rank and File, would give confidence, and, by forming a rallying point for the well disposed, would secure the district from plunder.

It appears, from Lieut. Nunn’s report and from accounts of Inhabitants, that the party found the Bush Rangers at Xe^ plains, a House of Mr. Lord’s, from which they hastily retired, but rallied at the edge of the Wood; and, some indecision appearing in the party and Lieut. Nunn being wounded, they retreated across the plain; the Rangers followed to regain their packs, which in the hurry of Flight they had left in the House, and the party, being afterwards joined by their detached Men, renewed the pursuit, and finally the Rangers went off into the Woods, having recovered their Baggage. Upon every consideration of the subject, the faults and oversights, committed in this instance, appear to have arisen more from the want of steadiness and coolness, which usually fail in very young soldiers, than from any deficiency or ill will; as to personal spirit and exertion, the Reports here are of course very unfavorable to the party, and they will naturally reach Sydney; but in proportion to the confidence reposed in Soldiers, as opposed to such an adversary, will be the disappointment at so total a failure.

A more favorable opportunity for taking or killing some of the Banditti could never occur. Lieut. Nunn’s wound was slight, but a slug, which struck him in the Hip, is not yet extracted; no other Shot took place on either side, though I believe the ammunition on both was nearly expended. A Constable of the
District of considerable property accompanied the party, as did a Crown Servant who had been a Soldier; and more would have done so, had they had Arms. The result of this affair has occasioned me great uneasiness and most painful feelings. By placing an officer with eight rank and file, close to a Magistrate and certain of support from some of the well disposed people in Pitwater, I conceive that I did all that our very confined means admit of, considering the efforts which were made elsewhere at the same time. The Bushrangers were eight in number led by Geary.

Notwithstanding several people, who have been in the habit of favoring them, are in custody, and they themselves admit that they are much harassed by pursuit, want of provisions, supplies, etc., yet their indirect connexions are so widely ramified, that they are still too well received in many Settlements; and they have been so long tolerated, that, either from fellow feeling or fear, Resistance is seldom opposed.

From the Testimony of Howe and other Accounts, it is certain that the parties have been several times very near coming upon the Banditti, who have escaped only by information reaching them, in some cases, only a few minutes before. Your Excellency will receive by this opportunity a Copy of a Letter from Colonel Davey to me, respecting a demand for Government Cattle; I thought it best to wait your Excellency's pleasure thereupon.

I believe Your Excellency is aware that a quantity of Mauritius Rum, purchased by Col. Davey's order, is now in Store here. It is of very bad quality and very unfit for the Troops. It could be sold here to cover fully the cost to Government and such a Measure would allow of Bengal Rum being provided for the Stores and Troops.

Several applications from persons here for locations of Land have been received; but, one of the paragraphs of your Excellency's "Memorandum"* to me having prohibited such applications being laid before you, until the prescribed period in the next year, I have refrained from forwarding them.

I have, &c,

WM. SORELL.

---

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch per brig Jupiter; acknowledged by Governor Macquarie, 24th July, 1817.)

Sir,
Launceston, Port Dalrymple, 23rd June, 1817.

The Jupiter Brig loading here with Wheat for Sydney, I am induced to address Your Excellency by her, fearing that I

* Note 95.
1817.
23 June.

Arrival of W. Sorell at Launceston.

Confinement of W. E. Leith in guard-house.

Release of W. E. Leith.

Reasons of J. Stewart for arrest.

Irregular procedure of J. Stewart.

Disobedience alleged by J. Stewart.

Party hatred prevalent at Launceston.

may be so long on my return to the Derwent as to lose the opportunity of the Cochin.

I arrived here on the 16th, and, having some time before notified my intention to Major Stewart, expressly enjoining him to avoid all extreme Measures against Mr. Leith in the interim, it was not without the utmost regret and surprise I received upon my Journey a Letter from the latter, dated “Guard House, Launceston,” stating himself to have been seized by a Military force and placed in the Guard House by Major Stewart’s orders, where he had then been confined several days. Mr. Leith’s Letter is transmitted for Your Excellency’s perusal and the general truth of its allegation was admitted by Major Stewart. I sent by the Messenger an order for Mr. Leith’s immediate release; but I believe that my efforts to convince Major Stewart of the illegality as well as impropriety of his confinement, though conveyed in strong Terms, have been unavailing.

Having called upon Major Stewart for his reasons for resorting to such a Measure he produced the Record of a Trial before the Bench of Magistrates on the 9th Inst., Copy of which is transmitted for Your Excellency’s perusal. The extreme irregularity of the proceeding, by which Major Stewart contrived to turn the prosecutor into a person on Trial and the prisoner at the Bar into the accuser, is I believe unprecedented.

Upon the assertion of these Men, neither supporting the other, Major Stewart’s Measure was rested. His address to Mr. Archer* calling upon him for redress is also transmitted. That Gentleman, seeing the excessive irregularity of the whole proceedings, declined to act; and upon the whole I expressed to Major Stewart my decided opinion that the steps he had taken were wholly unjustifiable. I do not doubt that improper expressions may have been used by Mr. Leith, which, as I observed to Major Stewart have unhappily been also too much employed by him as appears by Mr. Leith’s Letter to me.

Imputations of disobedience have been also adduced by Major Stewart against Mr. Leith, but in my humble opinion in no important instance, and in none bearing at all on the progress of the Works.

Want of support is Mr. Leith’s chief complaint, and several Instances have been cited in support of it. Upon the whole, Your Excellency can scarcely conceive the degree of personal animosity and party hatred which now exists here. With Mr. Archer and all the public Officers, his own included (and Messrs. Smith and Mountgarret excepted), Major Stewart is on the worst Terms. He considers them as a party and in a conspiracy “to degrade him,” and that impression regulates his conduct. On

* Note 96.
the other hand, they all complain of inconsistent and harsh treatment, Mr. Archer especially when on the Bench.

After the best enquiries and most impartial judgement that I could form, I ordered Mr. Leith to resume the direction of the Works at George Town; and I went down myself to reinstate him and see what had been done, as well as to speak to the Government Men, who I understood were in a very discontented state. No progress I regret to report to your Excellency has been made in the Works; and I really believe personal dissensions have chiefly impeded them; the means are certainly too limited to do much, but I hope that I have removed some of the obstructing causes, by providing for the frequent sitting of a Magistrate at George Town, in place of having offenders and evidence sent up here, and ordering Reports of all Trials to be sent to me. I have also prohibited any Man now placed under Mr. Leith's charge from being removed without my sanction.

A Superintendent and Overseer are ordered from hence to his support. Some Bullocks to be broke in have also been ordered, a measure which might have been taken long ago and upon which Mr. Leith says he applied. He now can only bring in Materials by Hand. As Mr. Leith is known to Your Excellency and my knowledge of him is small, it would be superfluous for me to offer any opinion as to his capability for the Office he holds. He evidently possesses natural sense and understanding, and appears to understand Works, but he is said to be unsteady in his plans and uncertain in his Temper. The latter failing is said to have rendered the Men discontented; but they made no complaint to me, and I am inclined to think that, if Mr. Leith has been violent, his situation without support or assistance compelled him to do so. At all events, it has been one of great difficulty. A few Months will show whether he can conduct the Works or not; with his present means, the progress must be slow and the Establishment can be considered only in its commencement.

I have enjoined Mr. Leith in the strongest Terms to observe due respect towards the Commandant, and I have addressed a Letter to Major Stewart repeating my prohibition of his interference with Mr. Leith. If what I have done be productive of temporary good, I can expect no more, for I must state to Your Excellency my decided opinion that in the present feelings against the public Officers here no co-operation can be expected. If things had admitted of my proposing conciliatory Measures, I should have done so; but they have been long past that limit;
1817.
23 June.

Resentment at conduct of J. Stewart.

Proposed appointment of a third magistrate.

Report on public works at George town.

Disadvantages of convicts at George town.

Proposed visit in summer.

Request for more convicts.

and, were a reconciliation to take place, it could not be lasting. Under these Circumstances, the early removal of Major Stewart would be the most beneficial step for the Settlement.

Mr. Archer, who appears to be a very right thinking well disposed young Man, feels much the treatment which he has received on the Bench from Major Stewart, who is also in the habit of giving out the most improper and most offensive orders.

The appointment of a third Magistrate would, I submit to Your Excellency, go far towards checking this conduct and to preserve the proper and decorous proceedings of the Bench. If the Revd. Mr. Youll is to come down soon, Your Excellency will probably appoint him; but, if some Months are to elapse before he fills his station, the appointment of some other Magistrate might meet Your Excellency's approbation; a measure the more necessary in consequence of their going occasionally to sit at George Town. The Reports made to Your Excellency by Mr. Leith having shown the state of the Works at George Town, I need not trouble you with any detail. There being no Building erected but a temporary Store and a Lime Hut, I have directed the former to be completed on account of removing the provisions, etc., to a place of security, a step which a recent occurrence (the subject of a separate Report) has rendered the more necessary. Two cells to form part of the future Jail are to be built, and the clergyman's House is ordered to be commenced as directed by Your Excellency.

The Prisoners at George Town labor under one great and at present irremediable disadvantage, the want of Employment for their own time.* The scantiness of the Ration renders it insufficient for support and they cannot procure more. I was fearful Your Excellency might disapprove of the measure or I should have ordered an increase pending the Works for the removal of the Settlement, upon which some employment would be opened to them, and in the Interim their whole time would be secured to Government.

I propose to visit this Settlement again early in the Summer, and shall then be enabled to judge better of the progress made by Mr. Leith.

I trust that Your Excellency may attend to my request for a further supply of hands, equally needed for the Public Works and for the aid of the Settlers in this Colony.

I hope that what I have here submitted to Your Excellency, respecting the Works at George Town and the obstacles to their progress, will appear sufficiently explanatory. If I were to transmit

* Note 97.
all the accusation and recrimination which has reached me, I should occupy Your Excellency's time without any purpose.

I have, &c.,

WM. SORELL.

[Enclosures.]

[Copies of these papers are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch per brig Jupiter; acknowledged by Governor Macquarie, 24th July, 1817.)

Sir, Launceston, Port Dalrymple, 23rd June, 1817.

It is with the utmost pain that I report to Your Excellency the surprise of the port at George Town, the disarming of the small party of Troops stationed there, and the plunder of the Stores at that place by the Bush Rangers upon the 10th Inst., who seized the Boat employed to convey provisions and a smaller Boat, taking with them five prisoners; they attempted to round the Heads but they were forced upon the Rocks a little to the Westward, and the Boats being wrecked they escaped into the Country.

The Rangers have been so much harassed on the other side, since some of their friends have been seized and their sources of supply and intelligence interrupted, that I have reason to believe they have for some time contemplated an escape from the Country. With this view, they attempted to go the Westward where Mr. Birch's Brig was; failing in that, they went to Pitzer, where a New Schooner was nearly ready, and, meeting the Troops there, they directed their course to the Eastward, closely followed by an active non-commissioned Officer and party of Capt. Nairn's Company, who, after a pursuit of eleven days, came to the cessation of Cattle Tracks and found nine sheep recently killed and some remnants, showing that the Rangers had just started. Further pursuit proved availing, and the party needing supplies, returned, while the Robbers appear to have come on to George Town. Mr. Leith was at the moment in confinement here; the prisoners were therefore wholly without command or control and many of them assisted the Rangers in plundering the Store; and a Lance Sergt. and 5 Soldiers only were posted at George Town who were surprised in their Hammocks and tied. I had many weeks ago desired Major Stewart to place an Officer at George Town with more Men, and I stated to him the necessity of vigilance with respect to the Boats, as the Rangers were known to have entertained projects respecting their seizure. But he did not comply with the former suggestion.

* Note 91.
and, with respect to the latter, the detention of Mr. Leith, the sole person in charge of the prisoners, left the Boats and everything at their Mercy. The proceedings of a Court of Enquiry have affixed no blame to the Troops; it is for Your Excellency to judge whether any attaches and to whom.

The tendency and effect of such an event is in the highest degree injurious; and under all Circumstances I now regret that the Rangers did not succeed in reaching one of the Islands in the Straits which I believe was their plan.

I am less sanguine as to success against them, because they are extremely cautious and even judicious in supporting each other; and I fear altogether that our Young Soldiers are not knowing enough, if I may be allowed the Term, to come up with them. Their Number is now thirteen, which requires such strong parties as are impracticable with the present force.

I have placed an Officer and 16 Rank and File at George Town and have ordered arrangements for better care in the future. I have also placed a Non-commissioned Officer and 12 at York plains about midway on the road to the Derwent, where an Inhabitant named Wright has a House.

I hope that the prisoners, who lately escaped from George Town, may be inclined, upon being disappointed in their hopes of getting to Sea, to return upon pardon; and, as they can be of no use but rather an Incumberance in the Bush to the others, they will probably be allowed to do so.

My hopes of seizing this Band, except by some fortunate chance, are at present so low that I should think getting rid of them upon any Terms desirable. Geary would be very glad to give himself and the whole party up upon condition of their Lives being spared; but, while he believes himself proscribed from all chance of Mercy, he retains influence or even command sufficient to keep them united, and I believe there is no chance of seperating them. Their perfect knowledge of the Country and habits of fatigue, temperance and caution render them a difficult Adversary. Could the present be removed, who have acquired their experience by three years practice, I confidently feel that Bush Rangers as an Armed Band would not again appear in the Colony.

If, upon these suggestions, Your Excellency may think fit to give me any further latitude with regard to holding out Hopes of Mercy to these people, I shall hope to be honored with your Commands. In the mean time, I shall do my best to protect the settlements and to encourage the people, who had begun to rally against them, to resist the attempt of the Bush Rangers when they can properly do so.
SORELL TO MACQUARIE.

I do myself the honor to transmit Major Stewart's report to Your Excellency. I was on my road from the Derwent when the first Account of this affair reached me, having set off the 10th Inst., the day it happened. I have, &c.

WM. SORELL.

[Enclosure.]

[A copy of major Stewart's report is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch per brig Jupiter; acknowledged by Governor Macquarie, 24th July, 1817.)

Sir, Launceston, Port Dalrymple, 23rd June, 1817.

I have the honor to acknowledge the receipt of your Excellency's dispatch of the 24th Ult. by the John Palmer, Schooner, which came into this River when I was at George Town on the 20th.

2. I have been much gratified on learning that Your Excellency had approved of different steps, which I had taken and which are adverted to in this Dispatch; and I am extremely obliged to Your Excellency for the intention that you express of attending to some applications which I had submitted.

3. I am very sorry that I was not aware of Your Excellency's desire that I should command the evidence to be adduced against Mr. Depy. Assist. Commy. General Hogan to embark with him. Upon my return to the Derwent, where I still hope to arrive in time for the Cochin, I shall instantly apply to Mr. Broughton upon the subject, and shall take steps to execute Your Excellency's Commands. I am apprehensive, however, that those, who do not hold official situations, may refuse any order to proceed to Sydney from me.

4. I shall not lose a Moment, upon my return to Hobart Town, in assembling a Court of Enquiry, according to Your Excellency's orders, to investigate the Charges* brought forward by Mr. Edward Lord against Mr. Acting Assistant Commy. General Broughton, and I shall transmit the proceedings to Your Excellency by the earliest opportunity.

5. Colonel Davey having applied to me to order certain evidence from Hobart Town to embark with him for the purpose of sustaining his prosecution against Mr. Assist. Surgeon Young, I did not feel myself authorised to give such orders without higher authority. Mr. Wade Chief Constable was one of the persons named, and, as he stated that he should prefer resigning

* Note 94.
his situation to going up, which would ruin his family and business, and as he also alleged that Col. Davey had promised that he should not be called upon, I was the more induced to wave the demand made by Col’l Davey.

Mr. Fitzgerald the Schoolmaster was another person named, but upon enquiry it was evident that his testimony was unimportant; his absence would also be very detrimental to his employ and to himself. Mr. Boothman, Col. Davey’s late Clerk, has of course permission to embark.

6. I regret that I omitted to state to Your Excellency, at the time, that I had dismissed Mr. Fitzgerald from his office as Clerk to the Bench of Magistrates. Repeated complaints of his drunkenness and neglect, by which at last the business was placed quite at a stand, his absence continuing for several days, during which a person in the Town was hired to perform his duty, rendered it necessary to take some step, and I named a person very competent to succeed him. The Complaints having been made by the Chairman of the Bench and by the Police Magistrate, I trust Your Excellency will approve of the Measure; Indeed I may venture to assure You that the avocations of Magistrate’s Clerk are incompatible with the least discharge of the duty of Schoolmaster, for which I believe him well qualified, and I have given him a second Government Man to improve his situation. If your Excellency should approve of any increase of Salary to him in case of good conduct, it would be well bestowed upon the person in the employment which Mr. Fitzgerald holds.

7. Having authorised Mr. Acting Assistant Comm’y General Broughton to make some purchases, I beg briefly to advert to them and explain to Your Excellency the motives for my doing so. I found an almost total deficiency of those Articles upon my arrival, to which many people had a claim. With respect to bedding, I have before reported to Your Excellency a purchase of Blankets, which the destitute condition of the prisoners required. There were no Shoes in Store, and the Constables and all others, entitled thereto, were absolutely bare-foot; I therefore authorised Mr. Broughton to purchase Materials for 300 pairs, the price being materially reduced by taking that quantity, and Government Shoe Makers are making them up.

I also authorised Mr. Broughton to purchase some few slops for the parties employed against the Bush Rangers, there being none in Store; these were of course dear; but, as I trust Your Excellency will be pleased to order supplies upon the requisition which I had the honor to submit, a similar necessity will not occur.
3. In the issue of Salary to the Civil Officers for this half year, I have taken upon me to authorise their being drawn free from deduction for Income Tax.* I believe that Instructions as to this subject were sent out, and my own Salary in England had been paid in full; I trust therefore Your Excellency will approve my proceeding in this case.

9. Some implication of the Revd. Mr. Knopwood having arisen from the deposition of Howe, the Bush Ranger, and a Report made to my predecessor by the Police Magistrate between two and three Years ago, from which an improper intercourse with people living in the Woods seemed to be charged against Mr. K., a correspondence has taken place between that Gentleman and me on the subject. The result has not been to place the matter upon exactly the footing which I could have wished, though I am by no means prepared to state that Grounds of charge exist against Mr. K.; it is my intention to submit the correspondence to your Excellency on my return to the Derwent. Mr. Knopwood having considered himself not fairly dealt with by me, I am anxious that Your Excellency's Sentiments upon the case should be expressed.

10. Understanding that the Jupiter Brig will return very quickly to the Derwent, I hope that, should no earlier opportunity offer, Your Excellency may be pleased to send by her the Request for re-inforcements to the Companies here and such hands as may be destined for these Settlements.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch marked "Private," per brig Jupiter.)

Port Dalrymple, 23rd June. 1817.

[The following summary only is available:—]

1. Arrival at Port Dalrymple, etc., etc.
2. The order for the Treasurer not paying Drafts of Lt. Govr. above £10 from Police Fund of V. D. Land, requested to be amended.
3. His firmness relative to Mr. Lord's charge agt. Mr. Broughton.
4. Appointment of an Inspector of Stock at Derwent to prevent Cattle Stealing.
5. Thanks for agreeing to his demands for Female Servts., Cedar, etc.
6. Accusations agt. Mr. Knopwood, Watts, etc.

1817.
23 June.
Payment of salaries free of tax.

Alleged implication of Revd. R. Knopwood with bushrangers.

Request for military reinforcements.

I have, &c.,
WM. SORELL.
Despatches acknowledged.

Mutiny and piracy alleged against C. Jeffreys.

Charges against C. Jeffreys sent to England.

Approval of purchase of blankets; and of return of W. Cobbey to Sydney.

HISTORICAL RECORDS OF AUSTRALIA.

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.

(Despatch per schooner Henrietta Packet.)

Sir, Government House, Sydney, 26th June, 1817.

1. I have the honor to acknowledge the receipt of your several Letters, with their respective Enclosures and accompaniments, per the Ship Mary and Govt. Brig Elizabeth Henrietta; Seven of those Letters being dated the 16th, three the 17th, and two the 26th of May last; to all which I shall now reply in their regular order.

2. I was extremely concerned and mortified to learn that Lieut. Jeffreys, in defiance and contempt of my positive orders, had dared to touch with His Majesty's Colonial Brig Kangaroo at the Derwent, and that he had whilst there behaved in such a mutinous, Piratical and outrageous manner, in defiance of your authority, orders and remonstrances. I am sorry you did not take him out of the Vessel and commit him a close Prisoner to the Common Jail at Hobart Town to be tried for Mutiny and Piracy, of which he certainly would be convicted. For, tho' I should have regretted the delay of the sailing of the Kangaroo for England till another Master could have been provided for her, I lament still more that so great a criminal should escape the immediate Punishment due to his atrocities.

3. The Kangaroo having however sailed for England, it only remained for me to forward Home to His Majesty's Ministers, in Duplicate, your charges against him with all the other Documents you sent me, so fully demonstrative of his guilt and disgraceful conduct during his late stay at the Derwent. These Charges and Documents, on their arrival in England, will I trust prove fully sufficient to convict him, and that he will be consequently brought to condign Punishment. I sent the originals of those charges and Documents by the Ship Shipley, which sailed hence for England via Batavia on the 8th Instant; and the Duplicates will be sent by the next good opportunity.

4. I approve of the Purchase you authorized Actg. Asst. Comy. Genl. Broughton to make of the Blankets for the use of the Convicts at the Derwent for the reasons you have assigned.

5. You acted very properly in returning William Cobbey, the conditionally Pardoned Man whom Lt. Jeffreys carried away from hence without leave; for, tho' the fault lies with Lt. Jeffreys entirely for carrying him away, the man himself ought to have known better than to leave Sydney without being cleared out. I had him therefore confined here for some days, and tried for disobedience of the Port Regulations. He was however acquitted by the Bench of Magistrates, and is now permitted to return again to the Derwent.
6. Mr. Whitaker having compounded the business of the assault committed on him at the Derwent by Mr. McCarty, without bringing that affair to a Trial, I have now ordered back on board the Henrietta Packet the three Soldiers who were sent up here as Evidences, since you expressed so earnest a desire to have them returned to you immediately; and, agreeably to the promise I made you here, it is my intention to send you a Reinforcement of Forty Soldiers for the two Companies of the 46th Regt. now in Van Diemen's Land, per the Brig Govr. Macquarie, which will sail for Port Dalrymple and the Derwent in about three weeks hence. By the same Vessel, I shall send you a proportion of Male Convicts for both Settlements in the event of the arrival here of a Male Convict Ship from England or Ireland previous to the sailing of that Brig. I shall also send you by the same Vessel the number of Female Convicts you lately required as Servants for yourself and others at the Derwent.

7. By the Governor Macquarie Brig, I will likewise order the Depy. Comy. Genl. to send you the Pair of Mill Stones you require for the use of a Govt. Mill at the Derwent, as also such Proportion of Slop Clothing, Bedding, Stores, and Stationery, for the use of your Settlements, as can be spared from the King's Stores here, which, however, I am sorry to say, are at present very badly provided with all these articles. Indeed I believe all our Slop Clothing is expended; so that I fear I shall not be able to send you a Supply of that particular article until a Store Ship arrives from England with fresh Supplies for the Colony, and which may be expected in the course of two or three months. I am afraid the Govt. Printer here cannot spare many Types or other articles for your Press* at the Derwent; but, if you will send me a List of such Types and other articles as are indispensably necessary, I will direct Mr. Howe to send your Printer such proportion of both as he can spare.

8. I observe with much satisfaction your commendation in favor of Mr. Birch, Mercht. at Hobart Town, in respect to his accommodating Govt. with the use of his Vessel† whilst the Kangaroo remained lately at the Derwent; and I beg you will convey to him my best thanks for his zeal and attention in this and in all other instances in promoting the Public Service; and, as it appears from recent events that a small Govt. Vessel is essentially necessary at the Derwent for the security of the Revenue and fair Trading at that Port, I approve of your setting about building immediately a small light fast sailing Cutter for that purpose.

9. Agreeably to promise, I have written‡ to His Majesty's Ministers, requesting that a Male and Female Convict Ship should

---

* Note 99. † Note 91. ‡ Note 100.
260

HISTORICAL RECORDS OF AUSTRALIA.

1817.
20 June.

Shipments of convicts from England.

Brig Elizabeth Henrietta.

Exchange of cattle with W. Broughton.

Speculations proposed by W. Collins and Kent.

Petition of J. Hopkins to be amended.

Certificates of freedom.

be sent direct to the Derwent from England every second year for the use of the Settlements in Van Diemen's Land, commencing with the ensuing year of 1818. This Plan will save a considerable expense to Government, and prove a great accommodation and relief to the Settlers in Van Diemen's Land.

10. The Government Brig Elizabeth Henrietta arrived here from the Derwent on the 1st Instant, having been exactly a fortnight on her Passage from thence, and landed her Wheat in very good condition, notwithstanding that she was very leaky. She is now laid up careening and to undergo a thorough repair; and, as she is to be coppered now, it will take, I fear, a couple of months to make her quite ready for Sea again. I am sorry to find Mr. Whyte's Crew behaved in so mutinous a manner to him at the Derwent, and you did very right not to insist on his receiving back the Delinquents he landed there.

11. I have no objection to Mr. Broughton's being allowed to turn in whatever number of Horned Cattle, he now possesses in Van Diemen's Land, into the Government Herds there for an equal number to be received by him at Port Jackson, agreeably to the Receipt of the Supdt. of Stock at the Derwent or Port Dalrymple, whichever of these Stations they may be delivered at.

12. In reply to your Letter, enclosing one to your address from Messrs. Collins and Kent of Hobart Town, I have to inform you that I am not authorized by my Instructions to grant any Privileges* on the part of Government on account of any Speculations proposed by Individuals in this Territory, particularly on such very uncertain speculations as those proposed by Messrs. Collins and Kent; but I shall have no objection to transmit Home for the consideration of the Rt. Honble. The Secy. of State for the Colonies such Petition as these Gentlemen may deem expedient to send to me on this Subject.

13. I return you herewith the Petition of John Hopkins, Convict at the Derwent, to be amended agreeably to the memorandum I have written on the face thereof, and then to be transmitted to me in December, which is the prescribed Period for my receiving Applications of this description. Herewith I send for your further information a Printed Copy of my Regulations† on this Subject.

14. The Secretary will transmit you by this opportunity the Certificates of Freedom of those Convicts now in Van Diemen's Land, of whom you lately sent me Lists, who appear on a reference to the original Indent to be actually free by Servitude, One of them, named Andrew Stewart, appearing to be only conditionally free.

* Note 28. † Note 28.
15. I have received, and shall not fail to transmit Home by the first good opportunity direct for England to the Secretary of State for the Colonies, the List of the Names of those Convicts in Van Diemen's Land who wish to have their Families sent out to them.

16. I have also received the Report of the Committee of Survey held at Hobart Town on the Provisions, Stores, etc., etc., there on your taking charge of the Government of the Settlements in Van Diemen's Land; and likewise the monthly Return of Government Labour from the Inspector of Public Works at Hobart Town. I am glad to find that you are pleased with Capt. Nairn's exertions, and with the Progress he has made in these works. In future I shall be satisfied with a Quarterly Return, or Report of the Public Works in progress, leaving the form thereof to your own discretion.

17. The Ship Cochin, Capt. Jones, on which Colonel Davey is expected, has not yet arrived here; but, as you signified to me in your last Letter that she intended Sailing from the Derwent about the 10th of the present month, there is every reason to look for her arrival in the course of a few days. In the event of its being deemed expedient to have Mr. Edward Lord's charges against Actg. Asst. Comy. Genl. Broughton investigated by a General Court Martial at Sydney, I shall not fail to detain Colonel Davey here as an Evidence on the part of Mr. Broughton in compliance with the request of that Officer; but I hope it will not be necessary to order a general Court Martial for any such purpose.

18. I approve of your having authorized the Actg. Asst. Comy. General to suspend the enforcement of Colonel Davey's Bond for the Cattle issued to him for Payment from the Government Herds in his capacity of Settler, until he has had an opportunity of submitting his particular case to me in Person, as signified in his Letter to you to be his intention to do on his arrival here; tho', I must confess, I cannot see on what ground he can decline returning the number of Cattle he received agreeably to the tenor of his Bond.

19. I am much concerned at the unfortunate failure of Lieut. Nunn's Expedition against the Banditti of Bush Rangers, as it will render them still more daring and desperate than they have yet been. I entirely approve however of the lenient and mild measures you adopted in admonishing Lieut. Nunn and his Party to enforce a proper idea of Discipline and more firmness on future similar occasions; for I am willing to believe that the failure of this little Expedition is more to be attributed to want of Experience and Steadiness, than to any want of courage on
1817.
26 June.

Letter re
P. G. Hogan.

Official papers
to be delivered
by W. Maum.

Witnesses
required for
court martial on
P. G. Hogan.

Despatch
acknowledged.

the part either of the Officer or the Soldiers. I sincerely hope
you will soon be able, with the assistance of Howe, and pursuing
the judicious coercive measures you have adopted, to apprehend
all these outlaws, and thereby restore the Settlements under
your Government to perfect tranquility.

20. Herewith I enclose for your information and guidance
Copy of a Letter lately addressed to me by Dy. Comy. Genl.
Allan, together with copies of the correspondence therein referred
to, relative to Depy. Asst. Comy. General Hogan’s Accounts at
the Derwent; and I have to request that you will please to issue
your orders, immediately on receipt of this Letter to William
Maum,* the late Storekeeper at Hobart Town, to make and deliver
into your Hands the Documents, Vouchers, and Returns now in
his Possession, connected with the Store Branch of the Commissariat
Department at that Station, as stated in Dy. Comy. Genl.
Allan’s and Dy. Asst. Comy. Genl. Hogan’s Letters herewith
transmitted; and I am further to request you will order the said
William Maum to come up to Sydney by the first good oppor-
tunity as an Evidence on the Genl. Court Martial† intended to be
held on Dy. Asst. Comy. Genl. Hogan. I have also to desire that
you will be pleased to order Anthony Fenn Kemp, Esqr., Mr. —
Jamott, and Mr. — Belbin, to be summoned and ordered to come
up to Sydney by the first good opportunity, as Evidences on the
above mentioned Court Martial, which cannot be held till their
arrival here.

I have, &c,
L. MACQUARIE.

P.S.—I forgot to mention in the Body of this Dispatch that I
had received your Letter of date 27th Ultimo accompanying the
Accots. and Returns of the Naval Officer for the Quarter ending
31st of March last.

[Enclosures.]
[Copies of these papers are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch No. 10, per brig Jupiter.)

30 June.

Alleged
implication
of Revd. R.
Knopwood with
bushrangers.

Sir,
Hobart Town, 30th June, 1817.

I have the honor to transmit Copies of Correspondence
upon the Circumstances which have occurred respecting the Revd.
Mr. Knopwood.

When Michael Howe, upon his first examination before me,
implicated Mr. Knopwood, it was deemed expedient that an
intimation should be given to that Gentleman by the Depy.
Judge Advocate of the propriety of his absenting himself from
the Magisterial Bench, while Howe’s deposition was taken. This

* Note 11. † Note 81.
occupied several days, and when it was completed Mr. Knopwood had access to it; he then put into my hands his letter to Col’l Davey, dated 4th May, with the reply.*

The Imputation affixed by Howe’s narrative would certainly have been repelled by the answer of Col. Davey, had not a statement from the Police Magistrate been made upon Howe’s first Examination before me, and which placed the case in a different point of view. Mr. Humphrey stated that, at the period alluded to by Howe, report had been made to him by a man named Jillett that Watts the Bushranger went to Mr. Knopwood’s; that, in consequence of this Report, an Investigation was ordered by Col. Davey, which took place at Government House in his presence and the result of which was as stated in Mr. Knopwood’s letter to me of 14th May. My application to Col. Davey obtained no explanation of the inconsistencies apparent upon the case; but a paper which he handed to me marked — shews that some unsatisfactory Circumstances had occurred.

Copies of the other letters which have passed are also here with submitted to your Excellency marked —. I had once thought of laying them before The Depy. Judge Advocate and two Magistrates requiring opinion from them; but, not seeing ground for bringing a charge against Mr. Knopwood, though I did not conceive the cloud which appeared to hang over the case to be removed, I determined upon laying it as it stands before Your Excellency. For this course of proceeding, if it shall seem too troublesome and not sufficiently decisive, I can only apologise on the ground of my want of knowledge of facts and my deficiency of documents for any direct course.

I have, &c.,
WM. SORELL.

[Enclosures.]
[Copies of these papers marked A to K are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch marked ‘Private,’ per ship Cochin.)
Hobart Town, 30th June, 1817.

[The following summary only is available:—]

1. Arrival at Hobart Town.
2. Mr. Abbott’s strange Claim to command† in the absence of the Lt. Govr.
3. Wishing to know on whom command then devolves.

* Note 101. † Note 102.
1817.
30 June.
Summary of despatch.

1 July.
Request of convicts for families.

14 July.
Capture and death of leader of bushrangers.

Pardon proposed for Parker.

4. Mr. Broughton's apprehensions of the members on Court of Enquiry being prejudiced agt. him and in favor of Lord.

5. Col. Davey's reasons for not coming up to Sydney in the Cochin.

6. Mr. Gunning's disrespectful conduct.

7. Mr. Knopwood's particular case.

8. Requesting Troops and Convicts.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch per ship Cochin; acknowledged by Governor Macquarie, 24th July, 1817.)

Sir, Hobart Town, 1st July, 1817.
I have the honor to transmit to Your Excellency the Names and other particulars of prisoners, who pray to have their Families sent out to them and who are enabled to support them.

WM. SORELL.

[Enclosures.]

[The names of these men were Edwd. Yates, John and Jos'h Easy, John Jessop, and Aaron Chevill.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch per brig Alert; acknowledged by Governor Macquarie, 24th July, 1817.)

Sir, Hobart Town, 14th July, 1817.
When I had the honor, under date 23rd Ulto., from Port Dalrymple, to report to Your Excellency the unfortunate event which had occurred at George Town, I was under impressions of despondency as to the prospect of subduing the Banditti of Bush-rangers, which recent occurrences had excited.

These were however in some degree diminished by circumstances which speedily followed my return hither, and the Capture and death of Geary, The Leader, have renewed my hopes that activity and perseverance may lead to final success in crushing the Banditti.

Parker, one of the original Gang, but who has been alone since the distraction of his two Comrades by Ensign Mahon, had sent in a petition to surrender. He was taken before the answer reached him; but, as that was favorable, as he is clear of the charge of Murder, and has committed no recent enormities, it is my intention to recommend him for pardon to Your Excellency, should be reveal all that he has been engaged in and all that he knows.
Currie (a freeman) and Keigan, two more of the original Bard, who appear to have separated themselves from the rest, when they went to Port Dalrymple, offered to give themselves up to Mr. Gordon provided their lives were spared. No implication of Murder attaching to them, and the withdrawing two experienced Bush-Men being an important object, I took upon me to give them that assurance; in which I trust I am borne out by Your Excellency's authority. I am in hopes that from these Men will be extracted evidence, in corroboration of Howe's, so as to bring home the charges of aiding the Bush-Rangers, and conveying or receiving stolen Goods from them, to some of the persons who were imprisoned on this accusation.

The Band of Bush-rangers (Eleven in Number) six of the old and five new (who went from George Town) were traced in this part of the Country on Saturday, the 5th; on Monday the 7th, they were overtaken by a party of eight from Captain Nairn's Company, who wounded and took Geary the Leader and two others, and the Knapsacks and the Dogs of the whole. Geary died the same Night without making any disclosure.

Having found a strong opinion amongst some of the principal public Officers that the offer of large rewards for the apprehension of the Bush-rangers would give a strong stimulus to the people and the Troops, and that the Inhabitants of all ranks would readily give their aid to enable Government to make these rewards greater, than if dependent on the Government Funds alone they could be made, a Meeting was held on Saturday the 5th, when, these views having been stated, I had the satisfaction of seeing a general disposition to forward any Measures for subduing the Bush-rangers. Your Excellency having authorised me to offer £20 per Man for their apprehension, I shall be enabled by the Colony to cover the surplus offered by my proclamation.

It is impossible to praise too highly the activity and perseverance which some of the Non-commissioned officers and Parties have displayed, and especially the Serjeant who commanded the party which fell in with the Rangers on the 7th. I have recommended the Non-commissioned Officer in question in the strongest manner to Colonel Molle, considering him to have rendered a most important Service to this Colony. He has again proceeded with a party in pursuit of the remaining Banditti.

2. Some Settlers here, having been called upon to satisfy claims existing on the part of Government against them, have pleaded as a set off a demand for arrears of slop clothing for their assigned Servants. The irregularity, with which Slops have been supplied in this Colony, leaves no doubt of the fact

* Note 108.
1817.
14 July.

Counter claims made by debtors to government.

Purchase of sugar on brig Alert.

Abolition of salaries to overseers and flagelator.

Scarcity of stores.

that the prisoners have received nothing like the regular issues; but whether the Master or Employer who has, in the deficiency, furnished them with clothes, be entitled to claim the arrear, it is for Your Excellency to determine. As to the future, it will be my care to prevent accumulation of this description by regularity in the issue.

3 Capt. Brodie of the Brig Alert from India via Mauritius, which came into this port on the 6th Inst., having tendered Sugar at what appeared a reasonable price, and Mr. Actg. Asst. Commy. Gen'l Broughton having assured me that the purchase was advantageous to Government, I sanctioned it to the Extent of 5,000 lbs. at 6d. per lb. I was induced to do so, as Sugar for a few weeks only was in Store, and I considered the passage of a vessel from Sydney at this Season very uncertain.

4. I have discontinued Overseers' Salaries to the extent of £125 per Annum and also the Salary of a freeman as Flagellator at £50 per Annum. From an explanation which I had with the overseers, in which I held out to them Rewards for useful Services to Government, dependent upon recommendation for their gradual restoration to liberty in the Settlement, they all voluntarily resigned their Salaries, and I am sure will be at least as active and useful as they were when holding them.

5. The want of Bedding, Slops, and in general the Articles named in the Requisition, which I had the honor to submit to Your Excellency under date May 16th, is so pressing from the long arrears that I hope Your Excellency may be pleased to forward them by the first vessel.

I have, &c,
WM. SORELL.

---

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch per brig Alert; acknowledged by Governor Macquarie, 24th July, 1817.)

15 July.
Transmission of returns.

Sir,

Hobart Town, 15th July, 1817.

I have the honor to transmit to Your Excellency the Quarterly Returns of this Settlement, for the quarter ending June 30th agreeably to Regulations;

viz. from the Colonial Chaplain*; Inspector of Public Works; Naval Officer; Treasurer of Police Fund; Commissariat Department; Superint’t of Govern’t Herds; Colonial Surgeon, and I have, &c,

WM. SORELL.

[Enclosures.]
[Copies of these returns are not available.]

* Note 104.
MACQUARIE TO SÖRELL.

LIEUT.-GOVERNOR SÖRELL TO GOVERNOR MACQUARIE.

(Holpacht per brig Alert; acknowledged by Governor Macquarie, 24th July, 1817.)

Hobart Town, 15th July, 1817.

[A copy of this despatch, transmitting a petition* from Michael Howe, is not available.]

LIEUT.-GOVERNOR SÖRELL TO GOVERNOR MACQUARIE.

(Despatch marked "Private," per brig Alert.)

Hobart Town, 15th July, 1817.

[The following summary only is available:—]


1. Mr. Whitehead's Farm† valued at £1,300.
2. This Farm required for Govt. and referred to my decision.
3. How to be paid for by Govt.
4. The Govt. Barn,‡ promised Mr. Evans, still good enough and useful to Govt.
5. Proposing to give him materials in lieu of it.
6. The Court of Enquiry on Mr. Broughton.
7. The Officers composing it biassed agt. him.
8. His complaint agt. Mr. Gunning withdrawn.
9. Mr. McNeelance's conduct, and applying for leave to remain at the Derwent in consequence of the Property he has acquired there in Stock, Houses, etc., etc.
10. Requiring a renewal of an old Lease Purchased; a Town Lease crossing a New Street.
11. Dr. Luttrell's infirm Health makes him useless.
12. Dr. Hood‡ recommended for a salary for doing Civil Medical Duties.
13. Purchase of Sugar from Capt. Brodie etc.
14. His Reports from Port Dalrymple.
15. Calling for Mily. Reinforcement.

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SÖRELL.

(Despatch per brig Elizabeth Henrietta; acknowledged by lieutenant-governor Sorell, 13th September, 1817.)


1. I have now the honor to acknowledge the receipt of your Several Letters, under dates 23d June and 1st, 14th and 15th Instant, per the Brig Jupiter from Port Dalrymple, and Ship Cochin and Brig Alert from the Derwent, together with their respective accompanying Documents.

* Note 105. † Note 106.
2. Being greatly hurried at the present moment with other very important Public Business, and making up Dispatches for England and India by two Ships now under dispatch for the latter Country, I regret that I am unable at present to reply to your various interesting communications so fully as I would wish to do, and therefore can now only briefly touch on the more important Points, referred for my consideration and approval in your last Dispatches herein alluded to.

3. I have to regret that the Post at George-Town was surprised in so disgraceful a manner by the Banditti of Bush Rangers, and that Government should on that occasion have sustained such a loss of Property. Major Stewart appears to me to be highly culpable in not having a larger Force at that Station, and in withdrawing Mr. Leith from thence. I have also to express my entire disapprobation of Major Stewart’s very harsh and illegal conduct towards Mr. Leith, whom I am happy to find you replaced in his former Office at George Town; and I trust the judicious measures you have adopted, and the arrangements you made there, will be the means of facilitating the more speedy progress of the Public Works at that place.

4. I shall have no objection to appointing a third Magistrate at Port Dalrymple; and indeed, as that Settlement is now increasing so fast in Population, I think even a fourth Magistrate may be necessary, so as to admit of one being always stationed at George-Town. The Revd. Mr. Youl I do not think a very fit Person for a Magistrate; but, if you concur in opinion with me as to their fitness for such offices, I shall be glad (as soon as I hear from you) to appoint Mr. James Cox and Mr. Andrew Barclay, Free Settlers, to be Magistrates at Port Dalrymple. Your Report of the state of affairs at that Settlement is very full and distinct, and I am persuaded your late visit thither will be attended with very salutary effect to the Public Service in general. The Govt. Workmen and Labourers at George Town having no way of employing their own time* there to any advantage, I entirely approve of their being allowed an Extra Half Ration each while employed there, and request you will be pleased to issue the necessary orders to that effect. I shall send down thither, as well as to the Derwent, a reinforcement of both artificers and Labourers, as well for the Govt. Public Works as for the use of the Settlers at those Stations, as soon as the expected Ships with Male Convicts arrive here from England and Ireland.

5. I very much approve of having stationed a Noncommissioned Officer and 12 Soldiers at York Plains, as a central Post of that
MACQUARIE TO SORELL.

1817.
24 July.

Military posts on road from Launceston to Hobart town.

description will prove a great protection to Travellers and Settlers residing in that part of the Country; but when your Military Force will admit of it, I should recommend four small Military Detachments to be stationed at nearly equal Distances from each along the Public Road from the Derwent to Port Dalrymple.

6. I also approve of all the late several Purchases you have ordered Mr. Asst. Comy. Genl. Broughton to make on account of the Public Service at Van Diemen’s Land.

7. I am happy to observe you have struck off the Salaries of the several Overseers at the Derwent, and approve of your holding out to them the consideration of Government in mitigating their Sentences in the event of good behaviour as rewards for their Services.

8. I am sorry to find Mr. Fitzgerald has turned out a Drunkard. You acted very properly in discharging from being Clerk to the Bench of Magistrates, and confining his Duties exclusively to his Office of Schoolmaster, for which he is very fit, if he could be kept sober. In the event of his reforming and proving himself worthy thereof, I have no objection to your making a small increase to his Salary as Schoolmaster.

9. I shall have the Evidences, called for by Colonel Davey to enable him to have his charges* against Asst. Surgeon Younge substantiated at a Genl. Court Martial here, summoned in a regular manner and ordered hither as soon as practicable. They and the Evidences for Mr. Hogan’s Court Martial† ought to be sent up hither at the same time. I entirely approve of the Steps you have pursued in respect to the Court of Inquiry ordered to investigate Mr. Lord’s charges‡ against Asst. Comy. Genl. Broughton.

10. In respect to the steps you have pursued relative to the charges§ against The Revd. Mr. Knopwood, I entirely approve thereof, as you have acted with every possible forbearance and delicacy towards him. On this subject, however, I intend addressing a separate Letter to you.

11. Your Reports, received this morning by the Brig Alert, have afforded me very great satisfaction, as, from the information I am thus favored with, the Banditti of Bush Rangers must very soon be totally annihilated. The death of Geary, and the capture and surrender of so many of the other old experienced Bush Rangers, will pave the way very shortly for the surrender or Capture of the rest; and the measures now adopted by the Settlers will enable you to give liberal rewards for the apprehension of the remaining Banditti. I am much pleased to learn

* Note 90. † Note 81. ‡ Note 94. § Note 86.
that the Sergeant and Party of the 46th Regt. employed on this last Service have executed it so well; and I hope their future exertions after the Bush Rangers will entitle them to further commendation. I approve of your having promised Pardons for their past offences to Parker and the other Bush Rangers who have surrendered themselves. I shall not fail to transmit Michael Howe’s Petition* Home by the first good direct opportunity to the Secretary of State for the Colonies, Soliciting a Pardon from the Crown for him for his past offences.

12. I am sorry I cannot possibly approve of your entering into any engagement with, or making any promise to the Settlers in Van Diemen’s Land, for paying them for the arrears of Slop Clothing and Bedding due to their Government assigned Servants victualled from the Store; as, if their claims in this respect were admitted, so must those of all the other Settlers in every part of the Territory, which would amount to many Thousands of Pounds, and would never be sanctioned by His Majesty’s Ministers. You must therefore resist this claim as totally inadmissable. The Settlers ought to be very thankful for the Benefits they have already received from the Crown, and which will not be continued much longer to them.

13. The Colonial Brig Govr. Macquarie sails to-morrow for Port Dalrymple and the Derwent, touching first at the former. By her I now send the reinforcement of 40 soldiers I promised you for the two companies, directing 15 of them to be left at Port Dalrymple, and 25 to proceed to the Derwent. Lieut. Reveley and a Serjeant proceed with this Detachment. I have also sent you 8 Female Convicts in the same Vessel, together with all your late Demands for various articles as far as the Stores here could furnish them, of which you will receive an Invoice from the Dy. Comy. General. We have neither Slop Bedding nor Slop Clothing now in Store here. You will likewise receive Four Male Convicts per the Brig Govr. Macquarie as Labourers.

I have, &c.,

L. MACQUARIE.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 10th January, 1818.)

Sir,

Hobart Town, 30th August, 1817.

Having executed Your Excellency’s Commands, signified to me under date 24 July, to admonish severely Mr. Tims, Provost Marshall of Van Diemen’s Land, with respect to his disobedience of the orders of the Supreme Court, I have the honor

* Note 105.
to acquaint Your Excellency that Mr. Tims expressed his sense of the Error, into which he had fallen and his intention of executing all Commands which may be conveyed to him in future in his official Capacity from the Supreme Court.

I have reason to believe that Mr. Tims must have been much misled on this occasion, for it appears that Mr. Abbott, whose advice he has asked, had expressly desired him to execute the Writs forwarded to him by the Supreme Court.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 10th January, 1818.)

Sir,

30th Aug., 1817.

I have the honor to state to Your Excellency an event which has caused a great sensation in this Settlement and which will be learnt by Your Excellency with pain and horror; it needs no remark.

On Friday, August 22nd, it was reported to me by the Deputy Judge Advocate that a statement had reached the police Magistrate from respectable quarters, amounting to the charge that Miss Makellar, sister of Mrs. Drummond, was known to have been with child; that she had been confined for a short time; and that she had since been in public divested of such appearance, while no child was heard of or accounted for.

Many suspicious Circumstances it appeared were operating on the minds of persons here, who best knew the family, as to what had really occurred; tho’ I had never heard a word on the Subject; and there being a strong impression to believe that part, and to fear that most of the things reported were true, the two medical Men here were confidentially and delicately applied to by the Police Magistrate; their replies confirming the Reports, Mr. Drummond was called upon for an explanation; after an attempt to repel the Imputation and an evasion of two days, he confessed that Miss Makellar lately had a child; that she had been delivered secretly in the night in his House; that no medical assistant was called or consulted; that the Child was born alive and died; and that he had taken it out at Night, and, with a Trowel, interred it in the Burial Ground.

Upon this, the Body of the child was searched for and found; and the Circumstances appeared to be so suspicious as to render a Coroner’s Inquest necessary.

This was accordingly held and a verdict of “Wilful Murder” returned, Mr. Drummond being himself the Father of the child.
In consequence of the verdict, the parties implicated therein are sent up for Trial, with the Evidence. Mrs. Drummond, having desired to accompany her Husband, is also on board, and they have relinquished everything here.

I beg to inform Your Excellency that I have appointed Mr. Assistant Surgeon Hood, of the 46th Regt., to act as Naval Officer and Treasurer of the Police Fund until I may be honored with Your Excellency's commands. I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 10th January, 1818.)

Sir,
Hobart Town, 8th Sept., 1817.

Duty remitted Your Excellency having been pleased to signify to the Naval Officer that the sum of £253 4s. Od., the amount of duties remitted by Colonel Davey upon Spirits shipped by Mr. Lord on board H.M. Col. Armed Brig Kangaroo, would be allowed upon Col'l Davey furnishing a Certificate that the Spirits were so supplied, I have, in consequence of the present situation of Mr. Drummond, taken upon me to transmit to Your Excellency the letter* of Lieut. Jeffreys to Colonel Davey and the latter's Certificate to the effect required by Your Excellency.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 10th January, 1818.)

Sir,
Hobart Town, 8th Sept., 1817.

I have the honor to transmit to your Excellency the proceedings of the Court of Enquiry held upon the charges exhibited by Mr. Lord against Mr. Acting Asst. Commy, General Broughton.

I have, &c.,

WM. SORELL.

[Enclosure.]

[A copy of these proceedings is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 10th January, 1818.)

Sir,
Hobart Town, 13th Sept., 1817.

1. By the Brig Governor Macquarie, which arrived on the 9th of August, the Jupiter which came in on the 23rd and the Govt. Brig Elizabeth Henrietta on the 27th with your Excellency's Dispatches and Letters of July 24th.

* Note 107. † Note 94.
2. I beg Your Excellency to accept of my grateful acknowledge-ment for your acquiescence in the different applications, which I had the honor to submit to you.

3. The whole of the Male prisoners, who came by the Jupiter and the Govt. Brig (100 in number), I have kept at this Settlement. I have been led to do so in consequence of having concluded from Mr. Secy. Campbell's Letter of the 5th of Aug. that the 80 convicts on the Elizabeth Henrietta were men instead of 30 Men and 50 Women, which led me to make arrangements respecting them here upon a larger Scale than the actual number allowed; and also because in any case I think it would be inexpedient to send Men to George Town to be victualled at an increased ration, when, by the unavoidable absence of the Inspector of Works, little can be expected in that department at this moment, and the people collected there are more likely to be disorderly. I have sent Seventeen Female Convicts to Port Dalrymple with directions to Major Stewart to assign a portion of them to the Families of public officers and respectable Settlers, and to send some to George Town, if the overseers or most decent prisoners shall be inclined to marry them, a measure which seemed very desirable for that Settlement.

I am happy to acquaint Your Excellency that the Men, who arrived per Jupiter and Govt. Brig, have behaved in the most orderly manner and have hardly given occasion to a complaint. It is, however, my duty to report to Your Excellency that no one Artificer or Mechanic of any kind was amongst the hundred Men who arrived.

4. No time has been lost in forwarding the Govt. Brig Elizabeth Henrietta to Port Jackson with Wheat according to Your Excellency's orders. But the state of this Country, ascertained in regard to Grain at the Muster just taken, has only allowed of 2,000 Bushels being sent by her, The Jupiter taking from 1,500 to 2,000 Bushels on Private Account.

5. By the Govt. Brig will proceed Mr. Drummond and Family (whose case is reported to your Excellency in a separate Letter) and the evidence required thereon, as also a part of the Evidence subpoenaed upon the Gen'l Courts Martial to be held on Mr. Depy. Asst. Commy. Gen'l Hogan and Mr. Asst. Surgeon Young; the remainder proceed by the Jupiter, by which also Col'l Davey goes, the state of the Govt. Brig respecting passengers rendering it impossible for him to embark in her. The Jupiter will be ready in eight days.

Mr. Kemp and Lieut. Nunn of the 46th go by a Cutter (from India) now under Dispatch for Port Jackson; respecting the
latter, there being no accommodation in the Govt. Brig, I submit to Your Excellency whether any small allowance may be made for his passage.

6. By the Govt. Brig will also go six Criminals, Convicts and Bush-rangers sentenced to banishment to the Coal River,* of which a particular Return and description with their sentences are herewith forwarded for Your Excellency’s Information. None of them have been implicated in Murder, and Your Excellency, in your Dispatch of July 24, approved of my having promised them pardon for their Capital Crimes; but, as it is known to be impossible to keep them out of the Woods, if at liberty on this Island, I have thought it most advisable to have them tried by a Bench of Magistrates so as to send them up under fixed Sentences, trusting that Your Excellency may be pleased to allow of their being thus secured from returning hither.

When the Settlers came forward lately to aid the Government in offering Rewards, I pledged myself that I would never set at liberty in the Island any of the original Gang of Bush-rangers, whose long career had rendered them so intimate with the Country and its worst Inhabitants, as to enable them at any time to form a New Band, for which this Country affords such facility.

A Non-Commissioned Officer and three of the 46th proceed as Guard over these prisoners.

7. I have the satisfaction of acquainting Your Excellency that the Bush-ranging System is now nearly annihilated. Towards the end of July, the original Gang, eight in number, which after Geary’s death was led by Septon, formerly a Soldier of the Rifle Corps, were found on the Eastern Coast by the same party of Capt. Nairn’s Company which had killed Geary, when Jones, another of the old Criminals and a Murderer, was killed and one of the runaways from George Town wounded and taken. After this nothing was heard of the remainder, though many parties were out, till the 27th Ulto., when they appeared at a Farm near Launceston, and on the same evening, being near Gordon’s plains, in consequence of divisions between the old offenders and the recent fugitives, whose pardon had been proclaimed, Septon the Leader was killed; another of the Murderers, Collier, was wounded and gave himself up the next day, as did also the two remaining Men who had gone from George Town. Another of the old Gang, Coine, surrendered a few days ago to Mr. Beamont, one (a Frenchman) only now remaining out.

* Note 37.
In the meantime, another small Band, which had been formed by Men of the most atrocious class, who had broke out of Gaol during my absence at Port Dalrymple, have been taken and are part of the prisoners now sent up.

At the period of my return from Port Dalrymple, there were twenty Men in the Bush, an increase of Ten having taken place, while I was on my Journey, by five who went from George Town and five from the Gaol. It is impossible for me to say too much in praise of the Activity and Zeal of the Troops, who have undergone extraordinary fatigue, exposure and privation for many Months. I consider much to be due to Capt. Nairn for the Spirit which he had infused prior to my arrival and for his constant efforts since; the officers in general have been without their Servants in consequence of their severe duty, and I trust I may meet Your Excellency's approval on this occasion in issuing to each Officer an allowance of spirits free of duty as a mark of General approbation and of remuneration for their own privations.

8. When I some time ago named to Col'l Molle the Serjeant, whose activity and success against the Bush-Rangers had been conspicuous, he wrote to me that, if the Man should desire it, he would agree to his being exchanged with another into the relieving Corps. Such an arrangement, if allowed to the extent of from two to four Men (should so many consent), would be very beneficial to this Colony, as by that means it would be provided with some few Leaders and Guides perfectly acquainted with the Country and the Bush-ranging System, and who would render new Troops speedily efficient if necessity were to call them on such Service.

9. I have to state to Your Excellency that Michael Howe, to whom Your Excellency had at my request been pleased to promise your intercession for pardon, has again disappeared from the Gaol, where he was more nominally than really a prisoner; his object is yet a Mystery, but I have reason to think that he was stimulated to go off by its being represented to him that his pardon was uncertain; and there is little doubt that he is chiefly in the Woods near this Town and is supported from hence; yet such is the difficulty of discovery, from the nature of the Country, Combinations, etc., though every means are employed, I can only rely upon time to bring him forth. I have of course to beg of Your Excellency to rescind all intentions in his favor, and, as he did not perform any service with regard to the discovery of his associates, he has by his recent conduct forfeited all claim
1817. 13 Sept.

Innocence of Revd. R. Knopwood of complicity with bushrangers.

Murder committed at George town.

Appointment of A. Barclay and J. Cox as magistrates.

List of printing type.

Purchase of rum.

Clothing for crown servants.

to consideration and will, if taken, afford a most proper example to this Colony for Capital Punishment.

10. I have the honor to acquaint your Excellency that Mr. Knopwood has been pronounced, by the Gent’ms who were assembled to give an opinion upon his case, innocent of the report* which Howe had made to his prejudice, a decision, which, without any reference to the merits of the case, was rendered certain by the absence of all Evidence.

11. I have had no opportunity of earlier addressing Your Excellency respecting an atrocious Murder committed at George Town. Major Stewart having forwarded to Sydney the Criminals and evidence, I forbear to trouble Your Excellency with any details of the horrible Transaction, which affords a melancholy example of the state of things at that place. It is, however, necessary for me to report to Your Excellency that Major Stewart, in taking up Mr. McCarty’s Vessel, acted wholly without my authority and even in contradiction to my orders; to explain this I beg Your Excellency’s perusal of the enclosure. I trust that Your Excellency may be pleased to approve that the Criminals, if to be executed, should suffer at George Town. The many enormities, which have been committed in different parts of the Settlement and especially there, render a severe example most necessary.

12. Mr. A. Barclay and Mr. J. Cox of Port Dalrymple being anxious to execute with Zeal the duties of the Magistracy, as proposed by Your Excellency, I have the honor to request that you may be pleased to make their appointments. If a Magistrate for George Town could be appointed, it would be a most useful measure; but the Inspector of Works and Military Officer are the only people who could be made, unless Mr. Youll were to come, until the Settlement may be more advanced.

13. In pursuance of Your Excellency’s permission to send a return of Type needed here, I do myself the honor to enclose a List.

14. I have authorised Mr. Acting Assist. Commy. General Broughton to purchase 1,200 Gallons of Bengal Rum at 7s. per Gallon for the Public Service, which I trust Your Excellency will approve.

15. Your Excellency having been pleased to say that supplies of sloop bedding and clothing proportioned to these Settlements should be forwarded on arrival of the first store ship, I shall only beg Your Excellency’s consideration at the time towards the Crown Servants here, who have received no regular issue of any kind and whose wants in these respects are very great.

* Note 101. † Note 108. ‡ Note 99.
I also solicit your Excellency a further supply of hands, to the extent of one Hundred, which, as stated in a former Letter, would be of infinite service. I venture to hope that Your Excellency may on further arrivals be pleased to send down that number, for which the return of the Jupiter would afford opportunity.

16. The office of one of the Superintend'ts of Convicts here having been filled by Mr. Boothman, late Col'l Davey's Clerk, who has now relinquished, and it being of the utmost consequence to have an honest, sober and zealous Man in that Capacity under the Inspector of Works, I beg leave to recommend to Your Excellency Mr. Walter Peerhouse; he came in the same ship with me from Europe and to this place as an officer of the Brig Governor Macquarie, bearing the best character; and, willing to be employed here, I have placed him to act until Your Excellency's pleasure shall be known, having been quite unable to find a sober or trustworthy person to fill it.

17. I have ordered to be taken from this Island, on board the Government Brig, William Peck a freeman, Native of Norfolk Island, and who had been several times a Bushranger. It being the opinion of Mr. Abbott, Depy. Judge Advocate, that a free Man cannot be tried here or be sentenced to banishment by a Bench; though I hear that formerly they were sent to the Coal River, I have deemed it best to send this Man from the Colony on my own responsibility, where his connexions chiefly render him mischievous from the facility of going into the Bush.

18. I beg to submit to Your Excellency a Memorandum, furnished to me by Mr. Abbott, relative to two Young Men now held as prisoners under a sentence passed on them when Martial Law prevailed. I hope Your Excellency may think fit to pardon them.

19. Mr. Luttrell being obliged to go up to Sydney on Mr. Drummond's Trial, and his circumstances rendering the Voyage very injurious to him, I beg to recommend to Your Excellency's consideration some allowance to enable him to meet his Expenses at Sydney. In the List of Evidence named by the Crown upon Mr. Drummond's case, Mr. Asst. Surgeon Hood appears; but it being impossible to leave this Settlement without a Medical Officer, I have taken upon myself to detain him, conceiving that Mr. Luttrell's testimony is sufficient.

I have, &c.,
WM. SORELL.

[Enclosures.]

[Copies of these papers are not available.]
Lieut.-Governor Sorell to Governor Macquarie.

(Despatch marked "Supplementary," per ship Pilot; acknowledged by Governor Macquarie, 10th January, 1818.)

Sir, Hobart Town, 11th Oct., 1817.

The day when my Letters for Your Excellency were concluded, the notorious Bush-robbler Watts was brought in wounded. His Wound not being at all dangerous and there being a Surgeon on board the Pilot, I feel it my duty to send the prisoner Watts by that Ship. To this step, I am induced by the considerations that he is under an unexpired Sentence of Transportation to the Coal River, New South Wales, from whence he escaped; that there is no probability of any opportunity after the present for sending people to Sydney for a long period; that, from the numerous friends which this Man Watts has, the property they possess, and the ramification of his connexions throughout this Town and Settlement, and also from his desperate Character, there would be strong reason to fear his Escape, were he to continue here; for such are his Connexions and influence that I could depend upon few people here for his safe Custody.

When this prisoner Watts effected his Escape from the Coal River and came here, he was allowed to be at large, and he returned to his former avocation as Bush-ranger and Sheep-stealer. His Robberies are innumerable, but so many people have been benefited by, or are implicated in them, that the adduction of legal proof is very difficult. He possesses Money as well as Friends. There is no doubt from Howe's report and other incidental Circumstances that Watts is the person who fired Mr. Humphrey's Stacks, etc., about two Years ago. I have, therefore, felt it my duty to send up Watts as a runaway from the Coal River prior to the expiration of his Sentence, and shall use every exertion to prepare evidence against him in some one of his Capital Offences. Two Depositions are herewith forwarded which relate to some of his Crimes, but I fear the Witness, Parker, and charge would be insufficient to convict him.

The Statement, given by Watts of his being wounded, is that he and a Man named Drew a Stock-keeper had taken and secured Howe and were bringing him towards Town with his hands tied; that Howe by some Means disengaging his Hands, stabbed Watts with a Knife and shot Drew dead. Some collateral Evidence corroborated this statement and a Coroner's Inquest, which sat on the Body of Drew, has pronounced a Verdict of Wilful Murder against Howe. I have, &c.

Wm. Sorell.

[Enclosure.]

[Copies of these depositions are not available.]
LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch per ship Pilot; acknowledged by Governor Macquarie, 10th January, 1818.)

Sir,

Hobart Town, 13th October, 1817.

1. I have the honor to acquaint Your Excellency that the Arrival of ship Pilot arrived here on the 28th Ulto., bringing Two Hundred and Seventy Nine Male Convicts, one having died on the passage. Eighty of them have been appropriated to Port Dalrymple.

2. The Detachment of the 48th Regt., embarked as a Guard on board the Pilot, have been attached to the Command of Capt. Nairn, 46th Regt., at this station.

3. In my Dispatch of the 13th Ulto. by the Government Brig, I had the honor of acquainting Your Excellency that about Two thousand Bushels of Wheat would be conveyed to Sydney by the Jupiter; in Consequence of a change of arrangement, that Wheat now goes by the Pilot, and this Colony affords no further means of supply, the Stores only being furnished, upon calculation of a reduced ration, to a period approaching the Harvest.

4. I beg leave to forward a Requisition received from Major Stewart for several Articles required for the Settlement of Port Dalrymple.

5. A quantity of Huon Pine being an Article of the first necessity for the Works now in hand and to be proceeded on, and only to be procured here at the high price of sixpence per foot, and the Government having no means at present of supplying itself, I have consulted the Inspector of Works, Mr. Broughton, and one or two other persons, most competent to judge, with regard to the moderation of a Tender from Mr. Lord to deliver to Government a Cargo of the Pine, which his Vessel the Jupiter is in any case going to procure at Macquarie Harbour* at 3d. per foot. I am assured that the Terms proposed are extremely moderate, and I trust your Excellency will approve of the Measure.

6. By the Pilot proceeds Colonel Davey, together with the three Witnesses, subpoenaed at his desire on Assist. Surgeon Young’s Trial. Mr. Maum,† late store-keeper, who had pledged himself to go by the Jupiter in obedience to the subpoena to attend Depy. Assist. Comy. Genl. Hogan’s Court Martial, has now declined to proceed, assigning as his reason that some Summonses for Debt had issued against him from the Court here.

Having conferred with Mr. Abbott upon the subject, I find that Summonses had issued against Mr. Maum to which he could appear by his Attorney, but that no process affecting his person had been taken. It appeared to be Mr. Abbott’s decided opinion

* Note 91. † Note 11.
Refusal of W. Maum to appear as witness.

8. Your Excellency having been pleased to approve of a small addition to Mr. Fitzgerald's Salary as Schoolmaster, a further indulgence in a supply of Books for the instruction of the Scholars is of the utmost importance and can only be procured here at an enormous rate; I beg to ask of your Excellency, if at your disposal, some Bibles, Prayer Books, Spelling Books, etc., etc.

9. In my Dispatch of the 13th Ulto., I submitted to Your Excellency an application with respect to a transfer of two (at least) Soldiers of the 46th to the relieving Corps, as a measure very important to this Colony, from their perfect knowledge of the Country and people acquired in their long pursuit of the Bushrangers. Colonel Molle, in a Letter to me dated 9th Ulto., expresses his full assent to my applying for Your Excellency's sanction for Serjt. McCarty to remain here, but several considerations induce me to name others. First, I am very doubtful whether he would wish to leave or exchange his Corps, especially being a Soldier for life, and, though a very active intelligent Non-commissioned officer, he would not suit so well in some respects in this Settlement, as those whom I am about to name. His being enlisted for Life, however, I consider the main objection. I therefore beg to submit to Your Excellency the names of two Men* of Capt. Nairn's Company, neither of whom have twelve months to serve. Both have expressed their desire to remain in the Settlement, should Your Excellency be pleased to sanction their transfer to the 48th Regt.

9. I have the Honor to acquaint Your Excellency that the Musters were taken in this Settlement from the 1 to 12 Sept. The Ass. Comy.'s return of the population is now transmitted to Your Excellency, as is an Abstract showing the Settlers Land

*Marginal note.—Privates now Lance Corpls. Simpson and Ashton.
and Stock, and which I trust contains the information which Your Excellency may desire.

10. With a view to the departure of the Detach’t of the 46th Regt. at the Settlement on V.D.L., I beg to submit to Your Excellency that the necessary supply of Medicines for their voyage could not be furnished from the Hospital Store here. I therefore trust Your Excellency may be pleased to direct that the necessary supply may be shipped in the Transport destined to remove the Detachment.

I have, &c.,
WM. SORELL.

[Enclosures.]

[Copies of these returns are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch per ship Pilot; acknowledged by Governor Macquarie, 10th January, 1818.)

Sir,
Hobart Town, 13th Oct., 1817.

I have the honor to transmit the Quarterly Returns and Transmission Accounts of this Settlement to the 30th September. In those of the Police Fund, Your Excellency will find the Accounts to the close of Mr. Drummond’s service, separately audited at the time; the Accounts for the remainder of the quarter accompanies the former.

It may be proper to offer some remark to Your Excellency in explanation of the other papers transmitted with the Accounts of the Police Fund.

Upon the Audit of these Accounts in July, at the end of the first quarter after my arrival, it appeared that a sum of £584 had been charged against the Fund, in consequence of Mr. Drummond, upon his accession to office, having been directed to take up, or as it is here termed "retire" outstanding Cheques of his Predecessor to that amount. No accounts had been adduced of this Sum. Mr. Gordon was therefore applied to for his documents and Vouchers in order that this Balance might be duly accounted for and authenticated, prior to its being admitted a permanent charge against the fund.

This Account not having been rendered at the time of Mr. Drummond’s departure, and the Cheques having been handed over to Mr. Hood with the other official Papers, it became necessary to have the business investigated and adjusted, before Colonel Davey’s departure, on whose authority Mr. Gordon rested his Expenditure. On the 9th inst., the Committee of Audit sat, and I now have the honor of transmitting their reports with the
accompanying Accounts, which bring to a conclusive Settlement the Transactions connected with the Police Fund, prior to my arrival and ascertain the balances due to it from Individuals.

I have, &c.,

WM. SORELL.

[Enclosures.]

[Copies of the returns and report are not available.]

---

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch per ship Pilot; acknowledged by Governor Macquarie, 10th January, 1818.)

Sir,

Hobart Town, 13th Oct., 1817.

I have the honor to transmit to Your Excellency a List of certain persons proceeding to Head Quarters as Evidence upon impending Trials, and of others sent up for trial. Four free Men are sent up on charge of stealing Sheep to an enormous amount. The System of Cattle Stealing in this Settlement, which is both a cause and an effect of Bushranging, had arrived at such a pitch, and had assumed so much of an organised system that it is most difficult to check it; a principle obstacle arises from the apprehensions which the Settlers in general feel of being compelled to go to Sydney to prosecute* (a step which they consider tantamount to certain ruin) and which rarely permits a case of this nature to be established; the consequent Impunity affords so much encouragement to plunder of Cattle, that it appears highly important to seize and bring forward some prominent and unquestionable case. In the present instance, the charge falls upon one of the worst and most notorious plunderers in the Colony, Crahan, who, with his Sons, has carried on for years, in combination with a Bush-ranger and robber named Watts, a system of Sheep-Stealing to the extent of Hundreds in a year. I venture to hope that Your Excellency considering the state of this Colony, the great want of a Court of Criminal Jurisdiction for repression and punishment of Crimes, and the difficulty in consequence of finding an example, may judge the present case one which merits the Severity of the Law. A striking Example of punishment will I trust materially tend to terminate a System of plunder, which in this Settlement amounts to a large portion of the Community, in direct defiance of the Laws, preying systematically upon the honest and the industrious. The Evidence sent up to substantiate the charge of Sheep-stealing against the two Crahans and Scott are I believe unquestionable.

* Note 109.
The Man named Hillyer is sent up, it being the Depy. Judge Advocate's opinion that he must be tried for the death of Septon the Bush-ranger, who he killed as stated to Your Excellency in my last Dispatch; the Case is fully detailed in the Depositions. How far he can be borne out in so destroying his fellow criminal I cannot say; the only surviving Man of the Bush-rangers, whose life he also attempted and who is severely wounded, directly contradicts Hillyer's account of his own conduct and motives.

Collyer, the Bush-ranger and one of the five original Men in the Murder at New Norfolk, who was found desperately wounded after the affair with Hillyer, goes up in the Pilot. I presume Your Excellency will think fit that he should be tried upon the charge of Murder in the Case of Carlisle and O'Byrne,* on which, Evidence sufficient proceeds.

I have deemed it expedient to send these Prisoners by the Pilot, though beyond the periodical sitting of the Criminal Court, because I could not foresee any probable opportunity of sending them in time for the next sitting. I have also been induced further because some of the principal Witnesses are now at Sydney; and, distressing and injurious as it may be to them to remain so long, it is yet better for them to await the Trial there than to return hither with the duty of attending it impending and demanding their presence at Sydney in Decem'r. I do not feel at liberty to hope or to ask of Your Excellency that a sitting of the Criminal Court could take place for the trial of these prisoners; but I am sure Your Excellency will see and appreciate the very ruinous effects which result to the Witnesses by a detention of some months at Port Jackson.

By the Pilot also proceeds Mr. Gill, a prisoner for life, whose case I beg leave to recommend to Your Excellency's consideration. The Man is stated upon undoubted authority to have rendered very great service against the Bush-rangers during Col. Davey's Govern't and Martial Law; and I believe he received some assurances from Col. Davey of being recommended for favor to Your Excellency. Since I came here, he has constantly been in the Woods with one of the parties, has uniformly acted usefully as a Guide and bravely as a Man, and on the whole I consider him particularly worthy of being recommended to Your Excellency for Favor. Being unavoidable odious amongst the prisoners here, on account of the part he has taken, he solicited to be sent to Sydney, which I judged the best course to pursue; and, though it is not the regular time, I hope to be pardoned for accompanying him with a request for his Emancipation, if his free pardon be too much to ask.

* Note 110.
1817.
13 Oct.
Mistress of M. Howe sent to Sydney.

Return of black-tracker to Sydney.

A native Woman, named Mary, who has rendered similar service, also goes by the Jupiter. She had lived three Years in the Woods with Howe and was taken by a party of Troops just before my arrival. She has since been the Constant Guide of Serjt. McCarthy's party, which has, through her Capacity for tracking foot-marks, been enabled so often to come up with Bush-rangers. To her assistance this success is chiefly owing, and, as she has in consequence become wholly dependent, I have placed her permanently on the Store. My motive in obtaining her a passage to Sydney is her own request and my apprehension that she might be prevailed upon again to go into the Woods to join Howe, which would probably form the nucleus of a New Gang. She may also be an Evidence (if admitted as fit) in the case of Collyer the Bush-ranger sent up on charge of Murder, as she witnessed the action at Norfolk where Carlisle and O'Byrne were killed. I entreat of Your Excellency to allow her to be victualled from the Store and at a future period to allow her a passage back to this place.

Musquito, a native of Port Jackson, who has been some years in this Settlement and who has also served constantly as a guide with one of the parties, and has been extremely useful and well conducted, also at his own desire goes to Sydney. I beg leave further to solicit Your Excellency's humane consideration of him on account of his useful Services.

The List also exhibits the other persons proceeding by the Pilot to attend impending Trial, together with two seamen who remained behind from H.M. Col. Brig Elizabeth Henrietta upon her last departure and who I have deemed it my duty to send up.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch per ship Pilot; acknowledged by Governor Macquarie, 10th January, 1818.)

Sir, 13 Oct., 1817.

I have the honor to lay before Your Excellency a Letter of remonstrance* addressed to Your Excellency by Major Stewart against certain proceedings adopted by me as Lt. Gov'r of these Settlements; and as the Letter was sent open for my perusal, it will I trust meet Your Excellency's approbation that I at the same time submit my reply, which I do myself the honor herein to state.

Major Stewart's first complaint is that I released Mr. Leith from the Govern't House without waiting an explanation of his

* Note 111.
reasons for having placed him in confinement. That Circum-
stance and the whole of the transaction having been fully de-
tailed to Your Excellency at the time,* it is now necessary to
trouble you with a very few words thereupon. If Major Stewart
had placed Mr. Leith in legal confinement, I should certainly not
have released him previous to enquiry; but, conceiving that I
became myself a party to Major Stewart's illegal proceedings,
by sanctioning or admitting it for even the shortest time, I did at
once send orders for Mr. Leith's release from the Guard House,
expressly stating, however, at the time, that my so doing was to
be considered as implying no Judgement on the general Case,
which equally remained to be enquired into on my arrival.
Upon the whole of that transaction I did enquire fully, and I
reported to Your Excellency my Impressions and every step
which I took thereon, which I had the happiness to find approved
by Your Excellency.

With respect to the other parts of Major Stewart's first com-
plaint, I have only to say that, as to lodging in the Govern-
ment House at Port Dalrymple, I believe I am not mistaken in
conceiving that it was my right to do so. Col'll Davey ordered
it to be given up to him when he visited the Settlement, and,
when your Excellency intended me to go into Port Dalrymple in
my way hither, you expressed that Gov't House would be my
residence during my stay. That I was far from making it a
question of right, for I expressly signified to Major S., before I
went over, my desire to put him to no inconvenience and to take
up my Quarters in the Town; Foreseeing the painful task which
was before me, I anticipated the impossibility of cordial com-
munication; and the unpleasant events, which crowded upon
each other as I approached and reached the Settlement, could
not but give rise to discussions precluding familiar intercourse.
To this might be added the peculiar circumstance that, with
Mr. Archer, Mr. Rose and all the Officers of his own Regt., the
only Society at Port Dalrymple, I found Major Stewart not upon
terms of speaking, except upon duty.

It is very true that, after the first interview, an Epistolary
Communication took place, and many others followed. I found
it impossible to adopt any other course of proceeding with Major
S. than to put my opinions and intentions upon Record; for it
was evidently useless to state them verbally, Major S. always
returning after such a Communication with exactly the same
ideas as he had propounded at the first conference. I however
shewed no disrespect to Major Stewart's public Situation. I
asked him to accompany me to George Town in order that he

* Note 111.
might be present at whatever I might then find it expedient to say or to do there, and I communicated to him and through him all official Measures which I adopted in the Settlement.

Upon the subject of my order* of the 4th Sept., which has produced Major S.'s enumeration of Grievances, I have to explain to Your Excellency that Mr. Actg. Depy. Asst. Comy. Genl. Archer addressed to me a Letter stating that Major Stewart, having adopted the unprecedented Measure of ordering a general Survey on all Wheat going into H.M. Store, he felt his character and that of the Store-keeper called in question in the face of the Settlement; and he requested that Major Stewart might either assign public grounds of charge, as the foundation of his proceeding, or that he might not be allowed to deprive the Commissariat of their character and of the responsibility belonging to their officers by the usage of the Territory.

Having had ample reason to know that Major Stewart was in the constant habit of making his Public Measures and orders a channel for gratifying his private resentment, I enquired of Mr. Broughton whether his experience furnished him with a precedent of a General Board of Survey being ordered upon Wheat coming into Store, and, upon his replying in the negative, and that such a step must be deemed to imply misconduct or neglect in the officer, whose duty it was to receive provision for the public service, I addressed to Major Stewart my Letter of the 15th Augst. In reply to which, I received his Letter of date the 26th. Had Major Stewart therein confined himself to stating the Grounds on which he had acted, I should only have intimated my dissent therefrom and my desire that he would restore the established System; but, as he commenced by signifying that, 'Whenever he judged it proper to interpose his authority with the Commissariat, he would do so' ; and, as his Letter appeared to my Judgement generally to be couched in a very disrespectful tone, further admonition seemed to me quite inapplicable, and I conceived myself to have no alternative but to yield up my own authority and to permit the continuance of an unjust and unfounded implication of officers whose character I considered unimpeachable, or to direct Major Stewart to rescind his order. I accordingly sent him the order of the 4th Sept., but it was in Manuscript and I did not publish it in this Settlement, or in any other way than to himself.

My former report| to Your Excellency of things under Major Stewart's Command, combining chiefly what I should say in general remarks respecting him, I can only renew to Your Excellency my opinion of his entire unfitness for the Command, and my regret that, to the misfortune of that Settlement and the

* Note 112. † Note 111.
unhappiness of several well-disposed and worthy Officers and Settlers, the Military arrangement of the Territory have unavoidably led to Your Excellency's continuing him in Command.

I have, &c,

Wm. Sorell.

[Enclosure.]

[A copy of major Stewart's letter is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.  
27th October and 8th November, 1817.  

[Copies of these two despatches are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.  
(Despatch per ship Frederick; acknowledged by Governor Macquarie, 10th January, 1818.)

Sir, Hobart Town, 10th Novem., 1817.

1. I have the honor to transmit to YoUr Excellency an abstract of the Annual Musters at Port Dalrymple. Also a list of Prisoners and Evidence embarked for Sydney per Ship Frederick, Williams Master; a Guard of 1 Corpl. and 3 Privates of the 48th being on board, which I judged it necessary to send, there being two Soldiers of Major Stewart's Company on charge of Murder and Seven Soldiers from India for Mutiny.

2. In my Letter of 27th Ulto., by Ship Duke of Wellington, I reported to Your Excellency the Murder committed at York Plains by George Gray, a Soldier stationed there from Major Stewart's Command. Since that, another Murder has been committed by a Soldier in the Barracks at Launceston, and they both now proceed to Sydney, having arrived a few days ago for that purpose. Major Stewart, however, did not send over the Evidence upon the second case, who must be forwarded by the next Ship, and I am sorry to say that his motive seems evidently to have been a desire to screen the Man. To my letter of severe remark on the wanton and horrid atrocities perpetrated by his Men, Major Stewart has returned little reply; and I am not without some apprehensions as to the Conduct of that Detachment when ordered to embark.

3. Since I had the honor of submitting to your Excellency an application respecting Books for the School here, the Rev. Mr. Knopwood has stated himself to be entirely destitute of Bibles and Prayer Books, a small supply of which has I believe been heretofore sent him. I hope it may be possible for Your Excellency to consider these wants, the low state of the Fund here precluding the means of purchasing Books so essential.

1817.  
13 Oct.
4. Two passengers, who came from India per Ship Frederick, proceeded to Sydney in the Pilot, Lt. Stuart H.E.I.C. Service and Mr. Winder; and, as the statement of their reasons for so doing has no doubt come before your Excellency, I need not trouble you on the Subject.

The character of the Master of the Frederick, J. T. Williams, I believe is known to Your Excellency, and all I can say is that it appears to me impossible for there to exist a baser person than as his conduct here has shewn him.

He is clearly proved to have now smuggled though (as far as is known) only to a very insignificant extent; but, upon his former visit to this port, he avowed having smuggled to a great amount and to have landed ten times on the same Permit. In the present case, he has endeavoured by the basest falsehoods to fix upon another person a participation in the transaction, in which happily he has been completely foiled. I am from various Circumstances fully satisfied that his sole object in coming into this port was to smuggle Spirits, as he has before been accustomed to do unopposed; he has clearly perjured himself upon his Manifest, as he has admitted and paid duty upon 52 Bags Rice after having sworn to only 40, and has made Sales of Gunpowder without any appearing on the Manifest.

I have, &c,
WM. SORELL.

[Enclosures.]

[Copies of these papers are not available.]

3 Memorials for Emancipation forwarded viz.—Pierre Ch. Flahute, Thomas Speak, — Maxey.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch per schooner Jeune Ferdinand; acknowledged by Governor Macquarie, 10th January, 1818.)

Sir,
Hobart Town, 8 Dec., 1817.

1. The Brig Jeune Ferdinand from the Mauritius, which came in here about 10 days ago, now proceeding to Port Jackson, affords me an opportunity of addressing Your Excellency.

There also arrived on the same day the Ship Charlotte from Calcutta via Mauritius, which, owing to part of the Cargo being damaged, is detained here some little time.

2. The extreme point, to which the transmission from hence of Wheat for Sydney had been carried, has put us to considerable shifts for procuring the necessary subsistence; I have authorised the purchase of about 150 Bags of Rice, all that was undamaged on board the Charlotte with a quantity of Sugar and
SORELL TO MACQUARIE.

Spirits at very moderate rates and of excellent quality. The quantity of Spirits in store will be about twelve months' consumption and, should opportunity offer for sending any round, we could supply Port Dalrymple when required.

3. By the Brig proceed several Evidence on the trial of Burbidge, a Soldier who was sent up in the Frederick, Williams Master; they did not, as then explained to Your Excellency, arrive in time from Port Dalrymple in time for that Vessel.

4. There proceeds a Soldier of Capt. Nairn's Comp'y, who shot a Freeman at Herdman's Cove on the 21st Inst. The Soldier belonged to a party coming from the Interior, where they had been in search of Howe, and Spirits being procured, several people, Men and Women, got intoxicated and quarrelled. In the end a Man named Seaton and the Soldier fought with Fists and Sticks, and then each seized Arms and the Soldier's shot took effect. The Verdict was Manslaughter.

I have sent with him such evidence as the Depy. Judge Advocate considered indispensible.

This occurrence though of Minor Enormity, following the outrages committed on the other side by Major Stewart's Men, is particularly unfortunate as tending to give an idea of relaxed discipline in the 46th generally; notwithstanding, however, this last melancholy circumstance, it is only justice to the Detachment here to say that their conduct is not to be found fault with and their services have been most useful.

5. In consequence of a Complaint from Major Stewart, I have been under necessity of suspending Mr. Massey, Supt. of Prisoners at Port Dal., and who had, in Mr. Leith's absence, charge of the Public Works at George Town. Some disputes had occurred at that place between the Military Officers stationed there and Mr. Massey, in which I thought the former chiefly to blame, and so stated my opinion; but there appears a strong charge of subsequent disrespect on the part of Mr. Massey towards Major Stewart, upon which I am at present waiting full and final information and shall then report to your Excellency.

6. Looking daily for an arrival from Sydney, I allow myself to hope that Stores and slops for the prisoners may come down. Their situation in these respects is very distressing. All the Blankets, which were purchased soon after my arrival, have been some time served out. Many are totally without bedding, and, in the extreme vicissitude of Weather, which has lately occurred here, Sickness has in many cases ensued, I believe from cold; a large portion of the prisoners have not had Jackets, etc., for three Years.

1817.
8 Dec.

Spirits in store.

Witnesses for trial of Burbidge.

Soldier to be tried for manslaughter.

Discipline of military.

Suspension of T. Massey at George town.

Distress from want of clothes and blankets.
7. The prospect of receiving Women Convicts in number points out to me the necessity of making some preparation for lodging, employing and keeping them in order. A number in or about this place would be productive of incessant disorders; I therefore propose, if Your Excellency approve, to place them at Pitt-Water, the only District in which a Magistrate (Mr. Gordon) resides, and to erect a Building for them there.

8. There being no sufficient means at present for lodging a large body of Men Prisoners here, though Houses are in rapid course of building, I mean to erect a place* for that purpose on the Hill behind the Hospital, which will obviate the inconvenience and irregularity that would otherwise arise, and the Building will be always useful, even after it shall cease to answer that purpose for which it must for a long period be required.

9. Capt. Piot of the Schooner Brig from the Mauritius brought a confirmation of the report, sometime since received here, of two Ships† from France being destined for this Country. I have no knowledge of their precise object, and I should feel much indebted to Your Excellency for any Instructions that you may think proper to send for my guidance respecting them. I conclude that with respect to this Island, in its whole circumference, it is considered as possessed by Great Britain, and of course that foreign ships should not act in any way upon its Shores.

To every refreshment and assistance, they will of course be entitled. The Expedition is, I find, commanded by Monsr. Freycinet, who was first Lieuten't of one of the Ships which were here under Baudin in 1802.

10. I had the honor in my last Letter of 10th Ult. per Frederick to state to Your Excellency my sentiments of the Master of that Ship. I since learn that David McCoy, formerly I believe of the 73rd, was carried off surreptitiously by Capt. Williams, and when subject to heavy claims from people here. If that person be now at Sydney, as he was seen here just before the Frederick sailed, and no other vessel has left the port, no doubt can exist that McCoy was taken off intentionally and secretly by Mr. Williams. I should have sent the Bonds of the latter to Sydney for prosecution on account of his very base conduct and gross infractions of the Port Regulations, had not the expense and difficulty of forwarding the Witnesses rendered it impossible. I have now altered the Bonds so as to allow of their being recovered in the Court here.

11. A Cargo of Huon Pine having been imported by the Brig Jupiter from Port Davey,‡ I have to beg your Excellency's...
Instructions as to the Duties to be levied. No Instance or precedent applicable to the case can be found here; but seeing by the Port Jackson Almanach* that a Duty is established on Wood, I have directed it to be estimated and settled subject to Your Excellency's Commands for my guidance on the general subject.

12. The Government Horses here are in general bad in the extreme, and no improvements can be made unless a Stallion could be supplied from the Stud at Port Jackson, in which case a better breed might be obtained. There are several small Ponies at present useless to Government, which perhaps Your Excellency would approve of being sold and the proceeds carried to Government. I have taken the liberty to suggest this from having understood that it was conformable to the System pursued by Your Excellency at Port Jackson.

13. I have the honor to enclose the Memorial, returned for amendment by Your Excellency, of John Hopkins. If his Youth may operate in extenuation, that alone can recommend it to Your Excellency's attention.

14. The General Public Duties of the Settlement have gone on well since I had the honor of addressing Your Excellency last. I am particularly indebted to Mr. Hood for the efficiency and attention with which he conducts the Medical Department; and he has been equally assiduous and attentive in the office which at my desire he undertook of Actg. Naval Officer and Treasurer of the Police Fund. I have, &c.

WM. SORELL.

P.S.—I had also omitted to acquaint Your Excellency of the Arrival of the Ann (a whaler from England) Capt. Williamson on the 1st Inst., who formerly commanded the Sydney Packet.

[Enclosure.]

[A copy of this memorial is not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.

(Despatch No. 1, per brig Governor Macquarie; acknowledged by lieutenant-governor Sorell, 23rd February, 1818.)

Sir,

Government House, Sydney, 10th Jany., 1818.

1. I have now the honor to acknowledge the receipt of your several Letters, with their respective enclosures, and accompanying Documents, as specified in the Margin,† which have come to hand since the date of my last General Dispatch to you. The delay in answering your Several Letters, above adverted to, has been necessarily occasioned by an incessant press of Public

* Note 116.
† Marginal note.—30th Augt., 8th and 13th Sept., 11th and 13th Octr., 8th, 10th and 12th Novr., and 8th Decr., 1817.
Business here, which has exclusively occupied the whole of my time and attention till the present moment.

2. The Several Reports, you have made to me of the present flourishing state and tranquility of the Settlements under your immediate Government in Van Diemen's Land, have afforded me peculiar satisfaction; more particularly that which states the almost total Suppression of the system of Bush Ranging, and the extirpation of that dangerous Banditti, that has so long infested the Country and proved the Terror of the Peaceable Inhabitants of Van Diemen's Land; and this happy relief they entirely owe to your wise, judicious, and prompt energetic measures. It is at the same time much to be regretted that the Soldiery at Port Dalrymple more especially, and in a recent instance even at the Derwent, should have manifested such a Spirit of licentiousness and insubordination. The Murders they have committed are lamentable proofs of their horrid depraved morals and sanguinary cruel dispositions, which can only be repressed by making some few dreadful examples of those most guilty, and the officers commanding the Detachments observing and enforcing a more strict and rigid Discipline in future.

3. I entirely approve of the several arrangements and regulations you have adopted for the improvement of the Settlements under your immediate control; and those which you further propose, and wait my approval of, I shall not fail to advert to in my present Dispatch.

4. The Public Building you propose erecting at Hobart Town as a Barrack for the Male Convicts employed in the immediate Service of the Crown, I very much approve of, as I conceive it to be a highly necessary Building for both ensuring the Health and comfort of these poor People. But, as it is not my intention that there ever should be more Female Convicts sent from hence to Van Diemen's Land than are necessarily required for the use of the Settlers on that Island, I do not think that it is necessary, in the present infant state of your Settlements, to have any Public Building erected for the Female Convicts either at Hobart Town or Pitt Water. It being my intention soon to erect a Factory and Barrack on a large Scale at Parramatta for the employment and accommodation of all the Female Convicts victualled at the expence of Government, you will be left at liberty to send up to that Seminary such refractory or disorderly ill-behaved Female Convicts from the Settlements in Van Diemen's Land, as you may deem expedient.

5. I approve of your appointing Mr. Walter Peerhouse to be Supdt. of Convicts at Hobart-Town in the room of Mr. Boothman;

* Note 113.
and I also approve of your having suspended Mr. Massey from his office of Supdt. of Convicts at Port Dalrymple, and desire that he may be dismissed entirely from the Service of Government, as I consider him a turbulent troublesome Man.

6. The Conduct you have observed towards Major Stewart has been much more lenient and delicate than he deserved; and I am only surprised at your being able to act towards him with so much forbearance, on account of his outrageous and insubordinate conduct. I consequently cannot but fully approve of the whole of your conduct towards him, whilst I equally disapprove of his, of which I intend to apprise him by the present conveyance. It is my intention to relieve him early in February by a Detachment of the 48th Regiment from hence, and to bring up the whole or at least the greater part of his Company to Head Quarters. I have not, however, yet determined whether it shall be Major Cimitiere, or Brevet Major Bell of the 48th Regt., that goes to replace Major Stewart as commandant of Port Dalrymple. They are both Candidates for the Command, and both equally meritorious and deserving officers; and therefore I am much at a loss which to prefer.

7. As the Court of Inquiry, which investigated the Charges preferred* by Mr. Edward Lord against Mr. Actg. Asst. Comy. Genl. Broughton, have thought proper to give it as their opinion that there were grounds for a General Court Martial, there remains no alternative but to order one accordingly, which I shall do the moment Mr. Broughton and the necessary Evidences on the parts of the Prosecutor and Defendant shall have arrived at Head Quarters from Hobart-Town. I have therefore to desire that you will be so good as to order them to proceed hither by the very first good conveyance that offers for Sydney, after you receive this dispatch. The Judge Advocate, having perused the Proceedings of the Court of Inquiry, has made out a List of the necessary Evidences to be summoned, and sends Subpoenas to them all by the present conveyance. The arrangements, which I have lately made in the Commissariat Department at the Derwent and Port Dalrymple, will enable you to dispense with the further Services of Mr. Broughton, whom you will consequently now permit to return to Head Quarters as soon as he has made up and Closed his Public Accounts to the 24th of last month inclusive. The inconvenience and Expence that both Government and Private Individuals will be put to by this General Court Martial will be very great; but things have now gone too far to admit of any other remedy.

8. Mr. Drummond and his Sister in law, as you must have heard long since, were both Tried here by a Criminal Court, but

* Note 94.
acquitted of the horrid crime they were accused of owing to the want of sufficient Evidence. As however I had myself no doubt of the guilt of Mr. Drummond, I deemed him a highly improper Person to be any longer employed as an officer under this Government. I have therefore dismissed him from the Office of Naval Officer at the Derwent, and have appointed Mr. Beamont to succeed him, in compliance with your request, until the pleasure of His Royal Highness The Prince Regent shall be known.

9. The Criminal Richard Collyer, who was tried here by the last Criminal Court, having been found guilty and sentenced to be executed, I now send him down in the Brig Govr. Macquarie to undergo the Sentence of the Law at the Derwent, and here-with I send you a Blank Warrant of Execution for you to fill up. There not being sufficient Evidence to convict Hillier, the other notorious Bush Ranger, he has been sent to Hard Labour at Newcastle,* as have also the other remaining inferior Bush Rangers, whom you sent up hither some time since. The two Crahans were found guilty of the crime of Sheep stealing, etc., and both sentenced to be executed; but, the Court having interceded very strongly in their behalf for mercy, I was induced at their earnest request to commute the Sentence on the two Crahans to Banishment for Life and hard Labour at Newcastle. Your recommendation for having the culprit, who committed the first Murder at George-Town, executed there, I should most readily have attended to, only that there were there were no opportunity of sending him thither at the time, and I was unwilling to keep him too long in confinement here. The Soldiers, who committed the last murders, will however, if found guilty, be sent down to be executed at the Places where the murders were committed. They are to be tried by the next Criminal Court, which is ordered to be assembled on the 21st Instant.

10. I regret to find that that notorious villain Michael Howe has once more made his escape into the Bush. He has now of course forever forfeited all title to clemency and Pardon for past offences; and, if ever taken alive, he will be a very fit and proper object to make a Public and awful example of.

11. There are no Stallions at all belonging to the Government Stud of Horses at Port Jackson, and consequently I have it not in my power to send you one agreeably to your request to that effect. It does not appear to be the wish or intention of His Majesty's Ministers to continue either a stud of Govt. Horses, or Flocks or Herds, in this Territory and its Dependencies much longer; and I have reason to believe they will be discontinued

* Note 37.
altogether soon. It would not therefore be advisable to Purchase a Stallion for the Stud at the Derwent; tho' I can see no impropriety in your occasionally hiring one for covering any good Mares you may have at present in the Government Stud at that Station or Port Dalrymple, and defraying the expence from your own Police Fund. In the meantime I entirely approve of your ordering all the small Ponies and useless Government Horses to be sold at Public Auction, crediting the Police Fund with the amount of Sales.

12. The Duties amounting to £253 4s. 0d. Stg., due from Mr. Edward Lord on the Spirits he supplied for the use of His Majesty's Colonial Brig Kangaroo some time since, you will be pleased to remit, since it appears by Colonel Davey's Certificate that the Spirits were actually supplied for the use of the Officers and Crew of that Vessel.

13. In respect to the Duties on Huon Pine, or any other Wood or Timber found in any part of Van Diemen's Land, you will be pleased to be governed entirely by the Regulations at Head Quarters, which were always intended to apply to every part of the Territory, including the Settlements of the Derwent and Port Dalrymple; and you will consequently be so good as to direct the same Duties as are levied here on Cedar to be collected on the Huon Pine imported to the Derwent or Port Dalrymple. You will see the rates collected here in the Sydney Almanack.*

14. I am extremely sorry that I am still unable to send you a Supply of Slop Clothing and Bedding for your Settlements, there not being a single suit of either in the Stores here at present, and the Government Servants here are fully as ill off as yours are in Van Diemen's Land, no supplies of Clothing or Bedding having been received here from England for the last two years; but the moment any arrive, you shall have a proportion of them sent to you. In the meantime, I shall send you by the Duke of Wellington, which is expected to leave this for the Derwent in 8 or 10 days, a supply of Colonial Blanketing for the purpose of being made up into slop clothing for those of your Prisoners who are most in want.

I have, &c.,

L. MACQUARIE.

P.S.—Herewith I enclose you a Memorial I lately received from Mr. Thos. Fitzgerald, relative to his Town Allotment at Hobart Town, with my decision on the point referred to me, written on the Envelope of said Memorial.

[Enclosure.]

[A copy of the memorial is not available.]

* Note 116.
Governor Macquarie to Lieut.-Governor Sorell.

(Despatch No. 2, per brig Governor Macquarie; acknowledged by lieutenant-governor Sorell, 23rd February, 1818.)

Sir, Government House, Sydney, 10th Jan., 1818.

1. In my Dispatch No. 1 of this same day’s date, I find I have, in the hurry of writing it, omitted to mention some circumstances of importance, which occasions my writing you this additional Dispatch.

2. Herewith you will receive three Precepts appointing Mr. Archer a Magistrate throughout Van Diemen’s Land, and Messrs. Andrew Barclay and James Cox Magistrates at Port Dalrymple. They are all respectable men, and I hope their conduct as Magistrates will give you satisfaction, and prove useful to the Settlements at which they are stationed. I have appointed Mr. Archer a Magistrate throughout Van Diemen’s Land, at his own Particular request, on account of my high opinion of his Honor and integrity, and also on account of his having Property at both the Settlements.

3. I have perused the Memorial you transmitted from the two young men, who were tried and convicted during the existence of Martial Law in Van Diemen’s Land under Lieut. Governor Davey’s authority; and I now return you herewith this Memorial with my answer written thereon.

4. I have directed Mr. Howe the Government Printer here to endeavour to spare some Types for your Printer at the Derwent; but he tells me he has very few if any to spare. I shall, however, try to get a few from him for your Press,4 and send them to you by the Ship Duke of Wellington.

5. In reply to your recommendation on behalf of Dr. Luttrell’s claim for some extra allowance to defray his Expenses incurred on his several Trips hither as an Evidence, I have to inform you that by a recent Regulation, suggested to me by the Judge Advocate, Gentlemen Evidences from Van Diemen’s Land are allowed 7s. per Diem, and Persons of inferior rank 5s. per diem, to defray their Expenses. This being considered a liberal allowance, of course Doctr. Luttrell cannot be considered as entitled to any further remuneration.

6. I shall direct Emancipations to be made out for the several Persons, whose Memorials you have lately sent me, and they will be forwarded to you by Mr. Secry. Campbell by some future conveyance.

7. The Ship Frederick, Capt. Williams, arrived here some time since. I am sorry to find her Commander is so worthless in every respect and as meriting the severest Punishment. I think I never heard of so infamous and base a character. On inquiry, I find, David McKay did come up here clandestinely in the

* Note 99.
Frederick. I have ordered him to be apprehended; and, if he can be found, I shall send him back to the Derwent as a Prisoner on board the Govr. Macquarie Brig, to be there disposed of as you may think proper.

8. The Report, you have heard of two French Ships* coming out to this Country on the Surveying Service under Monsr. Freycinet, is I believe perfectly true; Lieut. King of the Navy having lately been out by our Government on a similar Service, and with a view to anticipate and frustrate the present views of the French Government, which, it would appear, is to establish a Settlement some where in Australia. In case those French Ships touch here, I shall afford them all sorts of Refreshments they may require, and treat them with kindness and hospitality. If they should touch at the Derwent, or at Port Dalrymple, I would recommend to you to treat them in a similar manner.

As to their attempting to make any footing in Van Diemen's Land, that is quite out of the question and must be resisted in case they should have the temerity to attempt such an Act of aggression, the whole of the Island of Van Diemen being the exclusive Property of the British Crown. Lieut. King set sail from hence on his Voyage of Discovery, on board the Mermaid Cutter, on the 22d of last month, along the Western Coast of Australia.

9. I return you herewith two Returns of Names of Prisoners in Van Diemen's Land requiring their Families to be sent out to them; but, not being properly made out, I send you along with them a Letter from Mr. Secy. Campbell on the Subject, with a Form on the back thereof, which I request you will direct to be observed in future in making up and transmitting to me Returns of this description, correcting those now returned to you herewith.

10. An old Norfolk Island Settler, named George Guest, having presented a Memorial to me a few days since, relative to some claims he has on Govt. for the Rent of Houses belonging to him at Hobart Town Hired as Barracks some years ago, I have referred his Memorial and Claims to be investigated by you on the Spot.

I have, &c.,

L. MACQUARIE.

P.S.—Having reason to think extremely well of the honesty, integrity and abilities of Mr. Richard Dry, who has acted for so many years as Storekeeper at Port Dalrymple, I have deemed him a very fit and proper Person to appoint a Staff Commissr. Clerk, and to take charge of the Stores at that Settlement on the departure of Mr. Archer.

L.M.

[Enclosures.]

[Copies of these papers are not available.]

* Note 114.
GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.

(Despatch No. 3, per brig Governor Macquarie; acknowledged by lieutenant-governor Sorell, 23rd February, 1818.)

Sir, Government House, Sydney, 10th Jany., 1818.

1. The Judge Advocate having sent me the Subpoenas for the several Evidences necessarily required to come up hither from the Derwent on the General Court Martial to be held on Acting Asst. Comy. General Broughton on the charges* preferred against him by Mr. Edward Lord, instead of sending them direct to yourself as I understood he intended doing, I now enclose them herewith, under cover to you, together with copies of his Letter addressed to me on this Subject and of the List of Evidences accompanying it. You will also observe there are some Blank Subpoenas sent herewith for you to fill up for any other Evidences which either the Prosecutor or Defendant may require.

2. I lament exceedingly the necessity there now exists of holding this General Court Martial at Head Quarters, and the great expence the Crown will incur thereby, as well as the injury the Public Service and Private Individuals will sustain by it. But there is now no possible alternative; and, I trust, that, as Mr. Lord has brought forward such serious charges against Mr. Broughton, he will not, at this advanced stage of the business, hesitate to come forward to substantiate them, as it is an indispensible Duty he owes to both the Crown and the Individual Officer whom he has accused of such very serious Crimes.

I have, &c.,

L. MACQUARIE.

[Enclosure.]

JUDGE-ADVOCATE WYLDE TO GOVERNOR MACQUARIE.


I have the Honor to inclose, according to the suggestion already approved of by your Excellency in that respect, a List of the Witnesses and Subpoenas as to attendance upon a General Court Martial to be assembled in pursuance of the report of a Court of Inquiry upon Charges preferred by Mr. Edward Lord of Hobart Town against Actg. Asst. Comy. Genl. Broughton on that station; As also some blank Subpoenas, in case any further should be required.

Although I have already submitted my reasons for not on my part omitting to summon any person who was examined before the Court of Inquiry, yet I beg leave to suggest that it seems to me that the Evidence, given by some of the Witnesses as to one or two isolated facts, might be possibly supplied by others, if examined perhaps in that respect, and who speak more immediately to points directly connected with the charges preferred;

* Note 94.
in this respect I would refer particularly to the examination and Evidence of Captn. Nairn and Mr. Humphrey; at the same time in a matter of private Prosecution, it is generally left to the discretion of the Prosecutor and still more largely to the Defendant in Charge as to what Witnesses are or not necessary to be produced in their respective behalves.

I have also made out a Subpoena for Mr. Archer, as the Deposition taken could not be read on the Trial in defence of Mr. Broughton. I have, &c.,

JNO. WYLDE, Judge Adv., N.S.W.

[Sub-enclosure.]

List of Witnesses summoned to appear before a General Court Martial to be assembled at Head Quarters as to Charges preferred against Mr. Actg. Asst. Commy. Genl. Broughton.


In Defence.—Lt. Col'l Davey; Mr. Geo. Salter; Mr. Wallis Turner; Wm. Maum; Thos. W. Birch, Esqr.; Captn. Nairn, 46th Regt.; Mr. Wm. Bagshaw; Thos. Archer, Esqre.; Mr. Wm. Rayner.

JNO. WYLDE, Judge Adv., N.S.W.

10th Jany., 1818.

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.

(Despatch per ship Duke of Wellington; acknowledged by lieutenant-governor Sorell, 23rd February, 1818.)

Sir, Government House, Sydney, 6th Feb., 1818.

1. By the Private Merchant Ship Duke of Wellington Capt. Howard, you will receive 9 Soldiers of the 46th Regt. as a Guard, 28 Male and 60 Female Convicts, 4 Free Women Wives of Convicts in Van Dieman's Land, and One Free Settler (William Thomas) and his Family, besides a number of Children. The Commander of the Ship has received Payment of the Passage Money for all those Persons here, and Twenty one days' Provisions have been put on board for them from the King's Magazines here.

2. The 28 Male Convicts now sent being generally very useful artificers, I conclude they will be very acceptable and prove a most desirable acquisition to you in getting on and forwarding your Public Works. I also conclude you will have no difficulty in disposing of the Sixty Female Convicts amongst the Settlers.
at the Derwent and Port Dalrymple; as I understand that at least thirty of them could be disposed of to advantage at the latter Settlement. In future, however, I shall wait for a requisition from you before I send any further supply of Female Convicts to the Derwent.

3. I have the pleasure to inform that, by the recent arrival of the Friendship Transport, I have been enabled to comply with your last Demand for Slop Clothing and Bedding, which you will accordingly receive by the Wellington, with an Invoice thereof from the Commissariat Department, including the Iron and other Stores specified in your last Demand.

4. Capt. Howard of the Wellington having signified to me his intention, if allowed, to Purchase and Ship a quantity of Wheat on board that Vessel at the Derwent for sale at the Brazils, whither he intends proceeding from the Derwent, and, as we cannot take any of your surplus Wheat here, I have no hesitation in granting my sanction to your allowing as much Wheat to be exported from Van Diemen’s Land, during the present year, as can be spared, after reserving a sufficient supply for the King’s Stores and the consumption of the Inhabitants.

5. I have ordered Asst. Surgeon Younge to return to his Duty at the Derwent by the present conveyance.

6. Herewith you will receive Copy of a Warrant and General Orders* relative to the future issue of Rations, and to which I beg to call your particular attention, requesting you will give them immediate Publicity at the Settlements in Van Diemen’s Land, and see that the Orders alluded to are Strictly enforced in that Island.

7. Mr. Secretary Campbell will transmit you herewith regular Lists of the Free Passengers and Convicts proceeding in the Wellington to the Derwent; and also some Pardons and Certificates of Freedom for certain convicts, who had applied through you for the same.

I have, &c.,

L. MACQUARIE.

[Enclosures.]

[ Copies of these papers are not available. ]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch No. 1, per schooner Henrietta Packet; acknowledged by Governor Macquarie, 11th April, 1818.)

Sir, Hobart Town, 23rd February, 1818.

I have the honor to acknowledge the receipt of Your Excellency’s Dispatches, No. 1 and 2 of dates 6th and 10th January, by the Brig Governor Macquarie, and of that of the 7 Feb. by the Duke of Wellington.

* Note 117.
2. I beg leave to express the high satisfaction which your Excellency's approval of my general proceedings has excited in my mind, and the deep sense of gratitude which I feel for your attention to my recommendation of Mr. Beamont and Mr. Humphrey, and for your assent to an increase of Salary to Capt. Nairn.

3. I had taken off Mr. Massey's suspension previous to the arrival of Your Excellency's Dispatches, and had restored him to duty in consequence of his writing a strong Letter of apology and atonement for the disrespect of which he was accused and which I noticed in a public order. Mr. Leith and the Persons belonging to Port Dalrymple have proceeded to that Settlement.

4. The Criminal Richd. Collyer was executed, in pursuance of your Excellency's Warrant, on the 26th Utto. His demeanour was extremely resigned and becoming, and he acknowledged fully the justice of his forfeiture of Life to the Law.

The only one of the Bush-rangers now at large is Michael Howe, and, as he has few friends, and is generally feared and detested, I entertain strong hopes that he will be taken. With exception of Howe, there is not known to be a single absentee from either side.

5. The several Ships named in the Margin came into this port from Sydney, on the days named to each. The Harriet had no object but to land Men who had been secreted on board. The Chapman had a rudder to unship and repair, and also landed a number of people, who had been carried off from Port Jackson. A List of the Men who were landed from all these Ships will accompany a separate report, which the circumstances attending the Chapman in this port obliges me to lay before Your Excellency.

The Men, who were secreted on board the Lord Eldon, were landed at the Heads of the Port Dalrymple River and reported by Major Stewart.

6. I beg to acquaint Your Excellency that the quantity of Spirits remaining in Store at Port Dalrymple being small and the Brig Governor Macquarie affording a favorable opportunity of sending round a supply, nine Butts containing about one Thousand Gallons were forwarded by that vessel; a measure which I hope Your Excellency will approve.

7. Mr. Loane, who arrived here in the Derwent Schooner from Calcutta via Mauritius on the 12th January, brought a Box of Vaccine Matter* addressed to Your Excellency from the Isle of France. There being at that time no prospect of an opportunity

* Marginal note.—Pilot, Dec. 24; Harriet, 29th; Chapman, 29; Govr. Macquarie, Jany. 22nd; Frederick, Feb. 8; D. Wellington, Feb. 20.
† Note 118.
to Sydney, I judged it best to have the Box opened and the matter tried here, so that, if good, its propagation might be ensured. I am happy to state that Mr. Assistant Surgeon Hood has had several successful cases, and I had intended to place in Mr. Broughton’s charge a Box, addressed to Your Excellency, of fresh matter collected here, when I learnt by the Duke of Wellington that the Vaccine Matter was now secured at Sydney. I trust it will be preserved here.

8. I have enclosed for Your Excellency’s information a List of Criminals on charge of Sheep-stealing, committed for Trial before the Court of Criminal Jurisdiction, and of Evidence on these Cases and of others from Van Diemen’s Land, standing for trial at the next sitting of the Court. The Deputy Judge Advocate forwards all necessary information to the Honble. Judge Advocate of New So. Wales.

9. Your Excellency not having made any order as to Mr. Beamont, or any other person, being Treasurer of the Police Fund, I have appointed him to act during Your pleasure.

Mr. Wade, Chief Constable of this County, having applied for leave to resign, I have allowed him to do so, and have named Richd. Pitt, late District Constable of New Town, one of the most respectable Settlers, who has been 14 Years in the Colony, to act subject to Your Excellency’s approval.

10. I beg to acknowledge the receipt, per Ship Duke of Wellington, of the Stores and Slops for this Settlement. I also beg to forward a requisition for such further Supplies as will be required. The want of Tools of all kinds for the public Works is very urgent, and I trust Your Excellency may be pleased to order this Requisition to be complied with by any Vessel coming hither. Requisitions for Stationary are also submitted.

11. The Men and Women prisoners, embarked in the Wellington for this Settlement, arrived all well. There were also two Men, who concealed themselves on board, who are included in the general return of persons arrived here without leave. The Assistance of the Artificers sent down in this Ship will be very useful in the Public Works.

There being at present a considerable addition of Laborers wanted for the Works, Streets and Roads, and for the Settlers, who have lately made large and urgent demands for Servants, and the necessity on the other side being equally great, I have to beg of Your Excellency to send a number of Male prisoners to this Island, when the arrival of ships may allow. The portion of a ship might, I doubt not, be employed off the Store; and about two Hundred might be usefully added to the Works here and at George Town.
12. I have published the Govt. and Gen'l orders,* dated Jany. 28 and Feb. 5, with the accompanying Letter and Warrant respecting the alteration of ration to the Troops and the discontinuance of the Families of Civil and Military Officers on H.M. Store, to which strict attention will be paid. Mr. Actg. D.A.C.G. Archer writes to Dep. A.C.G. Allen for specific explanations on some points connected with the order, not having received any Letter from the D.C.G. on the subject.

I have, &c.,

WM. SORELL.

[Enclosures.]

[Copies of these papers are not available.]

---

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch No. 2, per schooner Henrietta Packet; acknowledged by Governor Macquarie, 11th April, 1818.)

Sir, Hobart Town, 23rd February, 1818.

I have the honor to acquaint Your Excellency that, on the arrival of the Ship Chapman on the 26th Decem'r, the Master (Drake) reported that he had on board Eight Men and four Women who had been secreted from Port Jackson; considerable difficulty having arisen in finding these people, who were suffered again to conceal themselves, the Police Magistrate, with the Chief Constable and proper Assistants, went on board to search, and in the course of that operation they found several other persons who had not been cleared from Port Jackson.

Amongst these was a Mr. Gustavus Lowe, who exhibited an (apparently) unquestionable certificate of free pardon, which was duly examined. He also laid before me a Letter from his Wife, then in a distressing and destitute state at Batavia; the Circumstances of the case induced me to grant a Clearance to G. Lowe, upon Mr. Mitchell post-Master passing his Bond for £300 to meet any claims which might exist against G. Lowe at Sydney. I have explained my motives on this subject more fully to Your Excellency in a private Letter of this date, and I have to hope that the step which I took may not be disapproved by Your Excellency.

Six of the Crew of the Chapman having deserted at the moment of her being ready for Sea, I allowed Six of the Men, who were landed from the Harriet, and who were ascertained to be free Seamen, to enter on board the former Ship from the Gaol. The Second Mate of the Chapman, — Aldrick, having deserted and remained behind, and the Master having stated

* Note 117.
that he was under Bonds to produce this Man in England, I have deemed it my duty to send him to Sydney by the Derwent Schooner, in charge of the Constable who has other prisoners on board, to be forwarded to his Ship, or disposed of as Your Excellency may be pleased to order.

I have the honor to transmit a List of the persons landed from different Ships on this Island and who have remained here, except the Six Seamen above alluded to.

I should not feel authorised to incur expense in sending them back to Sydney; they have been tried and sentenced to work in Irons and wait Your Excellency's Commands or a Govt. Vessel.

It is impossible for any conduct to have exceeded in impropriety that of Captain Drake here. I was at last obliged to send the Naval Officer with armed Boats to prevent his carrying off people without clearance, and which he placed himself at the Mouth of the River for the avowed purpose of doing. I wrote a strong Note of his proceedings on his Port Clearance and had then determined to forward to Your Excellency Depositions founding a regular complaint; but I am unwilling to intrude more such details on Your Excellency at present.

I have, &c.,

WM. SORELL.

[Enclosures.]

[Copies of the letter and list are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch No. 3, per schooner Henrietta Packet; acknowledged by Governor Macquarie, 11th April, 1818.)

Sir, Hobart Town, 23rd Feb'y, 1818.

I have the honor to acknowledge the receipt of Your Excellency's Dispatch (No. 3) of 10th Ulto., accompanying Subpoenas for various persons, upon a General Court Martial intended to be held upon Mr. Asst. Commissary Genl. Broughton.

In pursuance of your Excellency's Instructions, I addressed a Letter to Mr. Lord, copy of which and of his reply I have now the honor to enclose. Under the Circumstances in which the intended Measure now stood, I deemed it useless and inexpedient to issue the Subpoenas until Your Excellency's further Command should arrive.

I understand it to be Mr. Lord's resolution not to go to Sydney, and I believe several of the Witnesses would not obey the Summons, to which, it is understood here, upon the report
of Mr. Kemp, and on the authority, as I am informed, of Mr. Justice Field, that no Court in New South Wales has the power of enforcing obedience.

The absence of the many Public Functionaries and others, who are named as Witnesses would certainly be most injurious to the Settlement.

I have, &c.,

Wm. Sorell.

[Enclosures.]

[Copies of these two letters are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch No. 4, per schooner Henrietta Packet; acknowledged by Governor Macquarie, 11th April, 1818.)

Sir, Hobart Town, 23rd Feb’y, 1818.

I take the liberty of transmitting two papers, illustrative Return of the late Musters of Sheep on both sides of Van-Diemen’s Land.

When I saw Capt. Gill, he mentioned that Your Excellency had entertained some distrust of the accuracy of our Musters, the increase from the preceding year appearing so great. I believe it is well known here that, at the Musters of 1816, many people did not attend, and the extensive Robberies in Sheep made some who possessed considerable Numbers, desirous to avoid the publicity.

Upon a reference to the Muster on the Derwent, taken by Lt. Governor Davey and Mr. Broughton in Novemb., 1816, the total Number of sheep is found to be 54,670. At our last Muster, it was 78,463. I have not before me the Port Dalrymple Muster of 1816. That of last Year which appears to be taken with much care, and which Mr. Archer assures me may be depended upon, is 26,138. Inspections of the Stock on this side have been ordered, and some have been very satisfactorily; others are retarded by the Harvest, but will soon be completed, and these, checked by the Musters, cannot fail to give a certain account of all the Stock in the Country.

In the mean time the nominal List of owners of Sheep, now submitted, will I trust go far towards removing Your Excellency’s doubts of the accuracy of the last Musters, and, when the Inspections are all complete, I shall trouble Your Excellency with the result.

Trust your Excellency will excuse this trouble which has arisen from my desire to place the acct. of Stock before you in a satisfactory way,

I have, &c.,

Wm. Sorell.
1818.
23 Feb.

Papers transmitted.

[Enclosures.]

[ Copies of these two papers are not available. ]

Richd. Pitt's Memorial forwarded and recommended.
W. H. Thrupp's Letter, on the Subject of Govt. price for Cows, also forwarded.
Quarterly Returns to Dec. 31st forwarded.
List of 3 persons soliciting their Wives and Families to be sent out viz.—Miller, Maskell, Rider.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.
(Despatch No. 57 per schooner Henrietta Packet; acknowledged by Governor Macquarie, 11th April, 1818.)

Sir, Hobart Town, 23rd Feb., 1818.

I have the honor to return to Your Excellency the Memorial* of Mr. Robert Campbell, upon the subjects of which I have made all the Enquiry in my power. The particulars of the information that I have obtained are written on the back of the Memorial and are contained in a Letter of Mr. Gordon's which accompanies it.

The Town allotment, alluded to as having belonged to Capt. Johnson, adjoins Mr. Birch's and is extensive and valuable from its situation; the Lease, as Mr. Evans informs me, expires in less than two years, when it will of course fall to Your Excellency's disposal. Without any reference to Mr. Campbell's claims, the present occupier William Williams has from Character no Title to any indulgence.

I am informed that Mr. Collins made some attempt at a Fishery Establishment on a point of Land on the opposite side of the River called Triwork Point; but no Buildings were erected and no vestige now remains there. Two Grants of small farms have been made on the spot to persons of the name of Garth.

I believe there is no doubt that Mr. Collins' property in this Colony was passed in security to Mr. Williams, Master of the Ship Frederick, on acco't of the House of Palmer and Co. of Calcutta; the principal part of it lies contiguous to the Town, at the Mouth of the Creek, where there is a House and offices, but no Lease is attached thereto. They are held on the late Lt. Governor Collins's order.

I trust Your Excellency will find the information, which I have procured, satisfactory.

W. SORELL.

* Note 119.
LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch per schooner Henrietta Packet; acknowledged by Governor Macquarie, 11th April, 1818.)

Sir, 23rd Feb., 1818.

The possibility of reference to Your Excellency upon proceedings in this Settlement connected with the Writs of the Supreme Court leads me now to address you thereupon.

Shortly after the arrival of the Governor Macquarie, the provost Marshall applied to me to order the Debtors' side of the New Gaol to be fitted up and rendered secure, stating that he had Writs of Magnitude to execute from the Supreme Court, and that the place of confinement used for Debtors here was not sufficiently secure. I understood Mr. Tims to explain that the Writs would expire on the 21st Feb., and it was not till the 16th that I found a mistake to have existed, this last being the day of their termination. Mr. Tims appears confident that he named the 16th to me at first, and his Character forbids any suspicion of his having mis-stated it intentionally.

I gave orders to the Inspector of Public Works to put the Debtors' side of the Gaol into a complete state as quickly as the other Works in progress would allow; and on the 14th inst., in compliance with Instructions rec'd from me dated the 9th, he attended to deliver over the Gaol to the Provost Marshall.

I have thought it right to advert to this transaction lest the non-execution of the Writs, if put upon the grounds of there being no sufficiently secure place of confinement, might be considered to imply any want of attention as far as I am concerned.

I have, &c.,

Wm. Sorell.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch per schooner Henrietta Packet; acknowledged by Governor Macquarie, 11th April, 1818.)

Sir, 23rd Feb., 1818.

I beg leave to refer to Your Excellency the consideration of the ground now occupied by Messrs. Kemp and Gatehouse in this Town, and the Buildings thereon constructed. I have been led to trouble Your Excellency on this subject, in consequence of understanding that a plan for the Houses in Macquarie Street had been fixed by you, and if conceiving that I only do my duty in remarking any undertaking which appears not conformable thereto.

Part of the Buildings and Walls, erected on Messrs. Kemp and Gatehouse's premises, had been placed there before my arrival, a large part subsequently, but during the absence of the
Depty. Surveyor; lately a further extension of Wall has been carried on quite up to the small area of ground on which the Church* stands. The whole appearance and construction of these premises being quite opposite to what I understand to have been ordered by Your Excellency, viz.:—"That Macquarie Street should so far consist of good two Story Houses," and the spot in question immediately facing the Square, being one of the most conspicuous, I have felt it my duty to state the Situation of Messrs. Kemp and Gatehouse's Buildings with reference to the conformation of the ground.

Prior to writing to them, I enquired their tenure of Mr. Evans and found that no Lease or Grant had ever been obtained.

Your Excellency will perhaps think that Messrs. Kemp and Gatehouse, having no confirmed right to the Ground, should be required to build on it in a given time, in conformity to the regulation, or to consider their claim for a confirmed Title as void.

I have, &c.,

WM. SOREL.

P.S.—I have taken the liberty of transmitting a plan of the Buildings taken by Mr. Evans, by which Yr. Excellency will perceive that a one story boarded House is the Chief Building, the frontage to the Street being almost wholly dead Wall carried out to the line of way.

I also submit Copies of Letters which passed on the subject.

[Enclosures.]

[Copies of these papers are not available.]

[Enclosures.]

[Copies of six additional letters from lieutenant-governor Sorell, dated 23rd February, 1818, are not available.]

LIEUT.-GOVERNOR SOREL TO GOVERNOR MACQUARIE.

(Despatch per brig Greyhound; acknowledged by Governor Macquarie, 31st May, 1818.)

Sir,

26 March, 1818.

In obedience to Your Excellency's Instructions to enquire into the claim advanced in the Memorial of Mr. George Guest, I have called upon the several persons in this Settlement best acquainted with the circumstances and most capable of affording information thereon.

It appears from all concurrent Accounts that the Houses in question were let at Fifty pounds per Annum as a Barrack for the detachment of the 73rd Regiment under Captain Murray in the Year 1813; the Evidence as to their condition at the time of occupation varies; but it is beyond doubt that they were in habitable repair and the ground fenced in.

* Note 74.
SORELL TO MACQUARIE.

Some of the persons applied to have estimated the value as high as 600 and 700£; but that I conceive much over-rated, and I believe that from £300 to £400 would be a more reasonable valuation. All the persons of whom enquiry have been made concur in saying that the Houses were destroyed; and Mr. Gunning, who was Inspector of Public Works at the time, states that, when the Detachment embarked, they were left in a very ruinous state.

After fully considering the subject and consulting Mr. Evans thereupon, I am of opinion that from £300 to £400 would be adequate to the losses sustained; the former would probably be enough, but, considering the Voyages and Expenses, which Mr. Guest has been obliged to undertake on this business, the latter would perhaps not be too high.

If Your Excellency may be pleased to order compensation in Land or Cattle to Mr. Guest, I should hope that he would feel entirely satisfied.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despach No. 5, per brig Greyhound; acknowledged by Governor Macquarie, 31st May, 1818.)

Sir,

1. I have entrusted to Mr. Evans to be submitted to Your Excellency, a number of Memorials for Land, some recommended by Magistrates, etc., and some noted by myself after the best enquiry I could make with regard to the usage in such cases and the character of the Applicants. Having before submitted to Your Excellency the benefit which would result to this Settlement by further supplies of Men, rendered more urgent with this prospect of increase of Settlers, I am induced to advert to my request on that head the more on account of the excessive delay which I learn has occurred in the Voyage of the Kangaroo, by which vessel I understood Your Excellency had been pleased to forward a recommendation for Ships with prisoners to be sent direct to this place.

2. When opportunity may offer I beg to solicit that two or three pair of Sawyers, if such can be spared from the Public Works at Port Jackson, might be sent down, that branch being very deficient in strength here.

3. In consequence of Your Excellency's desire that the erection of a Factory for Female prisoners here should not at present be undertaken, and that such Women as appeared to merit regular restraint might be sent up to Sydney in order to be placed in the Factory there, it is my intention to act upon
Difficult of transporting female convicts to Port Dalrymple.

26 March.

The impossibility of getting a large number of the Women, who came by the Wellington, overland to Port Dalrymple with their Clothes, Bedding, etc., without a heavy expense, prevented me from sending so many as I should otherwise have done. They were not very capable of walking, and the unusually dry season had so far impoverished the Government Bullocks, added to which our establishment of Carts is yet so limited that, had I sent Government Carts with them, it would have occasioned a material retardment in the Public Works; I therefore sent over Ten by a private Cart, which was going to Port Dalrymple, and shall endeavour to send a few more as opportunity may offer. I would beg to submit to Your Excellency the advantage of sending Twenty or Thirty Women direct to Port Dalrymple by some Vessel going thither, so that the necessity of their crossing the Island, which will always be a troublesome and difficult Task, would be avoided.

I would also request, when occasion permits, forty or fifty more to be sent to this place from a Ship newly arrived, Your Excellency would order it to be done, as it will render it more practicable to keep assigned female Servants in their places, which has been and still is very difficult here from the offers they generally receive of Marriage, or more advantageous employment.

4. The Brig Greyhound carries up several Male prisoners sent from India, who had escaped from this Country before the expiration of their sentences, some of them from hence; but, not knowing the exact particulars, I have thought it best to allow the whole to proceed; Also two prisoners of this Settlement sentenced to the Coal River for an atrocious assault and an attempt at robbery, if not Murder.

Thomas Storey, Crown Servant in bad Health, also proceeds by the Greyhound, it having been certified by Mr. Surgn. Luttrell that a change of Climate is necessary to give him a chance of recovery and that he could not long exist here. This Man has his passage by indulgence of Capt. Ritchie.

5. The Ship Frederick, having been taken up for Freight to the Mauritius by Mr. Lord, has remained here, since I had the honor of writing to Your Excellency, until the 23rd, when she sailed. The Master has again acted in direct defiance and breach of the Port Regulations, having refused to pay the Police Dues for apprehending his runaway Seamen on his own requisition, and attempting to depart and actually quitting the Harbour and proceeding to the adjoining Waters without any Port
Clearance. I, in consequence declared him excluded from future intercourse with this port, acting upon the provisions to that effect made in the port regulations, the pecuniary penalties affixed by which I could not enforce here. It is impossible to admit the Master of the Frederick without efficient means being in the hands of Government to keep him in some degree of subordination to the Laws, and to prevent his insulting every Public Functionary with whom he comes in Contact. I have accordingly written to Mr. Judge Advocate Wylde for information upon some particular points, and I trust his reply will be essentially useful. It is stated, though not yet in a way to be susceptible of legal proof, that David McKay was brought back here in the Frederick, and also a prisoner from Port Jackson, by name Christ'r Shaw, and that Mr. Williams landed them at the entrance of the river. They have since been concealed in the Country, but every possible vigilance has been adopted to prevent their being carried away; such, however, is the facility which the extensive shores of this Port offer, if a Master be determined to carry off Men, that it is next to impossible to prevent him. In the case of the Chapman, the Master returned twice (after standing out to sea) in the night for the purpose of carrying off people.

6. The Derwent Schooner, belonging to Mr. Loane, also sailed for the Isle of France, some days before the Frederick with Horned Cattle.

I beg leave to submit to Your Excellency a Letter from Mr. Acting Depy. Assist. Comy. Genl. Archer, respecting his situation here as to House rent, and, as far as depends upon me, I am anxious to recommend his case to Your Excellency's indulgent attention.

7. A person named John Darragh, who states himself to have had reason to hope from Your Excellency the indulgence of a Settler at Port Jackson, and to have been in the service of Mr. Wentworth, has applied to remain here; and he has transmitted a paper addressed to Your Excellency, which I beg leave to enclose.

8. Mrs. Fitzgerald has applied to me on the ground of having expected some Salary as Schoolmistress, I presume from the Fund under the Rev. Mr. Marsden's control. I have added (as sanctioned by your Excellency) £25 to Mr. Fitzgerald's Salary from the Colonial Fund, and, if I knew the means of obtaining anything for Mrs. Fitzgerald (who I believe pays much attention to the female Scholars), I sh'd be happy to improve her situation.
9. I beg to submit to Your Excellency the claim, which Mr. Whitehead has for Land to make up the purchase of his Farm at Newtown; of £1,300 awarded, he received £1,000, leaving £300 to be provided in Land etc. I refrain from any specific proposition on the subject, as Your Excellency knows the comparative value of Land here, and Mr. Evans, being on the spot, can afford every information. I recommend Mr. Whitehead to Your Excellency for your favourable consideration in the compensation to be given on the part of Government.

10. Mr. Massey, Superintendant at Port Dalrymple, having requested permission to resign, I have appointed to act, in that situation, subject to Your Excellency's approval, Mr. J. B. Boothman, late Superintend't here, who, Your Excellency will perhaps recollect, was Clerk to Colonel Davey. He is, I believe, competent to the duty; but his unemployed situation, with his family quite unprovided for, has been my only motive in recommending him.

11. Private — Booby, 46th Regt., who has only two Years of limited service to remain, has applied to be removed to the Regt. remaining in this Country. He has for some time had the charge of the Signal Staff at Mount Nelson, and, having so small a period to serve, I am induced to recommend his wish to yr. Excellency. He, with the two men before named, Simpson and Ashton, are the three Soldiers who I should request to have Your Excellency's authority to keep here.

I have, &c.,
WM. SORELL.

[Enclosures.]

[Copies of these papers are not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.
(Despatch per schooner Henrietta Packet; acknowledged by lieutenant-governor Sorell, 23rd May, 1818.)

Sir,
Government House, Sydney, 7th April, 1818.

1. I now do myself the honor to acknowledge the receipt of your Public Dispatches consisting of 13 Separate Letters, dated the 23d of February last with their respective Enclosures and accompaniments, delivered to me on the 12th ultimo by Asst. Comy. Genl. Broughton on his arrival that day here from the Derwent on board the Colonial Schooner Henrietta Packet.

2. I shall now proceed briefly to answer such parts of the Dispatches above alluded to, as require to be so, requesting you will excuse my not entering more fully into their contents, as I am much hurried at present, and consequently much pressed for
MACQUARIE TO SORELL. 313

In respect to the Runaway Convicts landed by the several Ships lately at the Derwent and Port Dalrymple, I approve of your detaining them there permanently; but, as a wholesome and necessary Punishment for such Delinquency, they must all (the Males) be kept at Hard Labour in the Gaol Gangs at either Settlement for the space of Twelve Months from the date of your receipt of this Letter. Such Free Persons as were landed from those Ships you may set at liberty, and such Female Convicts as were landed may be assigned to married Settlers. I approve of your sending the Spirits for the use of the Settlement of Port Dalrymple round thither in the Colonial Brig Govr. Macquarie.

I am rejoiced to find the Vaccine matter,* sent by Doctr. Burke from the Isle of France by Mr. Loane, has had the desired effect at the Derwent, and I entirely approve of your opening the Packet of that useful article which was addressed to me. Here we had received supplies of it before, which has taken effect and answered remarkably well on all those Children on whom it has been Tried.

It was always my intention that the Naval Officer, for the time being, should, gratuitously, act as the Treasurer of the Police Fund of Van Diemen’s Land, and of course Mr. Beamont,† as Naval Officer now, must continue to act as Treasurer of the Police Fund of Van Diemen’s Land, but without any Salary. The Persons, who were sent up for Sheep Stealing, have been Tried here and Convicted, and Sentence of Death has been passed on William Trim. Jno. Bentley has received Sentence of Transportation for Fourteen years. George Gray, the Soldier of the 46th, has been Tried and Convicted of the Murder of John Evans, and Sentence of Death has been passed on him. I shall send him and William Trim to be executed at the Derwent by the first good conveyance for that Settlement. The whole of the Evidences (15 men and 1 woman), who were sent up on the Trial of the abovementioned Criminals, proceed now, at the expense of Government, in the Henrietta Packet back to the Derwent.

I approve of your appointing Richard Pitt to be Chief Constable at the Derwent in room of Wade resigned.

As soon as Supplies of Slop Clothing, Tools, Implements, and Stationery are received here from England, I shall not fail to forward a fair Proportion of these useful and necessary articles for the two Settlements under your immediate Government; but I must once for all remind you that, as we depend on England entirely for these Supplies, and as they cannot possibly be

---

* Note 118. † Note 18.
Purchased or procured here, it will be quite impossible for me to comply with your Demands for these Articles oftener than once a year, when those Supplies are received here from England. At present our Stores here are quite empty of every thing of this sort, there being neither Slops, Bedding, Tools, Implements, or Stationery in them. You must therefore do as well as you can till fresh supplies of these Articles are received here from England, and which I have reason to hope they will in the course of two or three months hence.

In the course of a few weeks more, I shall be able to send you as many Male Convicts for the use of your two Settlements as you can possibly require, no less than four more Ships with Male Convicts having been taken up at Home, and expected to arrive here in the course of a month. But you must not employ so many of them as you mention for the use of the Crown, and consequently on the Store, as His Majesty’s Ministers* find great fault with so many Convicts being employed on the Govt. Works here and at Van Diemen’s Land, and have desired the numbers so employed now to be very considerably reduced. I am doing so here accordingly all I can, and must enjoin you to do the same at both the Derwent and Port Dalrymple.

I should hope 100 Artificers and Labourers would be quite sufficient for your Public Works at the Derwent, and 60 for the same purposes at Port Dalrymple, including George-Town; and I must entreat of you to endeavour to reduce the Government Mechanics and Labourers to the above mentioned numbers at the two Settlements respectively, if possible. The more Convicts you can get the Settlers to take off the Store the better, and I shall take care to send you sufficient number of men for that purpose.

I conclude Depy. Comy. Genl. Allan will send Mr. Archer,† by this conveyance, full and sufficiently clear Instructions for his guidance in respect to the Operation of the new Warrant‡ for regulating the future issues of Provisions from the King’s Magazines. Sufficient it therefore to say here that the same Ration is intended to be issued to the General, the Soldier, and the Convict, without any distinction, only that no allowance of Spirits is to be allowed to the latter description, namely Convicts; but the Ration for them in other respects to be exactly the same as that issued to the Officer and the Soldier in Quantity and Quality. It is, however, to be clearly understood that you are not precluded from issuing, as heretofore, extra Half Rations to Stockmen and other Persons, immediately employed by Government, who are not allowed to have what is called their own time§ after 3 O’Clock in the Day to work for themselves.

* Note 120. † Note 96. ‡ Note 117. § Note 97.
I am very glad to find that the Returns of the Number of Sheep, contained in the Musters taken last year in Van Diemen's Land, are correct; and I was much gratified by the intelligence you sent me lately on this important subject.

I beg you will accept my best thanks for the information you were so good as to send me in respect to the claims of Mr. Robt. Campbell,* Mercht. of Sydney, on certain Town allotments at Hobart Town.

I have perused the Papers and correspondence you sent me relative to the Town Allotments occupied by Messrs. Kemp and Gatehouse in Macquarie Street at Hobart-Town; and I have now to request that you will not yield a single iota to the very unreasonable objections made by them to build the proper prescribed Houses of two Stories on those Premises, agreeably to my Regulations on this head; apprizing them that no Lease or Grant will ever be given them of those allotments, until they conform to the Regulations laid down for improving the general appearance of the Town, and in particular the Buildings in that Street.

I shall not fail to forward Richd. Pitt's Memorial to the Secretary of State relative to furnishing his wife with a Passage to come out to him, and shall at the same time forward the other applications you sent me from Persons in Van Diemen's Land, desirous to have their Families sent out to them.

I sent you by the Govt. Brig Elizabeth Henrietta the Emancipations for those Persons whom you lately recommended for that indulgence and mitigation of Sentence.

I return you herewith Mr. Henry Thrupp's Letter addressed to you and referred for my decision, which I have noted on the back of the Letter now returned.

I am very glad to find the new Jail at Hobart-Town is so far completed as to be capable of accommodating and confining Debtors in. I this very day received a very pressing application from the Judge of the Supreme Court, calling on me to suspend Mr. Tims from his Office of Provost Marshal of Van Diemen's Land, on account of his evading to carry the Process of the Courts here and their Writs of Execution into effect. I have for the present declined suspending Mr. Tims, on the ground that I conceive he has acted more from ignorance on this occasion than from any design to insult the Courts; but I have promised Mr. Field† to request of you to admonish Mr. Tims, and to desire him, at his peril, to comply instantly with all orders and Processes he may receive in future from the Supreme Court of the Territory, or its Officers. I request you will thus admonish him accordingly in my name, assuring him that nothing can possibly

* Note 119.  † Note 87.
save him from being suspended from his Office, and in all probability forever dismissed from it, should he ever again act in disobedience to the orders of the Supreme Court. He is a poor, Stupid, ignorant, illiterate Man, and certainly very unfit for executing the Duties of such an important office; but, for this once, I was anxious to save him.

The Several Quarterly Returns you sent me in your last Dispatch, I have perused, and find satisfactory in their several Statements.

As Mr. Edward Lord declined to come up to Port Jackson to prosecute Asst. Comy. Genl. Broughton, and as it was impossible to assemble a general Court Martial for his Trial at the Derwent, I consulted the Judge Advocate of the Territory as to the next legal steps to be pursued by myself in such exigency, to clear the character of this most meritorious officer from the foul and malicious aspersions cast on it by Mr. Lord and the Court of Inquiry, which had investigated the charges at Hobart-Town. I now do myself the honor to enclose for your information a Copy of the Letter of the Judge Advocate addressed to me in reply to one which I addressed to him on this subject; together with an attested Copy of the Govt. and General Order I Published here after the receipt of the Judge Advocate’s Letter, on the Subject of the charges preferred by Mr. Edward Lord against Mr. Broughton.

As the opinion of the Court of Inquiry found its way unfortunately into the Hobart-Town Gazette,* which I much regretted (as being unusual and irregular), I must beg you will be so good as to direct the Government and General Order now sent herewith to be inserted in the Hobart-Town Gazette, twice, on the Days of Publication of that Paper.

Major Cimitiere† of the 48th Regt. with the Relief for Port Dalrymple sailed for that Settlement from hence on board the Govt. Brig Elizabeth Henrietta on the 24th of last month.

It is my intention to relieve the Company of the 46th Regt. now at the Derwent early in the next month, by a Company of the 48th Regt., and that the former shall embark direct from the Derwent for Madras.

I have, &c.,

L. MACQUARIE.

P.S.—Herewith I beg leave to enclose for your information and guidance a Printed Copy of my Govt. and General Orders of date 9th Jany. 1813, relative to applications for Mitigations of Sentences, and Lands and Cattle, requesting you will be in future strictly governed by these Regulations in forwarding to me all applications of the above mentioned descriptions.

L.M.

* Note 99. † Note 122.
LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

26th April, 1818.

[Enclosures Nos. 1 and 2.]

[Copies of these two papers will be found on pages 765 and 766, volume IX, series I.]

[Enclosure No. 3.]

[A copy of these general orders will be found on page 782 et seq., volume VII, series I.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*

(Despatch No. 6, per brig Sophia; acknowledged by Governor Macquarie, 3rd June, 1818.)

Sir,

Hobart Town, 23rd May, 1818.

I have the honor to acknowledge the receipt of your Excellency's Dispatch of the 7th Ulto. by the Henrietta Packet. I very much lament that, at the time The Prince Regent's Want of Warrant* regulating the Military Ration, and Your Excellency's Orders† thereupon of Jany. 28th and Feby. 5 came to hand, Mr. Deputy Commissary General Allan had not sent specific Instructions to the Commissariat Officer at this Station, explanatory of the construction put upon the Warrant by the Chief authorities.

Having no light but our own Judgement in a Case, which seems to have been open to some doubts in the first instance, even at Head Quarters, and inclining myself with Mr. Archer to the opinion that the Warrant and Orders applied to the Military only, I deemed it best to wave any alteration 'till reference could be had to Your Excellency's Instructions, which I accordingly made.

Mr. Broughton, who was here at the time when those orders arrived, was clearly of opinion that, if the reduction of Ration did apply to all persons victualled, the Spirits would belong to the new Scale, in which case, by continuing the old ration 'till further orders, no additional expense would arise, the Spirits being more than equivalent to the value of the Sugar, Wheat, etc., now curtailed. This idea, I confess, operated to remove any remaining doubts as to waiting for Instructions prior to reducing the Civil Ration, and I can now only express my regret to Your

* Copied from original letter-book in Mitchell library, Sydney. † Note 117.
1818.
23 May.

Reasons for suspension.

Excellency, that I did not properly understand and construe the Warrant and Orders. I have lost not a moment in now conforming to them, as expressed in Your Excellency's dispatch of 7th April.

I cannot omit remarking to Your Excellency that, had the Commissariat officer stationed here received the necessary Instructions by the same Vessel with the Warrant and orders, there could have been no delay or mistake; and, had even the two Commissariat Officers present expressed an opinion decidedly at variance with mine, I should have yielded at once as the safest course; but Mr. Archer received no communication on the subject 'till the 2nd May by The Henrietta Schooner, except Copy of a Letter which had reached Mr. Dry and which I brought over.

2. I have obeyed Your Excellency's commands in publishing twice in the Hobart Town Gazette the Govt, and Genl. Order of 28 March upon Mr. Actg. Asst. Comm'y General Broughton's case, and I have communicated to the Depy. Judge Advocate Mr. Wylde's Letter to Your Excellency, which you did me the honor to transmit.

With respect to the notice in this Gazette of the opinion pronounced by The Court of Enquiry upon the Charges advanced by Mr. Lord against Mr. Broughton, I trust Your Excellency will permit me to explain the exact particulars.

I know not if your Excellency saw the Hobart Town paper in question; therefore it may be right to state that the publication of the opinion was not an official Article, but known generally by report from Mr. Broughton's authority, and was submitted by the printer for insertion, if not disapproved,* as an Article of ordinary Intelligence.

When the President and Judge Advocate came to me with the proceedings, they stated that the Court had imposed upon themselves an obligation of secrecy as to their opinion 'till the proceedings should be before Your Excellency; and, upon my notification of the opinion to Mr. Broughton, I stated to him that obligation; but Mr. Broughton replied to my Letter to the effect that, not considering any resolution which the Court imposed on themselves with regard to secrecy as binding on him, he had made known the opinion to several persons. It of course soon became generally known, and, prior to the publication of the Gazette, the Printer submitted it as an Article of ordinary Intelligence. It did not occur to me at the time as objectionable, because the opinion was generally known in the Settlement, and I did not look upon our Gazette as more than a mere local paper very unlikely to go beyond its limits, while the same Accounts would be spread by Letters.

* Note 123.
Under these Circumstances, I trust it will be evident to Your Excellency that it was by Mr. Broughton's express choice and agency that the opinion of the Court was promulgated upon my official notification of it to him; but I beg particularly to express my regret that the Insertion in the paper had not been refused, as it has been disapproved by Your Excellency, an Error on my part which at the time wholly escaped me.

3. I shall not fail to attend to Your Excellency's Commands with respect to making an annual requisition for Slops, Tools, Implements, etc., in which I presume Your Excellency will approve of the Slops being divided into the Quantities necessary for the two Six monthly Issues in Summer and Winter.

4. Upon the arrival of Prisoners, which Your Excellency is pleased to announce it to be your intention soon to send down, I shall supply the Settlers to the fullest extent off Store, and shall retain no more Men for the Public Works than are absolutely necessary without risking Injury to the Church* and other Works now in progress; and I beg to assure Your Excellency that, should they be reduced so low as 100, until so weighty a Building as the Church is at least covered in, these Buildings must be not only retarded but materially injured by the slow progress, which would then be made in them.

5. I had the satisfaction of receiving from Major Cimetiere a report of the Capture of the Govern't Launch, which had been carried off from hence and of all the prisoners except one; and I beg to point out for Your Excellency's approbation the prompt and active pursuit of Lt. Cuthbertson, and the useful assistance rendered by Mr. Rook, Mate of the Rosetta Brig, who with the large Boat and a Crew of that vessel was offered very handsomely by Mr. Griffiths, and whose perfect knowledge of the neighbouring Rivers and Inlets almost ensured Success. I have allowed the Launch, which was built here, to remain for the public service at Port Dalrymple at Major Cimetiere's desire.

6. The prisoners, who carried off the Government Boat, arrived here on the 14th. I perhaps ought to have sent one or more to be tried capitally, but, on full consideration, I decided to bring them all before a full Bench here. The Chief offenders being under sentence for the Coal River† are sent up by the Sophia under a Guard, and I have the honor to enclose a List. It has appeared from an examination of some of these prisoners that their Leader Briggs had intended to take Michael Howe from some part of the Coast, had Weather permitted, and it has also appeared that Beagent, late in Mr. Abbott's service, was a principal agent in the carrying off the Boats, upon the discovery of

* Note 74. † Note 37.
Attempted escape of E. Beagent.

Deportation of E. Beagent.

Arrival of brig Clarion.

which he has attempted to get off himself. He with two others having got on board an American Brig, when she was on the point of sailing, the American Officer had given information of his being applied to by some of the prisoners, and being under the full persuasion that the intention was to carry off Howe, with whom Beagent has always held Correspondence, the plot was suffered to go on in hopes of capturing that great Murderer, and Captn. Nairn undertook to watch them. It, however, appeared that whatever intention respecting Howe had been entertained was frustrated; and it is admitted by Beagent that his immediate motive for going off was the fear of detection, when he found the prisoners, whom he had aided in carrying off the Boat, were taken. He had obtained a Ticket of Leave at Mr. Abbott's desire, a few days before he went off. This Man was several Years a Bushranger, and his mischievous intrigues amongst the Prisoners have been long well known, though hitherto not within the verge of positive proof; but Mr. Abbott had conceived so favorable an opinion of him that I was aware nothing short would satisfy him of Beagent's conduct. From the particular manner in which he and his companions were taken, having been suffered to mature their plot in the hopes of seizing Howe, and from their having committed no robbery on the occasion, I have felt myself called upon not to bring them to Trial. But Beagent's extensive Connexions with all the worst prisoners, and the confidence they place in him, render it a matter of the first consequence to get him out of this Settlement. I have, therefore, sent him up in the hope that he may be disposed of by Your Excellency's orders so as to keep him out of mischief. He is very unhealthy, and would be unequal to labor at the Coal river, and on the other hand, if allowed to be at Sydney, he would assuredly escape and probably involve others in his plot. I would respectfully suggest that, if assigned to service in the interior, he would be most secure, and as a Servant he is capable of being very useful, and was perfectly honest in Mr. Abbott's Service. I ought to add that, when brought in, Beagent made such admissions in presence of Mr. Abbott and myself as proved, to the avowed conviction of the former, the correctness of the opinion and suspicions which had been entertained of Beagent.

7. The American Brig Clarion from Boston on a Sealing Voyage put into The Derwent during my absence for refreshments. No application to trade was made, but, to a request to land sufficient to pay their Expenses, I conceived myself authorized to accede without difficulty. As I am not well-informed of
the footing upon which American Vessels touching in our Colonial ports are, I beg Your Excellency's Instructions as to their being allowed to trade in any and what articles beyond payment of their Expenses.

8. I feel it my duty to represent to Your Excellency the very public spirited manner, in which Mr. Birch promptly offered the services of his Brig* in pursuit of the Government Launch and Boat, which during my absence were carried out of the Derwent by a Band of Convicts. The moment the fact was known, Mr. Birch offered his Vessel to Capt'n Nairn, and got under way immediately with Ensign Stuart and party of 46th, and was out Twelve days along the Eastern Coast; and, had not the Master Mr. Kelly,+ who shewed every possible activity on the occasion, delayed unfortunately to examine two other Boats, he would certainly have captured the Fugitives. I would submit to your Excellency the remission of Duty on such quantity of Spirits, as might be deemed equivalent to the volunteer service offered by Mr. Birch.

A similar claim on a smaller scale exists on the part of Mr. Griffiths, Master of the Rosetta, who offered his Whale Boat with Mr. Rook, Chief officer, to convey the party employed from Port Dalrymple to search for the same Boat and Fugitives in the Straits, on which duty Mr. Rook and Boat's Crew were some days employed. I have promised to solicit of your Excellency to allow Mr. Griffiths a remission of Duty on one Cask of Spirits in acknowledgement of this Service.

9. I beg to submit to Your Excellency Mr. D. McCarty's proposals for making the road from the Falls the whole way to Hobart Town; the addition includes a Bridge over the Creek at New Town, and, as the first Nine Miles are part of the principal road to Port Dalrymple, it is an object of great importance to the Settlement. I, however, am inclined to think that the additional proposition made by Mr. McCarty for continuing the road to Hobart Town is high, in whatever shape it might be paid; but he has said that he is willing to undertake the Work, leaving the final remuneration to Your Excellency's decision, when it may be completed. A survey might then take place and a report to Your Excellency be made by me.

10. The Ship Frederick, on board which Mr. Lord had proceeded with Cattle for the Isle of France, returned to this port on the 15, having been unable to make her passage. Three people, who had been taken from hence by the Master, were found on board. David McKoy, who he brought down from Sydney and concealed while here last, was also secretly landed and is now at

---

* Note 91. † Note 124.
large. These Facts being now capable of proof, it is my intention to transmit his Bond to the Judge Advocate with various Depositions and two or three Witnesses to sustain the facts, having now caused a Detainer to be lodged against Mr. Williams to give Sureties to stand the Trial before the Supreme Court.

11. Mr. Loane has tendered, in payment of duties, an acknowledgement of Lt. Campbell, formerly Naval Officer and Treasurer of Police Fund, for £85 8s., accompanied by a Certificate of Mr. Gordon, his Successor; copies of the two papers are herewith submitted for Your Excellency’s consideration, in order that I may be honored with your Instructions as to their being admitted. I am informed that Mr. Birch was a holder of similar Vouchers to some amount, and that Your Excellency has authorised their being paid off. But I am not enabled to submit any further Information.

12. I have the honor to transmit a Nominal Return of Captain Nairn’s company including Women and Children, also a Return of the Names, Ages and Services of three Men belonging to it, whose transfer to the 48 was to be sanctioned by Your Excellency; both these returns have been desired by Major Antill.

13. The Stock of Medicine is now very much reduced here, many of the principal and of most ordinary demand being expended. Mr. Luttrell, upon whom I some time ago called, stated that he had made a requisition before he left Sydney, and expected a Supply by every Ship and I now entreat of Your Excellency to order it to be expedited.

14. I do myself the honor to transmit the Quarterly Returns of the Settlement to March 31st.

15. Having submitted to Your Excellency by the Govt. Brig Elizabeth Henrietta specific reports respecting Major Stewart’s conduct, I should not any more advert to him, were not a meritorious officer threatened to be improperly accused by him. In my Dispatch by Eliz. Hen., I stated to Your Excellency that I had accepted Ensign Mahon’s offer of service to proceed in pursuit of the prisoners, who had carried off the Boats from hence. By a report, received on my Journey hither from Major Cimetiere, it appears that, upon Ensign Mahon’s arrival at George Town with his Boat and detachment, and communicating to Major Stewart the order under which he had proceeded from me, notice of which I had before sent by a Messenger by Land, he was arrested and inhibited from proceeding further by Major Stewart on pain of being obstructed by Military Force. It was at the same time reported to me that Major Stewart declared his resolution to prefer charges to Your Excellency against Ensign
SORELL TO MACQUARIE.

Mahon for leaving the Govt. Brig without leave, and for acting under my orders, on the ground that that officer had charge of the Guard and Baggage on board, which in fact is totally unfounded, as Lt. Morrison had been constantly on board the Brig from the day after my arrival and exercised the Command.

I forbear to trouble Your Excellency with the Letters, which I received on this occasion, because one additional outrage upon all the principles, which usually govern an officer's conduct, is of little moment with respect to a Man whose actions have shown that he had never felt them. The result of Major Stewart's arrest of Ensign Mahon was that the party and Boat, which were fitted out for the Service, were rendered useless for three days, which necessarily elapsed before other Measures could be substituted by Major Cimetiere.

But, as Major Stewart did not appear satisfied with simply defeating, as far as rested with him, the object in view, and with facilitating the escape of the prisoners, a purpose which from many of his Acts I believe him very capable of entertaining, but seemed determined falsely and unjustly to bring a charge against one of his officers, who considered himself to be in the correct and zealous discharge of his duty under the proper authority, I beg leave to appeal to Your Excellency for your protection of Ensign Mahon against the Malice and misrepresentation of Major Stewart.

I very much regretted that I had not at first insisted on Major Stewart's immediate embarkation, as the only means of preventing him from interfering (which he continued to do to the last) in the civil business at George Town, and from endeavouring to bring the Magistrates and public officers into Contempt.

With respect to that part of Major Stewart's conduct, which relates to his functions as Civil Commandant, Your Excellency has I trust sufficient Grounds whereon to decide. I fear, however, that, in cases of Misconduct in such Employments, the means of redress are difficult beyond the removal of the officer; but Major Stewart's military conduct is open upon the specific point of inflicting Corporal Punishment upon Soldiers without Trial, a breach of Law and order of the most flagrant kind, and susceptible of investigation, as the evidence of all parties concerned accompany him in any Country, should the service be an obstacle to it in this from the removal of the regiment.

I have, &c.,

WM. SORELL.

[Enclosures.]

[Copies of these papers are not available.]
GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.

(Despatch per ship Lady Castlereagh; acknowledged by lieutenant-governor Sorell, 29th June, 1818.)


1. I have the honor to acknowledge the receipt of your two Letters dated 26th March, with their respective accompanyments, per Brig Greyhound; and also of your six Letters bearing date the 26th of last Month with their accompanyments per the Government Brig Elizabeth Henrietta, which latter Vessel arrived here on the 27th Inst. from Port Dalrymple, with Brevet Major Stewart and his Company of the 46th Regt. on board.

2. Mr. Secretary Campbell writes to you by the present conveyance informing you fully respecting the large supplies of Male Convicts sent already by the Ship Minerva, and now going in the Ship Lady Castlereagh for the use of the Settlements in Van Diemen’s Land, and I hope they will be not only acceptable but useful.

You will, by the Lady Castlereagh, receive several useful Mechanics, and amongst them some Sawyers which you appear to want in one of your last Letters. I have taken as few Artificers as possible for the works here from those Convicts arrived in the Minerva and Lady Castlereagh, so as to leave a considerable number for the Public Works at Hobart-Town.

3. As the Lady Castlereagh will come on very expensive Demurrage, if detained at the Derwent more than fourteen Days, I beg you will use every exertion to get her away as soon as practicable, by landing her Passengers and Stores for Hobart-Town, and taking down the Prison for the Convicts with the least possible delay; and Captain Nairn’s Company ought to be embarked on board the Lady Castlereagh on the same day that Major Bell’s Company disembarks from her. I have no objection to Privates Booby, Simpson, and Ashton of Capt. Nairn’s Company remaining behind and being transferred to the 48th Regiment. A Medicine Chest belonging to Government is allowed to remain on board the Lady Castlereagh, which will be more than sufficient for the use of the Troops proceeding in her to India from hence and Hobart-Town.

4. You will of course send a proportion of the Male Convicts, now sent to the Derwent, overland to Port Dalrymple for the use of the Govt. Works and Settlers at that Settlement. I shall not fail to attend to your suggestion of sending a proportion of Female Convicts direct to that Settlement on the arrival of the next Female Convict Ship here from England.

5. In respect to Mr. Whitehead’s remaining Claim of £300 on Government for the Farm he relinquished at New-Town, I am
MACQUARIE TO SORELL.

of opinion that *Six Hundred Acres of Land* will be a very liberal remuneration and Payment, and, this being also the opinion of Depy. Surveyor Evans, I authorize you to direct that quantity of Land to be located and marked out for Mr. Whitehead in some eligible situation, on Mr. Evans's return to the Derwent.

6. I approve of your having appointed Mr. Boothman to be Superintendent at Port Dalrymple, in room of Mr. Massey resigned. In case you should still deem it advisable and that she continues useful in that Capacity, I have no objection to your paying a small annual Salary from the Police Fund to Mrs. Fitzgerald as School-Mistress at Hobart-Town. The application of John Darogh will be considered along with the other applicants for lands at the Derwent.

7. I entirely approve of the answer you gave to Asst. Surgeon Smith on his Tendering you the Resignation of his appointment; and you will be so good as to inform that officer that his Resignation cannot be accepted until some expected Medical Officers arrive from England.

8. The Piratical seizure and carrying away of the Government Launch from Hobart-Town was a most daring act; and, as she is since recovered and the Convicts taken who carried her off, they ought to be most severely Punished.

9. Mr. Secretary Campbell has written you by my desire relative to the Claims of Mr. George Guest, the Norfolk Island Settler, on Government, pointing out how the same are to be liquidated.

10. Your various reports relative to the Mutinous, insolent, and disgraceful conduct of Major Stewart, immediately previous to his quitting his Command at Port Dalrymple, astonished and mortified me exceedingly, as, it far surpasses any thing I have ever known or heard of in the whole course of my Life. Your conduct towards him, under such trying and irritating circumstances, does you infinite honor, and has not failed to meet with my entire and unqualified approbation. Your forbearance is wonderful, as you would have been fully justified in placing Him in close arrest and sending him up a Prisoner to be tried here for his Criminal, insolent, and insubordinate conduct. For the sake of Public example and for the due support of subordination and Military Discipline, I feel it would be my Duty to place Major Stewart now in arrest, and have his conduct investigated here by a General Court Martial. But, were I to decide on adopting this course, I must necessarily have to send for you to Prosecute him and Substantiate the principal charges, as well as summoning a number of other Evidences from Van Diemen's Land, which would be attended with very serious inconvenience...
GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.

(Despatch per ship Lady Castlereagh; acknowledged by lieutenant-governor Sorell, 29th June, 1818.)

Government House, Sydney, 3d June, 1818,

Sir,

1. I have the honor to acknowledge the receipt of your two letters bearing date the 23d Ultimo, with their respective accompaniments, received here yesterday afternoon per the Brig Sophia, which Vessel then arrived from the Derwent. I had closed my Dispatches for you by the Lady Castlereagh, which was expected to have sailed from hence for the Derwent on Monday last; but, that Ship having been detained for two days longer by unaccountable delays in the Commissariat Department, I am now enabled to reply briefly to your last received Dispatches.

2. Your explanations relative to the circumstances of Publishing the opinion of the Court of inquiry in the case of Mr. Asst. Comy. Genl. Broughton in the Hobart-Town Gazette are satisfactory, and he has himself in a great measure to blame for the Publication in question.
3. I leave it now to your own discretion to employ whatever number of Convict Labourers on the Govt. Public Works at the Derwent that may be deemed actually necessary to complete those now in progress, including a new General Hospital, and Completing the Military Barracks.

4. You will be so good as to make the annual application for Slop Clothing exactly in the manner you propose, distinguishing the Summer and Winter Issues in your Demand.

5. The Piratical Convicts, you have sent up in the Sophia and who carried off the Govt. Launch, will be first corporally Punished here and afterwards sent to Newcastle, including Beagent who I think as great a villain as any of them, excepting their leader Briggs.

6. I highly commend Mr. Birch’s Public Spirit and Zeal in fitting out and sending his Vessel so promptly to Sea after the Piratical Fugitives; and I am also much pleased with Mr. Griffith’s and Mr. Rook’s conduct on the same occasion. To Mr. Birch I leave it to your own discretion to make such remuneration in the way of remission of Duties on such Quantity of Spirits, as you may judge an adequate remuneration for his important Services; And to Mr. Griffiths, I very readily agree to your own proposal of remitting the Duties on one Cask of Spirits. To Mr. Rook, the Master of Mr. Griffiths’s Vessel, I shall be very happy to give a Grant of Land and the Indulgencies of a Settler.

7. In respect to the American Brig Clarion, no Trade of any sort is now allowed with that or any other Nation, by strict orders some time since received Here from Home; but, of course, by the Laws of Nations, all Foreign Vessels may be allowed Refreshments, or to be repaired if needful, paying for the same.

8. As I conclude the Demand is just, I authorize you to pay Mr. Loane from the Police Fund the amount of the Notes for £85 8s. Stg. he-holds of Lieut. D. Campbell, late Naval Officer and Acting Treasurer of the Police Fund, taking Mr. Loane’s receipt for the same.

9. The Demands for Medicines for the Derwent will be forwarded to you by the next good opportunity. I shall also reply by the next opportunity to that part of your Letter relative to Mr. McCarthy’s Proposal for making the Road from Hobart Town to New Norfolk.

10. Major Stewart has not yet brought forward any charge or complaint against Ens’n Mahon. In case he does so, I shall treat it with merited contempt.

I have, &c,
L. MACQUARIE.
HISTORICAL RECORDS OF AUSTRALIA.

COMMISSIONERS FOR VICTUALLING H.M. NAVY TO LIEUT.-GOVERNOR SORELL.

10th June, 1818.

10 June. 1818.

COMMISSIONERS OF THE NAVY TO LIEUT.-GOVERNOR SORELL.

11th and 12th June, 1818.

[Copies of these three despatches are not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.

21st June, 1818.

[A copy of this despatch, acknowledged by lieutenant-governor Sorell, 8th August, 1818, is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*

(Despatch per ship Mary.)

Sir,

Hobart Town, 25 June, 1818.

I have the honor to acknowledge the receipt of Your Excellency's Note, with the accompanying Letter of application, remonstrance and complaint from Mr. Gatehouse.

Mr. Gatehouse addresses to Your Excellency an application for the appointment of Auctioneer, and he assigns as a reason for passing me, as the usual Channel for preferring requests to Your Excellency, that I had shewn an unfavorable opinion of him, first by (as Mr. Gatehouse says) "striking his name with my own hand out of a List of persons, invited to a public Entertainment on my arrival"; and secondly by refusing the Government Men belonging to his Indulgence, when he applied for them.

It will appear extraordinary to Your Excellency that I could have formed any opinion for or against Mr. Gatehouse, a few days after I landed, when in fact I had never heard of him. I shall trouble Your Excellency with a brief explanation on the exclusion, of which Mr. Gatehouse complains as attributable to me, because I observe the manifest intention of this inference, and because I would on no account permit an impression to remain in the mind of Your Excellency, or indeed of others, that I entertained any such feelings.

When Captn. Jones of the Cochin invited me to the entertainment in question, he assured me that care would be taken to avoid any mixture of persons beyond an admissible line. I made no remark as to persons having been prisoners, but merely observed that, as I could not be informed of Characters, and as it was peculiarly necessary for me to be cautious on my arrival in committing myself to associations of a questionable nature, it

* Copied from original letter-book in Mitchell library, Sydney.
would be proper in any case where doubts arose to make enquiry
of some respectable Inhabitant and to be guided by that. Captn.
Jones left me for that purpose, and, when he returned, he said
that he had put out one or two names of persons, who were
represented to him as not proper to be invited. That is exactly,
as far as my recollection serves me, what took place. But how
my agency in the matter may have been represented, I cannot
say. Mr. Gatehouse was as wholly unknown to me in name,
person and character, at the time, as before I landed.

As Mr. Gatehouse transmitted to Your Excellency a Copy of
my Secretary's Letter to him, in reply to his demand for his
Government Men, I trust Your Excellency will feel surprised at
that reply being construed into injustice or hostile feeling towards
him. The same Answer was necessarily given to many other
persons owing to scarcity of Men. I certainly considered those
Settlers, who cultivated their own Grants, to have the first Claim
to receive their Servants; and, finding it expressly stated in Mr.
Secretary Campbell's Letter to my predecessor, wherein Mr.
Gatehouse's Indulgences were ordered, that the Government Men
were to be given, "When they could be spared," Attending to
an order of Your Excellency's applicable to the case, knowing that
Mr. Gatehouse did not clear or cultivate his grant, I considered
that the answer given by my Secretary was warranted, as much
by all points, as it was rendered necessary by the scarcity of Men
prior to the arrival of the Minerva; but, as a clear proof that I
was actuated by no motive but that of duty, on the day after the
Minerva arrived, and before Your Excellency's Note with Mr.
Gatehouse's Letter had reached me, he had been expressly sent
to, to desire that he would receive his Men, and a printed notice
had been published to the same general effect.

Having thus, I trust, satisfactorily shewn to Your Excellency
that I have had no such feelings or Motives, as Mr. Gatehouse
has thought fit to infer without a shadow of truth or foundation,
I beg to advert to the application, which he has submitted to be
appointed an Auctioneer here. In that application, he states to
Your Excellency that he is of the firm of "Kemp and Gate-
house," and that their Concerns render it very beneficial to them
that one partner should be an Auctioneer. With respect to Mr.
Gatehouse personally, I am far from stating or implying any-
thing to his disadvantage; I am assured that he is a quiet and
well conducted Citizen; but, as a partner with Mr. Kemp, I am
compelled to view and to represent him to Your Excellency, as
having his Interests blended with the most seditious, mischievous,
and the Man least meriting favor or indulgence of any kind from
Government in this whole Settlement.

SORELL TO MACQUARIE.

1818.
25 June.

Entertainment given to
W. Sorell on
arrival.

Assigned
servants for
G. Gatehouse.

Application for
appointment of auctioneer.
HISTORICAL RECORDS OF AUSTRALIA.

It is my duty, therefore, to submit to Your Excellency my decided conviction that, under the Circumstances, the nomination of Mr. Gatehouse as Auctioneer would be highly pernicious to the order of this Settlement; to that extent, I should have equally felt it my duty to express my opinion, had Mr. Gatehouse abstained from personal accusations; but, advanced as this application has been, leaving the local authority not only unnoticed but traduced, and referring to the line of conduct openly pursued and avowed by Mr. Kemp, I trust Your Excellency will consider that an appointment obtained under such Circumstances would be felt by that person as a complete triumph over my authority and my public Character, in which I can look only for Your Excellency's support, while using the best exertions of my humble Judgement in the steadiest subordination to Your Excellency, in administering with integrity and Justice the command entrusted to my charge.

I have, &c.

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*

(Despatch per ship Mary; acknowledged by Governor Macquarie, 24th September, 1818.)

26 June.

Suspension of A. F. Kemp as a magistrate.

Sir, Hobart Town, 26 June, 1818.

I have the honor to submit to Your Excellency a series of papers, containing matter on which has been grounded a Measure that, I now beg leave to report to Your Excellency, I found myself called upon to adopt almost immediately after the sailing of The Sophia on the 23d Ulto., viz. the suspension of Mr. Kemp as a Magistrate of this Settlement.

It had been known to me for a considerable time past that Mr. Kemp was in the daily habit of disseminating the grossest falsehoods and calumnies against my public Acts and conduct in every branch of the administration; as proceeding from an Individual, I should have continued to treat them with contempt, and, even tho' clothed with the Magisterial office and influence, I was slow to notice Mr. Kemp's assertions from the little credit his well known Character for turbulence and Malevolence, and for a Tongue which spares none in its slander, gave him; and still more because I felt my own conduct in this Government as beyond the reach of imputation from such a Man as Mr. Kemp, or from any person whatever. But forbearance in all cases has its due limits, and Mr. Kemp's proceedings having at length been made known to me in a tangible form, and it being beyond doubt that he had actually talked of convening the Settlers to discuss my conduct, the crisis seemed to be arrived, in which

* Copied from original letter-book in Mitchell library, Sydney. † Note 125.
without a compromise of my authority and of the respect due to my Office decisive Measures could not be delayed.

The Nature of Mr. Kemp's assertions will best appear from the Documents now submitted to Your Excellency. On the 26 May, I sent for Mr. T. Wills, a young Man incidentally here on business, Brother in Law to Mr. Redfern,* Sydney, who had stated the particulars of a Conversation addressed to him publicly by Mr. Kemp. As Mr. Wills made no objection to answer the questions, which I put in presence of Mr. Archer and Mr. Hood, and as he was well aware that Mr. Kemp's statements were made publicly to many, I directed them afterwards to be made into the form of a Deposition, of which Mr. Kemp had notice, and at the swearing of which he was present. This is No. 1.

The other observations and assertions advanced by Mr. Kemp appear in the Depositions of Mr. Archer and Mr. Hood, they being addressed in both cases to them, when speaking upon matters more or less connected with their official departments.

I was satisfied to rest the matter on these declarations, and, having determined on the course which I shou'd pursue, I called together The Depy. Judge Advocate and Magistrates on the 28 May, together with such public officers as were connected with the Department, to which Mr. Kemp's assertions referred.

The Paper No. 2 is my Secretary's Letter to Mr. Kemp, notifying the Meeting and my intentions. No. 3 is copy of his reply, in which he admits his assertions to Mr. Wills, and declines attending the Meeting. No. 4 is Mr. Hood's reply.

At this Meeting, I explained to the Depy. Judge Advocate and Magistrates the grounds on which I had determined to suspend one of their Body, and having put such questions to the Public officers on the spot, as were applicable to Mr. Kemp's assertions, I directed their declarations and answers to be immediately after put into the form of Depositions, in which they row appear before Your Excellency (Nos. 5, 6, 7, 8 and 9). Upon these, I then declared my resolution to suspend Mr. Kemp 'till Your Excellency's pleasure should be known, and I communicated the same to him in a Letter, copy of which is No. 10.

As Mr. Kemp professes his intention of coming before Your Excellency with statements of Grievances and complaints against my public conduct, I shall only now beg leave to express my hope that Your Excellency may be pleased to refer to me for explanation and answer whatever Mr. Kemp may advance, that appears worthy of Notice; at the present moment his assertions and assumptions, as far as they could be laid hold of, stand proved falsehoods and slanders on the Evidence of Men of Truth and honor.

* Note 127.
I mainly rest the measure of suspending Mr. Kemp on his declaration to The Depy. Asst. Commy. General respecting convoking the Settlers, coupled with his speech to my Secretary respecting Admiral Bligh's removal. Even were all Mr. Kemp's Imputations upon my administration founded in fact, I submit to Your Excellency that no more outrageous and seditious act was ever contemplated by a person holding a Commission of the Peace, and especially in a Settlement of this description, than the calling a Meeting of the people to debate the Conduct of the Chief local authority upon alleged injuries occasioned to their interests, for his private benefit, such assertions being in themselves scandalous falsehoods; and I am perfectly borne out in assuring Your Excellency that I could not be answerable for the peace of the Settlement, were Mr. Kemp to remain in the Magistracy.

Considering it an imperative duty, not only to my own public Character but to the high Office which I have the honor to hold, that no measure of vindication should in such a case be omitted, I beg farther to add my request that Your Excellency would be pleased to allow the Deposition, made by Mr. Wills (admitted to be correct by Mr. Kemp) to go before the chief Law authorities of the Territory, in order to its being decided whether Actions, criminal and Civil, can be rested upon it against Mr. Kemp. Viewing the first part of it as implying a clear charge of Malversation in misapplication of the Public Money, and published in a slanderous way, I conceive that it affords ground for prosecution; and, should such be the opinion of legal authority, I trust the case may be brought forward both as a Criminal Information and civil action.

I have, &c.,

W.M. SOREL.

[Enclosures.]

[Copies of these papers are not available.]

LIEUT.-GOVERNOR SOREL TO GOVERNOR MACQUARIE.*

(Despatch No. 7, per ship Mary; acknowledged by Governor Macquarie, 24th September, 1818.)

Sir,

Hobart Town, 29th June, 1818.

I have the honor to acknowledge the receipt of Your Excellency’s Dispatches of May 31 and June 3rd per Lady Castle-reagh, which ship arrived here on the 11th Inst., the Minerva having come in on the 7th.

2. The Prisoners in general landed in good health, but several have been affected with Dysentery and fever, attributable to cold and Wet; one died on the passage and four since; but they are

* Copied from original letter-book in Mitchell library, Sydney.
now recovering. A large portion of these prisoners have been assigned to Settlers, and it was my intention to have sent 100 to Port Dal.; but, the country being flooded and totally impassable and the Weather severe, it has been found impracticable at present.

3. The Detachment of the 48th Regt. arrived in these ships, and Major Bell immediately landed and took upon him the department of Public Works. Captain Nairn's Company embarked in a very orderly manner, and the whole of the arrangements in both Ships, including taking down the Prisons, were accomplished considerably within the twelve days allowed. The Lady Castlereagh and the Minerva sailed in Company on the 26th Instant.

4. Captain Weltden having made a very pressing demand for an additional quantity of Spirits, I directed 400 Gallons to be supplied, which I hope Your Excellency will approve, as also between 2 and 3,000 lb. of Biscuit.

5. I am very much gratified at Your Excellency's approval of the line of conduct that I pursued with relation to Major Stewart of the 46th, and at the intention which Your Excellency is pleased to express of making a report to His Royal Highness the Commander in Chief respecting that Officer's most flagrant misconduct and defiance of all order and subordination, as well as breach of Military Law and Discipline.

6. Having been assured by Mr. Evans that Your Excellency had approved of the contract with Mr. Dennis McCarty for making a road to New Norfolk, I authorised him to commence from Hobart Town; and he is now making the road 24 Ft. Wide up to the intended Ferry, 9 Miles distant, and 16 Ft. from thence to New Norfolk. As he is adding one third to the first part of the Road, for which with the increasing Traffic 16 Ft. was deemed too narrow, I added three Men to the stipulated number. This Work will be an essential Improvement to the Settlement. The final award for completing the whole road remains for Your Excellency's decision, as submitted in my Dispatch, No. 6, Par. 9, by the Sophia of 23rd Ultimo.

7. I have referred to Major Cimetiere for investigation of Sir John Jamieson's Claims for Four Cows, and shall report the result to Your Excellency, as soon as it reaches me.

8. Major Cimetiere having reported to me that Dr. Mountgarrett had absented himself from his duty since the 30th Ulto., and that, owing to his circumstances, he conceived his return distant and uncertain, the necessity of keeping two Medical Officers at Port Dalrymple (one being for George Town), where increased population renders it most necessary, has induced me
to direct Assist’st Surgeon Younge from hence to proceed thither, so as to enable The Commandant still to carry into effect the arrangement of sending One Medical Officer to George Town. In consequence of this change and the pressure of duty here, especially at present, I have felt it my duty to place Mr. Assist. Surgeon Hamilton, 48th Regt., on the Colonial Establishment, subject to Your Excellency’s pleasure, at 5s. p. day, as was authorized by Your Excellency when under similar pressure Assist. Surg’n Hood was so employed.

In the event of Surg’n Mountgarrett being enabled to resume his duties, the contemplated resignation of Mr. Ass’t Surgeon Smith might perhaps induce Your Excellency to approve of Mr. Younge’s remaining at Port Dalrymple, as one of the regular Establishment in that succession; and Mr. Hamilton would be able to supply the vacancy here, until the arrival of Medical officers should admit of the vacancy being permanently filled.

9. I beg to renew my request to Your Excellency that you may be pleased to order a supply of Medicines by the first Vessel, the Sick List from the new prisoners hav’g become numerous and the consumption considerable.

10. The reduced State of the Magistracy here, in consequence of Mr. Gordon having been lately almost entirely at Pit-Water and Mr. Kemp’s suspension, has induced me to approve of Major Bell taking his place on the Bench, a Measure which on that Account I thought necessary, and which from his character and sentiments would I am confident be highly beneficial to this Settlement. I earnestly hope Your Excellency may approve it, and that you may be pleased to sanction Major Bell’s having the four Men usually allowed to a Magistrate.

11. The Malefactors, George Gray and William Trimm, who arrived in the Minerva under Warrants of Execution, suffered the sentence of the Law on the 11th Inst.; they died resigned and penitent.

12. I beg leave to submit to Your Excellency a Letter addressed to me by Messrs. Barnard and Florence, Settlers recently arrived, on the subject of establishing a Water Saw Mill either at Macquarie Harbour or Port Davey. Considering the probability that a Settlement or a Government Establishment would at no distant period be formed at one or both of those ports, where alone the Huon Pine is to be procured, as well as Coals in abundance and easy of access, I did not feel myself warranted in giving sanction to any individual to fix an Establishment, until a Survey had been made on the part of the Crown, especially as the erection of a Saw Mill and necessary attendant Buildings must be an
Expence, which would make a removal, if subsequently required by Government, be felt a hardship. I, therefore, stated my intention of submitting the Letter to Your Excellency.

13. The Store having been completely exhausted of Spirits, a purchase has been made on account of Govern't not exceeding 7s. pr. Gallon, to the extent in all of 3,000 Gallons; of which 400 were ship'd in the Castlereagh, and 500 have been sent round to Port Dalrymeble, where a supply was on the point of being required, and has since been demanded.

14. I was also under the necessity of directing the purchase of some India Blankets to complete Capt'n. Nairn's Compy, 46th Regt., on embarkation, their Bedding having been in use since they came to this Country and being unserviceable.

15. I beg to report to Your Excellency that by the Mary proceed the persons and prisoners, named in a List enclosed; the record of the Trials of those under Sentence will be forwarded by the Depy. Judge Advocate to The Judge Advocate of New South Wales.

16. I do myself the honor to enclose to Your Excellency a small requisition for Articles of Slops, etc., necessary to complete to the end of the Year; and I shall prepare an annual Estimate for the ensuing Year to be submitted by a proper and timely opportunity. I have, &c.,

WM. SORELL.

[Enclosure.]

Copies of these papers are not available.]

UNDER SECRETARY GOULBURN TO LIEUT.-GOVERNOR SORELL.
(Despatch per ship Lord Melville; acknowledged by lieutenant-governor Sorell, 17th December, 1818.)

14th July, 1818.

[A copy of this despatch is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*
(Despatch per schooner Derwent; acknowledged by Governor Macquarie, 24th September, 1818.)

Sir,

31 July, 1818.

I had the honor of receiving Your Excellency's Instructions through Mr. Secretary Campbell, under date May 31st, respecting the indemnity ordered by Your Excellency to Mr. George Guest for losses in Houses, etc., in Hobart Town. I lost

* Copied from original letter-book in Mitchell library, Sydney.
1818.
31 July.

Difficulty in giving G. Guest possession of allotments.

no time in paying the pecuniary part of the compensation; but, upon proceeding to execute that part of Your Excellency's Instructions, which enjoin the reinstatement of Mr. Guest in the Town Allotments, etc., on which his Houses stood, so far as they might remain disposable, I found that the only part of the ground in question, which has not been taken up in the New Streets, was measured by Mr. Evans to a Man named S. Gunn, who has exhibited to me the original order for occupation and building in Mr. Evans's own hand, copy of which is herewith submitted to Your Excellency.

I find this statement confirmed in a Letter from Mr. Evans to me in February, when enquiry respecting Mr. Guest's Claims was going on. Extract Copy of which I also beg to annex.

It appears from a representation, made by Mr. Guest and his agent Mr. Mitchell (copy also annexed), that the latter gave due notice to Mr. Evans at the time that the ground, which he was preparing to measure to Gunn, was the property of Mr. Guest; and the latter states that warning has been given to the succeeding occupants to the same effect.

I have thought it my duty to lay these Circumstances before Your Excellency, not feeling it right, without your further Instructions after this report, to annul in his absence a public Act of the Deputy Surveyor, done before I was in command. I have written officially to Mr. Guest to state that the Interval, which will elapse before Your Excellency's final Commands shall be received, in no degree affects his rights; but, though I am aware that Mr. Evans's location of the Ground could not alter the Title of a prior Owner, yet as the Measurement of the Deputy Surveyor is considered by the People as an Act of Government, on the faith of which they build, I felt it right to submit to Your Excellency the situation of Gunn, and his Successors by purchase, by whom a good House was built on the site of the old one, some part of the Walls of which I am told became a part of the New House.

The proximity of the Ground in question to the Creek and port renders it, though curtailed in extent (by the Street) below the regular allotment, much more valuable than ground elsewhere.

If it shall be your Excellency's pleasure that Mr. Guest be reinstated in the ground, I would beg leave to submit whether, as he has received a liberal compensation for his losses, and the House, which now stands on the Ground, would as I am assured be worth £400 or £500, some indemnity might not proceed from him to the Owners of the House, with an allotment of Ground on the part of Government.
Mr. Guest has given notice of his Claims in the usual way, and all parties are aware that the matter is submitted to Your Excellency in consequence of the Measurement of the Deputy Surveyor.

Should Your Excellency direct me to reinstate Mr. Guest, I beg to be honored with your Commands whether it is to be done by the Provost Marshall.

I have, &c.,

WM. SORELL.

P.S.—I omitted to state to Your Excellency that Col. Davey distinctly denies having given any authority for the measurement of the Ground to Gunn; the latter asserts and offered to make Affidavit that Col’l Davey did order it.

[Enclosures.]

[Copies of these papers are not available.]

EARL BATHURST TO LIEUT.-GOVERNOR SORELL.

(Despatch per ship Globe; acknowledged by lieutenant-governor Sorell, 20th January, 1819.)

Sir,

Downing Street, 6th August, 1818.

I have within these few days received a letter of which the enclosed is a Copy, and, from the enquiries which I have made on the Subject, I have too much reason to believe that the facts stated in it are for the most part true. Under this impression, it is impossible for me not to transmit for your decision the just claim, which the writer has advanced to a support for herself and her Family from the Emoluments of your Office; and I do so in the full Expectation, that, your own feelings will prompt you to make such a provision for this unfortunate Woman and her Family as to preclude the necessity of my taking any further measures for supporting a Claim, which I consider it as much inconsistent with your Public as with your Private Character to refuse.

The destitute Situation of Mrs. Sorell and her Family, and the time which must elapse previous to the Receipt of your reply, have induced me to direct One Hundred Pounds to be advanced to her by the Agent for the Colony from your Salary for her present Maintenance, and I trust that, in so doing, I shall only have anticipated the directions, which, had you been in this Country, you would have felt it incumbent upon you to give.

I have, &c.,

BATHURST.
338 HISTORICAL RECORDS OF AUSTRALIA.

[Enclosure.]

MRS. SORELL* TO THE RIGHT HONLE. EARL BATHURST.

My Lord,

I am Sorry in addressing this memorial to your Lordship, it is because I am unacquainted with the forms of office necessary to be adhered to on such occasions; and, that I may not occupy too much of your Lordship's valuable time, I beg most briefly to State a few facts on which I have presumed to ground this application; in the first place I am the deserted wife of Col'l Sorell, who is at this time Lieut. Govr. of his Majistis possession in New Holland. I was left by him in 1807 (when he Sailed for the Cape as Adjutant Genl. of his Majesties Forces), with Seven young Children to provide for, When I received his half pay as a Major, untill the begining of 1811.

Col. Sorell returning to England at the End of the Year 1811, Demanded and received that Year's pay, which he had assigned to myself and Children; he had Separated from me, and my Children deprived of all means of Support, myself a Cripie from Fire, my goods Seized for Rent, and I was forced with my Family to seek refuge in the parish workhouse of St. Marylebone; after remaining there some Months, I applied to H.R.H. the Duke of York, through whose kind influence Col. Sorell promised an allowance of 150 pr. Year, which I received for Six months; it was then reduced to £120 a year and was Continued to be received by me untill July, 1815, Since which period I have never received one Shilling, the Consequence of Col. Sorell again with drawing all Support from his Family; and, being totally incapable of administering myself to their nesesary wants, I was forced a Second time into a workhouse with my three youngest Children, the rest Compelled to seek unprovided their own Support.

in this state, I remained from Aprill, 1816, to Decemr., 1817, when I left the workhouse, taking my three Children, all Girls, with me, who where pass'd immediately to the parish of St. George, Hanover Square; from thence the two oldest were Sent as parish apprentices in Oct. 1817 to Some of the Factories in Derbyshire and the youngest remains there still.

Of Six Children between the ages of 12 and 17, three are under the protection of parish Aid, and three are forced into the most miserable situations for their own Support. I will not tire your Lordship by a painful recital of the many miseries and hardships I have most undeservedly suffered from the Cruel neglect of him, whose duty it undoubtedly is to afford Comfort and Consolation to the Extent of his means, but throw myself on

* Note 128.
your Lordship's goodness that, if possible, your Lordship may order some part of the Salary, now received by Lieut. Govr. Sorell, to be appropriated towards the maintenance of his helpless wife and six children. I am sorry to say Col. Sorell is at this moment living with the wife of Cap. Kent of the 21 Dragoons, by whom he has a family of 4 or 5 children. Cap. Kent is of late received damages against him to the amount of £3,000.

I have, &c.,

No. 5 Stangate, Lambeth, 21st June, 1818. HT. SORELL.

P.S.—I was married at Marylebone Church.

Lieut.-Governor Sorell to Governor Macquarie.*

(Despatch per schooner Derwent; acknowledged by Governor Macquarie, 24th September, 1818.)

Sir,

Hobart Town, 8 Augt., 1818.

I have the honor to acknowledge the receipt of Your Excellency's letter of 21st June, with copy† of one which had been written by Your Excellency to Brevet Major Stewart of the 46th Regt., late Commandant of Port Dalrymple, expressive of Your Excellency's disapprobation of his conduct in that command, and also conveying to me copy† of the reply addressed to Your Excellency by that officer with reference to the complaints, which I had felt it my duty to advance against him.

The statements, which I had the honor to lay before Your Excellency on this subject, were so explicit that I now only feel called upon to explain with more precision and detail the sources, on which my reports to Your Excellency were founded, and the proofs of which my allegations against Major Stewart were susceptible.

Respecting those Articles of Complaint, which concerned Major Stewart's suspension of the Magistrates of Port Dalrymple, the almost immediately on their appointment by Your Excellency, and the orders issued to him thereupon, the merits and the proofs rested upon Orders and Letters, copies of which I had the honor of submitting to Your Excellency. By those documents, it was manifest that Major Stewart had unauthorisedly, illegally and arbitrarily suspended the Magistrates without a shadow of ground for such a measure, in open disrespect of Your Excellency's nomination, and in direct defiance of my authority, who alone held under Your Excellency's Instructions the power to suspend a magistrate.

I beg leave to correct one error, which has arisen upon this subject, I fear, from my mode of stating the case to Your Excellency. It was not my order "for reinstating the Magistrates"

* Copied from original letter-book in Mitchell Library, Sydney. † Note 129.
that Major Stewart suppressed; that he published, attaching to it an order from himself grossly and unwarrantably reflecting on them, and unparalleled I believe both in style and substance, Copy of which was submitted to Your Excellency. It was a second order, which I found it necessary to issue, regulating the Duties of the Magistrate at Port Dalrymple, and to prevent Major Stewart from arbitrarily and unjustly depriving them of their Functions and excluding them from all share in the administration of the Laws, that he had suppressed; by which I mean that he neither promulgated nor obeyed it.

Those Articles of Complaint, which related to the carrying off the Record Books of the Bench of Magistrates, being admitted by Major Stewart, and his declaration of a resolution to retain them by force having appeared on his own Letters, Copies of which I had the honor of transmitting to Your Excellency, I need not refer to any proofs on that Head.

In reply to the 6th Article, Major Stewart says that my Letters were extraordinary and insulting; copies of those Letters were submitted to Your Excellency by me, and you were pleased to say that, considering Major Stewart’s conduct, I had acted with extreme forbearance. After that opinion from Your Excellency upon perusal of the papers, any explanation or justification would appear superfluous. I may, however, remark that the expressions, extorted from outraged and defied authority and by the pernicious, negligent and improper conduct of Major Stewart, appeared to him insulting and extraordinary, while he was in the daily habit of avowing his defiance to all the authorities in the Territory.

The Accusations, which relate to lavish and unwarrantable Issues from His Majesty’s Stores, and improperly withdrawing them from the Government Works, Major Stewart has the hardihood to pronounce malicious and vexatious, notwithstanding they rested upon the reports and the Official Papers of the Officers in charge of the respective Departments, viz. the Commissariat and the Government Public Works; the specific Items of excessive and unwarrantable Issue were pointed out, and were at once capable of proof; and, with regard to the Men who were actually reclaimed to the Government Works by Your Excellency’s orders, the Case was reported to Your Excellency by Mr. Leith, Inspector of the Works at Port Dalrymple, when he was at Sydney. The charge of allowing the public Buildings, Gardens and Barracks at Launceston to be ruined is partially admitted by Major Stewart; and he says that an “obvious reason existed for his doing so.” I was not aware of any reason to warrant the destruction of the Gardens (even that of the Commandant’s
SORELL TO MACQUARIE.

House), of great part of the Barracks, with the Utensils and appurtenances, and all the Fences of both Officers' and Men's, which were pulled down and burnt, and the conservation of which was an essential point of Major Stewart's duty. I had the authority of Major Cimetiere* of the 48th, who relieved Major Stewart, for stating that the Detachment under the latter endeavoured to complete their enormities by setting fire to their own Barracks, and that they were in a state of insubordination and intoxication, which threatened every excess and exceeded every description, all attributable to the negligence, relaxation of discipline, and indifference to his duty, which marked every part of Major Stewart's conduct.

The 10th head of accusation, and in my opinion the leading illegal Military one, is virtually admitted by Major Stewart, though, according to his usual inconsistencies, pronounced false, malicious and vexatious. He allows that Soldiers were tried and the punishment "held over, 'till a new offence was committed." By this admission, it is clear that the soldiers in question were punished on an old Sentence, awarded for a former offence, upon a new crime, for which they were not tried and consequently were never proved Guilty. There is a difference very material, however, between this admission and the fact as stated to me by Ensign Mahon of the 46th, viz. instead of the Men being tried and the whole punishment held over, a part of the punishment was inflicted for the first offence, on which it had been awarded; the remainder of that punishment was inflicted after an interval of many Months, during which the Soldiers had done their duty, for another Crime upon which no trial was held. Therefore the Soldiers were in every sense of the word subjected to an illegal and arbitrary punishment on Major Stewart's order for a Crime, on which they were not tried.

When I had the honor of making my report to Your Excellency on Major Stewart's proceedings, especially at the time of his relief, I stated my apprehension that, with respect to his misconduct as Commandant of Port Dalrymple, no consequences more severe than a removal, under a strong expression of Your Excellency's displeasure, were in my expectation. This I was satisfied your Excellency would convey to him from your own knowledge of Facts and of the results of his Mal-administration in that Settlement. I was also quite aware of the inconveniences of all kinds, which must attend bringing Major Stewart to a Court Martial in this Country, especially at the moment of his departure. I, therefore, stated to Your Excellency that, with respect to Major Stewart's flagrant infraction of Military Laws in the illegal punishment of the Soldiers, I conceived there would

* Note 122.
be no impediment to an Enquiry into it, whenever the service would permit; and I hope the Commanding Officer of the 46th Regt. will feel it right to institute an Enquiry on Major Stewart's arrival in India. All the Evidences being in the Detachment proceeding thither under Major Stewart's Command, the Enquiry can be at any time undertaken with equal convenience and effect; and, from my humble Military Experience, I consider there can be few cases more strongly calling in question and exposing to the highest Censure the conduct of any officer. This consideration is aggravated by the fact that this illegal mode of punishment was resorted to, \textit{not from any emergency or any impediment to the ordinary course}, but from Major Stewart's avowed resolution to resist Your Excellency's Instructions with regard to referring to me upon Courts Martial, required at his Station, and to punish the Men under his Command by the fiat of his own word.

When my general Report to Your Excellency upon Major Stewart's conduct was made up, I had not heard of his final Act in arresting Ensign Mahon* of the 46th, and preventing that officer from proceeding upon a most pressing and important duty, on which I had ordered him. The proceedings of Major Stewart on that occasion were subsequently submitted to Your Excellency; and assuredly, had he been brought to Trial, they would have afforded another strong ground of accusation. Your Excellency may be pleased to remember that I had accepted a voluntary offer of Service from Ensign Mahon of the 46th, whose local knowledge promised to render him most useful with a small detachment of that Corps (which formed my Escort from this side) in pursuit of the band of pirates, who had carried off the Govern't Boats from hence, and were known to be then in close vicinity of Port Dalrymple. I duly notified Ensign Mahon's destination to Major Stewart, and that Officer, when he arrived at George Town on his expedition, exhibited to Major Stewart my Letter of Service and Instructions; nevertheless, though Major Stewart knew that a few Hours delay would probably frustrate the undertaking and afford time for the Pirates to escape, he arrested Ensign Mahon and prevented him by Military Force from proceeding; the party under him were consequently halted and rendered useless, and Two days elapsed before a report could reach the new Commandant,† and an officer and party of the 48th could arrive to proceed in Ensign Mahon's place. A more glaring instance of contempt for the good of the Service, for the advantage of the Settlement and the maintenance of Law and order, by the suppression of a daring Banditti, perhaps was never exhibited; and, when to that may be added the direct

* Note 130. † Note 122.
defiance of authority of his immediate Superior, I cannot doubt that this charge would have been of most serious import to Major Stewart, had it been before a General Court Martial.

These are the substance of the rejoinder and of the comments, which I feel called upon to submit to Your Excellency, in reply to Major Stewart’s Letter* of June 7th; and, Your Excellency having already pronounced your opinion upon his Civil and Military Administration at Port Dalrymple, I am quite satisfied to leave the case as it stands for the gracious consideration of His Royal Highness the Commander in Chief.

I have, &c.,
WM. SORELL.

---

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.†
(Despatch No. 8, per schooner Derwent; acknowledged by Governor Macquarie, 24th September, 1818.)

Sir,

The Derwent Schooner, the property of Mr. Loane, in which he is proceeding to Sydney, affords me the opportunity of addressing Your Excellency.

1. I beg Your Excellency's Commands as to the Salary to be allowed to Mr. Alcock as Superint'd of the Streets, in which capacity he is useful and attentive, as also assisting in different matters, which occur in the Deputy Surveyor’s Department during that officer’s absence. He states himself to have had 5s. p. day assigned by Your Excellency, when he held the same office at Sydney.

2. I submit to Your Excellency whether a Court for cognizance of debts under Forty Shillings could be formed here, similar to that at Sydney. It would be very beneficial from the greater quickness and facility, which would be afforded in adjusting small debts now becoming very numerous; also in Pittwater, where Mr. Gordon resides. And I should feel much obliged to Your Excellency to allow The Honble. the Judge Advocate to afford me the necessary Information and instructions on the subject, that the same may be extended here.

3. Mr. Assist. Surgeon Smith’s Salary to 24 Decr. last having been drawn twice, namely by himself receiving his Salary Bill from Mr. Actg. D.A.C.G. Archer, and by Mr. Mountgarrett at Sydney, his Half Year’s Salary lately due has been stopped by Port Dalrymple. My order to meet the Excess. As Mr. Mountgarrett is denied to have possessed a Power of Attorney, I conceive there was an irregularity in the issue of another officer’s Salary to him at Head Quarters, that officer being present and receiving it in the usual way by Bill. Mr. Depy. C.G. Allan, however, having paid

---

* Note 129. † Copied from original letter-book in Mitchell library, Sydney. ‡ Note 131.
1818.
10 Aug.

Irregularity in payment of salary to assistant surgeon at Port Dalrymple.

it before the regular Bill drawn by Mr. Archer and endorsed by Mr. Smith arrived, he protested the latter, in consequence of which Mr. Loane, who held it, has instituted a suit for the recovery of the Amount against Mr. Archer. As he drew the Bill merely in his official duty, he cannot in Law be liable to the Expenses brought on by the Protest, which must fall upon some other party. I desired Mr. Archer to seek Mr. Abbott's advice as to tendering the Bills for this present Salary to Mr. Loane, or sending them to Mr. Allan in acquittance of the one protested; but Mr. Abbott was of opinion that he would thereby lay himself open to a risk of responsibility for Costs in the Suit, and recommended the Bills being forwarded to be at Your Excellency's command; accordingly I now transmit the first Bill in the hope that Your Excellency may be pleased to direct it to be applied, as the Case requires, through Mr. Dy. C. Gl. Allan.

4. The extended number of Prisoners now in and about this Town rendering it very necessary to give some additional activity to the Police, I hope Your Excellency will be pleased to approve of the Two District Constables, under the Chief Constable, having each a small Salary. I assure Your Excellency that this addition is most essential to the Establishment in a Town so fast increasing.

5. The Govt. Mill, which was erected under Capt'n Nairn's directions, now grinds for the Troops, and will do so for the whole of the people victualled from His M. Store, as soon as the Miller's Room, etc., and the Binns for reception of Flour in the Store are completed, which will be in less than a Month. The whole will then receive Flour; but it will become necessary to place a Man of Trust in the Charge of the Mill, to whom a Compensation by Salary must of course be given. Your Excellency will, however, perceive that the saving to Government will be large by the Siftings, which will go a great way in foraging Government Oxen and Horses, so that on the whole the arrangement will be advantageous to Government, and most beneficial to the people, by the increase of Bread which it will afford. They are now subject to nearly a Sixth, vizt. 1s. 8d. p. Bushel, for grinding by the only person, who has a Mill and who has always and even very recently refused to lower his price.

6. Mr. Asst. Surgeon Young returned from Port Dalrymple on the 5th Instant, after being there a few days, without Major Cimetiere's knowledge or leave, and in direct defiance to my orders to which he has now refused obedience in direct Terms. I have accordingly suspended him until Your Excellency's commands shall be received. I am sorry to say that Mr. Younge's general habits are highly degrading and unbecoming his situation,
and I consider him altogether a most unfit and disgraceful person to be in the Medical Service. I have submitted herewith to your Excellency the Complaint in a specific Form, copy of which has been sent to Mr. Younge.

7. Col. Davey having claimed Eight Men victualled on the Store for 18 Mos., as mentioned in a Letter* to him from Your Excellency of date 7 Feb., 1818, of which he gave me a Copy, I have ordered that indulgence to him.

8. I am very anxious to arrange in Hobart Town a means of general Instruction for the Children of the poor free people and of the Convicts, resident therein and its vicinity. The School kept by Mr. Fitzgerald and one kept also by a Mrs. Jones are not at all sufficient for those classes. I shall make most particular enquiry at the ensuing muster as to Children of the lower order of People capable of Instruction, and, if Your Excellency would be pleased to direct that I am furnished with the particulars of these Establishments, both in Sunday and daily Schools, their regulation Funds, mode of payment, etc., at the Chief Settlement, it would materially assist my efforts respecting the same in this Colony.

9. In my Dispatch (No. 7) of date, June 29 (pr. Mary), I had the Honor to report Surgeon Mountgarrett's absence without leave, and my having ordered Assist's Surgeon Younge to Port Dalrymple. After some Weeks' absence, it appears by Major Cimetiere's report that Mr. Mountgarrett returned, and made some very contradictory and inconsistent statements, and applied for leave to proceed to Sydney, which under all the circumstances I thought it best to accede to, trusting it might meet Your Excellency's approbation. I do not yet, however, know whether he goes or not.

10. I beg that, when a Female Convict Ship may arrive, Your Excellency may be pleased to send Twenty or Thirty Women to this Settlement.

I have, &c.,

WM. SORELL.

[Enclosures.]

[Copies of these papers will be found numbered 1, 2, and 3 on page 32 et seq., volume X, series I.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.†

(Despatch per schooner Derwent; acknowledged by Governor Macquarie, 24th September, 1818.) 10th August, 1818.

I beg to submit to Your Excellency some circumstances respecting occupations of Land, both within and without the Town, which, in the absence of The Deputy Surveyor and with

* Note 132. † Copied from original letter-book in Mitchell library, Sydney.
Claim of R. W. Loane to land at Hangan's point.

Mr. Loane has put in a claim to a location upon the river at a Farm called Hangan's point or Farm, between Macquarie Point and New Town. I find that Fifty acres were located there to Hangan, and the same to Gunn, but that Your Excellency had granted an indemnity to the latter elsewhere, not intending to confirm any Grant on that Tract. I concluded such to be Your Excellency's intention from the Communication, with which you honored me, on the purchase of Mr. Whitehead's Farm, when I submitted the fencing in the tract from Macquarie Point to the Government Farm; and Mr. Evans informed me that Your Excellency had determined not to give any grant on that spot.

Upon Mr. Loane publishing an advertisement, warning off all people, and especially the Stone-quarries of Government, I called upon him for his Title, and he stated himself to hold a Conveyance from the late Mr. Hopley. I then informed him that, being aware no Grant or Lease existed, and concluding, from Your Excellency's communication to me and the information given by Mr. Evans, that no intention existed of granting the Land in question, which, except having some Timber fallen, remains unimproved, I considered the ground on Hangan's Point as unalienated Crown Land, but that the rightful Claimant under the location to Hangan would be entitled to such indemnity as in the case of Gunn under the same claim.

I stated my intention of laying the case before Your Excellency, and I presume it will be brought forward by Mr. Loane, when he will have to sustain his right of succession; and I beg to be honored with Your Excellency's Commands as to the location of Hangan's point being annexed to the Crown.

I am desirous of soliciting Your Excellency's attention to the state of Macquarie Street, where I am very anxious to realize Your Excellency's intentions as to having good Two-story Houses built. I have taken the liberty to enclose a sketch of the Street from the corner of Elizabeth Street, facing Government House, to the Creek. Four good Houses are already up, as therein marked; the remaining space is now divided into four small unequal Allotments, as explained on the Sketch. The person next to Mr. Mitchell had prepared to build, but, having only 50 Feet in front, the uniformity of the Street would be at once destroyed. The next person, having only a strip of 30 Feet in front, could not build at all in conformity to the regulations, nor does he possess any means; and George Salter, who has a House on the third spot, has about the same space as the first. The fourth is a man named Barnes.
SORELL TO CAMPBELL.

The only mode of dividing this Ground at all in conformity to the rest of the Street would be to make it into three allotments, which would admit of a proper space in each for the regulated Houses and intervals; but this would create the necessity of providing an indemnity for the fourth Person, who would then be removed. I believe that the arrangement could be effected, the compensation proceeding partly from the two Individuals and partly from Government, if Your Excellency shall think proper to authorize me to arrange it; and, in that case, I think it probable that the two Houses to complete that side would be erected in Twelve Months.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch per schooner Derwent.)

Hobart Town, 10 Aug., 1818.

[Enclosures.]

[LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*

(Despatch per schooner Derwent.)

Sir, Hobart Town, 11 Aug., 1818.

I have the honor to transmit to Your Excellency the Quarterly Returns and Reports of this Settlement to the 30th June.

The Police Fund Accounts† are in Duplicate and approved before by Your Excellency for the purpose of one Copy being returned to me for publication after it shall have received Your Excellency's approval.

I have, &c.,

WM. SORELL.

[Enclosures.]

[Copies of these returns are not available.]

LIEUT.-GOVERNOR SORELL TO COLONIAL SECRETARY CAMPBELL.

(Despatch per schooner Derwent.)

Sir, 11th August, 1818.

Robert Taylor, who arrived at this Settlement in the indefatigable, Cross Master, and whose sentence will expire in September ensuing, having had my permission to proceed from Port Dalrymple to Sydney, I beg to state, for the Information of His Excellency, that my motive for allowing him to do so has been in consideration of his having had a decent education,

* Copied from original letter-book in Mitchell library, Sydney. † Note 133.
1818.
11 Aug.
Permission for R. Taylor to visit Sydney.

and his representation of a prospect, from the Rev. Mr. Cartwright's former knowledge of him, in obtaining from that Gentleman some assistance in his Endeavours to get back to England. He is furnished with an Extract from the Indent of the Indefatigable at this office (copy of which I enclose) and he will apply for his certificate on the Expiration of his sentence next Month.

Cornelius McMahon and Jno. Ardnell, who arrived in the Archduke Charles in 1813, and were sent here in the Pilot, 1817, the former tried at C. Clare and the latter at Dublin in 1811, both sentenced to 7 years, having applied for Certificates of Freedom, on reference to the attested Extracts by Pilot, the Month in which they were tried does not appear. I have therefore to request that the original Indent pr. Archduke Charles may be examined, and Certificates forwarded for these Men, if it be found that their sentences have expired.

Joseph Ibbotson, having also claimed his Freedom on the ground of expiration of Sentence, but of whose Trial no Indent or Extract appears in this office, is allowed of his own request to proceed on The Derwent Schooner to Sydney, and to apply for his Certificate. He states himself to have been tried at O.B., London, 1811, sentenced 7 years, to have arrived in the Fortune, T. Walker, Master, 1812, and to have been sent to the Derwent in the Kangaroo, July, 1816.

I have, &c,
WM. SORELL.

18 Aug.
Requisition for annual supply of stores.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*
(Despatch per brig Jupiter; acknowledged by Governor Macquarie, 24th September, 1818.)

Sir,
Hobart Town, 18th Aug., 1818.

I have the honor to transmit to Your Excellency a requisition for annual supply of Stores for this Settlement, commencing on the 25 December next. I have deemed it proper not to delay submitting this important document to Your Excellency from the uncertainty of opportunities offering for its later transmission, and, as the General Muster will occupy my attention as well as occasion my frequent absence from hence during the ensuing Month.

In this Requisition are included the Slops, etc., belonging to the Summer and Winter half Yearly Issue of Clothing to the Crown prisoners, victualled from the Store, and the extra Issues to Constables, etc., allowing some surplus for casualties, or fresh arrivals of Men.

The requisition also contains the Tools, Stores, etc., for the Department of Public Works, as submitted by the Acting Engineer on an annual estimate.

* Copied from original letter-book in Mitchell library, Sydney.
SORELL TO MACQUARIE.

I have only to add my request that Your Excellency may be pleased to authorise these supplies to be sent down between this period and the 24 of December, in order to my being enabled to make the regular half yearly Issue on that day to the persons entitled; a Matter on which I am the more anxious, as Your Excellency’s kind attention to this Settlement has enabled me to cause these half Yearly Issues of clothing since my arrival to be made punctually at the regulated periods.

I beg also to recommend to Your Excellency’s consideration, with reference to the timely supply of Tools, Stores, etc., for the department of Works, the important Buildings now in hand and to be undertaken.

I have, &c.,

WM. SORELL.

[Enclosure.]

[A copy of this requisition is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*

(Sketch per brig Jupiter; acknowledged by Governor Macquarie, 24th September, 1818.)

18th Aug., 1818.

I have the honor to acquaint Your Excellency that the two prisoners named in the enclosed paper are embarked in the Newcastle, Jupiter under Sentence for the Coal River. The Record of the proceedings in Inglefield’s case, who was tried here, are forwarded to The Judge Advocate; and I presume the Commandant of Port Dalrymple will have sent up the record of Greenaway’s Sentence.

I have, &c.,

WM. SORELL.

[Enclosure.]

[A copy of this return is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*

(Sketch per brig Jupiter; acknowledged by Governor Macquarie, 24th September, 1818.)

18th Aug., 1818.

I have the honor to acquaint Your Excellency that the Discharge for period of Service of Two Private Soldiers, who were transferred from the 46th to the 48 Regt., has expired. Their Papers were handed over to Major Bell by Capt. Nairn, and have been forwarded to the Commanding Officer, who I should hope can thereupon under your Excellency’s sanction grant the provisional discharge.

I have taken the liberty of troubling Your Excellency on the subject, least any difficulty should arise, and Major Bell applies to Lt. Col. Erskine.

I have, &c.,

WM. SORELL.

* Copied from original letter-book in Mitchell library, Sydney.
HISTORICAL RECORDS OF AUSTRALIA.

[Enclosure.]

NAMES of 2 Soldiers who were transferred from the 46 to 48 Regt.


Major Bell has since deemed it advisable that Claridge should go up to Sydney per Jupiter, as Lieut't Carne is aware of the particulars of his Inlistment, the attestations of the two Men having gone with the 46 Regt.

COLONIAL SECRETARY CAMPBELL TO LIEUT.-GOVERNOR SORELL.

22 Sept. 22nd and 23rd September, 1818.

[Copies of six letters, bearing these dates and acknowledged by lieutenant-governor Sorell, 19th November, 1818, are not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.

(Despatch per brig Elizabeth Henrietta; acknowledged by lieutenant-governor Sorell, 18th November, 1818.)


1. I have the honor to acknowledge the receipt of your several Letters, as specified in the Margin,* by the different Vessels arrived here since the date of my last Dispatch to you, up to the present date; and it affords me much pleasure to learn that the Settlements on Van Diemen's Land, under your immediate administration, continue in a progressive state of improvement, and I feel peculiar satisfaction in expressing my entire approbation of the several judicious Measures you have deemed it expedient to adopt towards that end.

2. I have perused with attention your report of the highly improper conduct of Mr. Kemp towards you, as well as the Proceedings which took place thereon at Hobart-Town, and I cannot too strongly express my reprobation and abhorrence of such insolence, turbulence, and unprovoked hostility on his part. I consequently highly approve of your having suspended him from the office of Magistrate, which Suspension I have fully confirmed, as you will observe from the Copy of the Government Order† which accompanies this Dispatch.

3. I herewith enclose you Copies of Mr. Kemp's appeal to me on this occasion, and of a Letter which he had written to Mr. Brougham, M.P., and sent for my perusal, together with my reply to his Letter of appeal, as I consider it necessary you should be put in possession of those several Documents. The

* Marginal note.—26th and 29th June; 1st and 31st July; 8th, 10th, and 18th Augt., 1818.
† Note 134.
conduct of Mr. Kemp is certainly so violent and offensive that, in my own opinion, suspending him from the office of Magistrate is too slight a Punishment. I therefore submitted your Letter on this subject to the consideration and legal opinion of the Judge Advocate, and received the same accordingly, a Copy of which I now send you herewith for your information and guidance, in order that you may act on this occasion as you may deem expedient. Perhaps, however, from the tenor of the Judge Advocate's opinion, it would be more advisable not to institute any Criminal Prosecution against Mr. Kemp, and merely to treat his malicious Slander with silent Contempt.

4. I have only considered what you have stated relative to the Refusal of applications made to me some time ago by Mr. Gatehouse as auctioneer for Hobart-Town; and, concurring entirely with you as to the expediency of not granting his request, I have written to inform him that he cannot be appointed to the Situation he has solicited. All applications, which may be made to me in future of a similar nature with Mr. Gatehouse's, I shall make a point of returning to the applicants, in order that they may be made through you in a regular manner as the proper channel.

5. I was extremely sorry to learn that you had been under the Confirmation of necessity of suspending Asst. Surgeon Younge for insolence and disobedience of orders. His conduct certainly appears too gross to be passed over, and, having before acted nearly in a similar manner towards Colonel Davey, I consider him a very unfit Person to be any longer continued an Assistant Surgeon on the Medical Establishment of this Colony. I have accordingly confirmed your suspension of this officer from Rank and Pay, as you will observe from the Copy of the Government Order* herewith sent for your information and guidance. I shall of course report the Steps you and myself have taken in respect to Asst. Surgeon Younge to the Secretary of State for the Colonies by the first good opportunity. In the mean time, however, it will be necessary that Asst. Surgeon Younge and his Family should continue to be victualled from the King's Store at Hobart Town, until the pleasure of His Royal Highness The Prince Regent respecting him shall be made known in this Country. I approve of your Appointment of having appointed Asst. Surgeon Hamilton of the 48th Regt. to act as Colonial Asst. Surgeon on the Civil Establishment at the Derwent, and to receive the Salary you have annexed thereto, until such time as Asst. Surgeon Younge's vacancy can be filled up from Head Quarters.

6. The extraordinary conduct and desertion from his Duty of Surgeon Mountgarret would have induced me, under any other circumstances, to have suspended that officer also from Duty.

* Note 134.
Rank and Pay; but, in the present deficiency of Medical Officers in the Colony, I am reluctantly compelled to allow Mr. Mountgarrett to continue to do Duty, and also to decline receiving Asst. Surgeon Smith’s Resignation for the present. I shall, however, not fail to point out to the Secretary of State the expediency of removing Surgeon Mountgarrett from his Situation, and replacing him as soon as possible from Home.

7. I was happy to hear that the Ships Lady Castlereagh and Minerva, with the Troops and Convicts for the Derwent, had arrived there safe. The former touched here afterwards on her way to India. I approve of your having shipped the 400 Gallons of Spirits for the use of the Troops embarked on board the Lady Castlereagh on the requisition of Capt. Wellden.

8. I approve of your calling on Major Bell to officiate as one of the Bench of Magistrates at Hobart-Town, and of your allowing him Four Government Men as a Magistrate. I have no doubt you will find Major Bell a valuable acquisition both as a Magistrate and Acting Engineer at Hobart Town.

9. I herewith return you the Letter addressed to you by Messrs. Florence and Barnard, with my Answer written thereon, declining to accede to their request.

10. I approve of your having ordered the Purchase of the 3,000 Gallons of Spirits at 7s. Pr. Gallon for Government, and the Indian Blankets for the Troops embarked on the Lady Castlereagh; but such Purchases are to be avoided in future excepting on very pressing emergent occasions.

11. In respect to the claim of George Guest, the Norfolk Island Settler, to be again put in Possession of the Houses and Allotments annexed thereto in Hobart Town, originally granted to Him and hired afterwards by Government, there can be no question of his undoubted right to have them restored to him, and he ought accordingly to be put in immediate Possession of them by the Provost Marshal, the Deputy Surveyor not having any legal authority or instruction from me to locate these Allotments to any other Person. But, as S. Gunn has built a good House on these Premises, it ought to be valued, and George Guest, in common justice, is bound to pay him a fair proportion of the value of the House in question, which I have no doubt Guest will agree to do rather than allow so good a House to be taken down and removed. Gunn must at the same time be allowed a suitable Town Allotment to build on in some other part of the Town to indemnify him in part for his loss and disappointment.

12. The Claim made by Mr. Loane for an allotment of 50 acres of Land on Hangan’s Point, between Macquarie Point and
New-Town, must not on any account be admitted, as he does not appear to possess any just or legal title thereto, and as it was always my intention to reserve the whole of that Ground for the exclusive use of Government. If, however, it should appear hereafter, on further inquiry, that Mr. Loane has become the Purchaser of the Allotment in question, in a regular way in succession to Hangan to whom it was originally located, but not Leased by any Authority, an indemnity in Land must be made elsewhere to Mr. Loane, or to whatever other Person may have Purchased this Piece of Ground from Hangan.

13. I very much approve of and strongly recommend that only good Two-Story Houses should be allowed to be built in Macquarie Street in Hobart Town, with the view to improve and ornament the Town as much as practicable; and that, conformably with this view, the four allotments in that street, belonging to Faulkner, McGill, Salter, and Barns, should be reduced to three equal allotments, allowing a reasonable indemnity, either in Land or Money, to the fourth Person dispossessed, which indemnity is to be made partly by Government and partly by the three Persons retaining the enlarged allotments. You will therefore be pleased to carry this Measure into effect forthwith.

14. I herewith return you the Letter addressed to you by Mr. Alfred Thrupp, with my reply written thereon, agreeing to give him a Grant of Land at the Derwent; but, as this Gentleman has already received all the indulgencies he was entitled to, as a Free Settler, with his first Grant of Land at Port Jackson, he is not to receive any thing more at the Derwent excepting this additional Grant of Land.

15. Your requisitions for Slop Clothing and Bedding to complete the Quantity of these Articles for the Crown Prisoners at the Derwent for the present year, and also for a Supply of Medicines, have been complied with, and will be sent by the Govt. Brig Elizabeth Henrietta now under Dispatch for the Settlements of Port Dalrymple and the Derwent. But it is here necessary for once and all to apprise you that you are not to expect to receive regular Supplies at the Periods due of Slop Clothing stores from hence for the use of the Settlements in Van Diemen’s Land, as, we never receive regular supplies of Slop Clothing and Stores from England, and are some times twelve months in arrear for all those Articles, which compel us to make the best Shift we can here; and you must do the same in your Settlements, and patiently wait the arrival of regular Supplies from England without any Purchase of such Articles, against doing which there are strict orders from Home. At present we have no more Slops in Store here than will be sufficient for the Current...
1818.
24 Sept.

Report on conduct of J. Stewart.

Superintendent of government mill.

Inspector of streets.

Payment to district constables.

Assigned servants for T. Davey.

Problem of education.

Year, and therefore it may be six or Eight months hence before I can comply with your late large Demand for Slop Clothing and Bedding for the ensuing Year.

16. The clear and well written statement, you last sent me relative to the highly insubordinate and unmilitary conduct of Brevet Major Stewart at the Settlement of Port Dalrymple, is very satisfactory, and I shall not fail to transmit it with all the other necessary Documents to His Royal Highness The Commander in Chief by the first good opportunity.

17. I concur with you in opinion that a Competent Person should be appointed to the charge of the Government Mill at Hobart Town as Superintendent, and I approve of your paying Him a Salary of Fifty Pounds per Annum from the Police Fund. I also approve of your paying the same Salary of Fifty Pounds per Annum to Mr. Alcock, as Inspector of Streets and Roads at the Derwent, but his allowance must not exceed that sum, it being deemed fully adequate to all the Service he has to perform there. It is true he had here a Salary of Five Shillings per Diem while acting in a similar capacity because the Party, he had the charge of, were Soldiers who were allowed 2s. 6d. per Diem each; but it was considered afterwards much too high and much more than they earned. I am also very sorry to add here that Mr. Alcock was on that occasion paid far beyond his merit and Services. I have no objection to your paying from the Police Fund Five Pounds Sterling per annum to each of the two District Constables immediately under the Chief Constable at Hobart Town in consideration of their increased Duties. I approve of your having assigned Eight Government men on the Store for Eighteen Months to Colonel Davey in his Capacity of Free Settler, which indulgence I had agreed to extend to him.

18. I shall be most happy to concur with you in the establishment of any reasonable Plan for instructing the Children of the poorer Classes of People in the Settlements under your immediate administration in Van Diemen’s Land; but I should fain hope that the two Charity Schools already established, at the Derwent and Port Dalrymple, will be found sufficient for the present, if improved and well regulated, without incurring much additional expence to Government, which we can very ill support at the present moment. I have corresponded with the Revd. Mr. Cowper* on this important subject, and I herewith send for your information and guidance, Copy of his Letter to me upon it, only adding that I entirely concur in opinion and sentiments with the Revd. Mr. Cowper on this Subject.

19. On consulting with Mr. Judge Advocate Wylde on the expediency of allowing the Bench of Magistrates at the Derwent

* Note 135.
MACQUARIE TO SORELL.

1815.
24 Sept.
Proposed petty debts court.

to take cognizance of Small Debts under Forty Shillings, he is of opinion it would not be legal according to the present constitution of our Charter, and consequently I must withhold my assent to granting such Power to your Bench of Magistrates; the more especially as that Practice has been discontinued here.

20. I have had a communication with Mr. Allan on the subject of the irregular Payment made by him here to Surgeon Mountgarret on account of Asst. Surgeon Smith’s Salary to 24th December last, and pointed out to him the impropriety of his conduct in thus anticipating a Payment without his having received the regular Voucher from Mr. Archer for so doing. Mr. Allan has promised, in consequence of this communication, to settle the Matter in dispute with Mr. Lowe, the holder of Mr. Archer’s regular Salary Bill for Mr. Smith to the 24th December last; and, to enable him to do so, I have given up to Mr. Allan the Salary Bill you enclosed me for Asst. Surgeon Smith’s Salary to 24th June last, taking his receipt for the same.

21. By the Elizabeth Henrietta I now send Thirty Female Convicts to the Derwent, and an equal number to Port Dalrymple, for the purpose of Supplying the Married Settlers, and other Married Persons of good characters, with Women Servants. These Female Convicts arrived here only a few days ago from England, and it is reported to me that they conducted themselves with great propriety during the Voyage hither. There are also a few Male Convicts sent on the Elizabeth Henrietta to the Derwent to remove them from bad connexions they have formed here; a List of whom will be sent you by the Secretary, in which List will be included some few Free Settlers going to Port Dalrymple and the Derwent. There are also Five Soldiers of the 48th Regt. embarked for the latter Settlement.

22. I have made arrangements with Dy. Comy. Genl. Allan for your retaining Acting Dy. Asst. Comy. Genl. Archer at the Derwent, and Deputy Asst. Comy. Genl. Walker now proceeds on board the Elizabeth Henrietta to take charge of the Commissariat Department at Port Dalrymple and to relieve Acting Commissariat Staff Clerk Dry, who will be thereby discontinued as Staff Clerk; but he will have the option of returning to his former situation as Storekeeper at the same station, in case he should wish to do so.

23. I have appointed a very competent and honest young man, named George Hubbard to be Government Boat Builder at George Town, with a Salary of Fifty Pounds per Annum, such a Person being very much required there. Hubbard and his Family proceed now to Port Dalrymple on board the Elizabeth Henrietta.
24. Having received orders from Home to send the Secry. of State for the Colonies, Annually after each Annual Muster, an Alphabetical List of all the Men and Women in the Colony, whether Free or Bond, it becomes necessary that, besides the usual Result of each Muster as heretofore sent, You should transmit the Muster Book itself in which the Names are inserted at each Annual Muster taken at the Derwent and Port Dalrymple, in order to enable me to comply with the Instructions of the Secretary of State for the Colonies. I have therefore to request that you will not fail to send me, by the return of the Elizabeth Henrietta (if possible), or by the next earliest opportunity, the Muster Books herein adverted to or attested Duplicates of them.

25. In consequence of the great number of Absolute and Conditional Pardons granted by me in January last (in which a very fair Proportion was included for Van Diemen’s Land), I shall not be able to grant any at all for the ensuing Year, and consequently cannot receive any applications of that description at the prescribed Period of December next. I have therefore to request you will not receive or forward to me any applications of this description for the ensuing Year.

26. I must request you will not detain the Government Brig Elizabeth Henrietta longer at the Derwent than may be absolutely necessary, but that you will dispatch her back to Sydney with as little delay as possible.

L. MACQUEarie.

[Enclosures Nos. 1 to 7.]

[Copies of these papers are not available.]

[Enclosure No. 8.]

REVD. W.M. COWPER* TO GOVERNOR MACQUEarie.

Dear Sir,

Sydney, 8th Septemr. 1818.

I now do myself the honour to acknowledge the receipt of Your Excellency’s Letter dated the 3 Inst., enclosing an “Extract of a Letter from His Honor Lieut. Governor Sorell,” respecting the Formation and Management of Public Schools for the instruction of poor Children at and about Hobart Town. In answer to which, I beg to observe that, having no personal acquaintance with, and but a very imperfect knowledge of, the peculiar habits and circumstances of the People for whose benefit the Charity in question is intended, I am quite unable to devise or even suggest any particular Rules or Directions for the Establishment or Support of the Schools proposed. Yet, from what has been done here (at Sydney), I will endeavour to give a few general hints on this very important Subject, viz. ‘the means of affording suitable education to the Children of the poor.’

* Note 135.
It seems to be the opinion of the Lieut. Governor that the two Schools already sanctioned, and I suppose partly, if not entirely, supported by Government, are not sufficient to accommodate all the poor Children in Hobart Town and its vicinity, or that the Teachers themselves are not able to instruct all who might attend. Of this matter, in either case, His Honor, I presume, is perfectly qualified to judge.

If, however, the present Schoolmaster and Schoolmistress be wholly disengaged from every other pursuit and employment, and, in Learning, Morality and Piety, fit to retain their Office, and are also careful to discharge the important duties of their Station by devoting their time and talents to the improvement of the Children committed to their trust, I should not be inclined to recommend any additional Schools immediately in that place, at the expense of the Crown (unless the construction or peculiar situation of the Buildings require it), but say rather, let those which have been established be more numerously attended and well conducted, according to some regular system of discipline and diligence, and, probably, all, who request or desire the privilege, may be taught to a much greater advantage and at a considerably less proportional expense.

With regard to the public Schools at Sydney, from regular Monthly Reports and constant inspection, I am able to state that, for more than eight years, the first of these has, upon an average, been attended daily by one hundred Children, who have made good progress in their learning, and forty or fifty more might have been partakers of the benefit, without any, or with very little, further cost to the Institution. On account of the greatly increased extent and population of the Town, a Second public School has also been established at the distance of nearly a Mile from the First. At this latter School are taught about Sixty Children. The list of Names on the Muster Book of each School usually exceeds these numbers. The returns together are from 180 to 200 and upwards. Here, the Children of the real poor are favoured with abundant means of Instruction, but many, I am extremely sorry to have occasion to say, despise or neglect the goodness of His Majesty's Government, as also the kindness of those in Authority and those who are much concerned for their welfare. The Master of the first School has a Salary of £100 from the Treasury; and The Orphan Institution pays the Master and Assistant of the second School, together, £45; and also furnishes the reading Books, or Lessons on boards, the Slates, etc., for both Schools. For the guidance of the Masters and the Children, certain Rules have been adopted, a Copy of which I beg leave to enclose; at the same time I would remark that
Salaries and all other expenditures, as well as all Rules and Regulations, must vary according to the local circumstances of the place and people, and perhaps but a small part of our plan will apply to the Inhabitants of Hobart Town.

I fear much that what I have now submitted for the Lieut. Governor's information may be of little service. I desire, however, to assure Your Excellency that, if, at any future period, I can render the least assistance in forwarding the noble and benevolent design of instructing the poor Children, with a view to their becoming honest and obedient Subjects, kind and faithful Members of Society, and sincere and pious Christians, I shall feel it an indispensable duty, and it will afford me the sublimest pleasure which I can in this world enjoy.

I remain, &c.,

WILLIAM COWPER.

[Sub-enclosure.]

RULES for the management of the Public Schools at Sydney, New South Wales.

1. The Object of these Schools is to afford useful and religious instruction to the Children of the poor in general.

2. Children shall be admitted from five to twelve years of age.

3. The Children's attendance at School, during five days in the week, shall be from nine o'clock in the morning till twelve, and in the afternoon from two till five. N.B.—No attendance on Saturday.

4. The Master shall be particularly mindful of the Children's moral behaviour, cleanliness and regular attendance.

5. The Children, according to their ages and improvements, shall be taught Reading, English, Writing, Arithmetic, and the Catechism of the Church of England.

6. The School-business of every day shall be commenced and concluded with singing part of a Psalm or Hymn and a short Prayer.

7. A muster Book shall be kept by the Master shewing the attendance of each scholar, both morning and afternoon; and a Monthly Report of the numbers, progress, changes, etc., shall be made to the Resident Chaplain, who will frequently visit and inspect the Schools.

8. The Children, who are admitted to the great privilege of being taught in these Schools on the five days, shall be required also to attend on the Sunday, both morning and afternoon, before the hours of Divine Service; and on this day, they may bring with them any other Children, who shall be disposed to come and receive instruction. After commencing, as in Rule 6th, all present shall be variously exercised in lessons of Piety, Scripture reading, or in learning to read, until they shall proceed to the Church for public Worship, under the care of the Master. N.B.—The necessity of this Rule arises from the impiety, the ignorance, or the negligence of the Parents, through whose carelessness and disregard it is well known that, if Children be not assembled for some good and useful purpose, they will assemble themselves for Mischief and Disorder.

WILLIAM COWPER.
SORELL TO MACQUARIE.

COLONIAL SECRETARY CAMPBELL TO LIEUT.-GOVERNOR SORELL.

25th September, 1818.

[Copies of four letters, bearing this date and acknowledged by lieutenant-governor Sorell, 19th November, 1818, are not available.]

26th September, 1818.

7th and 22d October, 1818.

[Copies of these three letters, acknowledged by lieutenant-governor Sorell, 19th November, 1818, are not available.]

COMMISSIONERS FOR VICTUALLING H.M. NAVY TO LIEUT.-GOVERNOR SORELL.

19th October, 1818.

COMMISSIONERS OF THE NAVY TO LIEUT.-GOVERNOR SORELL.

4th November, 1818.

[LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*

(Despatch No. 9, per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 21st December, 1818.)

Sir, 18 Novem’r, 1818.

I had the honor of receiving Your Excellency’s Dispatch of the 24th Septr. on the 18th Ultimo, it having been forwarded overland from Port Dalrymple, where the Govt. Coll’l Brig Eliz’th Henrietta arrived on the 11th.

1. I beg leave to express to Your Excellency my due sense of the support, which you have been pleased to afford to me in the matter of Mr. Kemp. I regret that, in this case, The Judge Advocate’s opinion was unfavorable to a Criminal prosecution; but, as I should on no account entertain that measure without the fullest reason to rely upon its being borne out in Law, I consider Your Excellency’s Counsel the wisest, and shall be implicitly guided by it. With respect to a Civil Action, which the Judge Advocate conceives fully open to my adoption, I do not consider that course of proceeding (alone) befitting my rank and situation, though, as a Measure concomitant or consequent in a Criminal Conviction, it might not have been inadvisable. From having originally noticed Mr. Kemp only as a Magistrate, I shall at present content myself with transmitting to England a record of his dismissal and the Documents thereto belonging.

2. I am much obliged to Your Excellency for the intention, which (in reference to Mr. Gatehouse’s applications) you are

* Copied from original letter-book in Mitchell library, Sydney.
pleased to express that, when applications are addressed direct
to Your Excellency from persons here without at all noticing The
Lt. Governor, you would return them for transmission through
the regular Channel. I trust that I may feel a claim to that
consideration inasmuch as I have never in one instance refused
to forward an application without giving a distinct reason
verbally or in writing; and in any case where a Complaint against
myself were preferred, I should always make a point of bringing
it under Your Excellency's Notice. An Individual, who feels
aggrieved by my refusal to forward his application, has of course
a clear right of appeal to Your Excellency; and I should think
him acting quite regularly in exercising it, provided he had in
the first instance stated his request to the local Authority.

3. Mr. Assist't Surgeon Younge and family were put upon the
Store under Your Excellency's outstanding orders, as a Settler,
prior to his going to Port Dalrymple; and he has also continued
with Two Govern't Men on Store on account of his Indulgences;
and these I have not altered or disturbed. Mr. Younge having
since the receipt of Your Excellency's Decisions on his sus­
pension addressed another very insolent Letter to me, I returned
a succeeding one unopened; a Second directed in a feigned hand
was opened and also returned, but being on business was answered
by the Commissary.

On the 16th, Mr. Younge was taken out of the Anne, Whaler,
being found concealed in disguise in the Hold, where he had
stowed himself away, by the Constables who searched for pris­

ers.

Understanding that Mr. Younge was very anxious to proceed
to Head Quarters in order to solicit Your Excellency's leave to
go to Europe, I caused it to be made known to him that I should
not object to his having a passage with his Family in the Govt.
Brig upon that express Ground. I apprehend, however, that he
cannot leave the Settlement.

4. I am extremely sorry to be under the necessity of again
troubling Your Excellency respecting George Guest's claims.

Upon receipt of Your Excellency's last Dispatch, I made known
to the parties, vizt. to G. Guest and to Messrs. Kemp and Gate­
house as holders by purchase of the House standing on his
Ground, the Instructions of Your Excellency as to the restitution
of the allotments, declaring my resolution to authorise the
Prov. Marshall to put Mr. Guest in possession of it on the 24th. I
enjoined at the same time the Compliance with Your Excellency's
intentions on the part of Guest with respect to having the House
valued and paying a fair proportion of the same. But, though
he at first promised to be governed by that recommendation,
he subsequently rejected any terms. Proceeding according to Your Excellency's Instructions to put him in possession of the Ground, I directed Mr. Alcock, who assists in the ordinary incidental business of the Surveyor's department during Mr. Evans's absence, to ascertain and mark out the allotments, taking Guest, Gunn the occupier and builder under Mr. Evans's order, and Mr. Gatehouse, together with any person who could assist in fixing the limits; but it was found impossible.

Mr. Guest claimed not only the Ground comprised in Gunn's allotment, but that adjoining on all sides, which had been located by Mr. Evans for building to different persons, and had passed through various hands by purchase, chiefly to Kemp and Gatehouse.

Referring hereupon to Mr. Evans's report to me on this subject, dated 11 Febry. last, I found his description of Mr. Guest's Ground to be quite at variance with and infinitely below his present claims.

I beg leave to enclose for Your Excellency Ext't Copy of that Letter from Mr. Evans. Under these circumstances and without a possibility, until the Depy. Surveyor returns, of ascertaining the real rights of parties, to proceed to peremptory restitution by the Provost Marshall seemed to me to be incurring certain wrong to one side or the other. I, therefore, declared to them my inability to determine the limits of Mr. Guest's claims, until The Depy. Surveyor shall be on the spot, and that I should report accordingly to Your Excellency, directing that the Title and right in all respects should stand as at this moment for future decision on that officer's arrival and on receipt of Your Excellency's final Commands.

Mr. Guest has complained much of the violence and intemperance of Mr. Kemp, which is I doubt not true; but I could not in a matter of this description permit personal feelings or consideration to have any influence; and I trust Your Excellency will approve of my having waited for the proper officer to mark out the Ground before the restitution be effected.

As Mr. Guest has given Notice of proceeding to Sydney, I beg only to add that he is possessed of a Letter* from me explaining fully to him on the subject and also of a sketch of the Ground.

5. I am much indebted to Your Excellency for your Communication respecting Schools. At the late Muster, I made it my particular business to enquire into the degree and means of Instruction in Hobart Town and some of the Districts; and I had the satisfaction to find that, though no public Institution of an extensive kind existed, they were much more adequate than I had believed. In the Town, Mr. and Mrs. Fitzgerald have the

*Note 136.
best and most extensive School; both receive Salaries but keeping the School in their own House; they educate several Children, free of charge, and receive such as Government may direct.

A Mrs. Jones keeps a small School, and, at the application of several Magistrates, I have lately allowed her a Government Man on Store. The Daughter of the Chief Constable also instructs Children, as does one other Man; on the whole I found very few Children in the Town or immediate vicinity, who were not under instruction; and those I am taking Measures to provide for.

I found also some Boys, who were grown sufficiently to assist their parents in Work, and who could not be spared unless for Sunday. I have given some trifling assistance from Government to establish a small School in Clarence plains and at New Norfolk, when the Settlers afford Houses for the purpose. I hope to be able to arrange one at Pittwater; but the other Settlers are so much dispersed that I see no means of providing Instruction for their Children at present. These will suffice for immediate instruction, and I hope that the opportunity of Your Excellency's presence in the Settlement will enable me to place a more comprehensive arrangement before you.

6. In obedience to Your Excellency's Commands, I shall abstain from giving notice for applications from persons for Mitigation of Sentence this Year. There are a very few to whom the particular circumstances led me to engage myself to forward to Your Excellency their Names (some of them already sanctioned) for emancipation; and I hope to that extent I may be permitted to submit them, two of the number being for an important public Work. I should have been very happy, if Your Exc'y had allowed me a little more latitude with respect to soliciting Emancipations at this time, for I had indulged a hope that I might be gratified in obtaining this great reward and mark of approbation from Your Excellency for some of the most deserving, the general Conduct of the Crown prisoners having been so much improved within the last year and having appeared so satisfactorily testified at the Muster. I had no intention of soliciting any absolute pardons whatever on this occasion.

Of those Emancipations, which Your Excellency was pleased to grant to Van Diemen's Land last year, Twelve only passed through me from both Settlements; of those, some were for specific public Services.

My recent arrival and small knowledge of the Settlements led me to determine to forward at that time as few as possible, wishing to select some whom I should think best entitled for the present season, which I took the liberty of stating to Your Excellency by Letter, when unaware of a restriction being intended.
7. On the recommendation conveyed to me in Your Excellency's Letter, I took up Mr. Birch's small brig* the Sophia to bring a Cargo of Huon Pine from Macquarie Harbour for Government. Captn. Kelly† is in command of her, and Mr. Florence, who some time since arrived here as a Settler from Sydney, is gone round in that Vessel under my sanction with a Govt. Boat, taken in order to make a Survey of the Harbour and its entrance, to examine* its Shores, the Gordon River, etc., and return in the Vessel.

Mr. Florence is well qualified for the purpose, and I doubt not he will be enabled to make a report, conveying much useful information both with respect to the port and its capabilities as well as its products, which I shall have the honor of submitting to Your Excellency by the first opportunity. The Sophia sailed on the 30th Ulto., and will be about Six Weeks from that period in getting her Cargo and returning. The report, before made by Captn. Kelly respecting the depth of Water over the Bar of Macquarie Harbour, stated 7 or 8 feet to be the greatest Draught that would be safe for a vessel; but I am in good hope another and deeper Channel may be found; if not, the Rosetta would not be able to bring out a full Cargo, but that will be no impediment to her being employed to bring Wood to the depth that is safe, and Captn. Kelly says there is a good road-stead outside the Bar, where it is supposed Timber after being drafted out might be put on board.

8. I have the satisfaction to inform Your Excellency that the Death of Chief and only remaining Bush ranger of the old Gang, Michael Howe, was killed on the 21st Ulto. He had lately robbed several Stock-Men's Huts, and his Dogs, pistols, Knapsack, etc., were taken from him about a Month before by McGill (whose emancipation was last year granted by Your Excellency for Services with the 46th), accompanied by Musquito a Native of Port Jackson. A Soldier of the 48th, who was recommended by Major Bell, was placed at one of the Stock Huts to watch, and a prisoner named Thomas Worrall promised to assist him; on the 21st, Howe came there, when after a severe fight, in which shots were exchanged without effect, the Soldier and Worrall struck Howe to the Ground with the Butts of their Guns, and he spoke no more. Upon this occasion, I am called upon to recommend to Your Excellency in the strongest manner William Pugh, private of the 48th Regt., through whose spirit and exertion this great Criminal's long and daring Career was brought to a close.

I set the more value on this service because, since the Murder of G. Watts and Drew some Months ago, from whom Howe

* Note 91. † Note 124. ‡ Note 137.
18 Nov.

Reward proposed for W. Pugh.

Free pardon requested for T. Worrall; and for J. McGill.

Value of service in killing of M. Howe.

Returns transmitted.

1818.
effected his Escape, I am satisfied there are not many people in the Settlement who would have risked the encounter; fortunately the loss of his pistols much facilitated the Event.

I know not what favor I could solicit of Your Excellency for this very deserving Soldier except his discharge; and, as I understand an order now exists to allow that Indulgence to a Soldier on payment of a certain Sum, I believe £20, I should beg to propose that the Sum might be paid from the Colony Fund as a mark of grateful acknowledgement for the service rendered by Pugh. If it be within Your Excellency’s power, I trust I shall not make this request in vain; and, so far as Colonel Erskine may be consulted, I flatter myself his feelings towards a Soldier would be the same as my own. Private Pugh goes up in The Govt. Brig as one of the Guard in charge of prisoners.

I hope also I may look up to Your Excellency for a favorable attention to my application for a free pardon for Thomas Worrall, whose exertions were equally deserving. I had long since advertised that any Crown prisoner, who might take Howe, should be so recommended by me; in making the application therefore to Your Excellency, I fulfill my Engagement, and I can only add my most earnest and urgent request, as well on account of the Individual as for the benefit of the Example arising to that Class of people, that it may be successful.

McGill, who was last year emancipated for service against the Bushrangers, has again been most useful in this Instance. After taking Howe’s Dogs, the Soldier was placed at his Hut, and he only missed giving his personal assistance at the moment from being out in Charge of the Stock. I beg leave equally to recommend him to Your Excellency for free pardon on the claim of equal public Service.

The knowledge, which Your Excellency has of the Character of the Criminal now no more, will afford sufficient ground for appreciating the value of the service, which has terminated his career in the only way it could finish; his perseverance, his daring character, his knowledge of the Country and of all the Stock keepers, some of whom would not and some could not venture upon an attempt to take him, made him a most dangerous being to the Colony, and left an opening for mischief so long as he lived at large.

9. I have the honor to transmit Nominal Muster Lists of both Settlements according to Your Excellency’s Orders; also an abstract of the Land and Stock; a considerable increase of cultivation has taken place since last year equal to about one fifth of
the whole. I am happy to assure Your Excellency that at the
Muster I had every reason to be satisfied with the state of the
Country and people.

10. I have also the honor to transmit the Quarterly Returns of
the Settlement to the 30 Sept.; those of the Police Fund being
in duplicate, in order to one Copy being returned for publication
here after being approved by Your Excellency; and also the
Commissariat Accounts from July 25th to Octr. 24th.

12. Captn. Wilkinson of the Anne, Whaler, belonging to
Messrs. Birnie and Co., who has been in the Waters here near
a Year, having requested leave to put up a small Vessel about 15
Tons burthen, which he brought out in Frame intended for Sale,
I gave permission for him to do so. When the disposal of her
is determined upon, the application for License will of course
be submitted.

13. The very laborious Medical duty attaching to Mr. Asst.
Surg'n Hamilton (for Mr. Luttrell’s advanced Age allows him
little activity), while the extension of the Town and Settlement
have of late probably doubled the out attendance, I trust Your
Excellency may think proper to sanction my request that Mr.
Hamilton may be paid at the full rate of the Col’l Asst. Sur­
geon, while he is upon the Establishment as the only Assist’t. I
can assure Your Excellency that no officer on the Settlement
more fully deserves that consideration, for the demands upon his
attention render his duty most laborious, and the occupation of
his time incessant; and he is always ready to afford his assist­
ance and care.

14. I regret to be obliged to bring under Your Excellency’s
notice the report made by Major Cimetiere respecting Captn.
Watkins (the latter officer being in arrest). Major Cimetiere
having transmitted his Documents to Lt. Col’l Erskine, the case
will of course be brought before Your Excellency through that
Channel, which from the peculiar nature of the whole matter I
consider the only proper one. Captn. Watkins forwarded Copies
of the Correspondence to me, with a request that I should be the
medium of laying it before Your Excellency; but, as Major
Cimetiere had made his report through Lt. Col. Erskine, I
deemed it best on every Account that Captn. Watkins should
transmit his Statements also to his Command’g Officer. I re­
turned them to him accordingly, and I only beg to enclose the
Letters addressed to me by Major C. and Captn. Watkins re­
spectively on the Subject.

I expressed to both my regret* that the matter had reached a
point, before it came under my view, that precluded any hope of
an expression of my opinion being of any benefit; had there

* Note 138.
1818.
18 Nov.

Prisoners sentenced to Newcastle.

Arrival of emancipist per brig Jupiter.

15. I have the honor to transmit a List of Prisoners embarked on board the Govt. Col'1 Brig Eliz. Hen. under sentence for the Coal river, with a Guard of One Corpl. and two Privates 48 Regt.

16. By the Brig Jupiter, on board which he had secretly embarked, arrived here a Mr. Randall; as his name was not in the Port Clearance and he was reported to have been stowed away on board, and as I conceive an emancipated person not to be entitled to go to Sea from the part of the Territory, in which is his acknowledged domicile, without permission, I have caused him to be returned on board The Govt. Col'll Brig. I think it proper to report to Your Excellency that, as this person refused to give Sureties or even to pledge his word to be forthcoming to embark or to quit the Land except by force, I ordered him to be confined in the Gaol, until he should be put on board. He afterwards, however, tendered Sureties, and I allowed him to be at large.

17. Mr. Dry having transmitted his request to resign his situation as Storekeeper, I have accepted it provisionally, to be laid before Your Excellency; and, Major Cimetiere having at Mr. D.A. Comy. Genl. Walker's request recommended Mr. T. Quin, a Settler lately arrived, to succeed, I do myself the honor of submitting that proposed nomination to Your Excellency. Having no knowledge of Mr. Quin, who is' I understand married to a daughter of Mr. Luttrell, I act only ministerially in thus placing his name before Your Excellency.

18. The Elizabeth Henrietta did not reach this port till the 14th Inst'; on the 11th Octr. she arrived at George Town, and sailed from thence on the — Inst. I pressed Major Cimetiere to expedite her departure as much as possible, but she has taken a very long time upon the whole in getting round.

I am sorry to report to Your Excellency that a Mistake has occurred respecting the Slops, etc., which were directed to this place. Major Cimetiere, owing as it would appear to some paper or Invoice from Mr. D.C. Genl. Allan to Mr. Dry, had conceived that all the Slops and stores were for Port D., though several Bales were directed to Hobart Town; and accordingly he landed the whole there. Mr. Archer, who happened to be at Port Dal. on a few days leave, apprized Major Cimetiere that your Excellency had notified to me (in Dispatch dated 24 Sept.) that Stores for this place were on board the Brig; in consequence of which, Major C. has written for Instructions, and I have directed him to keep those stores apart and send them round by first opportunity.
SORELL TO CAMPBELL.

The Eliz. Hen., therefore, having nothing to do here but to land the Female Convicts (all of whom arrived well), she will be immediately watered, so as to sail on the 19, and I hope she may have a favorable passage to Port Jackson.

19. I beg leave to recommend to Your Excellency's clemency Two Crown Serv’ts, whose Names are in the Margin,* at present under sentence to the Coal River, having been convicted of a trespass in carrying off Cattle under the direction of Mr. Loane, their Employer, requesting that the remainder of their Sentence may be remitted.

I have, &c.,

WM. SORELL.

[Enclosures.]

[Copies of these papers are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch No. 10, per brig Elizabeth Henrietta; acknowledged by Governor Macquarie, 21st December, 1818.)

Hobart Town, 18 Novem., 1818.

[A copy of this despatch and its enclosures will be found on page 87, volume X, series I.]

UNDER SECRETARY GOULBURN TO LIEUT.-GOVERNOR SORELL.

19th November, 1818.

[A copy of this despatch, acknowledged 3rd June, 1819, is not available.]

LIEUT.-GOVERNOR SORELL TO COLONIAL SECRETARY CAMPBELL.

(Despatch per brig Elizabeth Henrietta.)

Sir,

Hobart Town, 19 November, 1818.

I beg to acknowledge the receipt of your several Letters as follows:—

Four of 22 Sept., Two of 23 do, Two of 25th Do, containing Despatches acknowledged.

The Governor in Chief’s orders for Grants and Indulgencies to sundry Settlers; one of 23d Sept. covering two Certificates, the description of the persons to whom they are granted shall be sent to you, as well of two others sent in June last, which yet wait the application of the respective parties; one of Sept. 25th covering List of Grants of Land intended by His Excellency in Van Diemen’s Land; one also of 25 Sept. covering Govern’t order respecting residue of provisions in Convict Ships; one of 26 Sept. with List of Female Prisoners per Govt. Brig Eliz’th Henrietta (of whom no Indents have been received); and one of 22d October, with Copy† of Earl Bathurst’s Letter to The Governor in Chief relative to Masters of Convict Ships trading; to all of which due attention and obedience will be given.

* Marginal note.—Scott; Stanfield.  † Note 139.
I have also to acknowledge your Letter of date 7 Oct. notifying the Circumstances under which the Ship Portsea had been ordered out of Port Jackson by His Excellency the Governor; and I accordingly instructed the Naval officer to prohibit her to proceed to Sea, should she be found attempting to come in. The Portsea did anchor within the Heads on the 13 and was then boarded by the Naval officer in the Evening; on the following Morning she went to sea.

I beg to mention that Robt. Delph, a prisoner from Sydney, who had secreted himself on board a Sealing Vessel in the Straits, was given up at Port Dalrymple and is now in the Government Works there.

Enclosed I beg to hand particulars of three persons, who pray to have their Wives and families sent out to them from Ireland.

Having submitted to His Exc'y the Governor names of 2 persons* for free pardon, on the grounds of public Service, I annex particulars of their Trials, etc. for your Information, should His Excy. be pleased to grant their pardons.

I have, &c.,

WM. SORELL.

[Copies of these papers are not available.]

### Colonial Secretary Campbell to Lieut.-Governor Sorell.

26 Nov. 26th and 27th November, 1818.

1 Dec., 1st December, 1818.

[Copies of five despatches, each bearing one of these dates, are not available.]

### Governor Macquarie to Lieut.-Governor Sorell.

(Despatch per brig Prince Leopold; acknowledged by lieutenant-governor Sorell, 22nd January, 1819.)

Sir, Government House, Sydney, 1st December, 1818.

1. His Majesty's Ministers considering the present Expenses of this Colony and its Dependencies to be most enormous, and having laid their positive commands on me to make every possible retrenchment in those Expenses, I have in pursuance of these Orders resolved on reducing the Price of Animal Food supplied by Individuals for the use of the King's Stores, in all parts of the Territory, from Sixpence to Five Pence Pr. Pound, this reduction of Price commencing on and from the 1st day of the ensuing Month of January, 1819.

2. I have accordingly to direct that you will be pleased to make this resolution known, as Publicly as possible, on the receipt of

* Thomas Worrall; — McGill (Emancipated).
this Letter, at the Settlements on Van Diemen's Land under your immediate Government, directing the officers in charge of the Commissariat Departments at those Settlements respectively not to pay more than Five Pence per Pound for any Animal Food they may have occasion to Purchase for the use of His Majesty's Stores after the 31st of the present month of December, as no higher Price can be allowed after that date.

I have, &c.,
L. MACQUARIE.

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.
(Despatch per brig Prince Leopold; acknowledged by lieutenant-governor Sorell, 22nd January, 1819.)

Sir, Government House, Sydney, 1st Decr., 1818.

1. In pursuance of your requisition made some time since to me, I have now the pleasure to inform you that I have made a Purchase of a very fine strong well built Brig of Ninety Two Tons Burthen, only three years built, for the Public Service of the Settlements in Van Diemen's Land and to be placed under your immediate authority.

2. This Brig was built at Richmond on the River Hawkesbury by her late owner Mr. Jonathan Griffiths, Settler there. Her former name was the "Rosetta," but which I have changed by new naming her "The Prince Leopold" in honor of His Royal Highness The Prince Leopold of Saxe Cobourg.

3. Previous to Purchasing this Vessel, I had her carefully and minutely surveyed and examined here by a competent committee of Survey, who pronounced her to be in every respect fit for His Majesty's Service in this Colony, and valued her at Twelve Hundred Pounds Sterling, which value the owner was satisfied with, and which I agreed to pay him from the Colonial Police Fund of Van Diemen's Land by a Draft on you for that Amount in favor of Mr. Griffiths, which however he has not yet called for. I would therefore recommend that you should send me a Remittance to this amount at once, so as to enable me to pay the same to Mr. Griffiths here without the trouble of negotiating Bills between this and Van Diemen's Land.

4. Herewith you will receive the Register of the Prince Leopold (late Rosetta) Brig, with Mr. Griffiths's transfer of her to Government and Receipt for the Purchase money on the back of the Register.

5. The Brig when Purchased having been much out of repair, and in almost total want of Sails, Rigging, and every description of Stores and Furniture, I ordered her to have a thorough repair.
in the King's Dock Yard here, to be completely fitted out for Sea
in every respect, and furnished with new Sails, Rigging, Boats,
and all other Stores and Furniture necessary to complete her as
a new Vessel for the Service of Government. Such of these
Stores and Out-fittings as were immediately from His Majesty's
Magazines and Arsenals here, there is no charge made for; but,
for such articles as were Purchased in Private Shops, or were
made by Private Hands, I directed the Acting Engineer to keep
an exact account, in order that the amount might be charged to
your own Police Fund. This account amounting to £162 18s. is
now accordingly sent you herewith, and I have to request you will
send a separate remittance for the amount payable to the Trea­
surer of the Colonial Police Fund here, at the same time that
you send an Order for the first Cost of the Vessel (vizt. £1,200)
drawn in favor of Mr. Jonathan Griffiths.

6. In order that you may know exactly the full amount of the
expen[e] incurred for the Out-fitting of the Brig Prince Leopold,
I now do myself the pleasure of transmitting you herewith an
account of the amount of the various articles issued from the
King's Store here for her, amounting to £565 2s. 8d.; so that she
costs the Crown altogether close on £2,000. I also transmit you
herewith a correct Inventory of all her Sails, Rigging, Stores,
and every description of Furniture, either originally on board of
her when Purchased or Supplied for her use since; from which
Inventory you will observe she is completely supplied with every
thing requisite for such a Vessel; being also well Painted inside
and out. The Brig I hope will please you when you see her, and
I hope also will answer all the purposes for which you required a
Vessel of this description. She may perhaps be a little too large,
but that is a good fault; and, as she only draws Ten feet water
when laden, I trust she will answer for bringing Timber and
Coals from Port Davey and Macquarie Harbour.

7. I have appointed a very steady good young man, born in the
Colony, named Robert Brown, to command the Prince Leopold;
and, in case he conducts himself properly, I request he may be
continued in the command of her. He and his crew have been
paid up their wages, and have also been victualled up to the 29th
of last month inclusive.

8. By the Prince Leopold, I have directed the Dy. Comy. Genl.
to send you a full proportion of all the Stores and Slop Clothing
and Bedding, remaining in the King's Magazines here, for the
use of your Settlements for the ensuing year, and of all which
he sends to the Dy. Asst. Comy. Genl. at the Derwent a regular
Invoice. What yet remains unprovided of your last very large
MACQUARIE TO SORELL.

Demand for the ensuing year will be sent to you on our receiving a further supply of Stores and Slop Clothing from England for the use of the Colony generally.

9. Mr. Secretary Campbell will transmit you a List of the Names of the Several Passengers proceeding to the Derwent in the Prince Leopold; amongst which is Mr. Evans, the Deputy Surveyor of Lands, lately returned from the Western Expedition of Discovery,* and who now proceeds to resume his official Duties as Deputy Surveyor of Van Diemen's Land.

10. The Govt. Brig Elizabeth Henrietta is not yet arrived here from Van Diemen's Land, but I trust she is now on her Passage from thence; and I hope I shall receive by her the Muster Rolls of the present year after you have completed them.

I have, &c.,

L. MACQUARIE.

[Enclosures.]

[Copies of these papers are not available.]

COLONIAL SECRETARY CAMPBELL TO LIEUT.-GOVERNOR SORELL.

12th December, 1818.

[An copy of this despatch is not available.]

LIEUT.-GOVERNOR SORELL TO UNDER SECRETARY GOULBURN.

(Despatch per ship Shipley.)

Government House, Hobart Town,

Sir, 17th Decemr., 1818.

I have the honor to acknowledge the receipt of your Letter Convicts of the 14th July, with an assignment of one hundred and forty nine male convicts on board the Ship Lord Melville.

A Ship being at this moment under dispatch for the Isle of France, I avail myself of the opportunity to report the arrival of the Lord Melville this day; the prisoners on board being all healthy, and one having died on the passage.

I have, &c.,

W.M. SORELL.

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.

(Despatch per cutter Mermaid; acknowledged by lieutenant-governor Sorell, 22nd January, 1819.)


1. By the arrival of the Govt. Brig Elizabeth Henrietta Despatches here from Hobart-Town on the 7th Inst., I have had the honor to receive your Dispatches marked Nos. 9 and 10, and dated the 18th of last month; with their respective enclosures and accompaniments, to all which due attention shall be paid.

* Note 140.
2. The Muster Rolls and Quarterly Returns received by this Opportunity are very satisfactory; and I now return you for Publication in your Gazette* the Counterpart of your Police Fund Account for the last Quarter, approved by me.

3. I have no objection to your paying Mr. Hamilton of the 48th Regt. the full allowance (or Pay of 7s. 6d. per diem) of a Colonial Asst. Surgeon as long as it may be necessary to continue to employ him in that capacity at the Derwent, for the reasons specified in your dispatch.

4. I regret to find that the claims of that tiresome man George Guest are yet unadjusted to his satisfaction. You must be fully aware that I cannot possibly decide upon them at this distance. I must therefore refer his claims back to your own decision after you have had them investigated on the spot by Arbitration or otherwise, assuring you that I shall most readily approve of your final decision on this Man's Claims, as I have now been sufficiently plagued and tormented with them for nearly these last nine years. I shall accordingly refer Messrs. Kemp and Gatehouse to you for the adjustment of their disputes with George Guest relative to the Town Allotments, occupied by them at present and claimed by him; and, as Mr. Evans, the Deputy Surveyor, is now at Hobart-Town, there will be the less difficulty in adjusting these Disputed Claims on either side.

5. In respect to Asst. Surgeon Younge, I shall willingly grant him permission to go Home,' in case he is allowed to do so by his Creditors.

6. I am concerned to find that Mr. Tims's own most shameful and disgraceful conduct as a Public Officer leaves me no other alternative than that of suspending him from his office of Provost Marshal, which he has proved himself so totally unworthy of holding any longer. You will receive from Mr. Secy. Campbell a Copy of my Govt. and Genl. Order suspending Mr. Tims, and his Functions as Provost Marshal are to cease on and from the date of your receipt of this Dispatch.

7. I very much approve of the line of conduct you have pursued in respect to Mr. Randall, who absconded clandestinely from this Port. He is a very dangerous, turbulent, bad character, and I shall take care that he never shall have permission to go to any part of Van Diemen's Land again. Indeed strictly speaking, he becomes once more a Convict, having justly forfeited his Emancipation; but, in pity to his former rank in life, I shall abstain from enforcing this law on him.

8. The dissentions at Port Dalrymple between Major Cimetiere and Capt. Watkins are much to be regretted; but the whole blame rests with the latter, who is a most troublesome man and of a

* Note 99. † Note 141.
most vindictive disposition. I have however ordered him to be released from his arrest, as it would be most absurd to order a Genl. Court Martial to be assembled here for the childish gratification of either of the Parties on such frivolous grounds, as my doing so would be productive of great expence and injury to the Public Service, as well as great inconvenience to Private Individuals. I have accordingly declined to accede to Major Cimiterie's pressing application for a General Court Martial on Capt. Watkins, contenting myself with conveying to the latter my entire disapproval of his conduct on this occasion.

9. Lieut. Colonel Erskine Corg. the 48th Regt. having signified to me his wish to remove Lieut. Cuthbertson from Port Dalrymple to the Derwent, and that he should be replaced by Lieut. Vandermeulan, I have deemed it expedient for the good of the Public Service to give my sanction to this measure, and think it proper to apprise you thereof in this official manner.

10. I approve of your temporary appointment of Mr. Thos. Quin (late Sergt. in 73rd Regt.) Free Settler, to the Office of Storekeeper at Port Dalrymple in room of Mr. Dry; and have every reason to think from his former good character he will be found in every respect well qualified to discharge the Duties of that Office.

11. I regret to find so strange and foolish a mistake should have occurred of landing and detaining at Port Dalrymple the Slop Clothing and Stores sent down in the Elizabeth Henrietta for the use of the Settlement of the Derwent; and you have acted very properly in ordering them to be sent round to you.

12. I most sincerely congratulate you on the annihilation of Michael Howe, the Chief of the Banditti of Bush Rangers in Van Diemen's Land, as, I trust, his Death will completely prevent any new Body of that description setting up to molest the Peaceable Inhabitants. I must confess, however, I should have been better pleased if this daring and atrocious Villain and Outlaw had been taken alive, so as to be made a Public example of on a Gibbet. The Men, who destroyed him, are certainly very deserving of being rewarded (however sanguinary the act itself); and I have no objection, if the man still wishes it himself, to recommend Pugh the Soldier to H. R. Highness The Comr. in Chief for to be allowed to purchase his discharge, and to pay for it from the Police Fund, for I cannot grant him his Discharge of my own authority without a reference to H. R. Highness the Commander in Chief; and his commanding officer Colonel Erskine seems to think the Man's own bad dissipated character does not entitle him to such an indulgence, the more especially as Pugh himself states that he has already received a
very handsome pecuniary reward of fifty pounds from your police fund. still, however, i should be sorry not to fulfil any promise you may have made to this man, and therefore shall recommend him for his discharge after hearing from you again on the subject. i shall have no objection to grant absolute pardons to both worrall and mcgill, on your furnishing me with the names of the ships they came out in, and also with their former sentences, in reward for the share they had in the annihilation of howe and his banditti.

13. i am sorry to observe that you feel rather disappointed in not being allowed a greater latitude in recommending to me meritorious convicts for absolute and conditional pardons, but the fact is i have gone much further in meeting your wishes in this respect than i was warranted to do, either by my own regulations (long since published on this important and delicate part of my prerogative), or from the orders received from home on this subject; in pursuance of which, i have not given a single emancipation or absolute pardon to any one at port jackson at the prescribed period of the present year, excepting to those men recommended by you and the few convicts employed on the late expedition of discovery* under mr. oxley. i shall therefore hereafter (excepting on very extraordinary occasions of merit and public service) be compelled to adhere strictly to my own printed regulations, promulgated in jany., 1813, a copy of which i now transmit you herewith for your particular observation and guidance on all future occasions of recommending convicts in van diemen's land for mitigations of sentences.

14. mr. secretary campbell will transmit to you by this present opportunity the conditional pardons of those convicts whom you last recommended for that indulgence; and i shall direct the remainder of the sentences, passed on robt. scott and john stanfeld at the derwent, to hard labour at newcastle, to be remitted, with permission to return to the derwent in case they wish to do so.

15. i am very happy to hear that you have been able to make such judicious and liberal arrangements at the derwent for the education and instruction of the children of the lower classes at that settlement, and of which i very highly approve, and i consider these arrangements quite sufficient for the present.

16. i trust mr. florance, whom you have sent to survey macquarie harbour, will be able to find a better and deeper channel into it than has yet been discovered, and that a sufficient depth of water will be found on the bar for the prince leopold to enter that harbour.

* note 140. † note 142.
17. The Honble. Mr. Justice Field* now proceeds in H.M. Cutter Mermaid on his Circuit† of the Supreme Court to the Derwent, and I have to request that you will be so good as to receive him with every mark of attention and respect on his arrival there, and afford him during his stay at the Derwent every possible facility in making and carrying on his arrangements and Proceedings as Judge of the Supreme Court. I have also to request you will be so good as to hire one of the best Houses in Hobart Town for the residence of Mr. Justice Field, paying the expense thereof from your Police Fund. I have, &c.,

L. MACQUARIE.

LIEUT.-GOVERNOR SORELL TO COLONIAL SECRETARY CAMPBELL.
(Despatch per brig Prince Leopold.) 1819.

Sir, 2nd Jan., 1819.

I beg to acknowledge the receipt of your letters of dates stated in the Margin.‡

Respecting Charles Simpson, I beg to enclose a Cert’te of the Chaplain of his burial in 1814; I return the certificate of Freedom, which you sent under the supposition of his being yet alive.

The Man Dual§ also requested to be sent up, having been resident at Port Dalrymple; I gave directions to Major Cimetiere to send him up by first conveyance from thence, and I hope he will have arrived.

The two Men, named Wm. Roberts, have been ordered to be in readiness to proceed by the first conveyance to H.Q. agreeably to His Excellency’s desire.

William Roberts, who was tried at Middex. G.D., 13 Jan., 1802, is an emancipated Man, has a Farm and a Family, and bears a good Character. I am, &c.,

WM. SORELL.

[Enclosure.]

[A copy of this certificate is not available.]

LIEUT.-GOVERNOR SORELL TO COMMISSIONERS FOR VICTUALLING H.M. NAVY.
(Despatch per ship Shipley.)

Sirs, 8th January, 1819.

I have the honor to acknowledge the receipt of your letter of June 10th, 1818, per Ship Lord Melville, Mr. Thackray Wetherell, Master, notifying that 3,360 pounds of Beef and 6,360 pounds of pork had been put on board that ship for the subsistence of the Convicts embarked for this Settlement during three Months after their arrival:—but the Invoice and Bill of

* Note 87. ‡ Note 143. † Marginal note.—2, Nov. 26; 1, Nov. 27; 2, Dec. 1.

§ Note 184.
Receipt granted for provisions.  

Lading of the provisions so shipped, which are stated, in your same letter, to have been addressed to me by The Lord Melville, have not come to hand. The officer in charge of The Commissariat Department at this Settlement has granted a receipt to the Master, Mr. Wetherell, for the quantities of provisions delivered here, with the specifications desired in your Letter to me.

I have, &c.,
WM. Sorell.

LIEUT.-GOVERNOR SORELL TO COMMISSIONERS OF THE NAVY.  
(Despatch per ship Shipley.)

Sirs,

I have the honor to acknowledge the receipt of your Letters of 11th and 12th June, 1818, the latter enclosing the Charter party of the ship Lord Melville, and a List of Stores for Convicts, Guard and passengers.

The ship Lord Melville proceeding from hence to Batavia without touching at Port Jackson, the Guard, which arrived in that ship will be forwarded by another Vessel:—the Expense of Transport, should any be incurred, I shall notify to Governor Macquarie for your information.

His Excellency the Governor in Chief has been pleased by a Govt, and Genl. order, * dated the 21st Nov. last, to suspend in the Territory of N.S.W. and its dependencies the operation of an order before promulgated from H.M. Secy. of State for the Colonies, prohibiting all private trade from Convict Ships.

I have, &c.,
WM. Sorell.

LIEUT.-GOVERNOR SORELL TO EARL BATHURST.  
(Despatch per ship Shipley.)

My Lord,

I had the honor of receiving a few days ago the letter which Your Lordship was pleased to address to me, of date 6th August; with Copy of an Application, the nature of which, as directed to Your Lordship, and as connected with my self, cannot fail to be felt as peculiarly painful by me.

I beg leave to acquaint Your Lordship that Instructions in Duplicate have been already sent to my Agent, and to a person through whom the allowance, made from me to the author of that application, was paid, to appropriate £200 pr. ann. out of the Moiety of my Salary issued in England to her use. I shall hope to be pardoned for intruding a few words upon Your Lordship on this occasion.

* Note 144.
That Claim, to a certain extent, attached to the person in question, with respect to me, I did never deny; The pressure of my affairs alone prevented that Claim from being put upon a footing beyond contingency at an earlier period, as it had been before; But Many of the Statements now advanced are wholly untrue, and one most important fact altogether kept back.

The loss of Education to That Person's Children, I assure Your Lordship most solemnly rests upon her own positive and repeated refusal to agree to their being placed where they could have obtained it. No pains were spared, on my return from foreign duty several years ago, to effect an arrangement for that object, the proposals being accompanied by an offer to insure an Annuity to herself. The persons who interposed were compelled to abandon any hopes of being of Service, and The Complainant resisted all persuasions founded on the result which her:resistance must occasion to her Children.

I had the honor of being brought to Your Lordship's Notice by some who had known me through life; one great error of conduct, though producing sacrifices affording in some degree its atonement, both in public and private prospects, left me still the regard and protection of the many distinguished persons, whose esteem I had possessed during a Service of above Twenty Years, without reproach of any kind. In the appointment conferred upon me by Your Lordship, I have acquired the Confidence and the repeatedly expressed approbation of Governor Macquarie, sentiments on his part, which I trust and doubt not have reached Your Lordship.

With every feeling of respect and gratitude,

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatches per brig Prince Leopold.)

20th and 22nd January, 1819.

[The following summaries only of these private letters are available:—]

Letter dated 20 Jany.
1. Sending Leopold wt. 30th Detachmt.
2. Requiring Cedar for new church.
3. Appointment of Lt. Vandemeulen as Navl. Offr. and In­
   spector of Works.
6. Mr. Florance's Plans of the two new Harbours; returned.
7. Mr. Florance’s Proposal for supplying Sawed Timber for Govt. from Macquarie Harbour—not approved.
8th. Requesting the Grants of his Land to be sent him.
9th. His apprehensions of Mr. Archer’s removal by Mr. Drennan.
10th. Mrs. M.’s recovery!

Entd. L.M.

Letter dated 22d Jan., 1819.

1. Relative to Mr. Jamott—his meml. to be returned.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*
(Despatch No. 1, per brig Prince Leopold; acknowledged by Governor Macquarie, 8th March, 1819.)

Sir,

22nd January, 1819.

I have the honor to acquaint Your Excellency that the Ship Lord Melville with 149 Male Prisoners arrived from England on the 18th Ulto. I beg to forward to Your Excellency the assignment (original), copy thereof being kept here with an attested copy of Muster Roll.

These prisoners arrived healthy, one having died on the passage, as marked in the Roll; they declared themselves to have been very well treated on the voyage, and I accordingly certified to that effect to the Surgeon Supt. and Master.

Fifty of the prisoners were landed at once and sent to Port Dalrymple, and the remainder here. The Lord Melville was discharged on the 6th, and sailed for Batavia on the 14 Instant.

2. The Govt. and Genl. order,† issued by Your Excellency of date 21st Nov. relative to Convict Ships trading, was duly received and published, and acted upon to the extent required with respect to the Lord Melville.

3. A Guard, as per Margin,‡ arrived in the Lord Melville. They are now forwarded per H.M. Coll’ brig Prince Leopold.

4. This last Vessel arrived on the 20th Ulto. with The Revd. Mr. Youl, Mr. Evans and Ensign Roberts of the 48th Regt. The former went on to Port Dalrymple to perform his duties there.

5. By The Prince Leopold, I was honored with Your Excy.’s dispatch of the 1st Ulto. with the accompanying papers respecting that Brig; and the Stores and Slops duly arrived for this Station.

6. In obedience to Your Excellency’s Instructions, I have now the honor to remit Bills for £1,200 for the purchase of the Prince Leopold.

* Copied from original letter-book in Mitchell library, Sydney. † Note 144.
‡ Marginal note. — 30 Regt.:—1 Serjt., 20 R. and F., 8 Women, 3 Child’n. 48th regt.:—1 Sub., 10 R. and F.
7. His Majesty’s Cutter Mermaid arrived on the 2nd Instant with the Judge of the Supreme Court.

By her, I was honored with Your Excellency’s dispatch of the 21st Decr. I have done all in my power to receive the Judge in a manner suited to his rank, and to facilitate the sitting* of his Court.

8. I beg to acknowledge Your Excellency’s kind attention to my request for conditional pardons for Ten persons, and for free pardons for Worrall and McGill on Account of Public Service; particulars of the latter not being rec’d in time for the present will be forwarded by next Conveyance.

9. Lieut. King† in the Mermaid has proceeded to look at Macquarie Harbour, and, as Mr. Florance had returned just before Mr. King’s arrival and was enabled to furnish him with a draft of it, I hope his Survey will be facilitated.

I beg leave to enclose for Your Excell’cy Copies of Plans of Macquarie Harbour and Port Davey by Mr. Florance, from which I think it would appear to Your Excellency that the former offers a very eligible spot for a Settlement. I much regret that a deeper passage has not been discovered. I propose that Mr. Evans shall take an opportunity of going round in the Prince Leopold before Winter, so as to obtain more exact information as to the neighbouring Country.

10. I fear the dissensions amongst the Officers at Port Dalrymple are little likely to terminate, particularly while Captn. Watkins is there. He and Ensign McAlister have lately gone a little further in making a sort of attack upon Mr. Cox. I have expressed my opinion very clearly thereupon, and shall abstain from intruding the case upon Your Excellency at present; but I really expect that Captn. Watkins will go on to compel some very extreme proceeding; he has now given notice of an Action against Major Cimetiere in the Supreme Court for false imprisonment.

11. As Your Excellency did not name any one to act as Prov. Marshall on Mr. Tims’ suspension, and the Courts required an effective officer, I named Lt. Vandermeulen to det. I trust there was no impropriety in that nomination, which was agreeable to the Judges and to Major Bell, and to my own desire to serve that officer, arising as well from my own disposition as from Your Excellency’s strong recommendation of him.

In consequence of that arrangement, I deferred, by Letter to Major Cimetiere, the Exchange of Lieut’ Cuthbertson to this station, till the duty should be over as to the Supreme Court; and, as Lt. Vandermeulen cannot without extreme inconvenience carry oyer his family and baggage by Land, and would sustain

* Note 143. † Note 145.
1819.
22 Jan.

Returns transmitted.

Proposed discharge of W. Pugh from military service.

Emancipations for convicts employed on road to George town.

Invoice transmitted.

Arrival of settlers per ship Lord Melville.

great loss by selling the latter here, I hope Your Excellency will approve of his exchanging by the first Vessel going round, which will probably be The Prince Leopold after her return.

12. I have now the honor to transmit the Quarterly Returns and Reports of the Settlement to 31 Decr.; also a duplicate Copy of the Police Fund Account to the same period for Your Excellency's approval.

13. Respecting Wm. Pugh, the Soldier who killed Howe, my recommendation to Your Excellency for his discharge proceeded from my own inclination in concurrence with Major Bell. I acted under the impression that policy, with respect to the encouragements held out for such services, combined with the exertion and spirit evinced by Pugh, rendered advisable a striking mark of favor and indulgence. I, therefore, laid the recommendation before Your Excellency; and I should feel myself highly obliged by its being granted, should the Soldier be anxious for it; but he may possibly wave the claim and be desirous of other indulgence. The reward paid to Pugh arose from a Fund subscribed here for the apprehension of the Bush-rangers in 1817, which, though not yet entirely paid up and therefore in debt to the Police Fund, will ultimately cover all Expences of that kind.

14. I beg leave to enclose a List of Men, who were employed in making the road from Launceston to Geo. Town, and who were called in to Govt. labor on Major Cimetiere's arrival. I then engaged to recommend them for Emancipation on the 1st Jany., that promise hav'g been given by Major Stewart and Your Excellency was pleased to express your approval thereof. Should Your Excellency desire to defer the grant of that Indulgence till next Season, I shall notify it accordingly; but, as it was for a public Service and an Engagement on my part before approved, I felt it my duty to submit it.

15. I beg leave to transmit an Invoice with two Cases received from Captn. Wetherall of the Lord Melville. I understood them to be Seeds, but have no other document.

16. I have the honor to forward to Your Exc'y two Letters from Messrs. Cawthorn and Ford, New Settlers arrived pr. Lord Melville. Their Letters to Your Excellency from Lord Bathurst were open and were perused by me, and with an Account of their property, etc., are now submitted to Yr. Excellency.

I have, &c.,
WM. SORELL

[Enclosures.]

[Copies of these papers are not available.]
SORELL TO CAMPBELL.

Lieut.-Governor Sorell to Colonial Secretary Campbell. (Despatch per brig Prince Leopold.)

1819. 22 Jan.

Sir, 22 January, 1819.

I have to acknowledge the receipt of your several letters by H.M. Cutter Mermaid, viz. one of Dec. 12th transmitting an attested copy of His EXC'y The Governor in Chief's order, suspending the operation of the prohibitory order regarding private trade by Convict ships, which order of His EXC'y, dated 21st Nov. last, has been duly promulgated and acted upon here; one of Dec. 21st with an attested Copy of Govt. and Genl. order of 19 Decr. reducing the price of Animal food; one of same date with an attested Copy Govt. and Genl. order suspending Mr. Martin Tims from the duties and pay of Prov. Marshall; and your favor of 23rd Dec., all of which have had due attention.

I have also to acknowledge the receipt of Ten Conditional pardons and your accompanying Letter, and I have given directions that the necessary descriptions for registration in your office, as well as the Fees due thereon, shall be transmitted as soon as received. Referring to the Cond'l pardon, No. 1118, for C. E. H. Cox, the particulars of Trial and sentence do not appear in the body of it; his Ticket of Leave No. 120/1200 states “no Indents for Indefatigable, recd. at this date, July 25, 1817,” and he himself states his sentence to have been Seven Years; should these partic's be at hand, I beg to be favored with them.

Not having yet received any Extracts from Indents of the Request for 30 Female Convicts per Maria, sent to this Settlement by the Exc'ts of Eliz'th Henrietta last voyage, I have to request that such Extracts may be sent, if the Indents are with you.

Application having been made by Alex. Antrobus, at this Claim of Settlement, for a Cert'te of Freedom, and no Indents or attested Extracts being in this office, I beg, if his statement, as follows, be correct, that you will cause such certificate to be forwarded.

"Alexander Antrobus per ship Baring, Lamb Master, tried at O.B., London, Jany., 1812, Sentence 7 years, came here in the Emu as cook to Mr. Abbott."

I have to request, at the same time, you will be pleased to send attested partic's of the Trial and Sentence of John Simons, who states himself to have been tried at Reading, Berks, March 2nd, 1812, sentence 7 years, and to have arrived per Mary Wellington, Beetham, in 1815.

I herewith transmit an application, from a Crown Servant at this Settlement, who is able to support them, for his Family to be sent from England; also an application of Edwd. Yates, lately

* Note 144.  † Note 146.  ‡ Note 141.  § Marginal note.—George Chatterley.
HISTORICAL RECORDS OF AUSTRALIA.

1819. 22 Jan.
Applications for passages for families.

emancipated for public Service, and of four others,* all of whom are able to support their Families. The Names of these last five were forwarded to His Excell'cy in July, 1817, but nothing has been heard of the Families, perhaps from the application from hence being at that period defective.

Enclosed I beg to hand a List of persons proceeding on the "Prince Leopold."

I have, &c.,

WM. SORELL.

[Enclosure.]

[A copy of this list is not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.

(Govt. House, Sydney, 3d Feb'y, 1819.)

In consideration of the long and faithful Services of Mr. Richard Dry, as Store-Keeper and Acting Staff Clerk in the Commissariat Department at Port Dalrymple, and also to enable him to keep up and graze his present very large Stock of Sheep and Horned Cattle, I have to request you will be pleased to direct the Dy. Surveyor to locate and mark out a Grant of Five Hundred Acres of Land for Mr. Dry at Port Dalrymple, directing at the same time that Himself and his Family together with three Government Men shall be victualled from the King's Stores for Twelve Months.

I have, &c.,

L. MACQUARIE.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(The following summaries only of these private letters are available:—)

Letter dated 6th Feb'y., 1819.
1. Return of Judge Field in Mermaid.
2. New Port Regulations.
3. Return of Revd. Mr. Youl.
4. Demand for addl. articles for Works at Derwent.
5. An abundant Harvest.

Letter dated 8th Feb'y., 1819.
1. Requiring Lead and Glass for Church.
2. His not clearing out the Derwent Schooner.

Letter dated 8th Feb'y., 1819.
1. Relative to Major Cimitiere's allowing Mr. Leith to resign, and giving him Leave of absence.

MACQUARIE TO SORELL.

Letter dated 16th Feby., 1819.

1st. Capt. Watkins's improper conduct, and his wishes to have him removed.

2d. Mr. Beamont's appointmt. to be Prov. Marshal.

3d. Lt. Vandermeulen's Do. at P.D. as Nav. Offr. etc.


5th. His anxiety for my visiting the Settlements in V.D. Land and reporting on their State of Improvement.

6th. Requesting to know if any time is fixed for my leaving the Colony.

7th. Mjr. Cimitiere's opinion of Mr. Leith's unfitness.


9th. Explanations made by Major Cimitiere.

Letter dated 29th Feby., 1819.

1. Soliciting Lead for the Roof of the New Church; none to be had here!

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.

(Despatch per brig Prince Leopold.)

Sir, Government House, Sydney, 8th March, 1819.

1. I have the honor to acknowledge the receipt of your Dispatch dated the 22d of January, and received here on the 8th of last Month per the Govt. Brig Prince Leopold, which Vessel you had so judiciously sent up with the Detachment of the 30th Regt.; all of whom, as well as the other Passengers sent in that Vessel, arrived here in good Health. The Detachment of the 30th Regt. arrived here just in time to be embarked for India on the Tottenham with the other several Detachments of Regiments serving in that Country.

2. The Mermaid Cutter commanded by Lt. King arrived here from the Derwent on the 15th of last Month, having Mr. Justice Field† and his Lady on board, both of whom expressed themselves as highly pleased and gratified with your Polite and very Kind attention to them during their residence at the Derwent.

3. I was happy to hear of the safe arrival of the Lord Melville Transport at the Derwent, and that she landed her men in such good Health. I was also much pleased to find you had been able to dispatch her so soon.

4. The Bills for the cost of the Brig Prince Leopold came safe to hand, and were paid over to Mr. Griffith her former owner. I entirely approve of your having added two Men to the Crew of this Vessel, since such augmentation appeared to be necessary.

* Note 147. † Note 87.
5. I should long since have dispatched the Prince Leopold back to the Derwent, had it not been that I was in daily expectation of a Ship with Male Convicts arriving here from England, from which it was my intention to send you as many Male Convicts as the Prince Leopold could accommodate; but, having detained her here for this purpose for three weeks and despairing of any arrivals from England, I resolved on sending you Sixty Volunteer able Bodied Convicts from our different Gangs. They were accordingly prepared for Embarkation, and were to sail on the very day (the 4th Inst.) that the Surry Male Convict Ship arrived here from England, when I resolved on following my original intention; but the Sixty poor Volunteer Convicts begged so earnestly to be permitted to proceed to the Derwent, and made such strong Professions of conducting themselves there correctly, that I was induced to yield to their wishes, and they now accordingly proceed to the Derwent in the Prince Leopold, Sixty Suits of New Slops being put on board for them, but which Mr. Brown is directed not to issue to them till the day of their Disembarkation. A small guard of Seven Soldiers has been put on board as an Escort for the Prisoners embarked on the Prince Leopold. I have also permitted some few lately arrived Free Settlers from England to proceed to the Derwent by this conveyance at the expense of Government. The Secretary will transmit you Lists of the Names, etc., of the Convicts and other Passengers going to Van Diemen's Land in the Prince Leopold, which I have directed to touch at Port Dalrymple for the purpose of landing Asst. Surgeon Owen, and Mr. John Moulds, Supdt. of Carpenters at that Settlement; but I shall send positive orders to Major Cimitière not to detain her there above twenty four Hours.

6. Finding Mr. Leith, the Inspector and Supdt. of Works at George-Town, was constantly wrangling with the present Commandant and extremely negligent of his Duty in carrying on the Public Works at that new Settlement, I have deemed it necessary to remove him from that office, as no longer worthy of retaining an office that requires so much attention, activity and Zeal. In consequence of removing Mr. Leith, I have appointed Lieut. Vandermeulen to be Inspector of Works at George Town and also Acting Naval Officer, with a Salary of Five Shillings per Diem, for doing both the Duties of these two offices. I have at the same time appointed our very best House Carpenter here to be Supdt. of Carpenters at George-Town, whither he now proceeds in the Prince Leopold; and I must beg he may not be removed on any account from the Works at George-Town, which, with this Man's able assistance and skill, under the superintendence of Lieut. Vandermeulen, I trust and hope, will go on
now in a very different Manner to what they have done for the last four years.

7. By the Prince Leopold I send you a very good Supply of Cedar, both in Logs and Sawed Plank, for the New Church, etc., etc., at Hobart-Town, it being full as large a Quantity as could possibly be supplied at present from the Public Works going on here. You will also receive by the Prince Leopold a pretty large Supply of other Articles for your Works, but not all the Articles contained in your late very large Demand, many of them not being in the King's Stores here, nor to be had in the Private Shops for Purchase; the Article of Sheet Lead in particular is not to be had for any Money. I herewith enclose you a List of the Articles now sent in the Prince Leopold. There is no Stationery at present in the King's Store here, and the Price of it in the Private Shops is so enormous that I could not give my sanction to any being Purchased in that way.

8. I return you the Plans made by Mr. Florance of Port Davey and Macquarie Harbour to be copied by Mr. Evans at his leisure Hours, and when done I shall be glad to have copies of them sent to me. I also send you back the Counterpart of the Police Fund Account for the last Quarter signed and approved by me.

9. As the poor men, who made the new Road between George-Town and Launceston, were promised that Boon, I shall have no objection to give them all Conditional Pardons, as soon as I know the names of the Ships they came out in to the Colony, and I now return you the List of their names, which you sent me, to be corrected and then sent back to me.

10. The two Iron bound Cases received by you for me per the Lord Melville were safely delivered to me by the Master of the Prince Leopold. I have, &c.,

L. MACQUARIE.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*

(Despatch per ship Surrey; acknowledged by Governor Macquarie, 15th May, 1819.)

Sir,

26th March, 1819.

I had the honor to receive Your Excellency’s Letter, enclosing one which had been addressed to you by Mr. Loane, and also a Copy of Your Excellency’s reply to this last, referring the statement of Mr. Loane to me for decision.

I accordingly lost no time in communicating what I considered necessary to that Gentleman; and, reserving to myself to submit those papers to Your Excellency, should the Case require it or should further appeal be made, I shall only now beg leave to say that Mr. Loane’s Letter to Your Excellency

* Copied from original letter-book in Mitchell library, Sydney.
contains a series of untruths and misrepresentations, too common I am sorry to say from hence; and, in some of which, he stands self contradicted by reference to Documents.

I now beg to state to Your Excellency that a Young Man, named Henry Haywood, at present in Mr. Loane's service, was allowed by me to land here from the Anne, Whaler, in November last at the request of Capt. Wilkinson, the Master; this Young Man, it appeared, had come out an Idler as professed for his health; on the plea of ill health and his wishing to become a Clerk here, I acceded to Captn. Wilkinson's application.

Having, however, received marked personal disrespect from Mr. Haywood, in which he has persevered, I signified to him my refusal to admit him to a right of permanent residence or Settlement, unsanctioned by His Majesty's Govt, or by Your Excellency, and my order to depart the Settlement.

I trust in so doing I have not exceeded my powers, having acted upon the ground that Mr. Haywood, or any person arriving per chance without any authority or sanction, without property, or even without his character favorably vouched by Captn. Wilkinson, has no right to permanent residence or Settlement. But, as he relinquished a passage in the Anne upon landing, I could not enforce his departure unless a passage in a Vessel at the disposal of Govt, could be provided for him. I have, therefore, thought it my duty to submit the matter to Your Excellency in the hope that you may approve of the measure, and may be pleased to order a passage home for Mr. Haywood.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*
(Despatch per ship Surrey; acknowledged by Governor Macquarie, 15th May, 1819.)

Sir,

It is with much regret I do myself the honor to report to Your Excellency that the Schooner "Young Lachlan" was cut out of the river by a Band of Piratical Convicts on the night of the 27 Ulto.

This Vessel arrived from Port Dal. on the 18th, and was as usual anchored in the Cove; on the day following, however, the Owner, Capt. Howard, caused her to be moved outside Hunter's Island, so as to be nearer his Store on Macquarie Point; upon which he was remonstrated with by the Naval Officer; but, as on a former voyage I had permitted the Schooner to be moored in that situation at the Owner's request, I did not think it necessary to insist upon her being brought back into the Cove, in the-

* Copied from original letter-book in Mitchell library, Sydney.
full persuasion that the precautions enjoined upon all small Vessels to land their Rudder, Sails, etc., would be duly observed.

I am sorry to say that on this point there was an entire omission; and, in place of any such precautionary Measures being taken, the Rudder and its fastening were left on board, the lower Sails bent, the Master allowed to go into the Country, no Watch kept, and not a round of Ammunition on board.

The Seizure of The Young Lachlan being reported to me soon after five o’Clock A.M. on the 28, I dispatched Two Govern’t Boats with a party of Troops in pursuit; and, there being no Vessel in the port but Mr. Birch’s Brig, the Sophia, and a Shallop, also belonging to him, both at the time unrigged and laid up, the latter was got ready as quickly as possible and proceeded down the River about Noon with another party of Troops.

The Boats returned on the 3rd, having gone through Storm Bay passage and round Bruny Island; and the Shallop came in on the 7th, having under the direction of Captn. Kelly* examined all the neighbouring Coast and Bays, and bringing in 4 Seamen, the Crew of the Schooner who had been landed on Bruny Island by the Pirates as they went out of the Bay. The pirates, 12 or 13 in number, had no Water, no Anchor, no Wood, no oil or candle, and only three Water Casks.

Considering it necessary to have the Circumstances of this Event suitably investigated, a full Bench of Magistrates sat for that purpose and examined the Crew of the Schooner, and such Persons as could give any information on the subject. I have the honor to transmit to Your Excellency an attested Copy of the Record of their proceedings.

I have, &c.,

WM. SORELL.

[Enclosure.]

[A copy of this paper is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

30th March, 1819.

[A copy of this private letter, enclosing two copies† of the history of Michael Howe’s career, is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.‡

(Despatch per ship Surrey; acknowledged by Governor Macquarie, 15th May, 1819.)

Sir,

The accompanying Memor’l has this Morning come to my hand; and, though not at the regular period, I hope I shall

* Note 124. † Note 148.
‡ Copied from original letter-book in Mitchell library, Sydney.
1819.  
31 March.  
Memorial from  
G. W. Gunning  
and  
T. A. Lascelles.

6 April.  
Arrival of  
ship Surrey  
with convicts.

Arrival of brig  
Greyhound;  
and of brig  
Prince  
Leopold.

Emancipations granted.

stand excused to Your Excellency for laying it before you in consideration of the Memorialists' service and first Settlement in this Country.

It is a case not resting so much upon any support or recommendation of mine, as submitted to Your Excellency through me as the regular channel, but dependent wholly upon your consideration for the Memorialists; respecting whom, I shall only beg to add that I should feel gratified in being in any degree instrumental in aiding their views for the improvement of their Circ's and situation in the Settlement. I have, &c.,

Wm. Sorell.

[Enclosure.]

[A copy of this memorial from Messrs. Gunning and Lascelles* is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.†

(Despatch No. 2, per ship Surrey; acknowledged by Governor Macquarie, 15th May, 1819.)

Sir, Hobart Town, 6th April, 1819.

I have the honor to acquaint Your Excellency that the Ship Surrey arrived in the River on the night of the 17th ultimo, with 150 Male Prisoners, all in good health, who have been landed in the most correct, orderly and healthy state, without a complaint of any kind, and with the favorable report of the Surgeon Superint't, and Capt'n. Raine; to whom I have accordingly certified the same.

The Ship came into port on the 18th, and, on the 19th and 20th, the people were landed, so that she was discharged within the time required by her Charter.

The Guard returns on board, and the provisions, Medicines, Bulkheads, etc., have remained untouched.

The Greyhound, Capt'n. Ritchie, from India came in two days before, and, owing to some serious damage and defects as reported by survey, the Cargo has been transhipped into the Surrey. She has Seven Convicts from India on board.

On the 30th, The Govt. Brig P. Leopold arrived from George Town, all well. The Guard on board has been moved into the Surrey for return to Sydney.

2. I am extremely obliged to Your Excellency for the Cedar, etc., by the Prince Leopold.

3. The List of Men for Conditional Pardons for making the road at George Town, I shall immediately send over to be filled up with the Ships' Names, etc., in order to be again submitted to Your Excellency.

* Note 149. † Copied from original letter-book in Mitchell library, Sydney.
4. Lieut't Vandermeulen will proceed to Port Dalrymple to undertake the Duties, to which Your Excellency has been pleased to appoint him, in a few days; and I trust will be active and useful as he is well disposed.

5. Lt. Cuthbertson arrived on the 17th Ulto. I had stated to Major Cimetiere that I conceived it would be most convenient, in consequence of Ensign McAlister’s being removed, to retain Lt. Cuthbertson, unless an officer should arrive in his place, lest the want of two Subalterns might be felt. Should no other officer be destined for Port Dalrymple, I beg to state that there is a supernumerary one, Ensign Roberts, on this side, whose exchange might probably meet Your Excellency’s approval.

6. The seizure of the Young Lachlan and the great risk of smuggling here induce me to submit to Your Excellency the advantage, which would arise from a Harbour Master; in which capacity, an active faithful Man would I am satisfied afford security to Vessels and to the revenue, much more than adequate to any compensation that could be given.

With this view, I beg leave to submit to Your Excellency the nomination of Capt'n James Kelley,* whose zeal, steadiness and good character are known to Yr. Excy., as Harbour Master and joint Pilot, with a Salary of £50 pr. Annum and the usual Fees, there being already a pilot of some standing at this port.

7. Having now a Guard and Battery on the Southern point of the Cove, it would conduce much to the Security of the whole Harbour and of the Govt. Boats and Craft, if it were possible to have a small Work and Guard on Hunter’s Island; it has been mentioned that some old Guns were at Sydney not in use, and, if so, I would request of Your Excellency to allow us two or three for the above purpose.

8. I have the honor to forward the Commissariat Accounts for the last three Months.

9. The Commandant of Pt. Dalrymple has stated to me the improper Conduct of Mr. Smith, Master of the Govt. Brig Eliz’t Henrietta, in delaying several days to go to sea after he was dispatched.

As Major Cimetiere states that he has reported the matter to Your Excy., I shall only beg to add that I had occasion to consider Mr. Smith’s conduct extremely improper, when he was last here, inasmuch as he was intoxicated ashore and was absolutely brought off from the opposite side by the Naval Officer at Seven in the Morning, when he was ordered to be under way with several Prisoners on board; and he anchored near the Mouth of the River, after the Pilot left him, though the Wind was fair and strong, and remained there near 48 Hours.

* Note 124.

Arrival of J. Cuthbertson.

1819.

6 April.

J. Cuthbertson.

Nomination of J. Kelly.

Battery proposed on Hunter's Island.

Quarterly accounts.

Misconduct of D. Smith.
His conduct here I attributed to his bad connection on his Wife's side; but, as it has been equally manifest at Port Dal., I thought it right to state it to Your Excellency. I have reason to believe that he must have lost fully a fortnight on this last occasion.

10. I beg to submit to Your Excellency a Memorial for Mr. John Keeves, lately come to this Settlement, stating some Claims for arrear of Salary and of Cattle, due to him as Schoolmaster on the Port Jackson Establishment.

11. The Brother of Mr. Gatehouse, recently arrived with Your Excellency's sanction from Sydney, having sent in a Memorial, which Mr. Gatehouse has requested me to submit, I now have the honor to recommend it to Your Excellency's favorable consideration. On a former occasion, I have stated and I now beg leave to repeat that Mr. Gatehouse's own proper conduct on all occasions leads me to wish that his Brother's application may receive from Your Excy. a decision favorable to his establishment in the Settlement, in which I consider persons of that Class so much wanted.

12. The extreme want of assistance in the professional and mechanical part of the department of Works has been long felt here; and I should sooner have submitted some arrangement on that subject to Your Excellency, had the Settlement afforded any person competent to the service, who would accept the situation; a Nephew of Mr. Gatehouse, Mr. G. Read, has now offered, a regularly bred Carpenter and Joiner; and, as such a person will be most essential in superintending the Church, etc., I trust Your Excy. will be pleased to approve of his appoint't on the same Salary as Mr. Moulds at P. Dal., the greatly larger and more important Buildings going on here rendering assistance sd greatly wanted.

Mr. G. Read is at present acting in the proposed duty.

13. I beg to transmit the particulars of Thomas Worrall and John McGill, the former a prisoner, the latter an emancipated person, to whom Your Excy. was pleased to promise their free pardons for their conduct respecting Bushrangers and at the death of Howe.

14. Mr. Fitzgerald, the Schoolmaster, has given in a Memorial stating some arrear of Claim for his Salary; he understood that, after the first Year, he was to receive £20 pr. Annum; but it appears from the statement of his acct. with The Revd. Mr. Marsden that he has not done so; conceiving that Your Excy. might be pleased to have his claim examined into to ascertain whether any and what arrear remains either from the Society
for propagating the Gospel or the Orphan Fund, I have transmitted the Account furnished by Mr. Fitzgerald, and a Certificate of his service from the Revd. Mr. Knopwood.

15. Mrs. Hogan having exhibited a Letter to her from Mr. Sec. Campbell of date Sept. 22nd, 1818, communicating Your Excellency's intentions to put Mr. Hogan and Family on the Store, I have at her special request authorised the family being victualled until Your Excellency's Commands shall be received.

16. Mr. Robert Brown, Master of the Prince Leopold, communicated to Major Bell, the day after his arrival, his desire to resign the Brig. I sent for him thereupon, and he said, in presence of Major Bell, that he had no Complaint to make; but, knowing himself to have a tendency to drink, he did not wish to remain in Govt. Service.

I have procured him a passage in the Surrey, as he wished to return to Sydney, and have named to act as Master a person of the name of Chace, second Officer of the Surrey, who I understand has had a Vessel in this Country and has been a Voyage with Captn. Raine, by whom he is well recommended.

I have, &c,

WM. SORELL.

[Enclosures.]

[Copies of these papers are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

(Despatch per ship Surrey; acknowledged by Governor Macquarie, 15th May, 1819.)

6th April, 1819.

[Letter dated 6th April, 1819.]

1. Wishing 150 more Male Convicts to be sent for the use of the Settlements; those lately sent Pr. Surry and P. Leopold not being sufficient.

2. Thanks for his Grants of Land*; but requesting the exemption from the Clause requiring the Lands to be held for 5 yrs. and cultivated in part previous to any alienation!—allowed only in 1 or 2 particular cases, and to be Extended to him also as a special indulgence.

* Note 180.
HISTORICAL RECORDS OF AUSTRALIA.

3d. His concern at Mr. Drennan's system* and ill effects of giving anything like independant Powers to Subordinate Offrs. at so great a disce. from Home.

4th. His regret at Mr. Archer's intended removal and wishing him to be allowed a few mos. leave of absence.

5th. The new system of Payments in Mr. Drennan's own Notes occasions a great sensation in V.D. Land.

6th. Expressing his hope of my remaining 2 yrs. longer in Colony.†

7th. Mr. Haywood's insolent conduct.

8th. His Master, Mr. Loane, also insolent.

9th. Mr. Kemp's marked insulting conduct.

10th. Mr. Kemp's demanding as a right to have Govt. Servants assigned. Lt. Govr. S. wishes to know if he has a right to men, or whether it ought not to be considered as a Boon from Govt.

N.B.—Settlers who have received Grants of Land have a right to Govt. Men,‡ but not otherwise: more especially Persons like Mr. Kemp ought not to receive any favour.

11th. Mr. Haywood has no right to become a Settler or permanent Resident, and ought to be sent away for his insolence.

12th. Mr. Gatehouse (Partner of Kemp) is sensible of Mr. Kemp's bad conduct.

13th. His good opinion of Capt. Raine; Surry dispatched in two days.

Letter dated 10th April, 1819.

1st. Stating the injurious effects of Mr. Drennan's new System of Payments in V.D. Land, and requesting a suspension of its operation there for a time.

2d. Mr. Loane's most extraordinary and impudent demand for a part of the Govt. Garden at Hobart Town for Building on.

3d. Deprecating my granting this indulgence to Mr. Loane in case he shd. refer it to me!

Letter dated 3rd May, 1819.

1st. No occurrence worthy of report has taken place at Derwent since departure of the Surry, excepting arrival of Little Mary.

2d. The P. Leopold draws too much Water for admitting of her going into Macquarie Harbour.

3d. The Brig Jupiter coming up wt. Wheat.

4th. Major Cimitiere reports his intention of removing to George Town about the middle of May.

5th. The Lt. Govr. has orderd an Offr. and 15 Men to be left at Launceston to guard the Stores and co-operate wt. the Magistrate.

* Note 151. † Note 147. ‡ Note 152.
MACQUARIE TO SORELL.

6th. Several Desertions of Convicts from the two Settlements.
7th. Requesting the Soldiers belonging to Majr. Bell's Compy.
now at Sydney to be sent back.

L.M.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*
(Despatch No. 3, per schooner Little Mary; acknowledged by Governor Macquarie, 15th May, 1819.)

Sir,

The Schooner "Little Mary" from Mauritius, proceeding to Port Jackson, affords me the opportunity of transmitting, which I have now the honor of doing, to Your Excellency the Quarterly Returns of the Settlement to 31 March.

No occurrence worthy of report has taken place, since I had the honor of addressing Your Excellency the Surrey.

I have, &c.,

WM. SORELL.

[Enclosures.]
[Copies of these returns are not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.
(Despatch per schooner Sindbad; acknowledged by lieutenant-governor Sorell, 19th June, 1819.)

Sir,

Government House, Sydney, 15th May, 1819.

1. I have the honor to acknowledge the receipt of your Several Letters with their respective accompanying Documents, per the Govt. Brig Elizabeth Henrietta, Ship Surry, and Schooner "Little Mary" (which last Vessel arrived here on the 13th Instant) as per Margin.†

2. I learnt with much regret the Piratical Capture of the Colonial Schooner "The Young Lachlan," and the Desertion of so many Convicts in that Vessel; but, from a perusal of the Depositions taken by the Bench of Magistrates on this occurrence, and which you transmitted to me, it clearly appears that this Vessel was lost owing to the extreme carelessness and negligence of her owner Mr. Howard.

3. In respect to Henry Haywood, whom you permitted to land from the Ann Whaler, and reside at the Derwent for the benefit of his Health, I entirely concur in opinion with yourself that his insolent and highly improper conduct towards you forfeits all claim he might otherwise have of becoming a permanent Resident in any part of this Territory or its Dependencies; and

* Copied from original letter-book in Mitchell library, Sydney.
† Marginal note.—26th March; 30th Do.; 31st Do.; 6th April; 10th Do.; and 2d May, 1819.
1819.

13 May.

Orders for departure of H. Haywood from colony.

Land grants for G. W. Gunning and T. A. Lascelles.

Appointment of J. Kelly as harbour-master; and of G. Read as superintendent of carpenters.

Indulgences for Gatehouse as settler.

Victualling of P. G. Hogan and family.

Pardons and emancipations.

you have therefore my full authority to compel this young man to quit the Derwent by sending him off in the first Whaler or other Vessel, that may happen to touch there bound for England, Providing him with a Passage in the Steerage of such Vessel, and paying for the same out of the Police Fund of Van Diemen's Land; for it must be clearly understood that no Private Individual whatever has a right to remain as a permanent Resident in any of these Settlements without the permission of His Majesty's Principal Secretary of State for the Colonies, or that of the Governor in Chief for the time being.

4. I return you herewith the Memorial you transmitted me from Mears. Gunning and Lascelles,* with my answer affixed thereto granting them some additional Lands and other Indulgences as Settlers, which, however, I only do in consideration of your recommendation of these gentlemen; for I am not at all aware that they have any further claims on government on account of their Services after the indulgences they have already received.

5. Concurring with you in opinion as to the necessity and utility of having a Harbour Master at the Derwent, I have, at your recommendation, appointed Mr. James Kelly† to that Office, and also to be joint Pilot at the Derwent. On the same grounds of utility to the Public Service, I have appointed, agreeably to your recommendation, Mr. G. Read to be Superintendent of Government Carpenters at Hobart-Town. The Official appointments of those two Persons will be communicated to you by Mr. Secretary Campbell.

6. I have no objection to Mr. Gatehouse's Brother (who lately came out from England) being allowed to become a permanent Resident in Van Diemen's Land, and becoming a Settler there. I accordingly return you his Memorial herewith, with my answer affixed thereto, specifying the extent of Indulgences to be granted to him as a Settler.

7. I do not exactly recollect what promise was made to Mrs. Hogan when she was up here; but I authorize you now to order Mr. and Mrs. Hogan, their children, and two Government Men as Labourers, to be Victualed from the King's Store, in their capacities as Settlers, for a further term of Twelve Months from your receipt of this Dispatch.

8. The Free Pardons for John McGill and Thos. Worrall, in reward for their Services in assisting to extirpate the Bush Rangers, and also the Conditional Pardons promised to the Convicts employed in constructing the new Road between George-Town and Launceston in Port Dalrymple, will be made out

* Note 149. † Note 124.
forthwith, and shall be transmitted to you by the present or the next conveyance to the Derwent.

9. Having referred the claims of Mr. Thos. Fitzgerald, School-master at Hobart-Town, and of Mr. John Keeves, late School-master at Liverpool, to the Revd. Mr. Marsden, the Principal Chaplain, I now transmit you herewith his reply and explanation, together with the other Documents referred to therein; from which you will observe that the claims of these Persons are unfounded, and, as far as relates to the reference made by the Revd. Mr. Marsden as to my own knowledge of the circumstances connected with the cases of both the Claimants, I have to observe that it is perfectly correct. Indeed, I am surprised that Mr. Keeves should have had the impudence to set up any claim for further remuneration.

10. I am not sorry that Mr. Brown, the Commander of the Govt. Brig Prince Leopold, has resigned the Command of that Vessel, since he was addicted to Drunkenness by his own confession, and since you have been able to procure so good a Commander in his room.

11. I was very much concerned to find, from your Report and Major Cimitiere's, that the conduct of Mr. Smith, Master of the Govt. Brig Elizabeth Henrietta, had been so highly improper and culpable at both Port Dalrymple and the Derwent on his two Voyages to those Settlements, as he had till then conducted himself very correctly. I have reprimanded him very severely for his improper conduct on the occasions alluded to, and he has promised to be more circumspect in future.

12. I am happy to find you were pleased with the Convicts I sent you in the Surry and Prince Leopold, and that you found no difficulty in disposing of them; and, as you state that the Settlers in Van Diemen's Land would gladly take more men off the Store, I shall not fail to send you an additional Supply of from 150 to 200 Male Convicts on the arrival of the next expected Ships from England. I shall not however be able to send you any on the arrival of the Hibernia (the first expected Ship); as, all her importation of Men will be required by the Settlers in this part of the Territory.

13. It was Lt. Col'l Erskine's intention to replace Ensn. McAlister by sending a Subaltern from hence to Port Dalrymple by the first good conveyance; and, in case he may have changed his mind on this Point, I shall suggest to him that you should be authorized to send Ensign Roberts to Port Dalrymple forthwith. I observe the directed Exchange has taken place between Lieutenant Cuthbertson and Vandermeulen, and I am happy to
find the latter has arrived at George-Town, where I trust he will render himself useful in getting on the Public Works at that new Station, for there have been hitherto most unaccountable delays and most unpardonable idleness and negligence on the parts of the several Persons whose Duty it was to forward the Works in question.

14. I approve of your getting a small Battery constructed on Hunter's Island for the Protection of the Colonial Craft at Hobart Town; but I am sorry I cannot supply you with Guns for it, not having any old or new ones to spare from hence. I have not however any objection to your purchasing two or three Guns for this purpose from any Ships touching at the Derwent that may have any to dispose of, and paying for them from the Police Fund, providing you can procure them on reasonable terms.

15. I have received the Quarterly Returns up to the 31st of March last of the Settlement in Van Diemen's Land, you transmitted by the Schooner Little Mary, all of which appear to be perfectly correct; and I now herewith return you the Counterpart of the Account of the Police Fund, approved and signed by me.

16. I am happy to find that your sentiments are in perfect unison with my own in respect to Deputy Commissary Genl. Drennan's new System* of making Payments with his own Private Notes, instead of the old one of Store-Receipts, which have hitherto been found so useful and convenient in this Colony in the absence of Sterling Money. It was not without much reluctance and serious discussion that I allowed myself to be prevailed upon to sanction this new System, and then only on the solemn assurance of Mr. Drennan that The Lords of the Treasury highly disapproved of the old system of Store Receipts, and that their Lordships had consequently instructed him to abolish that system and to make the necessary Payments in his own Notes. At the time of my giving my unwilling sanction to this measure, Mr. Drennan pledged himself that no inconvenience should result from it to the Public, as it was his intention to furnish the Officers in charge of the Commissariat Stores at all the Subordinate Settlements with a sufficient Supply of his own Notes to make the necessary payments there, and to draw Bills on him for their amounts as often as they should be required to be consolidated. Had he not pledged himself to me to this effect, I should never have acquiesced in his proposed new System. It was therefore with the utmost surprise and regret that I found, on the receipt of your Letters on this Subject, that Mr. Drennan had not fulfilled his promise to me of sending his

* Note 151.
Notes to the Derwent and Port Dalrymple, and, from the failure of which, such ruinous consequences and inconveniences have resulted to the Inhabitants of those Settlements. On receiving your communication on this Subject, I remonstrated with Mr. Drennan for not fulfilling his Promise, directing him to do so by the earliest opportunity, and apprizing him that I had approved in the meantime of your resorting to the old system of the Store Receipts at the Settlements in Van Diemen's Land. He has accordingly again promised to avail himself of the first good opportunity of sending a Supply of his Notes to the Commissariat Officers at both the Settlements in Van Diemen's Land; but he wished me to direct you to receive charge of those Notes, and to become responsible for them. To this most unreasonable request, I gave a positive negative; and, in case Mr. Drennan should make a direct application to yourself to take charge of his Notes, I beg you will decline doing it, as your compliance with his wishes might involve you in a most serious responsibility. In the meantime you have my full authority to resort to and continue the old system of Store Receipts till Mr. Drennan sends down a Supply of his Notes. It being my intention to make a communication shortly to the Lords of the Treasury on this Subject, pointing out the injurious effects of Mr. Drennan's new system, I shall forward to their Lordships a Copy of your late Letter to me upon it, as it enters so fully and ably into the various strong objections against it.

I have, &c,
L. Macquarie.

[Enclosures.]
[Copies of these papers are not available.]
GOVERNOR MACQUARIE TO LIEUT.-COLONEL DAVEY.*

Sir,  
Government House, Sydney, 15th May, 1819.

I have to acknowledge the receipt of your Letter of date 31st March, and in reply thereto have to observe that, in consideration of the very large and liberal Indulgencies you have already received in Government Men and Cattle along with your former Grants I cannot accede to the full extent of your late request for Cattle for your last Grant of One Thousand Acres; annexed to which, I can only allow you Six Cows from the Government Herds on the former Credit of Three Years, and Five Government Men to be victualled for Eighteen Months from the King's Store; but, on applying to Lieut. Governor Sorell, he will allow you the balance due to you of your former Government Men in as far as such balance is due to you on account of Government Men removed by Tickets of Leave, or taken away from your Service on any other Account.

As to the Situations you specify as most agreeable and convenient to you for your receiving the residue of your Lands at, I can have no objection to acceding to your request in this instance, providing your wishes can be complied with, without interfering with any Purposes of Government; and on this Subject I must refer you entirely to Lieut. Governor Sorell, who is authorized to act in it as he may judge advisable.

I am very sorry I cannot assign any Government Men to Miss Davey on the Store.

I am, &c.,

L. MACQUARIE.

P.S.—I am sorry I cannot comply with your request for a Government Horse.

L.M.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.†

(Despatch No. 4, per ship Mary; acknowledged by Governor Macquarie, 17th August, 1819.)

Sir,

21st May, 1819.

I have the honor to acquaint Your Excellency that the Ship Hibernia, Capt. Lennon, arrived on the 10th with 157 Male Prisoners, three having died on the passage, as marked in the Assignment List.

I beg leave to forward to Your Excellency the following papers:

1. Copy of Mr. Goulburn's Letter to me with the Assignment of the Convicts pr. Hibernia.
2. Original Assign't rec'd from Earl Bathurst.

* Note 154.  † Copied from original letter-book in Mitchell library, Sydney.

4. Extract Copy of Letter from the Navy Office, with

5. A List of Private Goods.


Mr. Goulburn’s Letter assigning the prisoners to Van D. Land, I conceived it would meet Your Excellency’s approbation that, on landing them, all Stores, Provisions, Bulk Heads, etc., should be also landed, an arrangement to which I was the more deter-mined from the extreme length of Captn. Lennon’s Voyage and his having a small Investment, most pressingly needed in this Settlement, to dispose of, necessarily leading to a small delay here.

I have carried that arrangement into effect, and have given Captn. L. all the prescribed Certificates, subject to landing the Guard and Passengers at Port Jackson, for whom One Month’s provisions have been shipped here.

The number of working days occupied here has been 14, which leave six without demurrage for disembarking the passengers and Guard. For these, had the Hibernia been taken up for this port only, I should have provided other accomodation to Port Jack-son; but, as she is expressly hired to go to either or both ports, I deemed it right that she should carry on her passengers and Guard under her Charter party.

The Hibernia was near Six Months on her Voyage, and the Baring, which was to sail early in December, has no doubt by this time reached Port Jackson. The Hibernia will be ready to proceed in about four days; but I have directed a Dispatch Bag for Your Excellency and the Mails Packages to be delivered over to Captn. Orman of the Mary, who is now sailing and who I have expedited on that account.

I was not apprized of a Bag for Your Excellency being on board ‘till a Week after the Hibernia’s arrival, or I should have exerted myself to have saved a few days in getting it forwarded; but I allow myself to conclude that the Dispatches by the Hibernia are Duplicates, her Convicts having been expressly destined here, or, if they be original, that the Duplicates per Baring must have reached Your Excellency some time ago.

I have the satisfaction to add that the 157 Convicts landed in good order, generally healthy, especially considering their very long voyage, declaring themselves to have been treated humanely both by Surg’n Supt. Carter; R.N., and Captn. Lennon. Of the Total Number, I have the honor to acquaint Your Excellency that 105 were landed here, and, with the exception of the Arti-ficers and Mechanics required for Govt. Works, were entirely
1819.
21 May.
Convicts sent to Port Dalrymple.

Prisoners to be sent to Sydney.

22 May.
Results of new system of commissariat payments.

W. Sorell.

[Enclosures.]

[Copies of these papers are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*

(Despatch per ship Mary; acknowledged by Governor Macquarie, 17th August, 1819.)

Hobart Town, 22d May, 1819.

Sir,

The anxiety, which I experienced, when I had the honor of addressing Your Excellency under date, the 6th April, by the Surrey, with some papers respecting the operation of the New System† of Commissariat Accounts in this Dependency, has increased as I foresaw the period approach, when the Exigencies of the Settlement, pressing alike upon the Interests of the Merchants and the comfort of the Inhabitants, would render a further suspension of consolidation of the outstanding Store receipts an evil of a Magnitude, which I feel would essentially affect the Community.

The arrival of the Hibernia from England has afforded an opportunity of obtaining supplies urgently needed here; and the Ship Mary from Calcutta has not only brought a considerable consignment for this place, but has a portion of Cargo for Sale, such Sales being dependent upon the Merchants being enabled to make payments in consolidated Bills, and there being now outstanding Store Receipts amounting to upwards of £5,000.

In this state of things, it remained for me to decide whether I should take upon me the responsibility of authorizing the consolidation of outstanding Store Receipts, or should persevere in the suspension until Your Excellency's Commands could be received.

The latter course would have been on every account that which I should have chosen; and I have been only led to depart from my intention by a strong representation from several of the Merchants of their inability to effect the purchases, now offered

* Copied from original letter-book in Mitchell library, Sydney. † Note 151.
SORELL TO MACQUARIE.

1819.

22 May.

Consolidation of
store receipts.

12 May, 1819.

Consolidation of
store receipts.

12 May, 1819.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*

(Despatch per ship Mary; acknowledged by Governor Macquarie,
17th August, 1819.)

Sir,

The example, afforded by the Establishment of Bible
Societies generally in the British Colonies, and especially by the
Institution at Port Jackson under Your Excellency's patronage
in 1817, did not fail to make a suitable impression in this Settle­
ment; and the desire, thereby excited to co-operate in so impor­tant and useful an object, has been greatly increased by the liberal
and valuable assistance of the Bible Society in the Parent Colony
in the transmission of a large number of the sacred Scriptures
for distribution in Van Diemen's Land, and by the Communi­
cations, received by myself and several Gentlemen here, upon
that occasion, from the Secretaries.

The pressure, under which this Settlement had labored par­
ticularly from the large Subscription raised to aid the appre­
hension of the Banditti of Bushrangers, under whose continued
depredations and enormities the Inhabitants had suffered for so
many years, alone prevented a call so important from being
earlier recommended to public consideration and support; but I
have now the high gratification of submitting to Your Excel­
lency, as Patron of the Auxiliary Bible Society of New So.
Wales, the report of proceedings in Van Diemen's Land for the
formation of a Bible Society as a Branch of that established at
Port Jackson.

The Society in venturing to calculate upon Your Excellency's
patronage will not, I feel confident, have overrated the beneficent
views of Your Excellency with respect to an Institution, formed
in aid of that which had already taken rise under your patronage;
and, in now laying before Your Excellency as president of this
Society the enclosed paper containing its institution, and the
Amount of Subscriptions entered into after the Meeting in
Hobart Town (those from Port Dal. and the Districts being not

* Copied from original letter-book in Mitchell library, Sydney.

SIR, III. VOL. II—2 C
yet received), I persuade myself that I shall convey to Your Excellency a gratification, such as the Founder or promoter of many useful and benevolent Establishments now existing in New So. Wales may be expected to receive from an extension of one of them to a Settlement under his Government.

I have, &c.,

WM. SORELL.

[Enclosure.]

[A copy of this report is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*

(Despatch per ship Mary; acknowledged by Governor Macquarie, 17th August, 1819.)

Sir, 22 May, 1819.

I have the honour to acquaint Your Excellency that, by the Ship Hibernia, the Supplement to the London Gazette of the 17th Novem., 1818, arrived, bringing the afflicting Intelligence of the decease of Her Most Excellent Majesty the Queen; in consequence of which the ceremonial and observances, which the means of the Settlement afforded upon the occasion of a loss so greatly to be lamented, have taken place.

The Mourning, which has been enjoined in these Settlements, waits to be regulated in its extent by the orders, which Your Excellency may be pleased to issue in the Territory.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO THE COMMISSIONERS OF THE NAVY.*

(Despatch per ship Surrey.)

Government House, Hobart Town,

Gentlemen, 31st May, 1819.

I beg to acknowledge the receipt of your Letter of date 4th November, 1818, transmitting a Copy of the Charter party of the Ship Hibernia, engaged for the transportation of Male Convicts to this place or to Port Jackson, "both or either," and also a List of Stores put on board for the use of the Convicts.

The Convicts, having been destined to this Settlement by the Instructions, which I received with them from Earl Bathurst, have been landed here, as also the whole of the provisions, Stores, etc., from the Hibernia, for which the necessary Certificates and Receipts have been given; The Guard and Passengers, proceeding to be delivered at Port Jackson, have not been disembarked here.

Referring to the Charter party of the Hibernia, of which I have forwarded the copy to Governor Macquarie, I deem it

* Copied from original letter-book in Mitchell library, Sydney.
expedient to state that the ship arrived and was reported on the 11 May; that notice of detention on the part of Govt. in this port ceasing, and of her being under Dispatch for Port Jackson from and after the 27th, was conveyed by me to the Master by Letter, copy of which I have also forwarded to Governor Macquarie, in order to obviate any question as to the period during which the Hibernia was occupied in discharging the Convicts, Stores, etc., in this Port.

I have, &c.

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO COMMISSIONERS FOR VICTUALLING H.M. NAVY.*

(Despatch per ship Surrey.)

Gentlemen,

31 May, 1819.

I beg to acknowledge the receipt of your Letter, dated 19th Octor., 1818, notifying the Quantity of Salt Provisions, shipped on board the Hibernia for the subsistence of the Convicts transported by that ship, during three Months, viz. 3,360 pounds of Beef and 6,400 pounds of Pork; And I have instructed the Commiss’r Officer in charge at this Station to give receipts to the Master of the Hibernia for the Quantities, landed and received into H.M. Stores, with the specifications desired in your Letter.

I have, &c.

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO UNDER SECRETARY GOULBURN.

(Despatch per ship Surrey.)

Hobart Town, Van Diemen’s Land,

Sir, 3rd June, 1819.

I have the honour to acknowledge the receipt of your Letter, dated 19th November, 1818, with the assignment of one Hundred and Sixty Male Convicts by the Hibernia, and to acquaint you that This Ship arrived in The Derwent on the 11th Ulto., bringing one Hundred and fifty seven Convicts (three† having died on The Voyage, which was unusually long); They have been landed without Complaint of any kind, in a healthy and orderly State, and declaring themselves to have been humanely treated by The Surgeon Superintendant and The Master of The Ship.

The Guard and The Passengers on board The Hibernia proceed in that Vessel to Port Jackson, and I shall report to Governor Macquarie the arrival and state of the Convicts, and all particulars.

* Copied from original letter-book in Mitchell library, Sydney.
† Marginal note.—David Langley, alias Belton; Willm. Selsby; Jonathan Cheara, alias Easthoe.
I do myself the honour to add that The Convicts received by The Hibernia, with the exception of The Artificers and Mechanics required for Government Service, have been assigned to the Settlers, to be victualled and maintained by them.

I have, &c.,
WM. SORELL.

Lieut.-Governor Sorell to Governor Macquarie.*

(Despatch No. 5, per ship Hibernia; acknowledged by Governor Macquarie, 17th August, 1819.) 3d June, 1819.

I have the honor to transmit to Your Excellency a List of Prisoners and Evidence, embarked from this Settlement for Port Jackson on board the Hibernia, together with certified Copies of two Letters; one from me to Captn. Lennon, notifying the period of his detention on Govern't Service here: the other from Captn. Lennon to me on the subject of receiving the passengers from hence, which last document I deemed it expedient to forward to Your Excellency to guard against any misunderstanding or after Claim.

I did not feel entirely confident of my right to demand a passage for people on Govt. Account from hence, though I conceived that, by a Ship under Contract to Govt. to go to Port Jackson and whose Voyage was to finish there, there could be no question on the subject; but Captn. Lennon offered no objection, when I proposed the arrangement; and, as he must derive considerable benefit from the Freight of Wheat, etc., which he has taken in lieu of Ballast, and also from passengers from hence, I consider it impossible that he could have advanced any Claim for the Govern't passengers.

One Month's provisions for the Guard (at full allowance) and for Passengers from home entitled to be victualled, and for those from hence, has been put on board; all the Provisions, remains of Stores, etc., from England having been landed and the necessary Certificates and Receipts furnished to the Master of the Hibernia to the 3d of June.

I beg to remark to Your Excellency that the Hibernia was reported in this port on the 11th May, and, as appears by my Letter to Captn. Lennon, received notice of release from all detention on account of Govern't after the 27th, a period embracing sixteen working days out of Twenty allowed by the Charter Party; and the provisions and persons to be received for passage to Port Jackson were then notified to be ready at any moment that Captn. Lennon could be prepared to take them on board. A very inclement course of Weather materially interrupted and

* Copied from original letter-book in Mitchell library, Sydney.
delayed the landing of the Provisions and Stores, Prison Materials, etc., and has contributed to extend the stay of the Hibernia several days.

I have the honor to transmit the Commiss’t Accounts to May 26th, and a memorial from Mr. Mountgarrett, Surgeon of Pt. Dalrymple. I have, &c.,

WM. SORELL.

[Enclosures.]

[Copies of these papers are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*

(Despatch per ship Hibernia; acknowledged by Governor Macquarie, 17th August, 1819.)

Sir, 3d June, 1819.

I have the honor to submit to Your Excellency Memorials and Petitions from various persons, as stated in the accompanying Lists, for Land and Cattle at this Settlement and at Port Dalrymple, bearing the recommendations required by Your Excellency’s regulations. I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*

(Despatch No. 6, per ship Baring; acknowledged by Governor Macquarie, 17th August, 1819.)

Sir, 19th June, 1819.

I have the honor to acquaint Your Excellency that the Arrival of Ship Baring with 295 Male Convicts came into this port on the 14th Instant. The Causes of Capt’n Lamb’s entering this port are explained in his Letter to me, of which I beg to submit a Copy.

Every possible assistance has been given to get the Supplies for the Baring embarked, in order to enable her to prosecute her voyage. Fresh provisions and potatoes have been supplied for the Guard, Convicts, etc., while in port, and fresh Meat and potatoes have been put on board as far as possible for the passage to Sydney.

Five of the Convicts, being reported by the Surg’n Superintend’t to be so debilitated from Scurvy as to be unable to bear the remainder of the Voyage, were received into the Hospital here on the 15th, and I am sorry to add that one died on the day following. One Soldier of the Guard, 48 Regt., was landed under the same circumstances and received into the Military Hospital; he is reported by Major Bell.

2. I had the honor to receive overland from Port Dal. on the Despatch 12th Your Excellency’s dispatch of May 15th and its acknowledgment.

* Copied from original letter-book in Mitchell library, Sydney.
1819.
19 June.
New system of commissariat payments.

Assigned servants of A. F. Kemp and G. Gatehouse.

Refusal of permission for H. Haywood to settle.

Removal of headquarters to George town.

Appointments of J. Kelly and G. Read.

enclosures per Sindbad; and I beg to express my sense of Your Excellency’s kind attention to and approval of the several recommendations and arrangements submitted by me, especially of those connected with Mr. Drennan’s new system of Comm’t Accounts. I have directed the Commiss’ Officers at each of the stations to conduct their Accounts on the existing System,* until a Supply of Commiss’ Notes and farther Instructions shall be received, and then to report to me.

I am much obliged to Your Exc’y for rejecting Mr. D’y Com’y Gen’l Drennan’s proposition to make me receive and become responsible for his Notes, which to me seems the most surprising Idea upon his part, that could be possibly entertained by any person, as being an arrangement wholly unconnected with my office and duty (strictly departmental), and of a nature which, even were adequate emolument to attend it, I should feel most reluctant to engage in.

3. Having reported to Your Excellency that I had refused in one instance assigned Servants to Mr. A. F. Kemp, and being desirous of evincing to Your Excellency that, as a Settler and Cultivator, he had and has the fullest latitude in that Indulgence, the refusal having only applied to his Individual or trading Character, I now beg leave to enclose a List of Govern’t Servants at this moment allowed to Mr. Kemp and Mr. Gatehouse, both Individually and as partners, with explanatory Memorandums.

4. Having notified to Mr. Henry Haywood Your Excellency’s refusal to his becoming a permanent resident in V. D. Land, and my determination to enforce his departure when an opportunity shall offer of providing him direct passage to England, my Secretary received a reply, of which enclosed I beg to submit a Copy to Your Excellency, which seems to me to contain no ground whatever for claiming a right of residence here; but I conceived it possible that Your Excellency might deem it right for me to submit it, in case of legal opinion being necessary. There is no possibility of an opportunity direct, until the Whalers in the Spring proceed homewards.

5. I have the honor to report to Your Excellency that the Commandant of Port Dalrymple has removed his Quarters to George Town,† which event I notified in the Gazette here. An officer and a small detach’t remain at Launceston.

6. I beg leave to thank Your Excellency for your attention to my recommendation in the instance of two appointments (Messrs. Kelly and Read), and of the Memorial of Messrs. Gunning and Lascelles.

* Note 151. † Note 152.
7. I am much concerned that Your Excellency's Intentions respecting the destination of the Convicts brought by the Hibernia were not known to me, when that ship arrived, in order that I might have ordered her to proceed to Port Jackson at once; but I trust that my Reports by her will have explained the Grounds, upon which I acted, to Your Excellency's satisfaction.

8. I beg also to acknowledge Your Excellency's Letter of 15 Uto. (with two enclosures) respecting Lt. Col. Davey's location and Indulgences, which will be duly attended to. Being at present in correspondence with Lt. Col. Davey upon the subject, and upon a part of his Letter to Your Excellency of 31 March last, which implies a Complaint of having his Indulgences infringed, I am obliged to defer a fuller statement on this subject to the next Vessel.

I have, &c.,

WM. SORELL.

[Enclosures.]

[Copies of these letters are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.

[Copies of two additional letters, dated 19th June, 1819, are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*

(Despatch per brig Governor Macquarie; acknowledged by Governor Macquarie, 17th August, 1819.)

Sir, Hobart Town, 24 June, 1819. 24 June.

I had the honor to acknowledge in my public Letter under date 19 Inst't per Ship Baring, Your Excellency's Letter of 15 May with its enclosures, respecting Lt. Colonel Davey's Claims and Indulgences,† and to state that I was then in correspondence with him upon the subject.

I must now beg leave to solicit Your Excellency's attention to the Letter, addressed to you by Lt. Col'l Davey under date 31 March last, with reference to which I do myself the honor to transmit Copy of a Letter from me to Lt. Col. Davey of date 14 Inst., which document I have felt it my duty to submit to Your Excellency, as repelling the implication contained in Lt. Col'l Davey's Letter above alluded to.

Also Copies of a Letter from Lt. Col. Davey to me, dated the 16th of this month, and of my reply thereto, and finally of his Letter in reply to mine of the 19th, all which without any remark I beg leave to lay before Your Excellency.

I have, &c.,

WM. SORELL.

* Copied from original letter-book in Mitchell library, Sydney. † Note 154.
1819.
24 June.

LIEUT.-GOVERNOR SORELL TO LIEUT.-COLONEL DAVEY.*

T. Davey.

Indulgences for
T. Davey.

Sir, 14 June, 1819.

I have had the honor to receive a Letter from His Exc'y The Govr. in Chief, of which the enclosed is a Copy, accompanied by copies of the two Letters therein referred to, vizt., of one from you to His Excellency, dated 31 March last, and of his reply thereto under date 15th Ulto. And I am to acquaint you that, according to the Instructions now conveyed to me by His Exc'y, upon your notifying the places and the proportions of land at each which you propose to select, The Depy. Surveyor will be directed to measure 1,000 Acres under the provision stated in The Governor in Chief's Letter.

In the further execution of His Exc'y's orders, the Ag. D.A. Com'y Gen'l is instructed as to the continuance of yourself and family on the store for 18 Mos. from the period at which the existing Victualling Order expires; and orders are given for five Crown Servants also on the Store for 18 Mos., to be assigned to your Service from the 19th Inst't; and the Superint't of Govt. Herds is authorised to issue 6 Cows, in the usual way and on the Terms ordered by His Excellency.

Having thus fulfilled The Govr. in Chief's commands, it becomes necessary to advert to two paragraphs in your Letter to him of the 31 March last; the first is as follows:—

"This order commenced on the 22nd August, but I am sorry to observe that, in consequence of several Tickets of Leave having been given to my Servants, a considerable part of that indulgence is by some means or other discontinued."

The Complaint implied in this Paragraph cannot remain unexplained to His Exc'y, or unnoticed to yourself upon this occasion.

Some time after your return to this place from Sydney, you communicated to me a Copy of a Letter addressed to you by The Govr. in Chief, notifying the Indulgences annexed to 2,000 Acres of Land, which last I then understood from you had been received at Port Jackson.

His Excellency's intention, as therein expressed, for no order on the subject ever reached me, of victualling yourself and family for 18 Months, and of your being allowed eight Crown Servants upon the store for the same time, was acted upon by me on your demand, you preferring to have Men already in your service victualled to receiving new ones; eight prisoner Servants were then named by you, and were ordered to be victualled for the prescribed period, the List of them enclosed as given in by

*Copied from original letter-book in Mitchell library, Sydney.
Mr. Archer, in which those who have been discontinued (amounting to three) are specified; and the point to be ascertained is by whose act or order they were put off.

The first Man discontinued is Thos. Jennings, who received a Ticket of Leave upon an express request from you at the Muster and some time after in Town. *No other* Man of the eight, who commenced to be victualled on the 22nd Aug., has or has had a Ticket of Leave from me.

The Second Man discontinued is H. McGrath, who was returned to Govern't Works by you upon a complaint of misbehaviour.

The third Man struck off is John Ivy Wilson, who was removed on a complaint from you and at your express desire. Of the Three Men thus appearing struck off your full number of Eight, each one was discontinued or removed by your own act.

I am thus particular in stating the Circum's, because any one uninformed of them would conclude you to imply by the paragraph above quoted that, by *me* (as the only person who in the absence of higher authority can grant Tickets of Leave or remove prisoner Servants), your Indulgences had been infringed by the grant of *several* Tickets of Leave without your concurrence to Men, allowed to you under the supreme authority, or by other means.

I must be allowed to add that, when by a Ticket of Leave granted at your own request, or by Men returned to Government at your desire, the number of Servants due to you on the Store was diminished, I conceive that it rested with you to claim others in their place; for I do not consider it to fall within The Lt. Governor's duties to enquire whether *then* or at what time it might be your wish to complete the Number; but I may cite as a sufficient proof that no reduction of your Servants was intended or effected by me, that, upon your application for *Three* from the Hibernia, they were assigned to you direct from landing; and, had a notification been made to the Superintendant that you desired them to be victualled as part of the right, to which you were entitled, and to supply the vacancies, it would have been done as a matter of course.

I have now the honor to inform you that I have directed The Actg. D.A. Com'y Gen'l to place the Three Crown Servants assigned to you from the Hibernia (named in the Margin) on the Store, each to complete the Term of Eighteen Months from the broken periods of the Three, who were discontinued. The original Eight being then complete, with Five more ordered to commence from the 19th Instant for 18 Mos. under The Governor in Chief's last order, make a Total of Thirteen, the whole
1819. number in which no change will take place, unless in case of a dis-charge by the Magistrates, except by a direct and special order from His Excellency The Governor in Chief.

The second paragraph, to which I allude, is as follows:-"I now beg leave to remind Your Excellency of an order, bearing date 31 Decr., 1817, directing that a portion of it should be measured adjoining Preston's, which was not done."

This paragraph seeming to imply that His Excellency's order for a certain measurement of Land here was not obeyed, I deem it proper to revert to the circumstances of the Transaction as connected with my official duty.

I have now before me your Letter, dated Sydney, 8 Feb., 1818, which covered an extract Copy of The Governor in Chief's Letter to you of date 31 Decr., 1817. In your Letter to me, you expressly desire that I should "suspend the measurement" of the "said Land" (viz. the Land near Preston's) until your arrival. When you returned to Hobart Town and furnished me with a Copy of His Excellency's Letter to you, no order whatever on the subject having reached me, I clearly understood that the Location of 2,000 Acres therein mentioned had been accepted by you at Port Jackson; there remained consequently no authority for any measurement in this Settlement, until His Excellency's Communication, with a Copy* of Earl Bathurst's Letter directing a farther Grant of 1,000 Acres to you, was received by the Surrey. I notified to you that communication in a Letter, dated March 18th, to which none was returned from you; and I therefore conclude that it did not belong to me to take any farther steps unless applied to do so.

If in the opinions herein stated of my duties, or if the manner in which they have been discharged with reference to His Excellency's Instructions and your Claims under them to Land or Indulgences, I am in error, I shall have an opportunity of being corrected, as, in acknowledging His Excellency's communication of the 15 Ulto. and its enclosures, a Copy of this Letter will form a necessary document in explanation.

I have, &c.,

Wm. Sorell.

[Enclosure marked B.] [A copy of this letter is not available.]

[Enclosure marked C.]

Lieut.-Governor Sorell to Lieut.-Colonel Davey.†

Sir,

I have to acknowledge the receipt of your Letter of the 16th Instant.

* Note 155. † Copied from original letter-book in Mitchell library, Sydney.
The Communications, which have taken place respecting the location of 1,000 Acres of Land ordered to you, and my Instructions thereupon, having been fully stated in my Letter of the 14th Inst., and its inclosures, I am now to reply to your notification of the Spots, proposed for the Grant in question.

The wish, expressed in your Letter to the Governor in Chief of 31st March last, that "a portion of the Land ordered should be measured adjoining Preston's," and the tenor of His Excellency's reply, coupled with his assent to the Measurement of 200 Acres at that Spot, expressed in a Letter dated 31 Decem., 1817, led me to conclude that a part and not the whole 1,000 Acres was proposed to be located at that spot.

I am now to acquaint you that I am prepared, in conformity to the limitations of His Excellency's order, to direct the measurement of the Grant in a north westerly direction from Preston's, on the farther side of the Newtown rivulet; but the very limited space of Ground now remaining disposeable on the hither side of that stream (upon which I have a report and plan from the Deputy Surveyor of Lands) preclude my authorizing any extensive location thereon without reference to The Govr. in Chief.

Upon the other subject of your Letter, your desire to be permitted to victual the Crown Servants assigned to you upon the Store, I beg to reply that I cannot sanction an arrangement, which would be a departure from the established System, and from existing orders, and which would be on my part an Act of injustice to the Residents of the Districts not less distant from Hobart Town than the Coal River, whose applications for the same Indulgence have been refused, but who would feel that they have had an equal right to claim it.

In this and in all matters of local jurisdiction, upon which it falls to me in the first instance to decide, an appeal is of course open to His Excellency The Governor in Chief; and, as it has been lately your pleasure to address to Mr. Comm'y Archer an intimation (without any reference to me), to discontinue issuing rations to your Crown Servants, victualed under my order to the Comm'y under His Excellency's Instructions, and on your own application "for reasons to be assigned by you to The Governor in Chief," an intimation which, if acted upon in that form here, would amount to admitting private Individual authority as sufficient to strike Men off the Store without any intervention of official orders. It will be my wish to decline, except in matters wholly and finally of local Jurisdiction, any expression of assent or refusal with respect to your claims in this Settlement, and to wait, in all questions connected therewith, for Instructions
from His Excellency The Governor in Chief, which in that case as in all other cases will be instantly and implicitly obeyed by me.

I am, &c.,

WM. SORELL.

[Enclosure marked D.]

[A copy of this letter is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*
(Despatch No. 7, per ship Admiral Cockburn; acknowledged by Governor Macquarie, 17th August, 1819.)

Sir, 22nd July, 1819.

I have the honor to transmit to Your Excellency the Quarterly Returns of the Settlement to June 30, and the Quarterly Account of the Pol. Fund to the same period.

The Expence of the Gaol Wall has exceeded the first estimate, in consequence of the construction of some additional height of Wall on the recommendation of the Magistrates, and of the Cook House on the Felon side.

2. In pursuance of Your Excellency's authority, I have caused some purchases for the Public Service to be made from the Ship Admiral Cockburn; For the department of Works, which could not have otherwise gone on; For the Col'I Brig Prince Leopold; Medicines, the most essential sorts of which the Colony was entirely without; and of Stationary for the Commissariat, which Article was entirely expended, and for a supply of which Mr. A.D.A. Com'y Gl. Archer reports himself to have repeatedly applied; all which I am assured have been obtained on Terms unprecedently reasonable in this Settlement.

3. The Govt. Brig Prince Leopold having touched the Ground when coming out of Port Dalrymple and requiring inspection, it is my intention to dispatch her in a few days for Port Jackson with a Number of Prisoners for trial and under Sentence.

I have, &c.,

WM. SORELL.

[Enclosures.]

[Copies of these papers are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*
(Despatch per brig Prince Leopold; acknowledged by Governor Macquarie, 4th September, 1819.)

Sir, Hobart Town, 10th August, 1819.

I beg leave to submit to Your Excellency's perusal Copies of two Letters, which I have recently received from a Mr. Charles Reid, who appears to have come to Port Dalrymple as a Clerk or Mate to the Owner of the Sindbad Schooner.

* Copied from original letter-book in Mitchell library, Sydney.
The excessive Insolence and turbulence of this person, last directed to myself, and his having exhibited no authority or sanction from Your Excellency to become a Settler or resident in Van D. Land, have induced me to instruct The Commandant of Port Dal. to enforce Mr. Chas. Reid's departure from that Settlement by the same Vessel, in which he came, or, if she should have sailed before my Instructions arrived, by the next Vessel clearing out for Port Jackson.

Of the Grievances, upon which Mr. Reid has founded a Correspondence of such unparalleled insolence, one has I believe been under Your Excellency's Notice, vizt. a Note "for payment of £6 upon the completion of a sheep Yard," which Mr. Com'y Walker had given to a laboring Man, and to which he had inadvertently affixed his official Initials. For this Mr. Reid (who stated himself "to have submitted the Matter to Your Excellency and to have been instructed to apply to me for redress") insisted upon Mr. Walker's being tried by a Court Martial; and, upon my stating an opinion that as the Note expressed the specific private Work for which it was given, it bore intrinsic Evidence of its being entirely a private transaction, no charge could attach, Mr. Reid has thought proper to address me as in his Letter of date 26 July, the last sentence of which will not fail to strike Your Excellency as affording a specimen of the spirit existing in some persons here.

Mr. Reid's second grievance is that, not having possessed or mustered Stock at the last Gen'l Muster, he was not deemed entitled by the Commiss'y or by The Commandant, through whom the Tenders passed to me for final approval, to supply Meat to His Majesty's Store, my decision upon his remonstrances in this case being founded upon what I conceive to be the established Regulation of the Territory, as I have observed it in the Sydney

[The remainder of this despatch is not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*
(Despatch No. 8, per brig Prince Leopold; acknowledged by Governor Macquarie, 4th September, 1819.)

Sir, 11th August, 1819. 11 Aug.

I have the honor to transmit to Your Excellency a List of Prisoners sent to Sydney.

Prisoners, committed for trial and under sentence, embarked on board The Govt. Col. Brig Prince Leopold under a Guard of a Serjeant and 6 privates of the 48 Regt.

* Copied from original letter-book in Mitchell library, Sydney.
1819.
11 Aug.

Robbery of public stores.

Discipline of military detachment.

Papers submitted re E. Luttrell.

2. I am sorry to report to Your Excellency that a robbery of H.M. Store was discovered last Month, and I now beg to submit Copy of the Report of a Board of Survey, held to ascertain the loss.

Two Soldiers, who were Sentries and who permitted the Store to be entered, have been tried by Garrison Court Martial and punished; others, who were implicated, were pardoned on account of their evidence, the state of the case imposing the necessity of bringing the Soldiers against the Convicts or the latter against the former.

Five Convicts, who have been tried and convicted of robbing the Store, or receiving the produce, are on board the Leopold under Sentence to New Castle.

One Free Man, charged with receiving Articles stolen from the Store, was discharged for want of sufficient evidence; and another is strongly suspected, though proof also is wanting in his case.

The Window Bars of the Store have since been further secured and strengthened.

I regret to add that one of the Soldiers concerned put a period to his life at the Barracks by firing his Musquet at his Head.

It is but just, as well to Major Bell and the Officers of the Detach't, as to explain the absence of all suspicion of the existence of these offences, until information was given by one concerned, that no appearance of deterioration of discipline or failure of regularity and order in the detachment were observable to me or to any other person.

3. I beg leave to submit Copies of papers, connected with conduct of Mr. Surgeon Luttrell,* not with a view of now bringing against him any charge, as I have declared myself satisfied with the Steps taken; nor is it my wish in submitting these documents to affect Mr. Luttrell in any way, considering his time of life, family, etc., and the prospect of his early retirement. But the proneness, which exists in some persons here to advance false accusations, to which I cannot help thinking Mr. L. must in this instance have lent himself, especially as the time chosen for this allegation was the moment when the Gaol was unusually crowded, and when the Bench of Magistrates were concerting with me a new Code of Regulations for the prison, the interior of which the Actg. Engineer is now employed in finishing, as also in putting the whole in repair. The knowledge of the Machinations of these persons compels me to place the papers before Your Excellency.

4. I had the honor of forwarding, via Port Dal. per Brig "Governor Macquarie," copies of some correspondence between

* Note 66.
Lt. Col. Davey and myself, which I trust arrived safe. Since that period, Lt. Col. Davey has received 200 Acres of Land on the farther side of the Newtown Rivulet, adjoining one of the Farms named by him. The remaining 800 Acres he has not yet specifically applied for.

When I rec'd the returns of the Settlement on succeeding Lt. Col. Davey as Lieut. Governor, Six Bullocks and one Bull were returned by the Supt. of Herds as being lent to Lt. Col. Davey; and, the Govt. Works being then very short of working Oxen, I applied for their restoration; in answer to which Lt. Col. Davey (under date 26 May, 1817) "requested the continuance of those Cattle, until his claims should be submitted to Your Excellency."

Not having been honored with Instructions from Your Excellency to the effect of confirming these Six Bullocks and Bull to Lt. Col. Davey, the Supt. of Herds lately applied again for their restoration; and, upon my addressing Lt. Col. Davey on the subject, I received a reply, of which the following is an extract:— "Subsequently to my letter of 26 May, 1817, I have arranged and concluded the extent of my Indulgencies with The Govr. in Chief, and the Cattle in question are amongst the number." I have felt it my duty to request that Your Excellency may be pleased to send me the authority necessary to enable the Supt. of Herds to return the Six Bullocks and Bull as granted to Lt. Col. Davey by your order.

5. Mr. A.D.A. Com'y Gl. Archer having represented the necessity of a third Clerk, two being borne on the pay List of his department, I have allowed 1s. 6d. per day to the third, being the same Salary as is received by the second Clerk, until the head of the Depart't may authorise the pay which Mr. Archer has been applied for.

6. The Prince Leopold having struck twice on her Voyage to Port Dalrymple, I request Your Excellency may be pleased to allow her to be examined.

Mr. Chase, the Master, having asked permission for his family to have a passage back in the P. Leopold, I trust Your Excellency may be pleased to grant him that favor.

7. I have the honor to forward the Comm't Accts. to 24 July, also Estimates for slop clothing, the supply in store not having sufficed for the last Year.

8. I have received a series of papers from Major Cimetiere (sent open for my perusal) addressed to Lt. Col. Erskine respecting a new occurrence with Capt'n. Watkins, upon which it is not
my province to offer any remark. The packet is forwarded by
The Prince Leopold.

Nothing had occurred at Port Dalrymple worthy of report.

I have, &c.,

WM. SORRELL.

[Enclosures.]

[Copies of these papers are not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORRELL.

(Despatch per schooner John Palmer; acknowledged by lieutenant-
governor Sorell, 4th October, 1819.)

17 Aug.


I have now the honor to acknowledge the receipt of your
several following Letters, with their respective Enclosures and
accompanyments received per the Ships specified in the Margin* since the date of my last Dispatch to you; Namely,—

1 Letter, dated 21st May, 1819; 3 Letters dated 22d do. do.;
do.

2. The several Quarterly Returns and Reports, including the
Account of the Police Fund of Van Diemen's Land made up to
the 30th of June last, have all proved very satisfactory, and
appear to be perfectly correct. I also beg to express my un-
qualified approbation of all the Measures which you have adopted
as expressed in your last Dispatches, as they appear to be founded
on justifiable grounds of expediency for the benefit and improve-
ment of the Settlements entrusted to your immediate care and
administration. I am perfectly satisfied with the manner in
which you distributed the Convicts which came out in the
Hibernia, and I am very glad that she did not come on to Port
Jackson with her Prisoners, as the Baring brought as full as
many as we wanted here.

3. I beg you will accept my congratulations on the success
which has attended your very laudable exertions in forwarding
the very Pious and Benevolent Measure in the formation of
your Auxiliary Branch of the Bible Society in Van Diemen's
Land. Your Report was read and heard with warm interest and
applause at our last Meeting here of the Parent Auxiliary Bible
Society of the Colony.

4. I was much obliged to you for sending me the Gazette
containing the official account of the greatly lamented Death
of our good and gracious Queen, no official account of that very

* Marginal note.—Mary, Hibernia, Baring, and Adml. Cockburn.
mournful event having reached me direct from England until the arrival of the Baring here on the 26th of June.

5. In a former Letter, I signified to you my approbation of your continuing the former system of Payment by Store Receipts in the Commissariat Department, till Dy. Comy. Genl. Drennan should send down a supply of his own Notes to make the Payments according to the New System*; and, of course until he does so, you will continue the good old system, than which no better can ever be adopted.

6. I shall keep by me, till next year, the numerous Memorials and applications you forwarded to me lately for Lands and Cattle, as a compliance with them at the present Season, when those made by Persons here have been rejected, would justly be considered an invidious distinction.

7. I have perused the Statement you sent me of the number of Assigned Government Men assigned by you to Mr. Kemp Individually, as well as for himself and his Partner Mr. Gatehouse as a Firm; and I am decidedly of opinion that they have both received full as many Men as they could possibly have a right to expect, and consequently that neither of those Gentlemen have the smallest reason to complain.

8. In respect to the insolent and highly unjustifiable conduct of Mr. Henry Heywood, whom you permitted to remain at the Derwent for the recovery of his Health, I am of opinion you possess an undoubted right to compel him to quit the Settlement for such insolent and contumacious conduct towards you as Lieut. Govr. of Van Diemen's Land, since he never received either your own authority or mine to become a permanent Residenter in that Island. But, altho' I am of this opinion, some Persons skilled in the Law entertain a contrary one; and therefore I would recommend to you to forbear, for the present, to force him from the Settlement, contenting yourself with holding the threat over his head to compel him to quit the Country when a suitable occasion offers for so doing.

9. I have perused with particular attention your Correspondence with Lt. Colonel Davey respecting the Lands and Indulgencies ordered for him at the Derwent, and I am only surprised that you were able to act with so much forbearance towards him, his demands and expectations being unjust, unreasonable, and frivolous. I consequently fully approve of the conduct you have observed towards him in every instance, and have signified the same to himself in my answer† to him of this date, referring him back to you for the adjustment of any Claim he may still have on Government to complete the amount of the Indulgencies last ordered for him.

SER. III. VOL. II—2 D * Note 151. † Note 154.
10. By the first Government Vessel proceeding to the Derwent, I shall direct, in compliance with your request, David Wilcocks and James Stewart, Convicts per Ship Baring, to be sent thither for the purpose of being assigned, off the Stores, to their Friends there.

11. I entirely approve of your having made the several Purchases Specified in your last Dispatch, from the Ship Admiral Cockburn, for the use of the Settlements under your immediate Government, the more especially as it is out of my power to send you any Supplies from hence, no Supplies having been received from England for the use of the Colony for the last Eighteen Months.

12. In answer to Doctor Mountgarret's Memorial which you some time since forwarded to me, soliciting permission to purchase the Government Barrack he now resides in at Launceston at a fair valuation, I have now to signify to you my acquiescence therein, requesting you will be so good as to order a Committee of Survey, composed of competent Persons, to examine and value the House and Premises in question, and give Doctr. Mountgarret possession thereof at the valuation fixed on them by the Committee of Survey.

13. The Brig Prince Leopold has not yet arrived here, but, as soon as she does, I will have her surveyed and thoroughly repaired and afterwards sent back to the Derwent. She will however have to touch at Port Dalrymple with The Revd. Mr. Youl and his Family, as I wish to send him thither early in the ensuing Month. In case any Convict Ships should arrive here before then, I shall send you as large a proportion of them as the Prince Leopold can conveniently accommodate. As to Stores I have little expectation of receiving any by the first arrivals from England, and therefore cannot promise to send you any.

14. Herewith I return you the Counterpart of your Police Fund Account made up to the 30th of June last, approved by me.

I have, &c.,
L. MACQUARIE.

---

UNDER SECRETARY GOULBURN TO LIEUT.-GOVERNOR SORELL.

(Despatch per H.M.S. Dromedary; acknowledged by lieutenant-governor Sorell, 12th May, 1820.)

Sir,
Downing Street, 31st August, 1819.

I am directed by Earl Bathurst to acquaint you that Two Hundred of the Male Convicts, shipped on board the Dromedary, are intended for the use of the Settlement under your Command.

I am, &c.,
HENRY GOULBURN.
MACQUARIE TO SORELL.

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.

(Despatch per ship Admiral Cockburn; acknowledged by lieutenant-governor Sorell, 4th October, 1819.)

Sir,*

Govt. House, Parramatta, 4th Septr., 1819.

1. I have the honor to acknowledge the receipt of your Despatches Pr. the Govt. Brig Prince Leopold, dated the 10th and 11th of last month, with their respective enclosures and accompaniments. The Prince Leopold arrived at Sydney on the 30th Ult., after a tedious and boisterous Passage, but without sustaining any damage. Her Passengers and the Prisoners she brought up were landed on the day following.

2. I am concerned to find that Mr. Chas. Reid should have acted with such insolence and impropriety towards you, for which he certainly deserved to be turned out of the Settlement. He came out some time since a Free Settler, and was strongly recommended to me. He got his Lands and other indulgencies here, but I believe very soon disposed of them. He then asked my permission to go to reside in Van Diemen's Land, which I granted him; but, of course, since he has been guilty of impropriety of conduct there, I shall certainly decline to countenance him further.

3. I am extremely sorry to find that the King's Store at Hobart Town has been robbed lately, and that some of the Soldiers have been principally concerned in the robbery. It is very disgraceful, and I trust it will be the last thing of the kind that will happen while any part of the 48th Regt. is stationed there. I approve of the Steps you have pursued on this occasion.

4. I have perused the Proceedings and correspondence you sent me in regard to Actg. Surgeon Luttrell,* and highly commend the great forbearance with which you acted towards that wretched old Man, and which he so little merited at your Hands. He is a very factious, seditious, and unprincipled fellow, and totally unworthy of all favor, excepting on account of his age and large Family. He will now, however, very soon be superseded and placed on Half Pay.

5. In respect to the claim set up by Colonel Davey of retaining the Six Bullocks and the Bull, he took as a loan from the Govt. Herds a long time since, on the grounds of his having arranged with me that he was to do so, I am totally ignorant, nor do I recollect that he ever asked my permission to retain them, except in a Letter I received from him a few days ago by the Prince Leopold. If, however, he can shew you any written authority from me for retaining those Cattle in part of his promised

* Note 66.
420 HISTORICAL RECORDS OF AUSTRALIA.

1819.
4 Sept.

Live stock claimed by T. Davey.

Repairs to brig Prince Leopold.

Convicts per ship Admiral Cockburn.

Relief of commissariat officers.

Female convicts.

indulgencies, you will of course allow him to keep them. But to
the best of my recollection I never made him any such promise
either verbally or in writing; and, as I have answered his last
Letter in the negative, I herewith enclose my answer open for
your perusal and guidance; you have therefore my full authority
to call on him to return the Six Bullocks and Bull thus lent him
to the Supdt. of Government Stock immediately. After you
have perused the accompanying Letter, be so good as to wafer and
send it to Colonel Davey.

6. The Brig Prince Leopold will, I understand, require con­
siderable repairs, which will necessarily detain her at Port
Jackson for some few weeks. The moment she is repaired I shall
dispatch her with the Revd. Mr. Youl and Family to Port Dal­
rymple. In the event of any Stores arriving from England pre­
vious to her departure, I shall not fail to send you a fair pro­
portion of them for your two Settlements; but your Demands in
this respect are so large that it will be quite impossible to comply
with them, as they far exceed the whole of what may be expected
for the whole Colony. I shall also send you a small supply of
Cedar by the Prince Leopold.

7. By the Ship Admiral Cockburn, Capt. Briggs, now under
Dispatch for the Derwent, I have thought it advisable to send
you 130 Male Convicts for your Settlements; 120 of whom
arrived a few days since in the Ship Bencoolen, the remaining
Ten being old Hands. The Secretary will send you a List of
their names and Sentences, and I understand they are very
healthy, well behaved, useful Men. Lieut. O'Brien with 10
Soldiers of the 48th Regt. (including the Seven Soldiers who
were sent up in the Prince Leopold) proceed as a Guard over the
Convicts on board the Adml. Cockburn, and I trust you will be
able to assign them all off the Store to the Settlers at the Der­
went and Port Dalrymple.

Genl. Archer at the Derwent, the latter being ordered to relieve
Mr. Walker at Port Dalrymple.

9. In the event of the Female Convict Ship, now shortly ex­
pected, arriving from England previous to the Prince Leopold's
leaving Port Jackson, I shall not fail to send a proportion of
them to the Settlements of Port Dalrymple and the Derwent on
that Vessel.

10. I enclose herewith for your information and guidance, copy
of a Letter I have recently received from Earl Bathurst,
announcing the appointment of Mr. Edward Ford Bromley (Surgeon in the Royal Navy) to be Naval Officer at the Derwent in succession to Mr. Drummond.

I have, &c.,

L. MACQUARIE.

[A copy of the despatch relating to E. F. Bromley will be found on page 150, volume X, series I.]

[Enclosure.]

[Under Secretary Goulburn to Lieut.-Governor Sorell.]

11th September, 1819.

I have the honor to return a Memorial (addressed to Your Excellency by Mr. Loane of this Settlement), which I lately received from Mr. Secy. Campbell with an intimation of Your Excellency’s desire that it should be returned, accompanied by such replies and remarks as it might appear on my part to require. These are accordingly submitted in a separate paper, to which several documents are attached.

The grave and important nature of the Charges, which Mr. Loane has ventured to advance against myself, and with respect to the administration of Justice in this Settlement, has rendered it indispensably necessary that they should be met in the fullest manner; my papers are therefore unavoidably extended to a considerable length, and have required a number of supporting and explanatory Documents.

I do myself the honor also to return a Letter, addressed by Mr. Loane to Your Excellency in Decem. last, which you were pleased to refer to me in a Letter, dated 26th Decr., 1818, enclosing Copy of your reply to Mr. Loane’s Letter, also of this last date. This original Letter is accompanied by a Copy of the remarks and replies, which I sent to Mr. Loane at the time, and to which I never received any answer.

It will appear to Your Excellency that several of the Complaints, contained in Mr. Loane’s Letter of 13 Dec., 1818, though they had rec’d your decision at the time, are renewed without alteration in his Memorial. Amongst those so decided were the Complaints against the Colon’l Regula’s, the Case of the Convict Servants tried and sentenced for the trespass and breach of the Peace, and the claim to a location at Hangan’s point.

* Copied from original letter-book in Mitchell library, Sydney.  
† Note 156.
1819.
2 Oct.
Request for early decision.

The whole of Mr. Loane's Complaints up to his last departure from this Settlement being now before Your Excellency, together with my replies and remarks, I have only to add my earnest request that you may afford to them your early consideration, so that the whole case may receive a Judgement from the Supreme Authority of the Territory.

I have, &c,

WM. SORELL.

[Enclosure.]

[Copies of these papers are not available.]

LIEUT.-GOVERNOR SORELL TO JUDGE-ADVOCATE WYLDE.*
(Despatch per ship Admiral Cockburn.)

Sir, 2nd Octr., 1819.

A Memorial, lately addressed to The Governor in Chief by Mr. Loane of this Settlement, having been referred to me by His Excellency for remark and reply, and it containing amongst others a Complaint of the proceedings of the Bench of Magistrates in June, 1818, with reference to holding Mr. Loane to bail for his appearance before the Court of Criminal Judicature, and this complaint being rested upon an opinion,† which Mr. Loane states to have been delivered by you upon the proceedings in question, I trust you will excuse my troubling you upon a subject so important to the Magistracy of this Settlement, both as their past and future proceedings are concerned.

Upon receipt of Mr. Loane's Memorial, I referred to Mr. Depy. Judge Advocate Abbott under the impression that he would be possessed of the opinion, which you had delivered on Mr. Loane's case; and it appearing clearly to be his opinion that Mr. Loane's recognizances had been discharged on the ground of inexpediency as to bringing the charge to trial, and not on the ground of illegality, I have taken the liberty of requesting a Communication of your opinion thereupon.

I have enclosed a Copy Extract from Mr. Loane's Memorial, and, in my reply which is submitted to the Governor in Chief by this opportunity, I have stated to His Excellency my intention of addressing myself to you upon the Statement made in Mr. Loane's Memorial.

I have, &c,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*
(Despatch No. 9, per ship Admiral Cockburn; acknowledged by Governor Macquarie, 17th November, 1819.)

Sir, 4 Octr., 1819.

I have had the honor to receive Your Excellency's Dispatches of 17 Aug. pr. "John Palmer" and of 4 Septr. by the Ship "Adm'l Cockburn" with their Enclosures.

* Copied from original letter-book in Mitchell library, Sydney.
† Note 157.
The Adm'l Cockburn arrived on the 14th Ulto., bringing 128 prisoners with the Guard, all well. A Considerable Number have been assigned to the Settlers off the Store; but a portion of these Men, which had been intended for Port Dalrymple, have been unavoidably kept here for the present by the very heavy rains and extraordinary Floods, which occurred at the Moment of their arrival and which have rendered the Country impassable.

2. The Charge of the Commissariat Depart't at this Station has been transferred to Mr. D.A.C. Gl. Hull, and Actg. D.A. Cy. Gl. Archer proceeds to relieve Mr. Walker in a few days.

I beg leave upon this occasion to notify to Your Excellency in Services of the strongest terms the satisfaction, which I have felt at the correct and useful performance of his duties, which has characterised Mr. Archer during Two Years and a Half that he has had charge successively of the Commiss't Depart't in the two Settlements under my authority, the last 20 Months of which at this Station.

3. I beg to forward the Commiss't Accts. up to 24 Ulto.

4. I beg to forward Two particular Memorials for Land, though not at the usual period. The one from Capt'n. Bunster was named by him to Your Excellency at Sydney, and you were pleased to refer it for my transmission; the other is from Capt'n. Read, formerly of the Lynx, who has now been established here near Two Years as a Mercantile Man. I consider him one of the most opulent and respectable Inhabitants. Neither of these Applicants have received any Land or Indulgences.

5. Having observed by a Govt, and Genl. Order in the Sydney Hospital Gazette that a New System* was ordered for the Genl. Hospital, I beg Your Excellency may be pleased to instruct the Principal Surgeon to furnish Mr. Luttrell with the New Regulations for his Guidance here.

6. I should be much obliged to Your Excellency to inform me whether any Indulgence as to Convict labor† is considered as accompanying Grants of Land of a certain size, unless when under a specific order, and whether Grants under 100 Acres give a Title to a Man victualled for 6 Months.

7. The very confined piece of Ground, on which the Church stands, rendering it of great importance to its appearance to obtain the surrender of some adjoining ground, now divided into three allotments and on which Old Houses stand along the side of The Church Yard, I trust Your Excellency may be pleased to approve of them being surveyed and compensation made to the Owners.

8. I consider it my duty to state to Your Excellency that Mr. Comm'y Walker's conduct and correspondence with The

* Note 158. † Note 152. ‡ Note 74.
Commandant at Port Dalrymple have compelled me to notice their improper and disrespectful Tenor. Having some time ago expressed an opinion on one instance (upon a reference from Major Cimetiere), it is painful, more particularly at the moment of Mr. Walker's removal, to be compelled to notice the matter to Your Excellency; but Mr. Walker having gone the length of treating a Letter from The Commandant requiring a paper for me with contemptuous Silence, at the same time authorising his clerk, a prisoner, to transmit Vouchers and open correspondence with The Commandant's Clerk on the current business, I feel it my duty to report to Your Excellency that, in acknowledging to Mr. Dy. Comy. Drennan his notification of the change of Officers at these Two Stations, I have deemed it indispensable to state my opinion of these proceedings on the part of Mr. Com'y Walker.

I have, &c.

WM. SORELL.

[Enclosure.]

[A copy of these accounts is not available.]

LIEUT.-GOVERNOR SORELL TO DEP. COMMISSARY-GEN. DRENNAN.*
(Despatch per ship Admiral Cockburn.)

Sir, 9th Octo., 1819.

The relief of Officers in charge of The Commissariat Depart't at this Station having taken place, as notified to me in your Letter of the 4 Ulto., I take the opportunity, which the communication affords to me, to bear testimony to the correct and useful discharge of his duties, which has characterised Actg. D.A. Cy. Gl. Archer during his charge successively of The Department at the two Stations in Van Diemen's Land from the commencement of my Command.

Entertaining a sincere esteem for Mr. Archer, both in his public and private Character, I should feel highly gratified if this testimonial to the Head of his department, and which Truth and Justice claim from me, should tend in any degree to authorise or assist a recommendation from you for the confirmation of Mr. Archer's rank after a service of several years.

It is painful to me to have at the same time to remark that the Conduct and correspondence of Mr. Comy. Walker has been in some instances very extraordinary.

Having been obliged to express my opinion thereupon at the time I should not have felt it necessary to bring the matter under your Notice, particularly when he was removing from duty in these Settlements, had not a fresh instance been just reported by the Commandant. It appears that Mr. Walker, in lieu of

* Copied from original letter-book in Mitchell library, Sydney.
addressing the Commandant in the ordinary official way when transmitting papers for signature or otherwise, left the Letter, which the latter wrote to him, unanswered, and caused his Clerk, a Prisoner, to address Letters to the Commandant's Clerk with vouchers, etc., for signature. Upon the unprecedented and glaring impropriety thus resorted to by Mr. Walker in his official Communications with the officer in charge of the Settlement, it is unnecessary for me to enlarge. But I could do no less than state the case, as represented by Major Cimetiere; and, certainly had Mr. Walker's service been continued here and the same System been pursued, it would have imposed upon me the necessity of having recourse to measures, always painful but which in extreme Cases are exacted for the preservation of authority.

I have, &c.

WM. SORELL.

COLONIAL SECRETARY CAMPBELL TO LIEUT.-GOVERNOR SORELL.
21st October, 1819.

[A copy of this despatch is not available.]

UNDER SECRETARY GOULBURN TO LIEUT.-GOVERNOR SORELL.
26th October, 1819.

[A copy of this despatch, acknowledged 14th August, 1820, is not available.]

GOVERNOR MACQUARIE TO LIEUT.-GOVERNOR SORELL.
(Despatch per brig Prince Leopold.)

Sir,
Govt. House, Sydney, 17th Novr., 1819.

1. I have the honor to acknowledge the receipt of your Dispatch (No. 9) dated the 4th of last month, with its several accompaniments.

2. I have perused the Memorials transmitted by you from Messrs. Geo. F. Read and Wm. Bunster, soliciting permission to become Settlers in Van Diemen's Land; and, as you have recommended them as proper Persons for that indulgence, particularly Mr. Read, I acquiesce in their request. I accordingly authorize you to direct the Depy. Surveyor of Lands to mark out and locate Eight Hundred Acres of Land for Mr. Read, and Five Hundred Acres for Mr. Bunster; and also to direct Mr. Read and Family, together with Four Government Servants, and Mr. Bunster, together with Two Government Servants, to be respectively victualled from the King's Store for Six Months.

3. In reply to your Query relative to Indulgencies of Convict labour to be given to New Settlers, and whether Grants under
1819.  
17 Nov.  
Assigned servants for settlers.

Diet for hospital patients.

Resumption of land near church.

Commendation of T. Archer.

Misconduct of T. Walker.

100 Acres give a Title to a man being victualled for six months, I beg to inform you that it has always been the custom to assign one Convict Servant to every Settler on allowing him to become such, even if his Grant should not exceed 30 Acres; but no additional Man is given him afterwards even if he should receive an additional Grant of Land.

4. The new System of Dieting the Patients in the Genl. Hospital here has not yet commenced, but, when it does, a Copy of the Regulations* on that head will be forwarded to you, tho’ I do not think it would be advisable for you to act upon it until the new Surgeon for the Derwent arrives from England, whence he is very soon expected.

5. I can have no objection to the adjoining allotments, required to be added to the New Church Ground at Hobart Town, being surveyed and valued, if the Proprietors of them are willing to relinquish them to Government, and the estimated value to be paid them from the Police Fund.

6. I am much gratified to find you are so much pleased with the conduct of Mr. Archer, while at the Head of the Commissariat Department at the Derwent, as well as at Port Dalrymple.

7. I regret to find that the conduct of Dy. Asst. Comy. Genl. Walker has been so very reprehensible at Port Dalrymple towards the Commandant of that Station, and I am very glad that you have reported his improper conduct to the Head of his Department.

I have, &c.,

L. MACQUARIE.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE†  
(Despatch per ship St. Michael.)  
Sir, Hobart Town, 19th Nov., 1819.  
I had the honor of receiving two days ago overland from Port Dalrymple Your Excellency’s Letter respecting Andrew Stewart, a Convict under a Scotch Sentence.‡  
The Indents in these Cases having expressed that, though the Sentence is for Life, the Convict is assigned for seven years, and the reference, which I had the honor of making to Your Excellency thereupon, not having thrown any new light for my guidance, inasmuch as you informed me that the Cases of the Men under Scotch Sentences were referred home, I deemed it best to grant to each Man, whose seven years had expired, a Conditional Certificate or permit to be at large within the Settlement. A Document of this kind has been held by Andrew Stewart since the period of Seven Years expired.

With respect to Character, I believe, except being much addicted to drinking, there is no imputation against him.

* Note 158. † Copied from original letter-book in Mitchell library, Sydney. ‡ Note 159.
SORELL TO CAMPBELL.

He obtains a maintenance, I am informed, by writing Letters, Memorials, etc. I shall procure him a passage by the first opportunity, should he wish to proceed to Sydney.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO JUDGE-ADVOCATE WYLDE.*
(Despatch per ship St. Michael.)

Sir, 19 Novem., 1819.
I had the honor of receiving your Letter of date 23rd Octo. Despatch two days ago, and I beg to thank you for the very satisfactory explanation, which you have taken the trouble to afford me on the subject of the opinion ascribed to you in Mr. Loane's Memorial, on an occasion highly important to the Magistracy and Judicial proceedings of the Settlement.

I have, &c.,
WM. SORELL.

COLONIAL SECRETARY CAMPBELL TO LIEUT.-GOVERNOR SORELL.*

20th November, 1819. 20 Nov.
[A copy of this despatch is not available.]

LIEUT.-GOVERNOR SORELL TO COLONIAL SECRETARY CAMPBELL.*
(Despatch per ship David Shaw.)

Sir, 27 Novem., 1819. 27 Nov.
I am sorry that it is not in my power to forward the Returns required in your Letter of the 21st Ulto. by The Bombay, now sailing; but, having no perfect documents with reference to the Salaries paid on the Parliamentary Estimate or from the Police Fund prior to my assumption of command, I have been constrained to apply to Lt. Col. Davey, my predecessor, and to the former Treasurer of the Fund for information. This has not yet reached me; but, from what I already know, I am enabled to state that it will not be in my power to get the Return made for the whole period, which your Letter specifies. I shall, therefore, have them prepared as fully as my Means of reference and information admits, and shall note the deficiencies; and I shall hope to be enabled to forward these returns by one of the small Vessels, now at Port Dalrymple, should no earlier opportunity offer direct from hence.

I now transmit the Nominal Return of Convicts received direct from England or Ireland from 1 Jany., 1812, to 31 Decr., 1818; as far as I can learn by reference to Lt. Col. Davey and others

* Copied from original letter-book in Mitchell library, Sydney.
1819.
27 Nov.
Arrival of settlers per ship David Shaw.

Instructions required re unauthorised settlers.

Candles for military officers.

Proposed resumption of land near church.

Allowances of stationery.

Lieut.-Governor Sorell to Governor Macquarie.*
(Despatch No. 10, per ship David Shaw.)

Sir,

30th Nov., 1819.

I do myself the honor to acquaint Your Excellency that, by the Ship David Shaw, which arrived here on the 11th Inst't (having sailed from England 11 June) and which now proceeds to Port Jackson, the following persons came out, who have applied for leave to land here.

Mr. Nathan Elliott, whose Letter to your Excellency accompanied by one from The Secy. of State I now beg leave to enclose.

Mr. T. Stone and Wife, and Mr. Withers, his brother in Law, brought no Letter from The Secy. of State, and I was therefore doubtful of the propriety of allowing them to land here; but, upon considering the hardship which they might feel and represent of being forced from hence at the end of a long Voyage without any charge, I judged it best to accede to their application and to report their Situation to Your Excellency.

It does not appear from these persons coming out that any restriction exists; and, if the only means of preventing those, who venture to this Country without The Secy. of State's authority, be that of sending them away on arrival, it would be one, which in many cases would be impracticable, and in most involving questions which would be painful to the Chief colonial authority. Should Your Excellency disapprove of the permission to land, which I gave to Mr. Stone, I request to be honored with your Instructions thereupon.

2. Having received a representation through Major Bell, on the authority of an officer lately joined here, that Candles were allowed to the Mil'y officers in Barracks at Sydney, I beg that Your Exc'y may be pleased to send me the order thereupon, in order to the same being regulated at this Station.

3. The Ground, on which the Church has been built, being much confined by three very poor Houses, which stand on its inner line, I request Your Excellency's sanction to their being surveyed and valued, the parties being willing to surrender them to Government.

4. I request Your Excellency will be pleased to inform me whether any regulations or limitation exists as to supplying public Departments or officers with stationary. I have been in the habit of furnishing paper to such as have reports and Returns

to make, which cannot be obtained without it. I beg also to state to Your Excellency that no Stationary has been rec'd in this Settlement since my arrival but once, and then in very small quantity. The Stationary has been purchased as needed from the Fund.

5. I have the honour to transmit to Your Excellency the Quarterly Returns of the Settlement to the 30 Sept.* I have it not in my power now to forward the Muster Lists, the Muster being not yet completed owing to a most unprecedented course of tempestuous and rainy Weather, which has prevailed during the greater part of this Month and which has compelled me to postpone some of the District Musters, which the flooded state of the rivers rendered it impossible for the Settlers to attend.

I have, &c,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO COLONIAL SECRETARY CAMPBELL.
(Despatch per ship Admiral Cockburn.)

Sir,

17 Decern., 1819.

I have now the honor to forward the returns, required in your Letter of 21 Ocr., as specified in the Margin,* as far as I am enabled to do so. I regret that I am not possessed of and have been unable to obtain the Materials necessary for making complete Returns (for periods prior to my own administration) of the officers and others receiv'g Salaries on the Parliament's Estimate or the Col'l Fund. The returns are, therefore, made complete for all the periods, which my information reaches; the defects are noted with such remarks as occurred; and, as I have been unable to do more either by documents or by reference to my predecessor Lt. Col. Davey, Copies of correspondence with whom I enclose, or the former Treasurer of the Fund Mr. Gordon, I can only hope that the Defects in these returns may be supplied from your office. For the early periods, I can find no documents but a Book kept during Mr. D. Campbell's Treasurer-ship, copy of which is also forwarded.

I have to acknowledge the receipt of Your Letter of 20 Ulto., with List of 150 Male Convicts pr. Ad'l Cockburn; and I have Request for Indents of these Men by an early intent., which is the more necessary as some of them state that they have but a short time to serve. I have, &c,

WM. SORELL.

[Enclosures.]

[Copies of these papers are not available.]

* Marginal note.—With the Except'n of the Comm't, Mr. Comm'y Hull hav'g so lately arrived.
† Copied from original letter-book in Mitchell library, Sydney.
‡ Marginal note.—Six Ann'l Returns of Salaries pd. by Parl'y Estimate; Do. of do. from Police Fund.
§ Note 166.
1819.
18 Dec.

Ill-health of T. Hayes.

C. H. Roberts detailed to Port Dalrymple.

Return of guard to Sydney.

Foundation of hospital.

Muster lists.

Escaped convicts from Sydney.

Applications for passages for families.

Delay in muster lists.

LEUT.-GOVERNOR SORELLE TO GOVERNOR MACQUARIE.*
(Despatch No. 11, per ship Admiral Cockburn.)

Sir,

I have the honor to acquaint Your Excellency that Ensign Hayes of the 48, who arrived with the Guard on board the Ad'l Cockburn, having been reported unfit for any Duty, and having represented that he expected to derive benefit from the Climate of Port Dalrymple, I authorised him to proceed thither for the present.

2. Ensign Roberts, in pursuance of Your Excellency's authority, has been directed to join the Detach't under Major Cimetiere.

3. The Guard, which arrived in the Ad'I Cockburn, is, according to orders received by Major Bell, returned by that Ship.

4. I beg to inform Your Excellency that the Foundation of the Col'l Hospital† is began on the plan and on the spot approved by Your Excellency.

5. I have the honor to forward Muster Lists of the Settlement for 1819.

6. On board the Ad'I Cockburn are embarked Two prisoners, runaways from Sydney, who were landed from the St. Michael on their passage from India in consequence of Sickness. One of these, known under the name of Thompson, but as it has appeared here really James, whose 2 Brothers are in The Govt. Service here, one a very useful Mechanic; I take the liberty of soliciting Yr. Excellency's Clemency towards this Young Man, who it appears brought out some property and was carried away in the same ship, by which he arrived at Sydney; and that you would be pleased to allow John Thompson, als. Richd. James, to be sent to this Settlement, where he may be usefully instructed in his brother's Trade.

7. I beg to submit to Your Excellency applications from several Prisoners for their families to have a passage out and I request Your Excellency's support to them. I have, &c.,

WM. SORELLE.

Note.—A Postscript stating that, owing to Disapp't at the moment, the Muster Lists could not go, but that an abstract of the Total of Land and Stock was sent.

LEUT.-GOVERNOR SORELLE TO GOVERNOR MACQUARIE.*
(Despatch per ship Regalia.)

Sir,

28 Dec., 1819.

I have not given any public notice for petitions for Mitigation of Sentence to be sent in, but several have been some time

* Copied from original letter-book in Mitchell library, Sydney. † Note 161.
in my possession; and, in submitting them to Your Excellency at this period, I trust that I shall not be improperly troubling you. I beg leave, therefore, to recommend to Your Excellency's favorable consideration the Petitions, which accompany this Letter, in number Twenty eight, for the Mitigation of Sentence severally prayed by the Applicants. I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*
(Despatch per ship Regalia.)

Sir, 28 Decern., 1819.

I beg leave to submit to Your Excellency Memorials from Mr. Joshua Ferguson and Mr. David Lord of this place for augmentation of Land.

The former received from Your Excellency last year an order for Two Hundred Acres, the latter in 1817 for one Hundred, and their present applications are founded on the ground of property, as Compared with other persons here.

I have submitted upon each Memorial the additional Quant'y, which to the best of my Judgement would place both applicants on a footing with other Landholders; and I believe my estimate is just and correct.

Mr. Ferguson I have proposed to have the same grant of Land as Mr. Bunster lately received an order for; Mr. Lord having a very large Stock and Capital in Houses, etc., I have placed higher, vizt. at Seven Hund'd Acres; all which I beg leave to recommend to Your Excellency. I have, &c.,

WM. SORELL.

[Enclosures.]

[Copies of these memorials are not available.]

LIEUT.-GOVERNOR SORELL TO GOVERNOR MACQUARIE.*
(Despatch per ship Regalia.)

Sir, 31 December, 1819.

I beg leave to represent to Your Excellency the difficulty existing in this Settlement with respect to Constables.

In consequence of a failure in the regular Issues of Slops and Shoes at the two last quarterly periods, and the Store now affording no supply, the Inducement for free Men to serve as Constables is materially diminished; several of that class have in consequence resigned, and several more have desired permission to retire; and, as the proportion of Prisoner Constables had before rather exceeded that which could be wished, the present prospect opens matter of serious consideration.

* Copied from original letter-book in Mitchell library, Sydney.
I am, therefore, induced to submit to Your Excellency the necessity of an arrangement to insure to the Constables the certain issue of their Slops and Shoes, or an equivalent, at the regular periods, being persuaded that no other means exist for inducing free Men to give up the more profitable occupation of their time to the public Service. I have, &c.,

W. M. Sorell.
OFFICIAL PAPERS
RELATING TO
THE SETTLEMENTS AT PORT DALRYMPLE
AND
MISCELLANEOUS PAPERS RELATING TO TASMANIA.
JULY, 1812—DECEMBER, 1819.

These papers are divided into two sections:—

Section A (page 435 et seq.)—Correspondence to and from the commandants at Port Dalrymple.

Section B (page 547 et seq.)—Miscellaneous papers relating to the administration of government in the island of Tasmania.


SECTION A.

INSTRUCTIONS for Major Andw. Geils,* Commandant of the Settlement of Port Dalrymple in Van Diemen's Land.

BY His Excellency Lachlan Macquarie, Esqr., Captain General and Governor in Chief of the Territory of New South Wales and its Dependencies, etc., etc., etc.

Sir,

Having in my Government and General Orders of this day's date appointed you to be Commandant of the Settlement of Port Dalrymple in Van Diemen's Land, you are hereby directed to observe and be governed generally by the following Instructions or such further orders and directions as you may from time to time receive from me, from the Lieutenant Governor of Van Diemen's Land, or from the Officer commanding in chief in this Territory for the time being, for your future guidance.

1. As soon as you have delivered over charge of the Settlement of the Derwent to Lieut. Governor Davey, and received such Instructions from him as he may judge it adviseable to furnish you with, you are hereby authorized and directed to proceed, by the overland Route, to assume the command of the Settlement of Port Dalrymple, which the officer now in command thereof will be instructed to deliver over the charge of to you; your Salary as Commandant of Port Dalrymple, which officer now in command thereof will be instructed to deliver over the charge of to you; your Salary as Commandant of Port Dalrymple, which officer now in command thereof will be instructed to deliver over the charge of to you; your Salary as Commandant of Hobart Town will of course cease and be discontinued from and after the date of Lieut. Governor Davey's arrival there.

2. His Majesty having been graciously pleased to appoint Lieut. Colonel Davey to be Lieut. Governor of the Settlements on Van Diemen's Land, subject however to my controul, you are hereby directed to report to him on all the Civil and Military affairs of the Settlement of Port Dalrymple, and to obey all orders and instructions he may think fit to give you for your government and guidance, as Commandant of Port Dalrymple, in the Civil and Military administration thereof. Being yourself already a Magistrate throughout the whole of Van Diemen's Land, you will be able to hold and assemble, in conjunction with Cant. Ritchie and Mr. Mountgarret, a weekly Bench of Magistrates at Port Dalrymple for the settling and adjusting all Petty Affairs.

* Note 162.

1813.
30 Jan.
Instructions to A. Geils from L. Macquarie.
Appointment as Commandant.
Assumption of Command.
Salary as Commandant at Port Dalrymple.
Reports to be submitted to T. Davey.
Weekly Sittings of Magistrates.
1813.
30 Jan.

Instructions to A. Geils from L. Macquarie.

Regulation of spirit traffic.

3. The Clandestine introduction of Spirits into the Settlement under your Command, as well as the illegal and destructive Practice of distillation of Spirits within the same, must be guarded against with the utmost vigilance; and you will accordingly use your best endeavours to prevent these improper and ruinous Practices, so disgraceful to the individuals themselves and so injurious to the Public Revenue and interests of the Crown. The standing Regulations of Government are very clear and strong on these Points and must be rigidly enforced, particularly the 33d and 34th articles* of the Port Regulations respecting Ships or Vessels not being allowed to enter or dispose of any part of their Cargoes at any of the subordinate Settlements; and I shall accordingly hold you Personally responsible for enforcing and paying due attention and obedience to the two Articles abovementioned.

4. You will not fail, by every means in your power, to enforce a due observance of Religion, morality and good order, within the Settlement under your command; and you will cause one of the Civil or Military Officers at Port Dalrymple to read Prayers there every Sunday to the Troops and to the Mechanics and Labourers in the immediate Service of Government, all of whom must be regularly Paraded and mustered every Sunday for this purpose, encouraging the other Inhabitants in and near the Town of Launceston to attend on the same Religious occasion. You will also use your best endeavours to prevent Drunkenness and idleness amongst the lower Classes of Inhabitants, and use every possible means to Stimulate them to habits of honesty, sobriety, and industry.

5. You will not consider yourself at liberty to make any Purchases of Provisions, Spirits or Stores of any description from any Ships that may happen to touch at Port Dalrymple, or from any Private Traders or Merchants residing there, without first receiving my permission for so doing, or a written order for that purpose from Lieut. Governor Davey. The King's Stores will of course continue to be supplied, as heretofore, with Grain and Animal Food, from the resources of the Settlement, and paid for by the Deputy Commissary in the usual Manner, by drawing Bills for the amount of such Purchases, as he may have occasion to make, on the Commissary General at Head Quarters, at the

* Note 163.
end of each Quarter. The Deputy Commissary at Port Dalrymple must still continue to transmit his Quarterly Accounts and Vouchers direct to the Commissary General at Head Quarters by all convenient opportunities, at the same time transmitting Duplicates of them through you to Lieut. Governor Davey at the Derwent, who will forward them to me from thence as opportunities may occur.

6. The Prices of Wheat and Animal Food having lately been reduced at Head Quarters, no higher Prices can in future be allowed at any of the Subordinate Settlements. You are therefore enjoined not to pay more than Eight Shillings per Bushel for Wheat, nor more than Seven Pence per Pound for any Beef, Mutton, or Pork, you may have occasion to Purchase on account of the Crown at the Settlement of Port Dalrymple, from and after the date of Lieut. Governor Davey's arrival at the Derwent; of which notice must be immediately sent to Port Dalrymple to the Officer now Commanding at that Settlement.

7. Immediately on your arrival at and assuming the command of the Settlement of Port Dalrymple, you will cause an exact account and Survey to be taken by a Committee of Officers, of all Naval and Military Stores, Slop Clothing, Provisions, Spirits, and Grain and Live Stock, the Property of the Crown then within that Settlement; transmitting to me, and to Lt. Govr. Davey, attested Copies of the Report of the Committee of Survey.

8. All Duties collected by the Naval Officer at Port Dalrymple on goods, Merchandize or Spirits, must be remitted by you to Lt. Govr. Davey at Hobart Town, who will direct the same to be credited to the general Police Fund, now ordered by me to be established for Van Diemen's Land, and which is in future to be denominated "the Police Fund of Van Diemen's Land."

9. The usual Quarterly Statements, Returns and Reports, of the Settlement of Port Dalrymple, must be transmitted direct to me, as heretofore, to Head Quarters, as often as opportunities occur of so doing; and you are to transmit Duplicates thereof to Lt. Govr. Davey to Hobart Town for his immediate information. All applications made to you for free or Conditional Pardons, Lands, or Cattle, by Persons residing at the Settlement of Port Dalrymple, you will transmit in the first instance to Lieut. Govr. Davey, who will forward them to me.

10. You will not fail to write to me by every opportunity to apprise me of the state of the Settlement under your command.

I have, &c.,
L. Macquarie.

Govt. House, Sydney, 30th Jan'y., 1813.

* Note 3.
GOVERNOR MACQUARIE TO CAPTAIN RITCHIE.*

(Despatch per ship Frederick.)

Sir,

Government House, Sydney, 30th Jan., 1813.

1. You will herewith receive a Copy of my General and Government Orders† of this day's date for your information and guidance; and you will accordingly, in compliance therewith, deliver over charge of the Settlement of Port Dalrymple, now under your Command, to Major Geils on his arrival there from the Derwent, closing and settling all your Public Accounts up to the day of your delivering over charge of the Settlement to Major Geils.

2. You will be so good as to deliver over to Major Geils all Public Records and Documents in your possession, connected with the Settlement of Port Dalrymple; particularly any orders or Instructions you may have already received, or may hereafter receive from me, respecting the Evacuation of Norfolk Island, and the provision intended to be made for and accommodation to be granted to the Settlers and other Inhabitants thereof on their arrival from thence at Port Dalrymple.

3. You are hereby ordered and directed to remain at Port Dalrymple; after you deliver over the charge of that Settlement to Major Geils, in the Command of the Company of the 73d Regiment stationed there; and continue to discharge the Duties of a Magistrate at the Settlement of Port Dalrymple, till further orders.

I have, &c.,

L. MACQUARIE, Govr.-in-Chief of N. S. Wales.

GOVERNOR MACQUARIE TO CAPTAIN RITCHIE.

(Despatch marked “Private,” per ship Frederick.)

Dear Sir,

Sydney, 30th Jan., 1813.

Lt. Govr. Davey embarks in the course of a few days for the Derwent to assume the general command of the Settlements on Van Diemen's Land, and Major Geils will consequently proceed to take the command of Port Dalrymple, as soon as he has delivered over charge of his present command at Hobart Town.

I am very sorry that your command of Port Dalrymple has been so short,* having every reason to be perfectly satisfied with your conduct during the short time you have administered the affairs of that Settlement. In the event of your wishing to return to Head Quarters again, I shall have no objection to relieve you in about Seven or Eight Months hence, when I hope to be able to relieve the Company of the 73d now at Port

* Note 164. † Note 165.
INSTRUCTIONS TO A. GEILS.

Dalrymple entirely; and at all events another Capt. will be sent thither to relieve you, if you desire it, at the expiration of the time herein mentioned.

I remain, &c.,

L. MACQUARIE.

GOVERNOR MACQUARIE TO CAPTAIN RITCHIE OR OFFICER COMMANDING AT PORT DALRYMPLE.

Govt. House, Sydney, 6th Feb., 1813.

Instructions for Major Geils of His Majesty’s 73d Regt., Commandant at Port Dalrymple.

By Thomas Davey Esquire, Lieut. Governor of the Settlements on Van Diemen’s Land, etc., etc.

Sir,

His Excellency the Governor in Chief having been pleased to appoint you Commandant at Port Dalrymple, one of the Settlements under my Charge and Command, I have deemed it necessary to furnish you with the following Instructions for your guidance in discharging the important Trust with which you are vested.

1st. You are directed to proceed to Port Dalrymple, and there take upon yourself the Command of that Settlement agreeable to His Excellency’s directions. Immediately upon your arrival there, you are to notify the same to Captain Ritchie, and, on the day following, you are directed to signify my Appointment as Lieutenant Governor of the Settlements on Van Diemen’s Land by causing my Commission* to be publicly read (a Copy of which I herewith annex) at the same time observing the same Ceremony, with regard to your own Appointment as Commandant.

2d. His Excellency the Governor in Chief having furnished you with a Code of Instructions for your Guidance in administering the Command at Port Dalrymple, bearing date 30th Jan., 1813, I have to request you will pay due attention to them, by enforcing them to their full effect and meaning, and I beg leave to call your particular Notice to the third Article of those Instructions.

3d. You will be pleased to report to me upon all Civil and Military Affairs connected with the Settlement at Port Dalrymple, and you will furnish me with an exact and regular quarterly Return of the Settlement, specifying the Receipts and Returns to be transmitted to T. Davey.

* Note 166.
Expenditures which have taken place in the several public Departments during the Quarter and to whom and in what manner the Expenditures have been applied.

As it may happen the state of the Weather or other Causes may prevent your sending off your Returns exactly at the end of the Quarter, you are nevertheless to close them regularly, making four distinct quarters. And as Opportunities may present themselves for your making your Quarterly Returns, Reports and Statements, direct to Head Quarters, without previously submitting them to me, you are at liberty to do so, taking care to forward a Duplicate thereof to me by the earliest Opportunity.

4th. His Excellency the Governor in Chief having been pleased to signify to you in the 8th Article of your Instructions that all duties, collected by the Naval Officer at Port Dalrymple on Goods, Merchandize or Spirits, are to be remitted by you to me, and credited to the General Police Fund of Van Diemen's Land, you will be pleased to furnish me with a quarterly Return thereof, transmitting at the same time the sums so collected.

5th. As it is my wish to introduce the most perfect Regularity into the conducting of the Commissariat Department of these Settlements, I have annexed you some Orders which I have already published at Hobartown, towards enabling me to carry my wishes into effect; and I have to request you will insert them in General Orders at Port Dalrymple. You will also take particular Care that no Issues whatever are to be made from the Public Stores, but in the manner I have therein prescribed.

6th. In receiving Grain and Animal Food into His Majesty's Stores for the purpose of supporting those necessarily victualled at the Public Expence, a rigid Observance must be manifested on the part of the Commissary as to the Impartiality of his Proceedings. I have therefore to request a Book may be opened by the Commissary for the purpose of inserting the names of those persons, who are desirous of supplying the Stores with the latter Articles; The List should express the time they can return their Meat into Store and the quantity which can be received from them; By a due observance therein, the parties supplying the Public Stores will be prevented from Slaughtering their Stock at a time when they cannot be received, and, on the other hand, the Commissary will not be disappointed in the necessary quantity required for the weekly Issues. As I apprehend the quantity of Wheat produced in this Island does now, and must hereafter by far exceed the Consumption in Victualling those necessarily supported at the Public Expence, I am anxious to introduce a nice discrimination in receiving the same into the Stores, with a View that every one should be encouraged according to his own
INSTRUCTIONS TO A. GEILS.

exertions. By a Reference to the annual Musters of the Settlers, which I shall direct hereafter to take place, with the quantity of Ground they cultivate, a tolerable judgment may be formed; and by allowing each a certain quantity per Acre, according to the number of Acres cultivated, we shall be enabled to do justice to the whole. I am anxious also that no more Wheat shall be received into the Stores for the future than will last for six Months, as considerable loss may be sustained by keeping too great a quantity in the Stores owing to various Causes.

7th. I am particularly desirous to discountenance, as much as possible, the issuing of Articles from the Public Stores on a private Account, as it may so happen that the very Articles, which Individuals are accommodated with, may be wanted for the Public Service, before Supplies can be obtained; and thus Government may be reduced to the Necessity of purchasing them at exorbitant Prices. I should hope that the Stores of Port Dalrymple may be so regulated as to render it unnecessary for your making any Purchases, without a Reference to me; but should otherwise ever be the Case, contrary to my Expectations and wishes, I must request those Articles may never be disposed of on private Account, as it cannot but appear very strange, the purchasing of Stores one day and disposing of them to private Individuals on the next. But, as Circumstances may arise where it may be necessary to supply Individuals with Articles from the Public Stores, I request they may be always paid for on delivery.

8th. You are on no account to make purchases of Gunpowder or Stationary from Private Merchants or Traders; but, on your wanting a Supply, a regular demand must be made through me, which I will forward to Head Quarters. As I have Reason to apprehend that some Sales of Gun Powder have lately taken place in this Island, contrary to the 7th Article of the Port Regulations, I beg leave to call your very particular attention thereto, and to request you will not on any Account suffer any such proceedings to take place, and at the same time to prohibit its being sold by any private Merchant or Trader, or any other Person whatsoever, without a special permission from yourself. I am certain there are no means which can be devised that will so effectually destroy the System of Bush-ranging, as a rigid observance of this order. Deprive those Depredators of the Means of procuring Ammunition, and they can no longer live in the bush.

9th. As many Circumstances may arise hereafter, on my becoming more intimately acquainted with the State of the Settlements, which may require my furnishing you with further Instructions, I shall now close these, requesting you will exert your
INSTRUCTIONS for Capt. John Mackenzie* of His Majesty's 46th Regt., Commandant of the Settlement of Port Dalrymple in Van Diemen's Land.

By His Excellency Lachlan Macquarie, Esqr., Captain General and Governor in Chief of the Territory of New South Wales and its Dependencies, etc., etc., etc.

Sir,

Having in my Government and General Orders† of this day’s date appointed you to be Military Commandant and Civil Magistrate of the Settlement of Port Dalrymple in Van Diemen's Land, you are hereby directed to observe and be generally guided and governed by the following Instructions, or such further orders and directions as you may from time to time receive from me, from the Lieutenant-Governor of Van Diemen's Land, or from the Officer Commanding in Chief in this Territory for the time being.

1. Immediately on receipt of these Instructions you will embark on board the Government Colonial Schooner Estremina with the Officers, Noncommissioned Officers, Drummers, and Privates, and Women and Children belonging to the 46th Regt. specified in the Margin‡; and, as soon as the Wind and weather will admit of the Vessel's weighing anchor and sailing, you will proceed in her to Port Dalrymple with the least possible delay.

2. On your arrival at Port Dalrymple you will communicate your appointment to Capt. Ritchie now commanding there, disembark your Company, and immediately assume the command of that Settlement, of which he is directed in my general orders of this day's date to deliver over charge to you; And, As soon as he has done so, you are to direct him to proceed with his Company overland to the Derwent, supplying him with such Provisions and Carriages as may be necessary to enable the Troops to march with comfort across the country from Launceston to Hobart Town.

3. You will direct that the Women and Children and heavy Baggage, belonging to the Company of the 73rd Regt. now at Port Dalrymple, shall be immediately embarked, as soon as the relief takes place, on board the Govt. Schooner Estremina, with

* Note 167. † Note 168.
‡ Marginal note.—1 Lieutenant, 3 Sergeants, 2 Corporals, 1 Drummer, 38 Privates.  
§ Women: 2 Children.
INSTRUCTIONS TO J. MCKENZIE.

14 days Provisions for the number of Persons on board, and give orders to the Commander of the said Vessel to proceed with them with the least possible delay to the Derwent, where he will receive orders from the Lieut. Governor respecting their further disposal.

4. Previous to Capt. Ritchie's departure from Port Dalrymple, you will take care to have it publicly made known and communicated to the Inhabitants of that Settlement that you will not hold yourself responsible for any Debts contracted by your Predecessor on account of Government; and that, if they have any claims unadjusted, they must bring them forward, in order that they may be regularly liquidated by Capt. Ritchie before he quits the Settlement.

5. As soon as you have assumed and taken the command of the Settlement, you will order a Committee of Officers to be assembled for the purpose of taking a regular survey and accurate account of all Stores, Grain, Provisions, and Cattle belonging to the Crown now at Port Dalrymple or its Dependencies, directing the Report of the said Survey to be made out in Triplicate, one copy of which you are to transmit to me by the earliest opportunity, one to Lieut. Govr. Davey, and the third you are to keep for your own information.

6. You are to report to Lieut. Governor Davey on all matters Civil or Military, connected with the Settlement of Port Dalrymple, obeying all such orders as he may think proper to give you, and furnishing him with all such Returns as he may have occasion to require from you. All reports that you may have occasion to make to me are to be generally transmitted through him, unless on occasion of a direct conveyance offering from Port Dalrymple for Port Jackson, when you will not fail to write to me direct, apprising me of the state of the Settlement under your command. You are not to consider yourself authorized to make any Purchases, or to enter into any Contract, on account of Government, for Provisions, Stores, or other Supplies of any description, without previously applying for and receiving Lt. Governor Davey's consent and authority for so doing.

7. Being yourself constituted a Magistrate at Port Dalrymple by my Precept herewith delivered to you, you are authorized to hold and assemble, in conjunction with Mr. Mountgarret the other Magistrate there, a regular weekly Bench of Magistrates for adjusting all Petty Debts and Disputes, and trying and Punishing all petty crimes, misdemeanors, and Breaches of the Peace. You will not fail to enforce as good and strict a system of Police in the Settlement under your command as your means and resources will admit of.
1814.
5 March.

Instructions to J. McKenzie.

Courts martial.

Prevention of smuggling and illicit distillation.

Regulation of trade by British vessels.

Observance of religion.

8. When any Soldier of your Detachment commits a crime that requires being investigated by a Court Martial, you will apply for one to the Lieut. Governor, who will order a garrison or Detachment Court Martial to be assembled at either Settlement, as the case may require, for the Trial of the Offender; the sentence on whom must be submitted to and approved by the Lt. Governor before it can be carried into execution.

9. The Clandestine introduction of Spirits, as well as the illegal and most destructive practice of Distillation of Spirits within the Settlement under your command, must be guarded against with the utmost vigilance; and you are accordingly hereby strictly enjoined to use your best endeavours to prevent these improper and ruinous practices, so disgraceful to the individuals themselves employed in them and injurious to the Public Revenue and interests of the Crown.

10. You are authorized to grant permission to all British Merchant Vessels, which may happen to touch at Port Dalrymple, to enter there and dispose of such Parts of their Cargoes as are required for the use of the Inhabitants with the exception of Spirits, which you are on no account to permit to be imported or landed at Port Dalrymple, without a written Order from me or Lt. Govr. Davey for so doing; Spirits being prohibited from being imported into or sold at either of the two Settlements in Van Diemen's Land, during the existence of the present Genl. Hospital Contract* at Sydney, entered into by Government some time since with Messrs. Wentworth, Riley, and Blaxcell, who hold the exclusive Privilege of importing Spirits into this Colony for a certain period of time, and which of course cannot be infringed.

11. Wishing to impress on your mind, in the strongest manner, the importance and necessity, in every point of view, of your enforcing, by precept and example, a due observance of Religion, Morality, Sobriety, and good order, within the Settlement under your command, you are enjoined to direct one of the Civil or Military Officers (fit for so serious an office) to read Prayers every Sunday to the Troops, Mechanics, and Labourers in the immediate Service of Government, all of whom must be regularly Paraded and mustered every Sunday for this purpose, and to encourage the Inhabitants in and near the Town of Launceston to attend on the same Religious occasions. In short you must use your best endeavours to reform the Inhabitants in the Settlement over which you preside by encouraging Sobriety, industry, and honesty, and preventing by every means in your power, Drunkenness, idleness, and every other species of Vice.

* Note 27.
12. During the Period of your Command at Port Dalrymple, the most rigid economy in the expenditure of the Public Money, Stores and Provisions, will be expected and demanded at your hands and that you will not incur any expense on account of the Crown that can possibly be avoided. As the principal Settlement is intended very shortly to be removed from Launceston to "George Town," in York Cove, at the entrance of the Port Dalrymple River, you must not go to any expense in repairing the Barracks and other Government Buildings at the former place beyond what may be absolutely necessary in the way of Repairs in order to render them habitable for the present.

13. You are to draw Bills for your own Salary as Comt. of Port Dalrymple for every six months on the Depy. Comy. Genl. at Sydney; you will arrange with the Paymr. of your Regt. regiment respecting the manner in which you are to draw upon him for the subsistence of your Company.

I have, &c.,

L. MACQUARIE.

Govt. House, Sydney, 5th March, 1814.

---

COLONIAL SECRETARY CAMPBELL TO CAPTAIN MCKENZIE.

21st May, 1814.

Heads of Letter to be written by Secry. Campbell to Captain McKenzie, 46th Regt., Commandant of Port Dalrymple.

1. The Govr. having deemed it adviseable to dismiss Mr. Mountgarrett from the Office of Magistrate at Port Dalrymple for improper conduct, and to appoint Mr. Thomas Archer of the Commissariat Department at that Settlement to succeed Mr. Mountgarrett as Justice of Peace and Magistrate, agreeably to the accompanying Genl. Order, the Precept appointing Mr. Archer is herewith enclosed to be delivered to Mr. Archer after Capt. McKenzie has first administered to him the usual oaths taken on such occasions.

2. The Papers containing these Oaths are now herewith transmitted to Capt. Mackenzie, which he is to return to the Govr. after they have been duly subscribed by Mr. Archer, and the oaths therein contained have been administered to him.

3. Capt. Mackenzie will on receipt of this Letter direct Mr. Mountgarrett to cease performing any further Functions as Magistrate, ordering him at the same time to deliver up immediately to Government the Four Government Men he has hitherto had on the Store as a Magistrate.

L.M.
1814.  
25 May.  
— June.  

CAPTAIN MCKENZIE TO GOVERNOR MACQUARIE.  
25th May, 1814.  
10th, 15th, and 17th June, 1814.  

[Copies of these four despatches are not available.]  

GOVERNOR MACQUARIE TO CAPTAIN MCKENZIE.  
(Despatch per brig Spring.)  

Sir,  
Government House, Sydney, 18th Augt., 1814.  

Despatches 1.  I have had the honor to receive, your several Letters of 
dates 25th May and 10th, 15th, and 17th June last, with their 
respective Enclosures and accompaniments, and now return you 
my best thanks for the important information they contain.  I 

Depredations by have read with much interest your own Statement, and those of 
bushrangers.  Messrs.  Dry and Leith, of the very atrocious and daring Depre­
dations of the Bush Rangers, who infest the Neighbourhood of 
Port Dalrymple and other parts of Van Diemen's Land; and I 
view with the deepest concern the sufferings of the Peaceable 
and industrious Settlers from these daring Banditti.  

Proclamation 2.  In view to the bringing back these deluded Wretches to a 
b'h' 

?Iaequarie sense of their duty, and to induce them to surrender themselves, 
I issued a Proclamation under date the 14th of May last, holding 
out an indemnity for all their past crimes (Murders excepted), 
providing they surrendered on or before the 1st of December 
next; which Proclamation I hope will have the desired effect; 
but, if not, they must be proceeded against in every-respect as 
Outlaws after the expiration of the time allowed them to come in.  
I sent several Printed Copies of this Proclamation some time 
ago to Lt. Govr. Davey, with orders to give it every possible 
Publicity throughout every part of Van Diemen's Land likely 
to be visited or frequented by these lawless Ruffians.  I now 
herewith enclose you a Copy of the Proclamation alluded to for 
your own information and guidance.  

3.  It is out of my power to invest you with any greater degree 
of authority than the British Laws allow in your present situa­
tions of Magistrate and Commandant of Port Dalrymple, and by 
these Laws we are all bound to be governed in all parts of this 

Protection for settlers.  

Territory.  You will however use your own discretion in afford­
ing every assistance and Protection in your power to give to the 
Peaceable Settlers, their Families, and Properties in the Settle­
ment under your immediate command; and I authorize you to 
station a small Guard at Norfolk Plains for the protection of the 
Settlers residing there from the incursions of the Bush Rangers.  

Desertions from 4.  I am very sorry to learn from your Letters (for it has not 
73rd regiment.  Deen  reported to me through any other channel) that several 

Desertions have taken place from the two Companies of the 73d
Regt. in Van Diemen's Land previous to their Embarkation at Hobart Town; and I hope you have used your best endeavours to apprehend and secure such of them as may have taken refuge in the Settlement under your command.

5. The Invalids, Davis and Monaghan of the 73d Regt., left behind at Port Dalrymple, must be sent up to Head Quarters by the first good opportunity to join the Veteran Company, to which they now belong; for they cannot be permitted to remain in Van Diemen's Land unless they wish to be entirely discharged from the Service; and, if they do, they must send me a Petition to that Effect.

6. I have handed Mr. Mountgarret's demand for Medicines to Dr. Wentworth, the principal Surgeon, who will comply with the same by the first good opportunity direct for Port Dalrymple.

7. I return you herewith the Petitions of James Hill and Isaac Tibbs, with my answers to the same for their information and your own guidance.

8. The Bush Ranger Foley was tried and found guilty by the late Criminal Court, and was executed here pursuant to his Sentence. I should have been glad to have attended to your recommendation of sending him to be executed at Port Dalrymple, were it not that it would have been attended not only with great delay and anxiety of mind to the unhappy Culprit himself, but also with considerable expense to the Crown, sending him thither. I hope, however, the Execution of this man will have a good effect upon the minds of his deluded companions, once they know his fate.

I have, &c.,
L. MACQUARIE.

[Enclosure.]

[Note: A copy of this proclamation will be found on pages 264 and 265, volume VIII, series I.]

GOVERNOR MACQUARIE TO MAJOR MCKENZIE.

(Despatch per H.M. brig Emu.)

Sir, Government House, Sydney, 18th July, 1815.

As it is my intention to have the principal Settlement of Port Dalrymple removed from Launceston to George Town in York-Cove (agreeably to instructions received from Home), as soon as I can spare a sufficient Gang of Government artificers and Labourers from hence to be sent down to Port Dalrymple for that purpose, I have now to desire that you will, on receipt of this Letter, send as strong a Gang of Men as you can spare to George Town for the purpose of Felling, burning, and Clearing off the whole of the Timber on the Ground intended for the site of the New Town and Public Buildings; And, as a great many
Bricks, timber and lime for buildings.

Acquittal of P. Mills and J. Thomas.

Bricks will be required for the Public Buildings, you will be so good as to cause such Brick-makers as you have now at Launceston to be employed in making Bricks at George-Town, where the Clay for that purpose may be of good quality, and at the same time contiguous to the Site of the Town. Such Sawyers, as you may have, must also be set to work to saw Timber at, or in the vicinity of George-Town, for the use of the Public Buildings to be erected there; and you will likewise direct as much lime to be prepared for those Buildings as your limited means will enable you in the neighbourhood of George Town.

The late Bush Ranger Peter Mills* and the Prisoner Jno. Thomas, who assisted him to make his escape, having both been discharged by the late Criminal Court from a total deficiency of Evidence to convict them, I have allowed them to return to their Families at Port Dalrymple, from motives of Humanity, and on their promise of future good conduct.

L. MACQUARIE.

20 Sept.

MAJOR MCKENZIE TO GOVERNOR MACQUARIE.

20th September, 1815.

[A copy of this despatch is not available.]

Enclosures.]

PAPERS RECEIVED FROM MAJOR MCKENZIE RESPECTING PETER MILLS.*

County Cornwall

To wit.

THOMAS HINTON, a Bush Ranger, who surrendered himself, Came before us, Two of His Majesty's Justices of the Peace, and Voluntarily on oath states, I absconded from Government Labour, being a Servant of M. Mountgarretts, borrowed a Piece belonging to William Willis, Private Seventy Third Regiment, to go shoot some ducks; took her over to M. Mills's, as she went off at half Cock, to be repaired; went the next day for the Musket; they told me M. Mills had taken her in the Bush; at same time M. Mills Came; then I asked him for my Piece; he told me If I would go out in the Bush with him, he would give it to me; I went with him by night to the Back of the Black Hill, about eight miles, from M. Mills; when I went there, found four or five men, namely Jacob McCoy, Rose, Dalton, Russell and M. Mills; when he got me there, he placed a Sentry over me, and told me I should not go back again; the next day four more came to Join us (and a black Girl), namely Forest, Foley, long George Moore, Beagent, and another, whose name I forget (Richardson); the day following we marched towards the Heads two days, when we stop'd, and consented to go and steal some sheep; Thirty three were Stolen, the property of M. Thomas Howard, by Forest, Richardson, Rose, and another; the first Sheep, that was Killed, was a sheep formerly M. Mills's which he said M. Howard had all his sheep, and he be damned if he would not take the whole of them, and, what he could not eat, he would drive in the Bush, so as Howard never would reap the benefit of them; after a

* Note 42. † Note 170.
few days M. Mills took five men, the same who Stole the Sheep, and George Moore to his House to see his wife at same time. Going, they rob'd some of the People at Pattisons Plains and the opposite side of the River; every man Kept what he Plundered except the Tea and Sugar, which every One used alike; when the Sheep were eat, they Proceeded to the Heads; M. Mills took seven Men with him, all armed of whom I was one, to take Government Boat; found the Boat there and returned to the rest of the party; the following Night, Six or Seven Headed by M. Mills went to take the Boat; she was brought to George Town by them; the same morning went to Sea, M. Mills saying that, if a few Hands would go with him, they would rob Captain Townsend at York Town, before they went to Sea; they put in at Kelshall to make him shew the Road: when they Came there, found some Soldiers of the Seventy Third from whom they took some ammunition and Two Muskets; at this time it was day light and did not Proceed to M. Townsons; went to Sea, first taking the oars from the Cutter, at Kelshall’s, to prevent the two parties of Soldiers Joining; M. Mills steered the Boat to the Second Western River, and remained there several days; then parted, Seven men going to the Islands in the Boat, the other three, myself, M. Mills, and Russell, returned to the Settlement; the same night we arrived, went to M. Mills's for a supply of ammunition, Tea, Sugar, etc. On this night M. Mills was taken; I made my Escape and proceeded, in Company with Russell, to Norfolk Plains; when we arrived there, I heard myself and Russell were forgiven; I went to Mr. Mills (then discharged from Confinement) to know was it true; he Mills told me Captain Ritchie was gone, and the present Commandant Would not forgive me; he gave me what I wanted; I went for Russell, and brought him to the Back of the Black Hill; in a few days after, while I came into Camp to get some Salt, on returning found that M. Mills had joined Russell; he told me, if we went down to the Islands, the Brig Hugo would take them off; we proceeded for the Islands; he said he was to have One Hundred Pounds when he landed by the Captain of the Vessel, saying M. Mountgarrett had given the Captain One Hundred Pounds for that Purpose for him; we remained there four weeks and three days; during the time, he, Mills, several times took his Piece to shoot me and Russell. Russell and I consented to leave him on account of wanting us to do such Robberies, that we were not willing for; he wanted us to go to the Heads and take another Boat, and to rob Mr. Townsend, and then go with the Boat to the islands; he then wanted us to come up and Shoot M. Massey, which we refused; he then wanted us to go drive M. Howards Sheep into the Bush; we told him we were in Trouble enough already, and therefore would not do any thing of the Kind; He Mills said he was sure, if he went to Port Jackson, even if cast for Death, he would not be hanged. If Cast for Death, all his debts were paid, and he was sure the Governor would forgive him. We could not agree with him, and left him then to himself.

When I came up here I sent Word to M. Massey, by a man of the name of Carey, to tell what he intended doing to him; I also sent word to M. Howard to take Care of his Sheep; Carey told me M. Massey was Just gone along. I waited on the Road all night, did not see M. Massey, then went and Joined Russell, and, on going along to Join Russell, at the Doctors Creek, I laid my musket down to take a drink of Water; upon doing so, heard some One speak behind me, which was M. Mills and a man Called Dennis, who had got my musket, with his Piece Cocked within three yards distance; he Mills told me to go
Deposition by T. Hinton re bushranging career of P. Mills.

1815.
20 Sept.

down on my knees and say my prayers, as I had only five minutes to live, and said, If I did not Consent to go with him again, I should not go from the spot I was in; I Consented to save my life; he ordered Dennis then to hand me my Piece over; I got my Piece and went with them to meet Russell, who had moved. I fired a Shot, received no answer from him; I was the whole of the Night in Company with M. Mills and Dennis the nailer; during the night, he told me, he had nine Ewes belonging to M. Howard and some lambs drove up a Valley, named, by M. Mills, Mutton Valley on account of the number of Sheep that had been Slaughtered in that Spot; this was on Saturday; I consented to meet him on Wednesday or Thursday following. I was coming in to Inform where he was; the next morning I fired another Shot, when Russell Joined me; when Mills saw him, he Mills said to him you have used me very prettily; Russell reply'd, not half so bad as you deserved; he Mills wanted to Join us again; we told him, we wanted to get into Camp if possible to be forgiven; Russell and I Consented that Mills should Join us; marching a couple or three Miles to a Hutt accompany'd by Dennis, I told Russell how M. Mills had served me; Russell said was he there, Blood would be shed; I told Millies we did not wish he should be with us, not being then afraid, having two to oppose two, he Mills left us as also the Nailer Dennis. I came into Camp a day or Two after, and told M. Howard that Mills had some of his sheep drove away in the Bush, and that Mr. Mills wanted me to go and assist in eating them; M. Howard told me he would speak to the Commandant to forgive me, if I found the Sheep; and, in the Course of Two or Three days, he would give me an answer; On Thursday night following, the Twenty fifth August, to the best of my recollection, came in again, saw M. Howard and M. Massey. I and Russell went in Search of the Sheep; Could not find the Ewes and Lambs belonging to him, where Mills'told me they were; I afterwards found Six ews and lambs, which I drove to the flock and acquainted the Stock Man; after this I surrendered myself on the third September last, and further states that, a few days' after the apprehention of Foley, Mills and his wife told me, I had better be off as I could not expect to be forgiven by the present Commandant, which was the occasion of my remaining so long in the Bush. I wrote a few lines to M. Mountgarrett, who sent me word by Charles Carlyle thro' Mills that I had better not Come in, as he M. Mountgarrett Could not settle the Business for me; M. Mills also told me, he received a supply of Glazed Powder from Mr. John Smith, likewise a Musket, which M. Smith bought from Beams, a Settler at Pattisons Plains, for any man that should Join M. Mills without One, which he, Mills, said he got in room of the Fowling Piece, which was taken from him, that M. Massey bound down M. Smith not to let him Mills have it any more; also further States that, during the time Mr. Mills was in the Bush, he was Plentifully supplied with Gun Powder, Balls, etc., etc., and dogs, the latter of which, he got from Mr. Mountgarrett; M. Mills told me the Chief of the Powder and Ball he also received from M. Mountgarrett, having in General to the amount of Nine or Ten pounds of Gun Powder, three Hundred Balls, besides Buck Shot, Pistol Shot, flints, and every necessary for the Bush.

Sworn before us, at Launceston, Port Dalrymple, Van Diemen's Land, this sixth day of September, One Thousand eight Hundred and fourteen.

J. MCKENZIE, J.P. THOMAS ARCHER, J.P.
Proceedings of Bench of Magistrates.

County Cornwall } Launceston, Port Dalrymple, Van Diemen's Land,  
To wit. } 8th October, 1814.

Bench of Magistrates:—John McKenzie, Thomas Archer, Esqrs.
John Thomas and Samuel Lancaster, Servants of Mr. John Smith,
also William Ginner, servant of M. Jacob Mountgarrett, severally
charged with being privy to, aiding and assisting Peter Mills to escape
from Custody on the fifth day of October instant.

M. Thomas Massey, Chief Constable of the County aforesaid, being
duly sworn deposes and saith, that, under and by Virtue of a warrant,
bearing date the sixth day of September last, under the hands and
Seals of John McKenzie and Thomas Archer, Esquires, Two of His
Majesty's Justices of the Peace, whereby deponent was Commanded
to detain in Custody the body of Peter Mills, who was and is charged
with certain felonies, therein mentioned, accordingly and in pursuance
of said Warrant, deponent caused said Peter Mills to be lodged in the
Guard House at Launceston, in charge of the military, and previously
had him Iron'd; deponent saith that, about the hour of One O'Clock,
on the night of the fifth October instant, he was informed by Robert
Annandall, Serjeant in His Majesty's forty sixth Regiment, that said
Peter Mills had escaped; upon which deponent reported the circum­
stance to the Commandant, who gave strict orders that all possible
exertion should be used to retake the said Peter Mills; deponent saith
that a diligent search and enquiry was set on foot from that moment,
till about six O'Clock in the evening of said fifth of October, when
said Peter Mills was found Concealed under straw (with Irons and
hand Cuffs off) in a stable belonging to the Barrack, occup'y'd by M.
John Smith, assistant Surgeon, and saith he deponent was led to
Search there owing to the Confused appearance of M. John Smith and
the hurry of his Servants, who were constantly passing and repassing,
and which was observed by the Constables, placed to Notice every
Transaction and reported to deponent.

Thomas Hobbs, Private 46th Regiment, being duly sworn on the
Holy Evangelists, Deposes that, on or about the 1st October, he was
on Guard, when the Prisoner, Peter Mills, confined in the Guard House,
had some conversation with him, the subject of which was advising him
to go along with him into the Bush; the next time deponent mounted
Guard, which was on the Fourth October, the Prisoner Peter Mills
again had some conversation with him, and by dint of great Pers­
suasion tempted him to leave his Post and accompany him about One
O'Clock on the morning of the fifth October;

About eight O'Clock P.M. on the fourth October, Mrs. Mills, wife
of the Prisoner, Peter Mills, entered into the Guard House, having
brought with her a bottle of Rum, of which he deponent and Serjeant
Wolsencraft (then Serjeant of the Guard) and the Prisoner Peter
Mills partook.

After escaping from the Guard House, he in Company with Peter
Mills, Scrambled over the pailing of Dr. Smith's Garden, first Con­
cealing themselves in the necessary, and afterwards in the Stable
(deponent also adds that on their escape from the Guard House, it was
the intention of Peter Mills and himself to make direct for the Bush,
instead of entering into any House, but they were alarmed by hearing
different People in pursuit of them) where they covered themselves
over with Straw, and remained there 'till the afternoon of the same
day, when M. Massey and two Constables Secured them.
1815.
20 Sept.

Inquiry by
bench of
magistrates
re escape of
P. Mills.

JOHN THOMAS, Hostler to Doctor Smith, brought them, while Con­
cealed in Dr. Smiths Stable, Bread, Meat and Water about eleven
O'Clock in the morning; and, after Peter Mills had got rid of his
Irons, by means of a File, clandestinely conveyed to him, the said John
Thomas took them away out of the Stable, and asserts that John
Thomas saw both him and Peter Mills in the Stable, and that he had
some conversation with Peter Mills, but did not know what it was.
Another Servant (Lancaster) of Doctr. Smith's, deponent says, came
to the Stable door about Ten O'Clock in the morning and looked in.

Deponent further stated that it was the intention of Peter Mills to
Join a Party of Bush rangers, adding that he knew where a party
was, who would supply him with arms, ammunition, etc., and intended
by the first opportunity to make his Escape to India.

Deponent says, that Serjeant Wolseencraft was tipsy and asleep,
when he and Peter Mills made their escape; and that they took advan­
tage of escaping when the relief was going round; deponent further
States that he brought a second supply to the Guard House, half a
Bottle of rum from Charles Fletcher's House, which he received from
the hands of Mrs. Mills.

SAMUEL WOLSENCRAFT, Serjeant forty Sixth Regiment, sworn, states
he was Serjeant of the Guard the night Mills escaped, and that Thomas
Hobbs was posted Sentry over him; on or about One O'Clock when the
relief turned out, Thomas Hobbs took the Prisoner out of the Guard
House, without mentioning or saying any thing to him or any Person
of the Guard, bringing with him his Great Coat by way of Concealing
his white Trowsers, it being a dark night, and says, when Mills lay
down, he was carefully hand Cuffed and the Key in Witnesses Pocket;
ever saw any more of either Mills or Hobbs, until they were brought
back as Prisoners; his Hobbs's Pouch belt and Bayonet were found in
front of the Guard House, and the Belt and Scabbard belonging to the
Bayonet were found in the rear of the Guard House at a Short dis­
tance, two yards; did not hear either of them leav* the Guard House.

JOHN THOMAS admits he saw Peter Mills in the Stable, belonging
to M. Smith in the Evening previous to M. Massey coming there; dii
not see Private Thomas Hobbs; does not know how Peter Mills get
off his Irons.

WILLIAM GINNER and SAMUEL LANCASTER deny the charge.

OPINION AND DECISION.

It is evident, from the depositions and the admission of John Thomas,
that he was implicated in the Escape and Secretion of Peter Mills, and,
any intrigue being dangerous to the Civil power, Direct that he shall
be sent to Head Quarters, there to be disposed of by His Excellency
the Governor, as he may think fit, no evidence appearing in support of
the Charge against William Ginner or Samuel Lancaster, the Chief
Constable will cause them to be enlarged.

J. McKENZIE, J.P. THOMAS ARCHER, J.P.

COUNTY CORNWALL } Launceston, Port Dalrymple, Van Diemen's Land,
To wit. } 19th December, 1814.

Bench of Magistrates:—John McKenzie, Thomas Archer, Esqrs.

JAMES BEAGENT, being duly Sworn on the Holy Evangelists, De­
poseth and Saith that, Ten Months ago to the best of his recollection,
he in Company with others fell in with M. Mills and his party; we put it to his party to go and take Government Boat from the Heads in order to go King Island, which they were very Willing to do; on telling M. Mills of it on his return from Hunting, he made answer that he had a wife and family and did not wish to leave the Country; that he was not a Prisoner, but a Debtor; he then said he would have no hand whatever in taking the Boat or going from the Land; the Party insisted upon his going, which he refused to do, and we Compelled him and kept him a Prisoner till we got to the Second Western river.

A True Copy.

J. McKENZIE, J.P. THOMAS ARCHER, J.P.

COUNTY CORNWALL

To wit,

M. Peter Mills brought before John Ritchie, Esq., Commandg. Officer, Port Dalrymple, and one of His Majesty's Justices of the Peace, charged with aiding and assisting several Bush Rangers in stealing the Government Pilot Boat and two Muskets.

EDWARD NORTH, Private Soldier in the 73rd Regt., being duly sworn, states that, on the first of April, Informant was going down to the Heads and stopped at Keshan's Bay on account of the Tide, a party came there, hav'g in their poss. the Govt. Pilot Boat belong'g to the Heads and entered the House, secured Informant and three other men, and took two muskets. Forest a runaway took Informant down to the water side to see M. Mills; when Informant went, he saw M. Mills in charge of Two persons, as a Prisoner, who would not let Inform't speak to him privately. Inform't stopped about five minutes and M. Mills told him he was taken there by force.

Q. by M. Mills to Ed. North:—did I not send a message to my wife that I was forceably taken away in the Boat, and the first opportunity I would make my escape.

Ansr.:—Yes, I told his wife so and also the Commandt. that M. Mills was a Prisr. for seven days.

When I spoke to you, was I not repeatedly ordered into the Boat. Ansr. Yes.

JOHN THOMAS, being sworn, states that, on the first day of April inst. was at Keshalls Bay, when several persons armed came and took away two muskets the property of the Crown, and saith he knows none of said persons save Barthw. Foley; and further that, on going to Point Clarence, he saw the Boat ment'd in Edwd. North's affidavit bear'g away towards the west.

M. Mills states that, hunting some time in March, I fell in with five armed men, Richd. Forest, Geo. Moore, Beagent, Barthw. Foley, Burl; they told me they were going down towards the heads; I reply'd I was going some part of the way myself, we Joined Company; on or abt. the 25th March, they proposed takg. the Pilot Boat and proceedg. to King's Island and there take the first Vessel that might come to that place; I told them that I was only in the Bush in Conseqe. of my circumstances, being embar'ss'd, and would not Consent to any such thing; some words ensued between Forest, Moore and myself. Forest told me that, if I did not Consent to go, they would make me. I still persisted I would not, and they swore they would shoot me, if I did
In 1815, I was determined that I should not return to the Settlement. For a damn snivelling Rascal. I went out to Hunt that even'g with Beagnt but was not allowed to take my Piece, and he Cautioned to take care of me; in the Course of the Hunt, he told me I had better Consent to go with them, as they were positively sworn to kill me, and, if I attempted to make my escape before they got the Boat, they would return to my House, destroy the whole of my family and every thing I was possessed of; on my return to the Hut, I saw a rope suspended from the limb of a Tree, and was asked, if I would Consent to go. I swore vehemently I would not. I was but One Man among Ten, therefore could not resist agst. them all. Forest told me that the Rope was to hang me. Foley swore by Heaven the first man that took my part he would blow his Brains out. I was that night secured between four of them, and observed them take their Muskets to bed with them, a thing I never saw them do before. I got an opportunity of speak to Thomas Hinton and asked him, what they meant to do with me; he was afraid to ansr. but pointed to one of the Muskets; the next day we proceeded to outer Cove and guarded in like manner, makg. me at the same time Carry a heavy load. Wm. Russell in the course of the day told me they had all sworn to take my life and his, if we did not Consent to go with them, and that Thos. Hinton and ourselves could make our Escape by seeming reconciled to go with them; we did not reach outer Cove that day, and at night was guarded in like manner; next Morn' at day light we then proceeded on the March, and at Noon arrived at outer Cove; at 6 in the Evening, six of the party went up for the Pilot Boat; about 12 at night brought her to outer Cove; it being very foggy, we were obliged to remain 'till day light, when all was put into the Boat; we pulled out of outer Cove; in passing by Kelshall's point, one of the men saw a Boat lay there, and some oars being wanted pushed in for the Boat, Foley tellg. them that Kelshall had a musket, and they might as well take it at the same time; accord'g, when the Boat grounded, 8 of them blacked their faces, exam'd their muskets, and went on shore. I heard some shriek'g and disc'd North's voice among them; Geo. Richds. bro't to the Boat a Bright Regl. Musket from the Hut and expl'd. I have got a musket; one of the other men took a rusty one out of the Boat; I then entreated some of the men, that were in the Boat, that North might be bro't me, that I might enquire after my family; a good deal of hesitat'n tak'g place, I saw North led by Forest with a red Cap over his face, and I was guarded out of the Boat to speak to him; after enquir'g for my family, I told him in low Voice that I was a Prisr. and had been so some days, to tell Mrs. Mills, the first opport'y I had, I would make my escape from them. I was then ordered to the Boat and saw handed out of the Govt. Cutter her oars some bread, Potatoes, some sug'r and Tobacco; the party then agreed to stave the Boat that she shd. not follow, or go to the Settlement. to give informat'n, which would have been done had it not been for my represent'n how could the boat go with' oars; we then proceeded out of the heads to the second western river, where Foley, find'g the Boat leak much, repaired her; while the men were employ'd in turning over the Boat I secreted part of my own things, being determined to make my escape the next morning, which I did in Company with Thos. Hinton and Wm. Russell; we made the best of our way for the Settlement; found the Country so bushy that it prevented us from mak'g the speed we otherwise would; on the 20th Apl., I arrived at the Mouth of the Cataract river; I swam across with only my shirt tied on my head. I proceeded to my House, where I got at 8 o'clock.
GOVERNOR MACQUARIE TO MAJOR McKENZIE.

(Despatch per colonial vessel John Palmer.)

Sir,

Government House, Sydney, 28th Octr., 1815.

Herewith you will receive, for your information and guidance, a Copy of my Govt. and Genl. Orders of this Day's date appointing Brevet Major Stewart* of the 46th Regt. your Successor as Commandant of Port Dalrymple.

You are accordingly to receive him as such, and deliver over to him the charge of the Settlement under your command as soon as you have settled your Public Accounts, and that the Company now stationed there have actually embarked on board the Emu for Head Quarters, which you are to cause to be done with the least possible delay after Lieut. Forster reports to you that he is ready to receive the Troops and Baggage on board. The Services of the Brig Emu being again much required at Port Jackson, I have to desire that she may not be detained a moment longer than may be absolutely necessary at Port Dalrymple. Immediately on her arrival there, you will dispatch an Express to Lt. Govr. Davey apprising him thereof; but she is not to be detained for any Dispatches even from him, or for any other cause, beyond Fourteen days at furthest after the date of her arrival at Port Dalrymple.

Some charges of a very serious nature having been given in here lately by Messrs. Stewart and Hardwick against Lieut. Alexr. Campbell of the 46th Regt., you will take care that he embarks along with you on board the Emu for Head Quarters to answer those charges.

I have received your Letter of date 20th Sepr. last, together with the several Depositions† therein alluded to; and, as Mr. Mountgarrett is detained to be tried at Sydney for the charges exhibited against him in those affidavits, I am to desire that you will cause the several Persons, who made the Depositions in question, to be embarked on board the Emu for Head Quarters, together with such Witnesses as Mr. Mountgarrett may wish to summon to appear here in his Defence.

You will also order Mr. Asst. Surgeon Smith to proceed to Sydney to stand his Trial at the first Criminal Court, as he appears to be deeply implicated, by the Depositions alluded to, in the Depredations committed on the Government Flocks and Herds at Port Dalrymple.

It is necessary to apprise you that neither Mr. Mountgarrett nor Mr. Smith can be tried here without the whole of the Evidences for and against them are sent up hither.

I have, &c.,

L. MACQUARIE.

* Note 171. † Note 170.
INSTRUCTIONS for Brevet Major James Stewart* of His Majesty's 46th Regt., Commandant of the Settlement of Port Dalrymple in Van Diemen's Land.

By His Excellency Lachlan Macquarie, Esqr., Captain General and Governor in Chief of the Territory of New South Wales, and its Dependencies, etc., etc., etc.

Sir,

Having in my Government and General Orders of this day's date appointed you to be Military Commandant and Civil Magistrate of the Settlement of Port Dalrymple in Van Diemen's Land, you are hereby directed to observe and be generally guided and governed by the following Instructions, or such further orders and directions as you may from time to time receive from me, from the Lieut. Governor of Van Diemen's Land, or from the Officer commanding in chief in this Territory for the time being.

Immediately on receipt of these Instructions, you will embark on board His Majesty's Colonial Brig Emu, with the Officers, Non-commissioned Officers, Drummers and Privates, and Women and Children belonging to the 46th Regiment, as specified in the Margin; and, as soon as the Wind and weather will admit of the Vessel's sailing, you will proceed in her to Port Dalrymple with the least possible delay.

2. On your arrival at Port Dalrymple, you will report the same to Major Mackenzie the present Commandant of that Settlement, informing him that you are come to relieve him, and shewing him your Instructions. You will at the same time deliver the accompanying Letter from me to Major Mackenzie, in which he is directed to deliver over charge of the Settlement to you, as soon as he has adjusted and closed his Public Accounts, and embarked the Company of the 46th Regt., now stationed at Port Dalrymple on board the Emu for Sydney, which he is directed to do with the least possible delay; it being clearly understood, however, that Major Mackenzie retains the command of the Settlement until the day of Embarkation of the said Company, and from which date only your command and Salary as Commandant of Port Dalrymple are to commence.

3. Previous to the Embarkation of Major Mackenzie from Port Dalrymple, you will take care to have it publicly made known, and communicated to the Inhabitants of that Settlement, that you will not hold yourself responsible for any Debts contracted by your Predecessor on account of Government; and that, if they

* Note 171.
† Marginal note.—1 Lieut.; 1 Ensign; 3 Sergeants; 3 Corporals; 1 Drummer; 39 Privates; 4 Women; 8 Children.
have any claims unadjusted, they must bring them forward immediately in order that they may be regularly liquidated by Major Mackenzie before he quits the Settlement.

4. As soon as you have assumed and taken Command of the Settlement, you will order a Committee of Officers to be assembled for the purpose of taking a regular Survey and accurate account of all Stores, Grain, Provisions, and Cattle, belonging to the Crown, now at Port Dalrymple and its immediate Dependencies, directing the Report and Account of the said Survey to be made out in Triplicate, one copy of which you are to transmit to me by the earliest opportunity, one to Lieut. Governor Davey; and the third you are to keep for your own information.

5. You are to report to Lieutenant Governor Davey (your more immediate Commanding Officer) on all affairs, Civil or Military, connected with the Settlement of Port Dalrymple, obeying all such orders as he may think proper to give you, and furnishing him with all such Returns as he may have occasion to require from you. All Reports, or Applications, that you may have occasion to make to me, are to be generally transmitted through Lieut. Governor Davey; unless on occasion of a direct conveyance offering from Port Dalrymple for Port Jackson, when you will not fail to write to me direct, apprising me of the State of the Settlement under your command. You are not to consider yourself authorized to make any Purchases, or to enter into any Contract, on account of Government, for Provisions, Stores, or other Supplies of any description, without previously applying for and receiving Lieut. Governor Davey's consent and authority for so doing.

6. Being yourself constituted a Magistrate at Port Dalrymple by my Precept already delivered to you, you are authorized to hold and assemble, in conjunction with Mr. Archer, the other Magistrate now there, a regular Weekly Bench for adjusting all Petty Debts and Disputes, and trying and Punishing all petty crimes, misdemeanors, and Breaches of the Peace. You will accordingly not fail to enforce as good and strict a system of Police in the Settlement under your command as your limited means and resources will admit of.

7. When any Soldier of your Detachment commits a crime that requires to be investigated by a Court Martial, you will apply for one to the Lieut. Governor, who will order a Garrison or Detachment Court Martial to be assembled at either Settlement, as the case may require, for the Trial of the Offender; the Sentence on whom must be submitted to and approved by the Lieut. Governor before it can be carried into execution.
8. You are authorized to grant permission to all British Merchant Vessels, which may happen to touch at Port Dalrymple, to enter there and dispose of such parts of their Cargoes as may be required for the use of the Inhabitants. You are to use every exertion in your power, however, to prevent Smuggling and Clandestine Distilling of Spirits, so injurious to the Revenue, as well as subversive of morals and good order in the Society.

9. Wishing to impress on your mind, in the strongest manner, the importance and necessity, in every point of view, of your enforcing both by Precept and example, a due observance of Religion, morality, sobriety, and good order, within the Settlement under your command, you are enjoined to direct one of the Civil or Military Officers (best suited for so solemn a Duty) to read Prayers every Sunday to the Troops, Artificers, and Labourers in the immediate Service of Government; all of whom must be regularly Paraded and mustered every Sunday for this purpose; and you are to encourage the Inhabitants in and near the Town of Launceston to attend on the same Religious occasions. In short you must use your best endeavours to reform the Inhabitants in the Settlement, over which you preside, by encouraging Sobriety, Industry, and Honesty, and preventing by every means in your power Drunkenness, idleness, and every other Species of Vice.

10. During the period of your Command at Port Dalrymple, the most rigid economy, in the expenditure of the Public Money, Stores, and Provisions, will be expected and demanded at your Hands, and that you will not incur any expence on account of the Crown that can possibly be avoided. As the principal Settlement is intended shortly to be removed from Launceston to "George-Town" in "York-Cove" at the entrance of the Port Dalrymple River, you must not go to any considerable expence in repairing the Barracks and other Government Public Buildings at the former Place, beyond what may be absolutely necessary in the way of Repairs in order to render them Habitable for the present. In making such temporary repairs, you are enjoined to employ only Convict Artificers and Labourers, and on no account hire free men for any purpose whatsoever without my special permission.

11. It being my intention to remove the Principal Settlement at Port Dalrymple from Launceston as soon as possible to "George-Town," in consequence of recent authority* from His Majesty's Ministers to that effect, I have to desire that you will adopt the necessary steps for carrying this important measure into effect, which however must be done gradually and according

* Note 169.
INSTRUCTIONS TO J. STEWART.

You are accordingly to send as strong a gang of Government Men as you can conveniently spare, and as soon as possible after your assuming the Command, to "George-Town" for the purpose of Felling, Clearing, and burning off the whole of the Timber on the ground intended for the Site of the New Town and Public Buildings, which will be pointed out to you by Mr. Evans the Deputy Surveyor of Lands; and, as large quantities of Bricks and Lime will be required for erecting the several Public Buildings, you will not fail to direct all the Brick-makers and Lime-Burners belonging to Government to be immediately employed in making Bricks at George Town and Lime as near thereto as the materials for making it can be procured. You are also to direct all the Sawyers in the Service of Government to be sent to and employed immediately at George-Town in Cutting down and Sawing Timber for erecting the several Public Buildings there. In order to facilitate the execution of these preparatory measures, I have ordered 21 Good Artificers and Labourers to be now embarked on board the Emu for Port Dalrymple, of whose names and respective Trades you will herewith receive a List, together with their Sentences and Names of the Ships they came out in respectively. With this addition to the number of Government Mechanics and Labourers already at Port Dalrymple, you will be able to get on rapidly in preparing the necessary Materials for the new Buildings. Herewith you will receive a Schedule of all the Public Buildings proposed to be erected first at George-Town; but as it will take a long time to erect the number specified in this Schedule, those more immediately required must first be built with the least possible delay. Plans and Elevations of all the Buildings specified in the Schedule alluded to will hereafter be sent to you by me, and in the mean time You will receive herewith a separate memorandum of those Buildings which are considered as more immediately necessary to be erected.

In the Month of July last a very large supply of Slop Clothing and various stores, including Artificers' Tools and Implements, were sent down in the Emu to the Derwent for the use of that Settlement and Port Dalrymple, and Lt. Govr. Davey was directed to send one third of all these Stores to Port Dalrymple overland, as you will observe from the accompanying extract of my Letter to him. In the event therefore of his not having sent a proportion of the Implements and Tools to Port Dalrymple, as he was directed, you will make application to him for them, requesting that he may send them to you overland as soon as possible. But, in case he should not comply with your
Instructions to J. Stewart.

Payment of salary and subsistence of military.

1. Request on this head, you will report the same to me in order that I may supply your wants from Head Quarters as soon as possible in respect to Artificers Tools, Iron Nails, etc., etc.

12. You are authorized to draw Bills on the Deputy Commissary General here for your own Salary as Commandant (viz. at the rate of 10s. per Diem) every Six months; and you will arrange with the Paymaster of your own Regt. respecting the mode of drawing for the Subsistence of your Company.

I have, &c,

L. MACQUARIE.

Government House, Sydney, 28th October, 1815.

Schedule No. 1.

Schedule of Public Buildings to be erected at the expence of Government at George-Town in "York-Cove," previous to the final removal of the Principal Settlement thither from Launceston: vizt.

1st. A Store and Granary.
2d. A House for the Storekeeper.
3d. Barracks for 100 Noncomd. Officers and Soldiers.
4th. Barracks for 1 Capt. and 3 Subalterns.
5th. Barracks for 1 Surgeon and 1 Asst. Surgeon.
8th. Barracks for 80 Male and 20 Female Convicts.
10th. A Jail and Jailor's House.
11th. An Hospital.
12th. A Court House.
13th. A School-House, to answer as a temporary chapel, with an Apartment in Ditto for the School-Master.
14th. A House and Offices for the Commandant.

L.M.

Memorandum No. 2.

Memorandums for Major Stewart.

Sydney, 28th October, 1815.

1st. As a Store and Granary for Provisions, etc., is one of the most essential Public Buildings in the formation of the new Settlement at George Town, this Building is therefore to be first erected there previous to undertaking any other permanent Building. It is to be built of Brick and to be two Stories High; to be Sixty feet long, 30 feet wide and 24 feet high, in the clear; with a stair inside leading to the Upper Floor, with the proper proportion of Windows and Doors.
2d. A House, built of Brick, to be erected contiguous to the Store and Granary, for the accommodation of the Store-keeper, of one Story High; to be 30 feet long by 15 feet wide, in the clear, and to be 12 Feet High in the Outer Wall.

3d. A Guard House built of Brick, to be 18 Feet long by 14 feet wide in the clear, and to be 14 feet High in the Outer Walls.

4th. Some Temporary Strong Bark Huts, for the accommodation of the Artificers and Labourers, must be first erected at George Town, before the New Store and Granary is commenced upon. There must also be a Strong Temporary Bark Hut, for the accommodation of the Guard to be first stationed there, erected at George Town.

N.B.—The new Store and Granary must be a strong substantial good Building, and must be erected on the spot of ground pointed out in the Plan of the Town, close to the Sea, which will be shewn to Major Stewart by Mr. Evans the Depy. Surveyor of Lands. It will also be necessary to sink a Well as soon as possible in the new Town, and also a Reservoir for preserving the Rain Water.

L.M.

MAJOR MCKENZIE TO GOVERNOR MACQUARIE.

23rd November, 1815.
5th December, 1815.

[Copies of these two letters are not available.]

MAJOR MCKENZIE TO GOVERNOR MACQUARIE.*

Sir,

Sydney, 28th Decr., 1815.

May I request Your Excellency to permit Mr. Peter Mills† to wait on you to-morrow morning early, as it is in his power to give you much and very important information. In my humble opinion, which I now submit, Dr. Mountgarrett‡ should not be allowed to tamper with the prisoners and more particularly with the Evidences, which he now does and at large. Mr. Mills has just informed me that a Mr. Crossley§ was to-day cross-questioning him at the Bench. Quere, Is that proper? I fear, if Measures are not immediately adopted to prevent such conduct, the prisoners will escape after all my trouble in discovering them.

The Late Judge Bent found no fault with the late Committal of Mr. Mills and he was not confronted; the prisoners now stand in the said predicament.

Mr. Wentworth,|| Mr. Mills has told me, found to-day fault publicly with the mode of Committal and the want of confronting.

* Note 172. † Note 12. ‡ Note 173. § Note 174. || Note 175.
1815.
28 Dec.
Prospective trial of J. Mountgarrett.

1816.
27 Jan.
Despatches acknowledged.

Quere, Does he know better than the late Judge Bent? surely not, and, where he acquired his Legal Abilities, I think was much in the same place where I acquired mine, viz.—No where. Mr. Wentworth not only throws or rather attempts to throw blame on me, but also on my friend Archer. Common Sense for a Magistrate on the Bench is all that is requisite, no occasion for addling the Brain with Burns's Justice.

I have, &c.,
J. MCKENZIE, Major, 46 Begt.

GOVERNOR MACQUARIE TO MAJOR MCKENZIE.*

Sir, Govt. House, Sydney, 29th Dec., 1815.

I have to acknowledge the receipt of both your Letters of yesterday's date with their accompanyments. Herewith I return you the Letter addressed to you by Peter Mills, and the Resignation of Thos. Massey as Chief Constable.

I must decline having any Personal or verbal communication with Peter Mills. Whatever information, he may be possessed of and wishes to give me, must be conveyed to me in writing, as I cannot with propriety have any Personal intercourse with him.

I am sorry you should have deemed it necessary to animadvert on the conduct of Mr. Wentworth in his capacity of Police Magistrate, as he is only doing the Duty which the Laws of England prescribe, and which painful Duty would have been saved him, had you and Mr. Archer, as Magistrates, taken the Examinations in presence of the Persons accused, which you ought to have done. From this omission great trouble is now occasioned, and the conviction of the Culprits is thereby rendered very uncertain. From a Similar irregularity, Peter Mills himself escaped being convicted of the crimes of which he was accused, the late Judge Advocate not being able to act upon the Depositions transmitted on that occasion, as well as from the absence of the most material and necessary witnesses.

I am, &c.,
L. MACQUARIE.

GOVERNOR MACQUARIE TO MAJOR STEWART.


1. I have the Honor to acknowledge the Receipt of your Letters of dates 23rd November and 5th December last from Launceston, rec'd by me here on the 18 of December per the Brig Emu with their respective Enclosures and Accompanyments. I was happy to learn that Yourself and Your Detachment had reached Your Destination in Safety without any Accident, and I trust You will enjoy good Health and long Comfort at Port Dalrymple.

* Note 172.
2. I herewith enclose You a Copy of my Govmt. Order Appointing Mr. Leith to be Inspector of Govt. Public Works and Principal Superintendent of Convicts at Port Dalrymple; and I trust he will be perfectly satisfied with the liberal Salary I have annexed to his Office. Besides his Salary, He himself and his family (if he has any) with one Governmt. Man as a Servant will be victualled from the King’s Stores. Mr. Leith is a Clever Man, and I hope he will make himself useful to Governmt., and give You satisfaction as Inspector of Works and Principal Superintendent of Convicts.

I enclose herewith a Letter for Mr. Leith, enclosing him an Official Copy of his Appointment.

3. I am very sorry I cannot send you at present the Tools, Implements and other Articles, required by Mr. Leith for the Public Works at George Town, specified in his own Letter to you, and also in the List sent me by Mr. Evans, there being none of the Articles required now in the King’s Store, nor to be had to purchase in the private Shops here; but I shall not fail to send them to you as soon as a fresh supply of such Articles are received here from England.

4. You will be so good as to inform Mr. Massey, late Chief Constable at Port Dalrymple, that I have received and perused his Memorial relative to his being dismissed from his Office, and that, as it does not appear to me that Mr. Massey’s conduct was such as to merit so severe a Punishment, I shall have no objection to reinstate him in his former Office of Chief Constable on his signifying to me his wish to that effect. I made a Reference to Major Mackenzie on this Head, and he did not afford me a sufficiently satisfactory reason for dismissing Mr. Massey from his Office.

5. In respect to the Complaint of Charles Fletcher against Major Mackenzie, it appears to be both Malicious and Groundless; and I have therefore to request that you will admonish him in My Name for presuming to make such a frivolous and unfounded a Complaint.

I have, &c.,

L. Macquarie.
Salary of Seventy Five Pounds Sterling Pr. Annum, to be paid from the Police Fund of Van Diemen's Land, and commencing from the 1st of January last. Exclusive of this Salary, yourself and your Family will be Victualled from the King's Store, and you will also be allowed one Government Man, as a Servant on the Store.

2. With this liberal Salary and other allowances, I hope you will feel not only satisfied, but also thankful; and I shall expect that you will pay every possible attention to your Duty as Supdt. and Inspector of Govt. Public Works at Port Dalrymple. I herewith enclose you an official Copy of your Appointment.

I am, &c.,

L. Macquarie.

[Enclosure No. 2.]

[A copy of this order will be found on page 139.]

Major McKenzie to Governor Macquarie.

Sir, Sydney Barracks, 27th Jan., '16.

I take the liberty of enclosing, for Your Excellency's perusal and consideration, a Letter from Mr. Peter Mills, and hope his application may if possible be granted.

I have, &c.,

J. McKenzie, Major 46 Regt.,
late Commandt. of Port Dalrymple.

[Enclosure.]

Memorial of Peter Mills* most Humbly Sheweth

Laughlin Macquarie, Esquire, Captain General and Governor in Chief, etc., etc., etc.

That Memorialist has to solicit your Excellency's most gracious Protection in returning to his former residence, as he is well aware of the many efforts, that will be made to Injure him for his bringing to light the long continued depredations committed in V.D.L. That Memt., when he first gave in his depositions to the Majesty, was by many of the Inhabitants abused and otherwise grossly Insulted, and for his own Protection was appointed a Constable by the Late Comman't. That Memt. was told by Mr. Thos. Massey that he would resign his Situation in favor of Memt. Memt. therefore Prays your Excellency may take his forlorn Situation into your humane consideration, Memt. having three Infant Children and his Wife far advanced in a state of Pregnancy, and grant Memt. some Situation as a Protection and support for his distressed Family. Memt. being aware that the New Town of George Town will require a Store Keeper and Naval Officer, humbly offers his Services and trusts his future

* Note 42.
Conduct will convince your Excellency of an entire reformation in his Conduct. That Memt. was told by Lieut. Govr. Davie that he recommended Memt. to your Excellency's most gracious consideration for an Extent of Land. Memt. therefore Prays your Excellency may take the said recommendation into your consideration, and Grant him the said extent of Land. Memt. begs humbly to remark that Robt. Kettle, the only Evidence True to his first deposition, and who has a Lawfull Wife and two Children at P.D., has been omitted in the List of Persons returning. Memt. therefore Prays your Excellency may be pleased to allow him the same Indulgence as the other Evidences, as the Schooner Mary Sails for P.D. in a Day or two, and Memt. will ever Pray.

Sydney, 7th Feby., 1816. 

Peter Mills.

---

MAJOR MCKENZIE TO GOVERNOR MACQUARIE. 

31st January, 1816.  

[A copy of this despatch is not available.]

---

MAJOR MCKENZIE TO GOVERNOR MACQUARIE. 

Sir, Barracks, Sydney, 31st Jany., 1816.  

In reply to the corrupt perjur'd Memorial of John Smith, I have to inform Yr. Excellcy. that I am ready and anxiously wish to come forward before the present Criminal Court for the purpose of confuting, by Evidences, this daring, malicious, scandalous, and rascally attack on my Character. I conclude by solemnly assuring your Excellency, "That I have done my Duty."

I have, &c.,

J. McKenzie, Major, 46 Regt.,  
late Commandant, Port Dalrymple.

---

MAJOR MCKENZIE TO GOVERNOR MACQUARIE. 

Sir, Barracks, Sydney, 9th Feby., 1816.  

I take the liberty of forwarding, for your Excellency's perusal and consideration, the Memorial of Robt. Kettle, together with my Sentiments thereupon; I have been induced only by necessity to trouble your Excellency on this occasion, as the
petitioner has no person to assist him here, and his situation in Sydney must be very disagreeable he having no means of procuring a subsistence.

The Petitioner has a Wife and Family near Launceston; and wishes anxiously to return to his Occupations; no passage has been procured for him, and, as I have been one cause of his removal from V. D. Land, I trust Your Excellency will see that it is requisite in this Man's behalf to come forward, and to request Your Excellency's favor in his behalf, more particularly as he has not perjured himself, whereas those, who have so done, have been permitted to return to Port Dalrymple in triumph, unpunished.

J. MCKENZIE, Major, 46 Regt.

[Enclosure.]

PETITION of Robert Kettle most humbly Sheweth:—
His Excellency Laughlin Macquarie, Esquire, Captain General and Governor in Chief, etc., etc., etc.
THAT your Petitioner has now resided about 10 Years at Port Dalrymple, and about 3 Years since Received your Excellency's most Gracious Emancipation. That your Petr. has a Lawfull Wife and 2 Children now at Port Dalrymple. Your Petitioner therefore Humbly Prays Your Excellency may be pleased to allow him a Farm at P.D. with whatever Indigency's your Excellency may deem meet, and your Petitioner will ever Pray,

ROBERT KETTLE.

I have known the Petitioner for six Years past, and on the whole his Conduct was pretty correct.

DAVID ROSE.

The Petitioner Robt. Kettle deserves encouragement, having during my Commandanship conducted himself well; at least no complaints were preferr'd against him, and, if there had been any, they must have reached my ears; he and Mr. Peter Mills stood true to their Depositions and did not perjure their immortal Souls.

J. MCKENZIE, Major, 46 Regt.

Answer.

A Passage will be provided for the Petr. Robt. Kettle; but no Lands till makes application thro' Lt. Govr. Davey agreeably to the prescribed Form.

L.M.

Sydney, the 9th Feb'y., 1816.

GOVERNOR MACQUARIE TO MAJOR STEWART.

Sir,
Government House, Sydney, 12th Feb'y., 1816.

1. I have the honor to acknowledge your official Dispatch from Port Dalrymple, under date the 5th of last month, received here on the 31st Ultimo, with its enclosures.
2. The several measures and arrangements, reported in that Dispatch as having been adopted by you, appear judicious, and consequently are entirely approved of by me. I am much gratified to receive such favorable accounts from you of Mr. Leith's active exertions in his Department, and I trust the necessary Public Buildings ordered to be erected at the new Settlement of George-Town will go on rapidly. I am sorry, however, it is not at present in my power to send you more Artificers or Labourers from hence for carrying on the Public Works there; nor can I at present send you any of the Tools or Implements contained in the Demand, which accompanied your last Public Dispatch, the articles therein specified not being in the King's Store, nor to be had here to purchase in the Private Shops; but I hope to be able to send them to you in the course of two or three months hence, by which time I expect to receive a supply of all such articles from England.

3. I am also very sorry I cannot possibly supply you with the Boats you require from hence, there being none to spare at present; but I shall endeavour to send you a Boat Builder soon, who will be able to build on the spot the number and kinds of Boats you want for carrying on the Public Service. If however you could in the meantime get a couple of Boats to Purchase at Port Dalrymple reasonably, I should have no objection to your doing so.

I have, &c.,

L. MACQUARIE.

P.S.—I cannot but approve of the Name* you are so obliging as to propose giving to the Point of George Town on which you intend erecting a Flag-Staff, and which you have accordingly my leave to name "Macquarie-Point."

The Allotments of Ground, you have selected in George Town for your own Private House and for that of Mr. Leith, will be confirmed to you both by Grants from me. I approve of your giving Mr. Leith the Materials of the old Govt. Hut at George Town, which is to be considered as a Donation to him from Government.

MAJOR McKENZIE TO GOVERNOR MACQUARIE.†

Sir, Barracks, Sydney, 12th Feb., '16.

I request that Your Excellcy. may be pleased to peruse with attention, the enclosed Letter from Mr. P. Mills, addressed to me.

I implicitly believe that Messrs. Mountgarrett‡ and Smith.§ in Co. with the well known Wm. Field, whose Character is so

* Note 177. † Note 172. ‡ Note 175. § Note 176.
HISTORICAL RECORDS OF AUSTRALIA.

1816.
12 Feb.

Allegations
of perjury.

1816.
13 Feb.

Supposed
escape of
J. Cooney
in schooner
Brothers.

notorious, but not more so than his Employers, the Colonial Dr.
and his sneaking Assist., have been the authors of the various
abominable perjuries recently committed by almost all the Evi-
dences on the part of the Crown.

I have also to inform Yr. Excellency that the well known and
infamous George Crossley* is deeply implicated in tampering with
those Evidences, in Mr. Blaxcell's Garden, concealed from public
View, and also at the House of a Mr. Eager.* George Crossley
has much to ansr. for in another Life for suborning of perjury,
and he boasts of his iniquity; t'other day he exclaimed "ay, ay, I
 got them off." I submit these few lines for Yr. Excellency's
information and consideration, and in so doing I trust Yr. Ex-
cellency will not deem me the least officious.

I have, &c.,

J. McKENZIE, Major, 46 Regt.

P.S.—I have to add for Yr. Excellcy's information that, during
the Trial, I was subpoena'd, and, tho' my Evidence was a very
material one, it was not admitted.

Mr. Garling surely can shew cause—I can't.

[Enclosure.]

[A copy of this letter is not available.]

GOVERNOR MACQUARIE TO MAJOR STEWART.

Sir,  Govt. House, Sydney, 13th Feb., 1816.

1. A Convict named James Cooney, by Trade a Stone
Mason, and belonging to the Stone-Mason Gang here, having
absconded from his Government Labour on Tuesday the 6th
Instant, and it being supposed that he embarked and made his
escape on board the Schooner Brothers, which sailed on the fol-
lowing Day (Wedy. the 7th Inst.) for Port Dalrymple, I now
enclose you the description of the said James Cooney, and have
to desire that a diligent search may be made for him immediately
on your receipt of this Letter on board the Schooner Brothers in
case she should be still at Port Dalrymple when this Letter comes
to hand, and, in case found, to be confined and sent back to
Sydney by the first good and safe opportunity that may offer,
together with any other Runaways that may be found in the
Brothers or any other Vessel touching at Port Dalrymple.

2. Whenever any Ship or Vessel arrives at Port Dalrymple
from Port Jackson in future, you will be pleased to direct the
Harbour Master, or Prinl. Supdt. of Convicts, to muster her
Crew and Passengers, comparing the same with her Clearance;
and in case any Person is found on board who is not mentioned
in the said Clearance, he or she is to be immediately apprehended,

* Note 174.
confined, and sent back to Sydney by the first good opportunity; this being deemed a necessary precautionary measure to guard against the escape of Convicts.

I have, &c,

L. MACQUARIE.

[Enclosure.]

Description of James Cooney.

James Cooney is by Trade a Stone Mason; is between 25 and 26 years of age; about Five feet four Inches high; light Sandy Hair; ruddy complexion; by Birth an Irishman; and came to the Colony in the Ship Boyd in 1809.

A Convict for Life—Indents examined by me.

JNO. THOS. CAMPBELL.

Secretary’s Office, 13th Feby., 1816.

Major McKenzie to Governor Macquarie.*

Sir,

Permit me once more to address Your Excellency, enclosing a short Memorial from Mr. Mills, which he informs me could not reach Your Excellency thro’ any other medium than that of mine; may I request Your sanction to his solicitation; I am induced to this in hopes of a thorough reformation on the part of Mills, with whom I have had serious conversation and have strongly admonished him to obliterate his past Conduct by his future behaviour.

I trust that he, by so acting, may, at some no very distant period, remove the obloquy at present attached to his Character, and perhaps induce Your Excellency to appoint him to some situation, should his penitence for past errors be complete.

Mills, by returning to Port Dalrymple, will be a check on Mountgarrett, Smith, Field and other infamous and notorious Characters; from being a Tool, and also the complete Dupe of Mt. Garrett and others, he will see the necessity of immediately divulging any future deeds of infamy, and bring forward to their Fate the Offenders, instead of concealing such pillage, which I am sorry to say on the late Affair he too long culpably did.

I have, &c,

J. McKenzie, Major, 46 Regt.

N.B.—Mr. Mills has inform’d me that the Schooner sails to­morrow; may I request from Yr. Excellcy., therefore, your pleasure respecting the forwarded Meml.

[Enclosure.]

[A copy of this memorial is not available.]

Asserted by P. Mills:

1st. Jno. Adams, Crown Evidence, was offered a Bribe of £50 by P. Mills.

Dr. Smith thro’ Fras. Burke another Evidence.

* Note 172. † Note 178.
2d. That Burke and Adams are repeatedly in Jail tampering with the Prisoners, Burke being the agent of Mountgarrat.

3d. Dr. Smith has offered a Bribe of £300 to P. Mills himself to induce him to contradict the Evidence he has already given.

4th. Dr. Mountgarrat has also offered money to Kettle, another Evidence, to induce him to withdraw his Evidence.

GOVERNOR MACQUARIE TO MAJOR STEWART.

Sir,

Government House, Sydney, 13th April, 1816.

I herewith do myself the honor to transmit, for your information and guidance, Copy of a Letter recently received by me from Major Genl. Sir Henry Torrens, Military Secretary to His Royal Highness The Commander in Chief, conveying to me His Royal Highness’s Commands and Sentiments relative to the unpleasant predicament you were placed in with your Corps on your arrival here from England; and I have, in pursuance of the commands of His Royal Highness, communicated to the Officers of the 46th Regiment (whom I had assembled for that particular purpose) His Royal Highness’s displeasure and gracious admonition on the impropriety of their conduct towards you.

I refer you to the Letter itself for His Royal Highness’s sentiments on the conduct you pursued relative to Ensign Stewart; and from which you will observe that His Royal Highness disapproves of your having sent that officer Home to England.

I have, &c.,

L. MACQUARIE.

[Enclosure.]

[A copy of this letter is not available.]

MAJOR STEWART TO GOVERNOR MACQUARIE.

5th and 18th May, 1816.
15th, 17th, and 18th June, 1816.

[Copies of these five despatches are not available.]

GOVERNOR MACQUARIE TO MAJOR STEWART.

(Despatch per H.M. brig Kangaroo.)

Sir,


1. By His Majesty’s Colonial Brig Kangaroo, which I purpose dispatching from hence to-morrow for Port Dalrymple, you will receive Fifty Convict Artificers and Labourers for the use of the Settlement over which you preside, and Secretary Campbell has been directed to send you a List of the Names and Sentences of those Fifty Men for your further information and guidance. Exclusive of the Fifty Male Convicts above mentioned, there are two Female Convicts the Wives of two of them,
and a Black Native (or Aborigines) of this Colony named Dewall or Dual,* whom I have banished as a Felon to the Settlement of Port Dalrymple for the term of Seven Years, as you will observe from the Warrant or Order made of his Sentence which will be transmitted to you by Secretary Campbell. You will accordingly order the said Native Convict (Dewall) to be kept at Hard Labour and to be fed in the same manner as the other Convicts. Amongst the Convicts now sent in the Kangaroo for the use of the Settlement under your command, you will receive the following number of Artificers, Vizt., 13 Carpenters, 6 Blacksmiths, 5 Brickmakers, 4 Bricklayers, 6 Sawyers, and 2 Plasterers. The whole of these Artificers, with a proportion of Labourers, must be exclusively reserved for the use of Government and for erecting the Public Buildings at George-Town.

2. You will also receive by the Kangaroo a large and liberal supply of Stores, Tools, and Implements for carrying on the Works at George-Town; a List of which is herewith enclosed for your further information and guidance. There being no Carpenters' Broad Axes, Spades, Shovels, or Blacksmith's Bellows, Anvils, and Hammers, now in the King's Stores here, nor to be had to Purchase in the Private Shops at Sydney, I am unable now to send you those articles, but shall not fail to send them to you on the arrival of a supply of such articles from England. I also much regret that I am unable to send you a Supply of Slop Clothing for the use of the Convicts at Port Dalrymple, there being none at all remaining in the Stores here; but I hope soon to receive a Supply of Slops from England, a proportion of which shall be sent to you by the earliest opportunity after their arrival here.

3. With the assistance of the Mechanics and Labourers now sent to Port Dalrymple, and the liberal Supply of Stores and Tools, which you will receive by the same opportunity, I shall certainly expect that great and rapid exertions will be made in erecting the more immediately necessary Public Buildings at George-Town, as pointed out and specified by me in my Instructions to you on your being appointed Commandant of Port Dalrymple; for, as every possible facility is now afforded for erecting those Buildings, both in Men and Materials, the Superintendent and Inspector of Public Works must be strongly enjoined to be very assiduous, and to use every possible exertion in erecting these Public Buildings with as little delay as possible, and to apply all the means he possesses towards this object.

4. The Revd. Mr. Youl, a regularly ordained Clergyman, having been sent out hither lately as Chaplain for the Settlement of

* Note 184.
Port Dalrymple, for which he has been specially appointed by Commission, he has frequently expressed his earnest desire to be sent down to his Duty at that Settlement; but I have hitherto resisted his several applications on account of there being no House or Barrack at Launceston fit for the accommodation of himself and his Family, for he is a married man with three or four Children. I have therefore to desire that a small Barrack or House of one story, containing at least four Rooms, may be built for the accommodation of Mr. Youl at George-Town as soon as possible, with Kitchen and other necessary offices, to be erected in one of the Angles of the Square in the Center of the Town. A moderate sized School-House must also be built in one of the Angles of the same Square, with as little delay as possible, which it is intended shall answer in the mean time as a temporary Chapel or Place of Public Worship, until the Funds of the Colony will admit of a regular Church being erected at George-Town. I leave to your own Judgment and that of Mr. Leith the size, dimensions, and Planning of these Buildings, only requesting that no time may be lost in erecting them, for it would be taking up too much time to wait for corresponding further on the manner of constructing them.

I have, &c,

L. MACQUARIE.

[Enclosure.]

Schedule of Public Buildings to be erected at the expence of Government at "George-Town" at York Cove, previous to the Principal Settlement being moved thither from Launceston.

1st. House and Offices for the Commandant.
2d. Barracks for 1 Captain and 3 Subalterns.
3d. Barracks for 100 noncom’m’d Officers and Soldiers.
4th. A Guard House.
5th. A Jail.
6th. An Hospital.
7th. A School House to answer for a Temporary Chapel, with a Room at one end for Schoolmaster.
8th. A Store and Granary.
9th. Barracks for 80 Male and 20 Female Convicts.
10th. A House for the Commissary.
11th. A Barrack for 1 Surgeon and 1 Asst. Do.
12th. A Court House.

Major Stewart to Governor Macquarie.

6th, 19th, 21st, and 22nd August, 1816.

[Copies of these four despatches are not available.]
GOVERNOR MACQUARIE TO MAJOR STEWART.

Sir,

Government House, Sydney, 30th Sept., 1816.

1. I have the honor to acknowledge your voluminous Despatches, with their several accompanyments, per Brothers, John Palmer, and Brig Spring, under dates as noted in the Margin,* and which do not appear to be of sufficient importance to require any particular answers or comments.

2. Now that you have plenty of Artificer's Tools and Stores, as well as a sufficient number of Mechanics and Labourers, I shall confidently hope and expect that the Works at the new Settlement of George-Town will go on rapidly and without any future interruption. The Barrack for the Chaplain and House for a Temporary Chapel and School-House must be amongst the very first Buildings erected at George-Town.

I have, &c,

L. MACQUARIE.

P.S.—In regard to Mr. Mountgarrett's claim for the Cattle he states as belonging to him now in the Govt. Herds at Port Dalrymple, I have no opinion to give, referring the decision of the claim to Lt. Govr. Davey and the Supdt. of the Government Stock. I must also refer you to Lt. Govr., Davey for instructions how you are to act with respect to the Robbery lately committed on the King's Store at Port Dalrymple. It appears to me, however, from an attentive perusal of the Proceedings you sent me, that the Soldiers have unquestionably committed that Robbery.

Sydney, 30 Septr., 1816.

L.M.

MAJOR STEWART TO LIEUT.-GOVERNOR DAVEY.

Sir,

Launceston, 24th March, 1817.

On my return last evening from inspecting the new road, making between this and Launceston, I found Ensign Mahon, with a party of the 46th regt. had returned from a pursuit after the Bushrangers. The enclosed is a Copy of his report to me, which I have the honour to transmit for your information.

I have, &c.,

JAMES STEWART.

[Enclosure.]

ENSIGN MAHON TO MAJOR STEWART.

Sir,

Launceston, 19th March, 1817.

I have the honour to acquaint you, that that party dispatched on the 25th February by your orders under my command after a banditti in the woods, commonly called bushrangers.

* Marginal note.—8th and 18th May; 15th, 17th, and 18th June; 6th, 19th, 21st, and 22nd Augst., 1816.
on the 15th day of March discovered three of them (armed) laying in ambuscade, close to a place called Scantling's Plains. Being then within musket shot of them, I called on them to surrender, or that I should fire on them; they made no answer but immediately ran away, when I ordered a pursuit after them, still calling on them to surrender, but the hindmost man, Chapman, turned round with great deliberation, and snapped his piece at the guide, William Cresswell.

Finding all efforts to take them alive fruitless, and that they would inevitably have escaped, I ordered three of the soldiers to fire, when one of the banditti named Parker fell; but I should suppose could only have received a slight wound, as he rose again in a few seconds and started towards the thicket part of the wood, turning round the second time and firing at the soldier, who pursued him; the soldier again fired and wounded him between the shoulders, but, the place being thick with brush, he concealed himself and evaded the search we made for him.

Another of the banditti, Elliott, whom I was in pursuit of myself, placed himself behind a tree, called me by name, presented his piece, and swore if I approached him, he would blow my brains out. In my own defence I was then obliged to fire at him, when he fell and expired instantly, with his finger put in the posture of pulling the trigger. Chapman still continued running forwards, and again snapped his piece, when one of the soldiers shot him through the back; he expired in about twenty minutes after. Thinking it might be necessary to produce their heads, I ordered them to be cut off before I had the bodies interred. The few articles found with them have been returned to the different claimants.

I have, &c.,

G. A. MAHON, Ensign, 46th Regt.

N.B.—On the 13th, having received information that three civilized Black Natives had provided themselves with a few arms and dogs, and committed a robbery on Mr. Beamont's cart at the Green Water Holes, I immediately went in pursuit of them, and succeeded in taking one of them (the other two escaped through the darkness of the night), and sent him into Hobart Town, with the articles I found with him.

INSTRUCTIONS FOR BREVET-MAJOR G. CIMITIERE.*

21st March, 1818.

[These instructions were a repetition of those to major Stewart (see page 456 et seq.), with the following alterations:—

In the heading:—G. Cimitiere vice James Stewart.
In paragraphs 1 and 11:—Elizabeth Henrietta vice Emu.

* Note 122.
GOVERNOR MACQUARIE TO MAJOR STEWART.


1. This Letter will be delivered to you by Major Cimitiere of the 48th Regiment, whom I have appointed Commandant of Port Dalrymple, and to relieve you in the Command of that Station, conformably to my Government and General Orders issued here under date the 14th Instant, a Copy of which will be transmitted to you by this same conveyance by the Major of Brigade.

2. There being not sufficient accommodations at the Barracks at Launceston for the two Detachments at once, you are hereby directed to embark the Company of the 46th Regt. under your command on board the Govt. Brig Elizabeth Henrietta on the same day on which Major Cimitiere disembarks his Detachment from that Vessel at Launceston; relieving all your out-Posts as soon afterwards as possible, and Embarking such detached Parties immediately as they come in to Launceston.

3. The Services of the Government Brig Elizabeth Henrietta being immediately required at Head Quarters, you will not lose a moment in settling all your Public Accounts and your Private concerns at Port Dalrymple, so as to admit of her sailing from that Port as soon as she is ready for Sea; and I have particularly enjoined Major Cimitiere to Dispatch the Elizabeth Henrietta, with yourself and your Company on board, for Port Jackson within Seven Days at farthest from the day on which the Detachment of the 48th Regt. disembarks at Launceston.

I have, &c.,

L. MACQUARIE.
HISTORICAL RECORDS OF AUSTRALIA.

MAJOR CIMIETIERE TO GOVERNOR MACQUARIE.

15th and 30th April, 1818.
4th and 22nd May, 1818.

[Copies of these four despatches are not available.]

MAJOR STEWART TO GOVERNOR MACQUARIE.*

Sir, Sydney, 4th June, 1818.

In consequence of a letter I received last evening from Mr. Campbell, your Excellency's Secretary, respecting a complaint made by Lt. Govr. Sorell of my having refused to give up certain papers,† said to belong to the Bench of Magistrates at Port Dalrymple I did myself the honor to wait on your Excellency this morning but was not admitted, to explain to your Excellency the circumstances; if Your Excellency will have the goodness to name a time to wait upon you, I have no doubt things will appear in a very different view, to what they now are from Lt. Govr. Sorell's accusations.

I have, &c,

JAMES STEWART.

GOVERNOR MACQUARIE TO MAJOR STEWART.*

Government House, Sydney, N. S. Wales,

Sir,

6th June, 1818.

1. It is with sincere regret that I find myself compelled, from a paramount sense of Public Duty, to convey to you thus officially my decided and marked disapprobation of and displeasure at your general administration of the Settlement of Port Dalrymple during the whole period you have acted as Commandant of it, in your very great neglect of Public Duty in not paying more attention to the general improvement of that Settlement, and in not carrying my orders and Instructions into effect in regard to the Works and Public Buildings ordered to be erected at George-Town, where comparatively nothing of any importance has been done during your Command.

2. In the last communication‡ made to me by Lieut. Governor Sorell, I lament to observe that your conduct towards him for some time past, and particularly immediately before you were relieved and after the arrival of Major Cimitiere at Port Dalrymple, was peculiarly offensive, disrespectful and insubordinate in a very high degree, in resisting and setting his authority at defiance and disobeying his lawful Commands. This being a high breach of Military Discipline and outrage on Lt. Govr. Sorell's Civil and Military Authority, I should have deemed it

* Note 172. † Note 179. ‡ Note 180.
my indispensable Duty to have detained you here in order to have your conduct investigated by a General Court Martial, on charges to be preferred against you by Lt. Govr. Sorell, were it not for the important considerations that, were I to resort to such a measure, I must necessarily have to send for Lt. Govr. Sorell to prosecute you and for a number of other Evidences to come hither from Van Diemen's Land to substantiate those charges to be preferred against you, which would be attended with very serious inconvenience and expence to themselves, as well as expensive and injurious to the Public Service.

3. Under these circumstances, I have deemed it more advisable not to have your conduct investigated by a General Court Martial here, but to transmit Home, for the purpose of being submitted to the Gracious consideration of His Royal Highness The Commander in Chief, Lieut. Governor Sorell's own Statement of your very extraordinary and insubordinate conduct towards him as Lieut. Governor of Van Diemen's Land.

4. In order, however, that you may not plead ignorance of the substance and general out-line of the Charges* intended by Lt. Govr. Sorell to prefer against you, I beg leave to furnish you with W. Sorell. the following principal Heads of accusation, as communicated to me by Lieut. Governor Sorell; namely:

1st. Suspension of the two Magistrates at Port Dalrymple from the exercise of their Functions without any just or legal cause.

2d. Suppressing Lt. Govr. Sorell's Order for reinstating the two said Magistrates.

3d. Issuing a most outrageous and illegal order relative to the Functions of the said Magistrates.


5th. Disobeying Lt. Govr. Sorell's positive orders to return, or deliver up to him the said Records so illegally seized and carried off.

6th. Speaking at various times most disrespectfully of Lt. Govr. Sorell and the Higher Authorities of this Government.

7th. Making illegal and unnecessary issues of Spirits, Slop Clothing, and various other Stores, from the King's Store, as Donations to worthless and undeserving characters.

8th. Assigning many of the best artificers and Labourers employed on the Public Works to Private Individuals to the manifest delay and injury of the said Public Works.

9th. Leaving all the Public Buildings, Enclosures and Gardens, belonging to the Crown, at Launceston, in a ruinous state of decay.

* Note 188.
1818. 6 June.
Summary of charges preferred by W. Sorell.

10th. Inflicting Corporal Punishment on three Soldiers (Blake, Connel, and Williams) without Trial; than which there could not be a more illegal, tyrannical, or unmilitary offence.

The foregoing are the principal Heads of accusation brought against you by Lt. Govr. Sorell, and which he states he is ready and able to substantiate by unquestionable Evidence.

I have, &c.,

L. MACQUARIE.

MAJOR STEWART TO GOVERNOR MACQUARIE.*

Greyhound Transport, Sydney Harbour,

Sir, 7th June, 1818.

I have the honour to acknowledge the receipt of your Excellency's letter of the 6th inst. conveying certain accusations† against me by Lt. Gov. Sorell, and, in reply, beg to state that I sincerely lament it is not your Excellency's intention to bring the said accusations, ten in number before a General Court Martial; with respect to the 1st, 2nd and 3d in suspending the two Magistrates, I consider I only did my duty, as they resisted my authority as Commandant and Chief Magistrate in disobeying my orders.

I did not suppress Lt. Gov. Sorell's orders for reinstating them, as will appear by my Order Book.

As to the 4th and 5th charges, I considered the records to belong to myself, never having received any‡ from my predecessor; but certainly would not have thought of keeping them, had not the said two Magistrates Mr. Barclay and Mr. Cox threatened to prosecute me for a Libel in issuing the said Orders.

As to the 6th charge, I do not mean to deny that I have often said that I considered Lt. Gov. Sorell's conduct, extraordinary and very insulting, which I can prove by his letters to me. The 7th and 8th charge, I consider both malicious and vexatious, and I can prove them so.

The 9th charge is partly correct. I am ready to give a very good reason, which must be obvious to your Excellency.

The 10th charge is false, malicious and vexatious to a degree; the man was tried and punishment delayed until a second offence was committed. Ensign Mahon was then at Hobart Town on leave. I could not assemble a Ct. Martial and an immediate example was necessary.

I have only now to Entreat that, when Your Excellency submits these charges to the Gracious consideration of His Royal Highness the Commander in Chief, that a copy of this my reply may accompany them.

* Note 172. † Note 180. ‡ Note 160.
I am at this moment so engaged in preparing for my departure for India, the Greyhound sailing to-morrow or next day, prevents me from writing more fully on this very peculiar case.

I have, &c.,

JAMES STEWART, Major, Capt'n. 46th Regt., Late Commandant of Port Dalrymple.

MAJOR CIMITIERE TO GOVERNOR MACQUARIE.
13th July, 1818.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.
23rd and 27th July, 1818.

MAJOR CIMITIERE TO GOVERNOR MACQUARIE.
4th August, 1818.

[Copies of these four despatches are not available.]

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir, 8th August, 1818.

The Messenger arrived on Tuesday bringing your Letters of 23rd and 27 July and enclosures.

A Blacksmith (before absent) and another Carpenter will be sent off on Monday or Tuesday, and also a small number of Men, if the Weather remain good. Sixty are held disposable, and I now propose to send them in three or four divisions.

I am sorry you did not punish the Carpenters Brown and King for misconduct when behaving improperly; for, had any misconduct been known to me, I should have ordered them to remain for the purpose. I hope Forest the Carpenter will be found a useful and good Man.

I should recommend Valentine Wood being severely flogged and sent to the Coal River, as he is an incorrigible vagrant, and will some day be the means of forming a Band of Plunderers.

The record of the prisoner Greenway is in some way incorrect; we can find no such man in the original Indent of the Indent fatigueable, Cross Master; I would beg you to let the Clerk refer and inspect particularly the Copy of Indent at your office.

I always meant Blackhale's Salary to be £25, and I cannot account for the omission in ordering it, which is now done.

Asst. Surgeon Younge has most unexpectedly returned here without your leave, and in direct defiance of my orders, and has refused to repair to his station. I have accordingly suspended him.

I know not what to make of Mr. Mountgarrett. He has sent me quarterly returns of his Hospital (contrary to all former return transmitted by M. Mountgarrett.)
usage) merely I presume to shew himself present. I have directed them to be returned to him with an intimation (as he well knows) that all returns are made to you and through you. I beg you to let me know whether Mr. Mountgarrett is actually doing duty or not, and whether he avails himself of the leave to go to Sydney.

I have, &c.,

WM. SORELL.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.

7th, 10th, 18th, and 19th August, 1818.

[Copies of these four letters are not available.]

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir, 20 August, 1818.

I have been honoured with your letters of the 7 and 10 Inst.

I observe with regret that a part of my Letter respecting the placing a Windmill at George Town seems to have given you umbrage; but upon reference to your Letter to me, in which the arrangement was proposed, and mine in reply, I am free to confess that I am unable to discover any ground for such an Impression. In recommending that the certainty of finding a scite at George Town, on which a Mill could be placed, should be ascertained, I pursued exactly the same course as I always take here, prior to finally putting into execution any work, which I do not myself understand: viz.:—to consult persons whose technical knowledge can be relied upon. This I considered more particularly necessary with respect to Wind Mills, with which so few persons in this Country are conversant, and in which so many have failed. Had your Letter signified that such steps had been taken, it would of course have been unnecessary for me to recommend them, and I should certainly not have done so; but I received your letter in the light of a proposal, as its terms convey to me, and in point of fact no Public Works are undertaken without reference to the Judgement and knowledge of professional people, whose inferiority does not appear to me to found the least objection. The only people at Fort Dalrymple, who I should conceive competent to pronounce with accuracy respecting the scite of a Wind Mill, are the two Brothers Lucas.

With regard to the Government Boat, I cannot but consider it much more beneficial to the Settlement, to render if possible a means of public accommodation, than to sell her to a very few; the tendency of which is in my mind towards monopoly, a thing always to be avoided however respectable the Parties.
The general grounds of my opinions were before stated: and, with respect to the escape of prisoners, I consider that much the same whoever owns the Boat, as the same class of people would work and have charge of her.

If the Boat could not be hired, the next best thing I conceive would be to sell her, subject to conditions of her being employed usefully for the public under regulations by the Bench of Magistrates.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir,
21 Aug., 1818.

Mr. Asst. Surgeon Younge having quitted his station and returned hither in direct defiance of his Instructions, I did not wait for your report to take the steps suited to the case, as he acknowledged that he had no leave or sanction from you. In consequence of his disobedience and his refusal to repair to his appointed duty, I have suspended him and reported his conduct to The Governor in Chief.

My intimation that I would authorise Dr. Mountgarrett to proceed to Sydney will not of course extend to his going away without the proper Advertisements and regular clearance, as notified in a former Letter to be a regulation at Port Dalrymple; I understand from the Prov. Marshall that Mr. Mountgarrett is in his custody and therefore any leave of absence must be nugatory in his present situation.

The Carpenter destined for Port Dalrymple having absented himself the morning of the march, he has been punished and will proceed by the first opportunity. One of the prisoners lately sent off, I understand, was taken ill and left at the Green Water Hole; the present Messenger is directed to take him on, if he be sufficiently recovered.

I have, &c.,
WM. SORELL.

LIEUTENANT ROBINSON* TO MAJOR CIMITIERE.

Sir,
22 Aug., 1818.

I have the honour to enclose you nominal lists of Crown Servants, sent from hence for the Settlement under your command on the 11 and 15th days of the present Month.

The Mechanics, sent over some short time previously, having started before reference could be made to their Indents and the names of the vessels by which some of these last arrived from Europe not being known, I have to request you will be pleased to cause one of the Superintendents to prepare a List of the

* Note 181.
whole sent from hence, since your command, with columns showing the usual particulars of Time and place of Trial, sentence and names of Vessels arrived by from Europe and at the Derwent, to be filled up from their own report; and you will also be pleased to let such list be forwarded to this office in order to its being compared with the Indents or attested Extracts here, and afterwards returned for your use.

I have, &c.,

H. E. ROBINSON, Sec.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.

24th August, 1818.

[A copy of this letter is not available.]

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir, 31st August, 1818.

I had the honour of receiving your several Letters of 18, 19th and 24 Inst.

I consider it as a matter of course that the prisoners, who went across from hence, would arrive without shoes, as the march of One Hundred and twenty Miles at this season must destroy almost new Shoes; and it would be to no purpose to issue shoes to Men at the moment of departure, as they always make away with them. I lament that the Store at Port Dal. did not afford means of supplying them, of which I really was not aware; but, by the first Cart going over, should the expected Vessel not come in, I will send some Shoes to Pt. Dal.

With respect to the number of prisoners sent over being short of the number first destined by me for Pt. D., it is a consequence of the season at which they arrived. I have reported it to the Govr. in Chief accordingly. I had one Hundred Men marked down, and Capt. Watkins was to have taken charge of them had his Health allowed; another officer was then named, and nothing but the utter impossibility, not to speak of the inhumanity, of sending Men just off a long voyage, and many of them sickly, on so long a march at a most inclement season, when the Country was impassable, prevented their going.

Finding myself, however, compelled to delay their crossing the Island to a more favorable time, I did not feel myself justified in keeping a large body of Men on the store here, when I had in my power to assign them off Store to the Settlers; the number has consequently been reduced, but I have stated the cause to The Governor, and, having no doubt that a further supply of Men will arrive at no distant period, at least before the Harvest,
I shall then dispatch an ample proportion to your station. In the mean time, those which have been sent must, so far as they are required for the Govt. Work, be retained for that purpose.

The fullest Indents, which I can send of the Men lately arrived from hence, will be forwarded as soon as the Information requested in my Secy.'s Letter of the 20th shall be received, which you will now be able to send to me by next Messenger.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL, TO MAJOR CIMITIERE.

Sir,
31 August, 1818.

I recommend that Robert Delph, the prisoner who was given up from the Endeavour, should be brought before the Bench, and, upon proof of his being a Crown Prisoner, that he should be punished for leaving Port Jackson—according to the usual practice. I will report to Mr. Campbell that he is at Port Dalrymple.

If McNeal, the prisoner who was left sick on the road, is brought in, he, with a Carpenter, a Smith, a Plaisterer, etc., will be sent over in a few days.

The Leave of absence requested by Dr. Mountgarrett was nugatory, and indeed it may be termed an Imposition, for it has since been officially reported to me by the Prov. Marshall that Mr. Mountgarrett is his prisoner for Debt. He consequently cannot leave the Colony.

We continue to advertise two Runaway Servants of Mr. Dry's; when any Men, who have been reported absent by you, are recovered, I beg the favor of you to let me know, and I have particularly to beg that all absentees may continue to be reported as you have hitherto done, which enables the Superint't Magistrate to know the state of the whole Country. I think it will be very desirable to send Val. Wood away, as an incorrigible Vagrant, unless you think he can be secured in Irons and so worked at George Town. I hope Mr. Leith has got the place of confinement there nearly ready, as there could then be a regular Gaol Gang, and the bad Characters could be made to sleep there.

I have, &c.,
WM. SORELL.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.

9th and 12th September, 1818.

[Copies of these two letters are not available.]
1818.  
17 Sept.

Letters acknowledged.

Correspondence between LIEUT.-GOVERNOR SORELL TO MAJOR CIMIÈRE.

Sir, 17 September, 1818.

Mr. Baker returning to Port Dalrymple, I have an opportunity of acknowledging your Letters of dates 9 and 12 Inst., with accompanying papers.

I have perused the correspondence (Documents eleven in number) between you and Capt. Watkins, and, as the case now stands, seeing that no advantage could be produced by an expression of my sentiments, I can only say that I sincerely lament the occurrence of Circumstances so painful and so much to be regretted in the Detach't of Troops stationed at Port Dalrymple. I shall seal up and forward to Lt. Col. Erskine by the first Vessel the Letter and Series of papers which you sent open for my perusal; and I shall at the same time lay before H.E. The Governor in Chief and Commander of the Forces a copy of the Letter, which you have addressed to me on this subject.

The very unsettled state of the Weather and the bad state of the Country delays the move of the Men to Port Dalrymple.

Respecting Dr. Mountgarrett's application, I am so much pressed by the Musters and other business that I am unable at present to reply to it, but, as far as I can judge, it will not be competent to me to act upon it.

I have, &c.,

WM. SORELL.

Application from J. Mountgarrett.

24 Sept.

Despatches acknowledged.

Arrival of G. Cimière.

Approval of administrative acts.

GOVERNOR, MACQUARIE TO MAJOR CIMIÈRE.


1. I have now the honor to acknowledge the receipt of your Several Letters come to hand up to the present date, since your departure for Port Dalrymple, as Specified in the Margin.*

2. I was very happy to hear of your safe arrival with your Detachment at Port Dalrymple, and of your having assumed the command of that Station, which I regret to find your Predecessor Brevet Major Stewart delivered over to you in such a miserable dilapidated condition.

3. I have received and attentively perused the Several Reports, Returns, and Musters, you took on your assuming the command, and transmitted to me in your Dispatch of date 15th April, and have to express my entire approbation of the several Measures you pursued on your taking the Command of the Settlement of Port Dalrymple.

4. I was sorry to find the Government House at York-Town was found not capable of being repaired for your temporary

* Marginal note.—15th and 30th April; 4th and 22d May; 13th July; and 4th Augt., 1818.
residence. It therefore only remains for you to get a temporary Habitation fitted up as soon as possible for your residence at George-Town, until such time as a proper House with suitable offices can be erected there for you, as I am certain the Public Works at George-Town will never go on well, or so rapidly as they ought to do, until you go to reside permanently there, so as to animate and stimulate the workmen and Labourers by your Presence and Personal inspection and Superintendance. I am therefore particularly anxious that you should remove, with your Family and the principal part of the Troops, to George-Town, as soon after the receipt of this Dispatch as may be practicable, so as to be able to remove the whole Settlement thither on the 1st of January next agreeably to my Instructions already given you on this head. I now send you a plentiful supply of Tools, Implements, and Stores, including every Article contained in your own last Requisition, that the King's Stores here afforded or could be Purchased in the Private Shops in Sydney. Mr. Leith, the Superintendent and Inspector of Public Works, can therefore now have no further excuse in delaying to carry on the Public Works with energy and quickness, as I believe he has now a very fair proportion of Artificers and Labourers under his Command at George-Town. If you should find that Mr. Leith is at all inattentive to his Duty, or dilatory in carrying on the Public Works at George-town with Spirit and energy, after He receives the present supply of Tools and Stores, I beg you will not hesitate to report the same to me, in order that he may be removed from his present office and replaced by a more fit and competent Person from Head Quarters. I cannot at present send you any additional Artificers or Labourers from hence for the Works at George-Town; but, on arrival of the next Male Convict Ships, I hope to be able to send you some few of each description; and I therefore request you will acquaint me, by the return of the Elizabeth Henrietta, what description of Artificers you are now most in want of for the Works at George-Town. I am particularly anxious that the House and Offices for the residence of the Chaplain should be completed as soon as possible, as The Revd. Mr. Youl is extremely desirous to go to his Station, and it is my intention to send him down to George-Town about the middle of December next at farthest.

3. By the present opportunity, I send you Thirty female Convicts, for the purpose of being assigned as Servants to married Settlers and other Free Persons, who are married and bear good characters. These Female Convicts are just arrived from England, and have behaved very well during the Voyage from thence. There are also a few Free Settlers with their Families now
proceeding to Port Dalrymple in the Elizabeth Henrietta, of all whom, including the 30 Female Convicts, you will receive a nominal List from Mr. Secretary Campbell.

6. Deputy Asst. Comrn. General Walker proceeds by this opportunity to take charge of the Commissariat Department at Port Dalrymple; and, from the date of his taking charge of that Department, Mr. Dry will discontinue to act as Commissariat Staff Clerk, that Situation, as far as relates to him, being abolished; but, in case he wishes it himself, Mr. Dry will be permitted to return to his former Situation as Storekeeper in the same Department.

7. Deeming it essentially necessary for forwarding the Public Service and Government Works at George-Town that a Government Boat Builder should be appointed and stationed at that new Settlement forthwith, I have appointed Mr. George Hubbard to that office, and he now proceeds thither with his Family on board the Elizabeth Henrietta. He has been furnished with all sorts of Boat-Builder’s Tools (which he takes with him) from the King’s Stores here, and therefore he can begin to Build the necessary Boats for the Service of Government the moment he arrives at George-Town. He is an excellent Tradesman, and a very sober, honest, industrious man. I strongly recommend that you should in the first instance get one good Serviceable Launch and two smaller good Stout Boats built by this man for the Service of George Town, for bringing materials for the Works, and for going backwards and forwards between that Station and Launceston.

8. It affords me particular satisfaction to learn that the very prompt and judicious measures, you had adopted, had succeeded in retaking the Govt. Launch carried off from the Derwent by the Convict Pirates, and that they were also taken in the Western River at the same time. The conduct of Lieut. Cuthbertson on this occasion, in executing and accomplishing the Duty he was sent upon with so much judgment, zeal, and activity, is highly creditable to that officer; and I request you will convey to him my best thanks for the Service he has thus performed, assuring him that I shall be happy to avail myself of any favorable opportunity that may offer of rendering him any little Service in my power. I was glad to hear that Lt. Govr. Sorell had permitted you to retain the recaptured Launch for the Service of Port Dalrymple.

9. I trust you will not go to any unnecessary expense in repairing the Soldiers Barracks or Store-House at Launceston, but render them only merely habitable and safe for the few months they are now to be occupied. I entirely approve of your having
already stationed Assistant Surgeon Smith at George-Town; and I would recommend that a Subaltern Officer should also be stationed there now permanently, in case one is not there already. I also approve of your having appointed Richard Sydes to be Supdt. of Govt. Blacksmiths at George-Town. I am happy to find the Settlers agreed so readily to send their Wheat at their own expence and risk to George-Town for the use of that Station.

10. I am surprised to find that the Grazing Ground, belonging to the Crown in the Neighbourhood of George-Town, fit for the Government Cattle, should be occupied by Sheep belonging to Lieut. Skelton; and, in case they are still continued there, it is my positive orders that they should be driven off those grounds immediately, and the People having charge of them directed at their peril never to bring them there again, that ground being exclusively reserved for grazing the Government Working Cattle.

11. I rejoice to hear that the Magistrates are attentive to their Duty, and that the morals and Habits of the People at Port Dalrymple are in consequence improving, for which I am sorry to say there was great room. I herewith now send you the Records of the Bench of Magistrates at Port Dalrymple, which had been so unwarrantably purloined and carried off by Major Stewart, and which I compelled him to give up here.

12. I approve of your having given leave to Surgeon Mountgarrett to come up to Head Quarters. When he arrives here, I shall then call on him to answer for his late extraordinary conduct and desertion from his Public Duty.

13. I have to request you will detain the Govt. Brig Elizabeth Henrietta as short a time as possible at George-Town, and to dispatch her, as soon as she is unloaded, for the Derwent.

I have, &c.,

L. Macquarie.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir,

9 Oct., 1818.

I have now directed Twenty Crown prisoners to be sent off for Port Dalrymple. Those who are artificers are named. As these Men, like most others indeed who have any time in one place, feel much repugnance to being changed, at least to the number of Ten or Twelve (There being several Volunteers), I should recommend all proper care and vigilance on their arrival; I hope that the former runaways have been taken ere this, which will deter others from trying the Experiment.
1818.
9 Oct.

I have directed the Corporal at York Plains to send two Soldiers with the Constables in charge of the Men.

I have, &c.,

WM. SORELL.

P.S.—I reserve the Indents of these Prisoners until the whole of those which have been lately sent over can be prepared; which wait on some particulars required in former Letters.

Thomas Morgan’s Ticket of Leave is enclosed as you desired.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

17 Oct.

Mr. Wright, the owner of the House at York Plains, where the party is quartered, having reported his intention of fixing his residence there, which of course requires the House to be vacated, I had desired the Acting Engineer to make an arrangement for building a Hut sufficient for the present accommodation of the Party; it has, however, come to my knowledge since, that Mr. Wright carries Spirits out with him for his use, which appears to me so serious an objection to the continuance of a party of Troops there, as to induce me to think their removal indespensible.

The principal use of that party in the present state of things is to keep in check, and under observation, people, Carts, etc., passing between the two Settlements, through whom is carried on in many instances a most nefarious traffic in stolen property, to the encouragement of robbery on both sides. I have lately had occasion to request your attention to a neglect and want of vigilance on the part of the Corporal, in suffering people to pass without any enquiry, even for the pass, though his Instructions are positive to examine and certify all passes. Since I addressed you upon this subject, a prisoner, who passed that road, has stated in his Examination on oath that he was not asked for his pass or at all questioned at York plains; and he had no pass at the time.

I am very apprehensive that either improper influence is used, or that much negligence prevails at that post, and I therefore recommend a regular monthly relief as the only remedy. From another circumstance it would appear that the Men are allowed to accompany individuals Improperly. It is stated that one, if not two, Soldiers from York plains were allowed to go on to Humphrey’s Water Hole with the Carts belonging to Mr. Stocker; the Soldiers are stated to have been seen on the road with their Arms; if so, I conceive the Non-commissioned officer
to have been guilty of a very great misdemeanor in sending his Men from the post on private demands, and without any reason or any proper authority; I had at the very moment sent orders for him to furnish aid to the Constable in charge of the prisoners on march, which he might thus be unable to comply with.

As the party must now be moved from Wright's, I propose to divide it into two, of a Corporal and three Men each; one to be posted at Massey's Farm, or the House best adapted, to watch the Ford over the South Esk, by which all Carts bound to Port Dalrymple will be ordered to pass; the other party to be moved more this way, to Jerico, where they will be placed at District Constable Williams's House on the road side. I have therefore to beg that you will make arrangements for placing a Corporal and three Men at the House nearest the Ford over the Esk to assist the Constable there; and either the Constable or Corporal to certify the passes, as is now done at York Plains; this will be done by the 20th, when you will be pleased to draw in three Men from Wright's, leaving the Corporal and three under orders to move when ordered to Jerico. They will of course report to you as before and will be relieved in the same way.

It is my intention to publish an order regulating anew the progress of Carts from here to Port Dalrymple, and limiting them strictly to passing into the Settlement by Gibson's Ford, which can be no inconvenience to any. It will be necessary therefore to give Instructions to the Constables near the Fords at Mr. Archer's to arrest all Carts coming from this side by that road; to carry the Carts in safe, and deliver them up to you, and I beg you will have any Carts so stopped sent back without being suffered to unload, under charge of a responsible person, and a proper Escort to this place.

I would recommend Mr. Brumby, who lives near these Fords at Norfolk plains, being made a Constable to attend to this duty.

It is stated that a Soldier from York Plains was at Capt. Blyth's at the Rope Walk about seven Miles from there, a few days ago, when Mich'l Howe the Bush-ranger came down and robbed the House. I know not whether the Corporal had authority for allowing his Men to be there; it appears that Howe succeeded in robbing the House and getting off, though three Men besides the Soldier were there. I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir,

22nd October, 1818.

Having referred to the Naval officer, respecting Mr. Lett's spirits and the application for a further issue of certain credit,
I have directed him to authorise Mr. Dry, Collector of Duties at Port Dalrymple, to allow Mr. Lett to draw out Three Hundred Gallons in part, on his undertaking with proper security to pay the Duty on it by the 31st December, and then to allow him to draw out the remainder, undertaking to pay the duties by the 31st March.

This arrangement being a considerable extension of accommodation, will I trust meet the object in view.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir, 22nd October, 1818.

I take an opportunity, as the period for receiving Tenders for the Supply of Meat to H.M. Stores approaches, for the six Months commencing on the 28th Decem’r, to explain the mode on which in future I request you will be pleased to conduct that business.

It has been usual heretofore for the Tenders for the Settlement of Port Dalrymple to be prepared by the Commissariat officer at that Station, and to be submitted by him to the Lt. Governor for approval. I found that System in use on my arrival, and, from the peculiar Circumstances which arose during Major Stewart’s Command, I made no change; now, however, I propose that the Commissariat Officer shall prepare and first lay before you the Tenders which, when you have approved them, you will be pleased to forward to me for ratification.

Mr. Archer, who was three years in charge of the Commissariat at Port Dalrymple, is going over on his private affairs, the beginning of the ensuing Month; Mr. Walker will then have an excellent opportunity to acquire information both as to the Settlement, with reference to his own department, and as to the mode of arranging the Tenders, etc., etc.

I recommend Mr. Archer to you as a respectable Magistrate and public officer, whose information is entirely to be relied upon, and who will be happy to render any assistance in his power to facilitate Mr. Walker’s entrance upon his Duties.

I have, &c.,
WM. SORELL.

P.S.—I beg your earliest Report, whether Mr. Dry retains the Situation of Store-keeper. I take it for granted he will act until some arrangement be made for the successor, if he wishes to retire.
SORELL TO CIMITERIE.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITERIE.

Sir, 24th October, 1818.

I have the honor herewith to forward a List of officers to whom His Excellency the Governor in Chief has been pleased to order the quantity of Land placed opposite their respective Names to be located at Port Dalrymple.

In the Gazette of this day, I have caused a public Notice to be issued, for the persons concerned to apply to you for Information; I have to request you will accordingly make known His Excellency's orders in favor of such as are included in the List, their Memorials having been all forwarded by me; and such, as may wish to be empowered to occupy and cultivate, will, upon selecting their Farms, and stating it with its actual local description to you, receive a regular authority for occupation of the land ordered to each. It is necessary to apprise all those to whom such Grants, under one Hundred Acres, are ordered, that they should, as much as possible, select their ground adjoining other small farms already settled or located, except several shall desire to fix themselves together.

It is also necessary to be guarded against allowing any persons in the absence of the Depy. Surveyor to establish themselves on the Crown Lands, adjoining the Sugar Loaf and the country occupied by the Govern't Herds. I have, &c.,

WM. SORELL.

[Enclosure.]

[A copy of this list is not available.]

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITERIE.

Sir, 24th Oct., 1818.

Having received His Excellency the Governor in Chief's Instructions to locate to Mr. Thomas Reiby, who becomes a permanent Settler in Van Diemen's Land, Three Hundred Acres of Land with certain Indulgences, I have to request that you will signify to Mr. Reiby that, so soon as he shall have decided upon the spot on which he desires to take his Grant, and shall report the same to you for my information, the necessary authority for his occupation will be forwarded, and the Depy. Surveyor will, on his return to this Colony, be instructed to mark out the Land.

The Indulgences ordered by His Excellency to Mr. T. Reiby are himself and family, with Two Government Men, to be victualled from H.M. Stores at Port Dalrymple for six Months; and to be allowed to draw from the Govt. Herds at that station three Cows on a credit of Eighteen Months, paying for the same in
Money or Wheat at the expiration of that period. These Indulgences you will be pleased to order, the Commissariat officer taking the regulated Bond for the Cattle, prior to their being issued according to usage.

I have, &c.,
WM. SORELL.

LAND GRANTS AND INDULGENCES FOR FREE SETTLERS.

John Dell.—One Hundred Acres of Land, himself and family with 1 Govt. Man vict’d 6 Mos.; 1 Cow from the Govt. Herd on Credit 18 mos., to be paid for in Money or Wheat.

Mr. T. Quin.—100 Acres, 2 Govt. Men, himself and family to be vict’d 6 Mos.; 2 Cows on credit of 2 years.

Mr. G. Hubbard.—200 Acres, 2 Govt. Men, vict’d 6 Mos., and 2 Cows on a credit of 2 years.

John Jeffs.—100 Acres, himself and family with 1 Govt. Man vict’d 6 Mos.; 1 Cow on a credit of 18 Mos.

Chas. Foster.—300 Acres, himself and family and 2 Govt. Men vict’d 6 Mos.; 3 Cows on a Credit of 18 Mos. to be paid for in Money or Wheat.

These several Settlers will be victualled, and the Men ordered will be assigned to each for the period in question.

The Commissariat Officer will of course take the proper Bonds for the Cattle, which the Superint of Govt. Herds at Port D. will then issue; and, as soon as the Settlers have fixed the spot where they wish to have their location, they will report it to you for my information in order to the proper authority for occupation being sent.

I have, &c.,
WM. SORELL.

Copies of these two letters are not available.

HISTORICAL RECORDS OF AUSTRALIA.

1818. 24th Oct., 1818.

Mr. Sec. Campbell to cause Eight Hundred Acres of Land to be located Mr. Depy. Asst. Comy. Geil. Walker.
together with the Indulgences hereinafter named, I have to request that you will signify to Mr. Walker that he may fix upon his location preparatory to the Land being marked out by the Depy. Surveyor; and, upon his stating to you the place, I shall transmit the necessary authority for occupation.

Four Government Men on the Store for 18 Mos., and Six Cows from the Govt. Herd on a credit for three Years, then to be paid for in kind, are the Indulgences which His Excellency orders for Mr. Walker. I have, &c,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.
(Letter marked "Confidential.")

Sir, Govt. House, 8 November, 1818.

Having received notice from Mr. Secy. Campbell that the Ship Portsea, Capt. Nichols, had been ordered out of the Harbour of Port Jackson, without being allowed to trade in consequence of detection in illicit practices, and similar notice having arrived from Capt. Piper, Naval Officer, to Mr. Beamont, I have felt it my duty to give the latter positive orders not to permit the Ship Portsea to enter this Port, but to require the Master forthwith to return to Sea, in the event of his attempting to enter, it being my determination not to allow her to trade here.

You will be pleased to enforce the same orders at Port Dalrymple, instructing the Pilot and Harbour Master, should they board the Ship Portsea, to prohibit her entering the Port, and on no account to bring her in, except forced by stress of Weather or obvious distress.

In the case the latter circumstances should be of a nature to compel the admission of the Ship for the Hospitality of the Port, the strictest Measures must be taken to prevent landing any Goods by placing a Guard on board and having a look out kept on shore as well as on the River.

I have, &c,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir, 8th November, 1818.

Mr. Stocker's crossing the Country affords me the opp'y Letters of acknowledging your Letters of 30 Ult. and 1 Inst. with their acknowledged several enclosures.

I am sorry the prisoners last sent over were disorderly; such Misconduct will ever be the case upon exchanging them, after they have been some time here, especially in any number; therefore I shall
1818.
8 Nov.

Surrender of M. Fenton.

Convicts employed at George Town.

Report required on public works at George Town.

Proposed additional magistrate.

Tickets of leave and of occupation.

Convicts to be sent to Port Dalrymple.

Suspension of issue of pardons.

always, when the season and state of Country allows, send them over at once on arrival; and, as a Vessel is now purchased for this Colony, it will be in my power when necessary to send them round by sea. Maurice Fenton is come here, having given himself up to Mr. Gordon. He will be sent over by the first opportunity.'

I am truly sorry to hear your report of the Works at George Town, and I am astonished at the Number (62) of Men borne on Mr. Leith's Returns. In one of my late Letters I adverted to this subject at some length, and stated the Numbers, which (not having had any recent Returns) I reckoned Mr. Leith to have. I cannot but think him very remiss in not furnishing the return so long called for, and which, at this advanced period of the Season, I am so anxious to receive.

It is quite impossible for me at a distance to form a correct judgement or estimate of what is, and what should be or might have been done; That of course more immediately belongs to your office and direct local Superintendance; but it is certainly now highly necessary that the Governor should be apprized exactly of the state of the Works, and the prospect of their being completed according to his Expectations. On this subject, your Reports will of course afford all proper information to His Excellency. In the present state of things, I can only recommend you to order Mr. Leith to concentrate all his Means upon the Works first ordered to be completed for the removal of yourself and the foundation of the Establishment, to George Town.

I spoke to the Corporal who had been at York Plains, who avowed to me that he had signed all passes. I therefore could not go further, for the Man, who had passed Wright's without a permit, did not go on to Port Dalrymple.

I will certainly submit to His Excellency your proposal regarding another Magistrate being appointed, on your removal to George Town, and will mention Mr. Walker's Name as you desire.

Dougan's Ticket of Leave shall be forwarded by the next Messenger, as shall also Tickets of occupation in lieu of those called in, and new ones for Mr. T. Smith and Mr. T. Stevens to be filled up by you.

The moment the Ship with Male Convicts arrives from England, I shall detach a portion equal to about one third for Port Dalrymple without landing here.

The Governor in Chief has signified to me that he does not mean to receive Petitions for Mitigation of sentence this Year; I am therefore at present precluded from forwarding many which
I had intended doing. The Men, who were promised, however, when I was at P. Dalrymple, for the road, must be named to His Excellency according to promise on removal of the Settlement.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir,

I have now the pleasure to forward seven Tickets of Occupation for Grazing Ground, 3 new ones left open to be filled up by your order, also a Ticket of leave for Arthur Dougan, the particulars to be filled in, as we have not the Indent.

I have, &c.,

WM. SORELL.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.

16th November, 1818.

[A copy of this letter is not available.]

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir,

Mr. G. W. Barnard, who came some time since from Sydney as a Settler in V. D. Land, having declared his Election of Port Dalrymple, and having stated his wish to take the location ordered to him by His Excellency the Governor in Chief near Mountgarrett's Lagoon on the right Bank of the Tamar, I have accordingly given him an authority to occupy and cultivate to that extent, viz.:—one Thousand Acres on the spot in question, preparatory to its being measured by the Dy. Surveyor of Lands on his return to the Settlement.

The Indulgences annexed to this Grant, which you will be pleased to order to Mr. Barnard, are himself and six Government Men on the Stores for the space of twelve Months, Six Cows on a credit of two years to be paid for in Money or Wheat at the expir'n of that time.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir,

I beg to acknowledge your Letters per Messenger, viz.:— Letters of date 16th Novem.

I have no doubt of the propriety of Mr. Comy. Walker having an Allotment to build upon in an eligible spot at George Town, which you will accordingly be pleased to point out to him. I
consider it of great advantage for that Town that persons, possessing the means and wishing to build, should be encouraged to do so, the better Class in the forward parts of the Town, others in the best prominent Streets, and prisoners at the back; encouragement to building will draw people thither, will afford employment to the Prisoners, and conduce to the improvement of the place.

I will submit to The Governor in Chief Mr. Walker's application respecting the Galloway; in the meantime it can be allowed to him in charge.

By this conveyance, I forward Tickets of Occupation for all the Settlers named in the List which you transmitted, also for Thos. Beams preparatory to his Grant.

The Schooner Sinbad will bring round 200 Galls. of Spirits for your Settlement.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir, 23 November, 1818.

J. B. Boothman I see no objection whatever to moving Mr. Boothman, Superint., to George Town, where every possible exertion should be used and all the assistance, that can be afforded, given. An overseer I should think quite competent to the charge of the Crown Prisoners at Launceston.

The petition of Michael Downs for free pardon cannot be at present submitted, The Governor in Chief having written to me by The Eliz. Henrietta not to send any applications this Year; should His Excy., however, visit the Settlement, or should he think proper to allow me any latitude in this respect, upon an application which I made to him, that Memorial will be laid before him. In the meantime it is placed with others in the office.

I return Mrs. Cummings' Letter and Memor'! with answers thereon. If she did incur expense in buildings, on the Ground since taken for Govt. Stock, though no real Title exists, there having been no sufficient order for the occupation, I think it would be unbecoming for Government to occasion a total loss to her; I should therefore recommend that the Buildings and Yards be surveyed and valued, and, if suited to Govern't, I should be inclined to indemnify Mrs. Cummings.

The petition of Langton for Emancipation must lie over on the same ground as Michael Downs, until I hear from the Governor in Chief. That part of it, which relates to land, cannot now be noticed, there being a fixed yearly distinct period for
SORELL TO CIMITIERE.

applications for Land. I shall feel obliged by your desiring all applicants to keep their subjects of application separate, and not to put them in the same Memorial.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir,

It appearing by a Document recently received from Head Quarters that the Women, victualled from H.M. Store, are at a half ration, whereas they have here been borne at two thirds, as well as I believe also at Port Dalrymple, I have now to request that you will direct the Ration to be issued according to the established proportions, of which notice is given in the Gazette.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir,

Having failed, when at Port Dal. on your arrival, in my endeavours to get together and bring over to this Settlement some oxen from the Govern't Herd there, I now send Mr. George Salter, Supt. of Govt. Stock at the Derwent, with proper assistance for that purpose.

Mr. Rose's last Return to 31st Ulto. states the number of Oxen to be 73; I have therefore directed that 30 be delivered to Mr. Salter, leaving 43 for your Settlement; and I have to request that you will be pleased to pass the enclosed order to Mr. Supt. Rose to that end.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir,

Having lately conferred with the Dy. Judge Advocate upon the subject of Business before the Bench of Magistrates at Port Dalrymple, I deem it necessary to advert to some parts of my general Instructions* on that Head, as also to an order* issued just prior to Major Stewart's departure, which I believe he suppressed.

The Tenth article of the general Instructions and the additional supplementary Article contain the Chief part of the Regulations in question, and which remain in full force. The further Regulations were given in an order,* dated 15 Mar., 1818, Extract Copy of which I now enclose for your information and guidance.

Str. III. Vol. II—2 I * Note 182.
1818.
28 Nov.

Limitation of corporal punishment.

To that order is added a Mem. extending the quantum of Corporal Punishment, which can be inflicted without reference to me. I take the opportunity to add, at the suggestion of the Dy. J. Advocate, in which I concur, a recommendation that the Corporal Punishment* should not be awarded, except in cases of extraordinary atrocity, beyond 200 Lashes.

Thé Deputy Judge Advocate will himself communicate the arrangement respecting the transmission of Depositions and of selecting Witnesses upon the Cases of persons committed for Trial.

I have, &c.,

WM. SORELL.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.

25, 26, and 28 November, 1818.

[Copies of these three letters are not available.]

LIEUT.-GOVERNOR SORELL to MAJOR CIMITIERE.

Sir, 28 Novr., 1818.

The papers heretofore sent to me from the Commiss't depart't at Port Dalrymple containing an unnecessary series, and being therefore capable of much reduction. I have now forwarded Lists of such Papers and Documents as I consider it necessary to require, requesting you to convey them to Mr. A.C.G. Walker and to desire him to substitute them in future.

I have, &c.,

WM. SORELL.

8 Dee.

Letters acknowledged.

Spirit licenses.

Certificates approved.

Tenders.

Land for W. Carey and E. Cox.

Memorial of J. B. Boothman.

* Note 183.
SORELL TO CIMITIERE.

have been so ill advised as to prefer a demand so wholly inadmissible, and so totally out of my power to receive. I request you will let him receive the Memorial, and order the Commissary to issue the Articles as there specified by me.

A Ticket of leave is herewith transmitted for John Armstrong. Ticket of leave.

My Stock of Stationary is at the lowest ebb, and it is scarce Stationary and very dear here. I have desired half the sealing Wax in this office to be sent to you, and some pencils which may perhaps be useful.

I am sorry that I have it not in my power to authorise an refusal of issue of salt. of issue of Salt as part of the Ration, which would be so very desirable to all persons victualled, especially in the Summer Season; but, the Ration being fixed, I cannot order the Issue.

I have, &c,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir,

10th December, 1818.

A quantity of Sugar, having Been lately sent round to Port Dalrymple, part of a large purchase, which was made at very cheap rate for Government just at the moment when that article ceased to be a part of the Ration, the opportunity is afforded of allowing to the officers at your Station the same accommodation as those of this Settlement have just received; viz.: an issue of Sugar to be paid for at 6d. per lb. I was led to determine on this measure from the pressure at present with respect to sugar, and from Government having so large a quantity on hand, while that regular demand had ceased; and I now state for your information the proportions in which, according to the arrangement ordered here, it can be issued to such public officers at Port Dalrymple as may wish to receive it.

Commandant—Two bags.

Magistrates and Military Officers—One Bag Ea.

Mr. D.A.C. Genl. Walker—One Do.

Two Medical Officers—One ea.

The amount at six-pence per pound to be credited to Government in the Commissariat accounts.

I have, &c,

WM. SORELL.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.

12, 13, and 14 December, 1818.

[Copies of these three letters are not available.]
21 Dec., 1818.

I have the honor to acknowledge your several letters of 12, 13 and 14 inst., with the several Enclosures.

I transmit the orders of occupation for land, as by your list; also a Ticket of leave desired by you.

The Three thousand Bricks appearing a just demand on Mr. Rose's part, it must of course be liquidated. It will probably be inconvenient to pay in kind, in which case you will be pleased to state in what way Mr. Rose desires to be paid.

I have directed Capt. Downey's Complaint against Const. Williams to be investigated, and the latter to be admonished; in case of renewed neglect, he will be dismissed.

I am sorry to observe the defiance of all Regulation on the part of the Men who have left the port, contrary to your order, and unauthorised so to do; it will be necessary to take summary Measures to prevent a repetition of this Infraction, and, as a preventive to make the Chief Constable search all vessels in person; a trusty person at George Town should also search before the vessel goes out, and no vessel should be allowed to pass without that Examination.

I should recommend you to notify to the Masters of all the Colonial vessels, frequenting Port Dalrymple, that, in the event of anyone being found to have taken on board any person, free or bond, without being cleared by me or added by you, after receiving The Dy. Judge Advocate's Certificate, such vessel will be ordered out of the port and her Trade prohibited, the Conduct of the master being also laid before the Governor in Chief.

I hope that the Runaway prisoners will be soon retaken; the Man Shaw is, I believe, a very reluctant Workman and idle, as are too many others; but I never heard anything "Notorious" of him, or of the other man named with him. And with respect to running from George Town, it had unfortunately been a fault common to Men of good as well as of bad Conduct, imputable to the disadvantages under which, in some respects, they have laboured, and which I trust will soon cease.

I approve entirely of cutting down the Boat (which was intended to be hired) to make a Launch adapted to the orders which you have received from the Governor in Chief.

These replies I believe comprise all the points, in your official letters, except that respecting Ensign McAllister, which forms a separate letter.

I have, &c.,

WM. SORELL.
SORELL TO CIMITIERE.

Lieut.-Governor Sorell to Major Cimitiere.

Sir,

22 Dec., 1818.

I do myself the honor to enclose an Indent list of 50 convicts of prisoners now dispatched to port Dalrymple, landed direct from the ship Lord Melville. Their Character is very favorable from the Master and from the Surgeon Superintendant.

I have, &c.,

Wm. Sorell.

A private request* for Duall, a native black to be sent to Duall to return Sydney agreeable to Governor in Chief's order by Mr. Secy. Campbell.

---

Lieut.-Governor Sorell to Major Cimitiere.

Sir,

23rd December, 1818.

I have this day been favored with your letter of the 11th relative to Ensign McAllister, and transmitting a correspondence between yourself, that officer and Capt. Watkins.

As the Documents have been sent to the Commanding Officer of the 48 Regt., I deem it best to pursue the same course as I followed in the former case of Capt. W., confining myself to the expression of my own opinions upon such points as seem to call for a declaration of them.

I am sorry to be obliged to dissent entirely from the measure which you had contemplated of ordering Ensign McAllister to Sydney, which disapprobation applies to that measure in every instance as well as in this particular case. I can scarcely contemplate any emergency, in which the necessity of sending an officer out of the Settlement could arise without previous representation; and nothing but Extreme emergency would in my judgement warrant me, as Lt. Governor, having recourse to such a step, for which no authority attaches to the Commandant of Port Dalrymple; nor indeed do I consider that any change in the Detachments posted in V. D. Land can be made without the sanction of authority of the Govr. in Chief and Commander of the Forces. I am thus explicit on this subject, though you did not carry into effect your intention respecting Ensign McAllister, because I wish to obviate any misconception in future with respect to the relative Exercise of authority in the event of a difference of opinion arising on this point.

On the part of Ensign McAllister, I certainly consider the correspondence highly improper and insubordinate in its commencement and in subsequent parts; as according to my ideas of

* Note 184.
Military discipline, when a Subaltern Officer has to seek an Explanation on any subject from the officer under whom he serves, it should be in person; it is to be regretted I think that you did not act upon this principle, and upon receipt of Ensign McAllister's Letter of Dec. 1 (No. 2) that you did not send for him and severely reprimand him for an address of so improper a nature.

It would have been better, in my view, in this, as in all such cases, to prevent a lengthened correspondence and to have brought Ensign McAllister to the Test at once, in your presence, before the officer of the Detach't.

Adverting to the discussion upon the assertion of Capt. Howard respecting the Terms in which you had desired him to provide a passage for Ensign McAllister, and which, in his letter to Capt. W. (No. 10), he distinctly says "specified that one of the persons was an officer," I cannot but remark with regret that Capt. W. should deem it necessary for him to tender his Oath in support of any ordinary Statement. In his own case, when it appeared that a Serj't and private Soldier had been brought before a Magistrate to depose to a certain fact, I strongly expressed my disapprobation of such a proceeding as highly unmilitary and improper. In an officer, I confess I consider it unbecoming to make oath in common incidental discussions, because the Word of an Officer and Gentleman, except in cases of legal proceedings or of a solemn and formal notice, is always deemed equally valid; such have been ever my opinions, and in a long service I never heard others maintained.

As the whole correspondence in this case is under the consideration of Lt. Col. Erskine, through whom, should he deem it necessary so to proceed, it will go before the Governor in Chief and Commander of the Forces, it only now remains to await the return of orders, the arrival of which cannot probably exceed a fortnight. But, should any new matter arise on the part of these officers so as to call for further Measures, in the interim I should recommend you to order Ensign McAllister to George Town and Capt. Watkins to fix his residence in the country till orders arrive.

I have, &c,

W.M. Sorell.

MAJOR CIMIPIERE TO LIEUT.-GOVERNOR SORELL.

24th December, 1818.

[A copy of this letter is not available.]
LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir, 29th December, 1818.

I yesterday was honored with your letter of 24 Inst., transmitting Copy of Letter from Mr. Cox to you, on the subject of a correspondence and an interview between him and Capt. Watkins and Ensign McAlister.

I now transmit a Letter* to those Officers, which is open for your perusal, after which you will be pleased to read it.

I certainly consider the conduct of Captain Watkins, in thus interfering in the discussions of others, when under arrest, to be subversive of all order; and, as he is now extending his interposition to civil Functionaries and Civil Matters, it will be impossible, should another Instance occur, to abstain from decisive Measures, even until orders can arrive.

The demand made upon Mr. Cox to become Witness for their objects, as to words spoken before him as a Magistrate, I consider most unwarrantable, and their conduct towards him will I am persuaded call down the strongest censure of superior authority. Should further Circumstances of interference on the part of Capt. Watkins arise, it will be indispensable that he be placed in close arrest; and, should they be of a nature to require that extremity, I shall not hesitate to order his embarkation for Head Quarters upon receiving a report thereupon.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir, 2nd January, 1819.

I beg to refer to your report thereupon a letter from Capt. Watkins respecting repairs to the quarter occupied by Ensign McAlister and himself.

Capt. Watkins states an application to have been made to you; therefore the Circumstances are already known to you; and I have declined giving any reply until I learn your sentiments on the subject.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir, 3rd January, 1819.

H.M. Cutter The Mermaid arrived yesterday having Mr. Justice Field† on Board.

I have received a notification from His Excellency The Governor that he has not thought fit to order a General Court Martial

* Note 185. † Note 87.
1819.
3 Jan.
W. N. Watkins.
released from
arrest.
Relief of
officers.

Appointment
of T. Quin.

Revd. J. Youl
to visit Port
Dalrymple.

upon Capt. Watkins on the complaint advanced by you, and that
he has directed that officer to be released from his arrest, admon­
ishing him as to his future conduct. I presume you will receive
all necessary Communications thereupon.

The Governor also notifies to me that, in conjunction with
Col'l Erskine, he has ordered a change of officers, viz.:—Lt. Cuth­
bertson to this place and Lt. Vandermeulen to join The Detach­
ment under your Command.

His Excellency has signified his approval of the appointment
of Mr. Quin as Storekeeper.

The Revd. Mr. Youl proceeds to perform essential clerical
duties at Port Dalrymple, intending to stay three weeks for that
purpose.

I beg to recommend him to your attention and good offices,
which his profession and character equally require me to ask
for him.

I am at present much pressed to get ready for transmitting
this Letter and shall again write by the first opportunity.

I have, &c.,
WM. SORELL.

MAJOR CIMIETIERE TO LIEUT.-GOVERNOR SORELL.
4th, 5th and 6th January, 1819.

[Copies of these three letters are not available.]

LIEUT.-GOVERNOR SORELL TO MAJOR CIMIETIERE.

10 Jan.
Reply to
complaint of
J. Cox.

Demand made
by officers.

Sir, 10th January, 1819.

I have received letters from Capt. Watkins and Ensign
McAlister, in reply to that* which I had addressed to them respect­
ing Mr. Cox's complaint.

Both these letters contain for the Chief part matter wholly
irrelevant to the direct subject of mine, to which I have strictly
confined myself.

The only feature, which those officers' letters contain of im­
portance, is their unqualified denial of having employed any
expressions of insult or reproach to Mr. Cox in the interview.

That Gentleman's report to you is so far contradicted, and it
is not for me to explain or reconcile the difference. Still, how­
ever, there remains the main fact; the peremptory demand made
by Two Officers (one in arrest at the time) to a Magistrate to
testify, for their private information and views, words spoken
before him in Court.

* Note 185.
The Unwarrantable Nature of this proceeding cannot be altered, though the aggravation depends upon the manner in which the demand was made and the language used.

I shall decline continuing a correspondence with Capt. Watkins, or Ensign McAlister, on the subjects of their dissensions so unhappily subsisting, having now conveyed, in the enclosed Letter* left open for your perusal, the sentiments above stated to them.

It will be proper to state to Mr. Cox the denial of those officers of having used the Expressions imputed to them by him.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir,

16th Jany., 1819.

I beg to acknowledge your Letters of the 4, 5, and 6 Inst., with their several enclosures.

In the General Returns of Crown Servants and their assigned Services, I observe that some Artificers are allowed as Govt. Men to Individuals particularly Sawyers to Lt. Leroux and Surgeon Mountgarrett; I presume the Insp'r of Works cannot find employ't for these Sawyers, or they would not be so disposed of. On this side, not one Mechanic is allowed to private Service, and of course they should only be so when they are superfluous for the Public Works.

Several Hammer Men are also allotted, as also a Shingle-Splitter. I remark these because no claim for supplies of that Class can exist when any are allowed to Individuals.

I will transmit the list of Road Makers to The Governor by the next vessel, and I forward Tickets of Leave for E. French and W. Duncan, and Tickets of Occup'n for Mr. Quinn per regular Messenger.

Having conferred with The Dy. Judge Adv'te respecting the Committal of the Men reported by you, after examination before the Bench, and also upon the Quarterly return of Crimes and punishment, I have requested him to write to you on certain points arising therefrom.

I fear the duty here will not allow Of my placing a party from hence at Jerico, but I should be happy to do so when practicable as I am aware it would be more convenient.

Having, from the peculiar Circ's in which this Settlement was placed on Mr. Tims' suspension as Prov. Marshall, found it expedient to name Lt. Vandermeulen to act in that office until further orders, and as I mean to address the Governor in Chief

* Note 186.
on the arrangement hereafter to be adopted by The Govt. Brig Prince Leopold, which will probably sail for Sydney next week, I have to request you will suspend the Exchange hither of Lt. Cuthbertson, until His Excellency's reply shall be rec'd, which will probably be by 20 or 25 next Month.

I have, &c.,

WM. SORELL.

P.S.—Probably Lt. Vandermeulen will come round by the Prince Leopold after her return, which would afford conveyance for Lt. Cuthbertson and Baggage.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.

15th, 19th, 20th and 26th January, 1819.

[Copies of these four letters are not available.]

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir,

29th January, 1819.

I have had the honor to receive your Letters of the 15, 19 and 20 Inst. by Mr. Comm'y Walker.

That of the 15th informs me that Mr. Leith had reported to you his having sent in his resignation; it is not stated whether he has addressed himself direct to The Governor in Chief, or in what mode this communication has been made; considering therefore that it was Mr. Leith's duty to have addressed to me any remonstrance, as the channel through which, not only by the System of the Colony, but by the express orders of His Excellency, all applications are to be made to him, I cannot possibly, as the matter now stands, concur in Mr. Leith's having leave of absence. Even were I certain that Mr. Leith's resignation were approved by the Governor, I conceive that he should have remained in charge of the Department until a Successor, or at least an acting one, were nominated, the department of Works, and responsibility as to Stores, being lately so much increased at George Town. Mr. Leith has addressed a Letter to me, in which, however, he only says that, "in applying for leave of absence, he has no doubt it will lead to his removal." Upon the whole, I must request that you will be pleased to direct that Mr. Leith shall continue in charge of the department until a successor is named, or until I may be honored with some Communication from The Govr. in Chief thereupon.

If Mr. Leith has submitted to The Governor any application on the subject, an answer will no doubt be received by the first opportunity.
SORELL TO CIMITIERE.

Upon the subject of the interview between Capt'n Watkins and Ensign McAlister and Mr. Cox, the direct contradiction, which now subsists, is beyond my power of elucidation.

The contemptuous manner, in which those Officers have thought fit to speak of Mr. Cox, renders it probable that their manner in expressing the demand was sufficiently peremptory and unconciliating; but, as the parties contradict each other as to the expressions used, I can go no further into the matter.

I disapprove, and I consider unwarrantable, as I have stated to Capt'n Watkins, an application to a Magistrate to testify for their information words said to have been spoken in Court before him, and I trust no recurrence of such a demand will take place.

The purchase of Mr. Reibey’s Store at the moment of the move of the Establishment to George Town, which will necessarily relieve to a great extent the Store at Launceston, does not seem to be an arrangement which could be determined upon, except in the view of actual necessity; I should hope that the present Store may be repaired so as to answer for the reception of Grain to the quantity to be lodged there.

Government Stores would of course be chiefly or entirely stored at George Town.

If the arrangement were practicable upon an exchange of Buildings only, or by Cattle to a certain extent, it might be considered; but the reception into Store of a large quantity of Meat, in completion of the purchase, would be felt a serious inconvenience in so small a Settlement, especially in a Season, when, I lament to say, there is little prospect of a Market for the surplus Wheat, a circumstance that will be most severely felt, should no favorable opening arise. I shall, however, state to the Govr. in Chief the report upon the Store at Launceston and the offer of Mr. Reibey and my views on the subject. I shall be much obliged to you to me in what state as to early occupation are the Buildings at George Town, and whether any period can now be fixed for your removal; Also what number of the Detach’t, officers and Men can be removed at the same time to George Town. Should you have fixed any arrangement for this object, I beg you to state them in every branch of the Service.

I have, &c.,

WM. SORELL.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.

29th January, 1819.

[A copy of this letter is not available.]
Governor Macquarie to Major Cimitiere.

Sir,

Govt. House, Sydney, 30th Jany., 1819.

I do myself the pleasure to inform you that the Govt. Brig Elizabeth Henrietta sails from hence to-morrow morning with 92 Male Convicts, and a liberal Supply of Stores and Slop Clothing for the Settlement of Port Dalrymple under your immediate command. You will receive, from the Commissary's and Engineer's Offices, Invoices of the Stores and Slop Clothing now shipped on board the Government Brig; and I must enjoin the strictest and most impartial distribution of the Slop Clothing to the Crown Servants who are really entitled to them, as no further Supply can be sent you of this description for Six or Eight Months to come. I must also enjoin you to be as careful and saving as possible of the Stores and Tools now sent for the Works at George Town, as no further supply can be sent you of these articles for twelve months to come.

Amongst the 92 Convicts now sent you are three excellent Carpenters, and one Shingler, which will prove a useful addition to your Artificers.

As soon as ever the Govt. Brig Elizabeth Henrietta has landed her Passengers and Stores at George Town, I have to desire you will order her to return without a moment's delay to Head Quarters.

I have, &c.,

L. Macquarie.

Major Cimitiere to Lieut.-Governor Sorell.

4th and 5th February, 1819.

[Copies of two despatches, bearing these dates, are not available.]

Lieut.-Governor Sorell to Major Cimitiere.

Sir,

6th February, 1819.

I have been honored with your Letter of the 29th Uto., respecting the removal of Lt. Cuthbertson, the tenor of which has not a little surprised me.

I could not recollect, nor upon a revival of your Letters can I find, that you had even made a report to me unfavorable to Lt. Cuthbertson, or had signified that such a report had been made to The Govr. in Chief and Comm'r of the Forces; nor has His Excellency, in notifying that he had sanctioned an Exchange of Station between Lieuts. Cuthbertson and Vandermeulen, given me at all to understand that he had ordered the removal of the former. I must therefore beg leave entirely to dissent from the tenor of your Letter, as expressive of feeling want of attention
SORELL TO CIMITIERE.

Sir, 6th February, 1819.

I have been honored with your Letter of the 29th Jan., Letter with the Letter which Lieut't Vandermeulen had addressed to you, and which I have handed to that officer for explanation.

As I had nothing to do with Lt. Vandermeulen's duties as Actg. Prov. Marshall under the Supreme Court, gave no authority for any communication or orders connected with that office, and had no knowledge of the Letter which you sent me, till I received it in yours, I must express my extreme surprise at the tenor of your remonstrance, and my distinct opinion that it is totally unwarranted by the case. That the conduct of a public officer, who, in the discharge of his duties, addresses to a Superior Officer a Letter not exactly according to the rules and practice as to their relative Situations, is unquestionable, and I believe no such complaint was ever stated to me without proper notice; but that you are unwarranted, on first transmitting such complaint, to address to me a threat that "the service will suffer, should such occurrences happen," is what I wholly deny; and, if your opinion is different upon that head, if you consider my remarks upon your Letter of the 29 Ulto. other than are justified, I am quite ready to submit it to superior authority.

I feel confident that, in the exercise of that command over the Correspondence, which is under your immediate Charge, that my Commission from the Sovereign and the Instructions of His Excellency confides to me, I have conducted the Correspondence in a way to leave you no ground of complaint, and I should consider myself as deficient to my situation, and to myself, were I to admit Complaints or remonstrances to be accompanied with threats, in their style and meaning, inconsistent with established usage and subordination.

I have, &c.,

WM. SORELL.
LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir,
8th Feb., 1819.

Since I last wrote to you, I find that I omitted to acknowledge the receipt of your Letter of the 26 Ulto., conveying to me the particulars of His Exc'y the Gov'r. in Chief's decision, communicated through Lt. Colonel Erskine, upon the conduct of Ensign McAlister; I now do myself the honor to acknowledge the receipt of the Letter in question. I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir, 9th Febr., 1819.

Having deemed it expedient to exonerate Mr. Dry, from the charge of receiving the Duties, etc., at Port Dalrymple, and to authorise Mr. Commy. Walker to transmit that business, in account with the Treasurer for the General Fund of Van D. Land, I beg to notify to you the same. Mr. Walker will accordingly receive the Money (if any) in Mr. Dry's hands, and will continue to receive all duties, Fines, Licence Fees, etc., accruing at Port Dalrymple, of which he will render a quarterly Account, and make a quarterly remittance to the Treasurer.

The payment of the Salaries, and of any small incidental Expenses as may be approved by you, is I believe already settled; but, in order to avoid any misconception on that head, I would only say that, with the quarterly Salary Acc't, the Acc't of those incidental Expences will be sent to me for final ratification, prior to the Treasurer here crediting Mr. Walker with the whole Amount for the Quarter. I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir, 9th Feb., 1819.

The Harbour Pilot, Thomas, having lately applied through you for remuneration for his Services in Superintending the road to George Town, I beg you will be pleased to acquaint me what species of remuneration he is desirous of obtaining, in order to my taking measures accordingly.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir, 9th Febr., 1819.

I have to request that you will be pleased to transmit hither by the first Messenger or safe Conveyance after the arrival
of any Vessel from whatever place (except this Port) at Port Dalrymple, a Copy of the Port Clearance, List of Crew and passengers; the latter can be placed conveniently in the printed form, in use here, and I have accordingly desired the Naval officer to forward to you a number of them.

In respect to Vessels from Sydney, I must beg you to quote particularly opposite the Names, as well of Ship's Crew as passengers, whether they are in the certified List from the Secretary's office signed by Mr. Campbell; if they are not, it will be necessary to call upon the Master to account for having people of any kind, free or prisoner, secretly and unauthorisedly on board; for, if the matter be not strictly watched, persons may get down secretly and into the Country here, who ought not to be allowed to do so. I consider it a general rule, subject to relaxation perhaps in some Instances, that people, who clandestinely leave for Sydney for either port in V. D. Land, shall be sent back; on that account, I am desirous to be favored with the particular report of the Ship or Vessel as soon after her arrival as possible.

In the report also, you will be pleased to cause a general Statement, without entering into quantities of each article, of the Cargo to be stated, and whether duty has been paid at Sydney or not.

I am, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir, Govt. Ho., 15th Feby., 1819.

I have been honored with your Letter of the 5th with its several enclosures.

The Land applied for by Keaton, in his former Memorial to me, is the same as now issued through you, and the same answer applies; small Grants or locations are not given in detached Situations, but are always fixed several together or adjoining some Farms before granted. I shall be ready to allot the location asked by Keaton in any part of the two Settlements upon his application at the regular annual period.

The Treasurer of the Fund will be instructed to honor your Draft, or Mr. Walker's, for Mr. Youl's account, now returned approved by me.

I request you will direct the Slops for this place, which were landed by mistake, to be kept ready, so that no other opportunity of sending them round may be lost.

The Eliz' th Henrietta is notified to me by the Governor in Chief, as coming to Port Dalrymple with Prisoners. You will be pleased to send me a Return of them, and a Copy of the Indents when they arrive.
I also beg you will state to me by the first opportunity after the Eliz'th Henrietta arrives, whether she brings any spirits for the Station, as I shall otherwise be prepared to send round a quantity.

Having been informed that the Hut at Jerico is burnt down, I have thought it necessary to direct the Corporal stationed there to move the party at once to Wright's York Plains for cover, reporting immediately to you. They must remain there for the present, and until I can determine upon Winter arrangements. I mean shortly to go into the Interior in order to look at the permanent Line of road between the Settlements, and shall then be better able to judge where the Parties will be fixed.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir,

I have the honor to acknowledge your Letter of the 4 Feb.

My objection to Mr. Leith's quitting his station until relieved had nothing whatever to do with his conduct or merits, or with your opinion or report thereupon.

I objected to it, because I can never allow so irregular and vague an intimation of intended resignation, as Mr. Leith conveyed, to carry any weight; because I consider it very disadvantageous for the public Service for Departments to be transferred to inferior persons, feeling assured that, if a successor is speedily to come, more inconvenience, trouble and delay would arise from the transfer and almost immediate re-transfer of the charge, than any difference of activity or management in a very short space of time could compensate.

I do not indeed consider a Superintend'nt sufficient in any case to have charge of the present Establishment at George Town, lately so much increased; nothing but indispensable necessity would induce me to put a Department into the hands of an inferior person, conceiving that, if a vacancy does unavoidably arise before an officer is appointed or arrived, an Acting one should be named; and, as I feel myself responsible for the general arrangements of this description in V. D. Land, I cannot ever sanction in the Commandant of Pt. Dalrymple a measure such as you adopted in Mr. Leith's case.

With respect to that part of your Letter wherein you say, "my removal is now left to the pleasure and option of Mr. Leith," I presume you mean your removal upon your quarters being ready. It certainly rests with you to order and compel
Mr. Leith to carry on the Works, prescribed by yourself; and I can only add that, if you report Mr. Leith to have disobeyed in any instance, I will at once suspend him and appoint an officer to take charge.

You express your opinion that the Govr. in Chief would approve your having authorised Mr. Leith to give up his Office to a Superint’l. I cannot know what His Excellency’s Sentiments would be, but I will state to him what I did, which will of course be the means of ascertaining them.

I have, &c.,

WM. SORELL.

MAJOR CIMITIERE TO GOVERNOR MACQUARIE.

15th February, 1819.

[The following memoranda only by Governor Macquarie of two despatches, bearing this date, are available:—]

1st. Enclosing Memorials for Lands from Messrs. Massey and Lenahan. N.B.—These mem’ls are to be returned.

2nd. Relative to Mr. Leith, Supdt. of Works. His receiving 50 Male Convicts from the Derwent. Good behaviour of the People at P. Dal. generally.

MAJOR CIMITIERE TO GOVERNOR MACQUARIE.

4th March, 1819.

[The following summary only by Governor Macquarie of this despatch is available:—]

Complaining of the conduct of Mr. David Smith, Com’t of the Eliz. Henrietta. Relative to Fruit sent by Mr. Smith.

GOVERNOR MACQUARIE TO MAJOR CIMITIERE.

Sir,

8 March, 1819.

Having directed the Government Brig Prince Leopold to touch at Port Dalrymple for the purpose of landing some of her Passengers at George-Town, I am to desire that you will not on any account whatever detain her there above Twenty-four Hours; at the expiration of which time, you will be pleased to dispatch her for Hobart-Town, her proper destination, there being Sixty Male Convicts, with a guard of 7 Soldiers, and some Free Passengers embarked on board of her for that Settlement.

2. I have to acquaint you that Asst. Surgeon Owen, Successor to Asst. Surgeon Smith, and Mr. Jno. Moulds, lately appointed Supdt. of Carpenters at George-Town, proceed as Passengers for Port Dalrymple on board the Prince Leopold.

I am, &c.,

L. MACQUARIE.
Arrival of brig Prince Leopold.

5th April, 1819.

[The following summary only by Governor Macquarie of this despatch is available:—]

Reporting the arrival of the Prince Leopold at P. Dal., and, after landing her Stores at George Town, dispatching that Vessel for the Derwent.

GOVERNOR MACQUARIE TO MAJOR CIMIETIE.

Sir,

1. I have the honor to acknowledge the receipt of your two Public Letters under dates 15th Feby., of one dated 4th March, and one dated the 5th of last month, per the Govt. Brig. Elizabeth Henrietta, and Colonial Schooner Sindbad.

2. I was much concerned to find from your Report that the Conduct of Mr. David Smith, the Master of the Elizabeth Henrietta, had been so improper at Port Dalrymple, and that he had manifested such unwarrantable inattention to your repeated orders for his sailing from Port Dalrymple and returning to this Port, under frivolous pretences, and idling his time at George-Town. I have taken Mr. Smith to task, and reprimanded him severely for his misconduct and neglect of Duty on the occasion adverted to, and he has promised me to be more circumspect in future.

3. I was glad to find that the Stores I sent you per the Prince Leopold had reached you in safety, and that you were able to dispatch that Vessel again so soon to the Derwent after her arrival at George-Town. I think now you will be able to get on rapidly with the Public Buildings at that Station, in consequence of the great assistance lately afforded you in Stores and Artificers from hence, and in Labourers from the Derwent, from whence it would appear Fifty Male Convicts had lately been sent you by Lieut. Govr. Sorell.

4. I trust and hope you have ere now taken up your own permanent residence at George Town, and removed the greater part of the Troops and Stores thither from Launceston. I must again remind you of immediately commencing to build a House and Offices for the Chaplain at George Town, as I am now most anxious to send down the Revd. Mr. Youle thither, who can in the mean time occupy the Commandant's Old House at Launceston; which I therefore wish you to give a temporary repair to, as I shall certainly send down Mr. Youle to Port Dalrymple in about three months from this date.
SORELL TO CIMITIERE.

5. I am sorry I cannot comply with your request in favor of Messrs. Massey and Lenahan, as it ought to have been made through the regular channel of Lieut. Govr. Sorell. I therefore return you their Memorials herewith.

6. Your report of the good behaviour of the inhabitants generally, and of the tranquil state of the Settlement of Port Dalrymple is very satisfactory. I have, &c.,

L. MACQUARIE.

MAJOR CIMITIERE TO GOVERNOR MACQUARIE.
25th May, 1819.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.
29th May, 1819.

[Copies of these two letters are not available.]

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*
7th June, 1819. 7 June.

I had the honor to receive your Letter of the 29 May, reporting your removal to George Town. I have accordingly notified this event in the last Gazette, and I am very happy that His Excellency The Govr. in Chief’s Instructions and Intentions with respect to the change of the Establishment have so far been put into execution, and I entertain sanguine hopes that your presence and the activity and Intelligence of Lt. Vandermeulen will accelerate the progress of the Works required for the complete removal of the Government Establishment to Geo. Town.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*
7th June, 1819.

Sir,

I have the honor to acknowledge the receipt of your Letter of the 29 Ulto., transmitting Copies of a Letter written by you to Mr. Commy. Walker and of one from that officer addressed to the Governor in Chief.

I do not consider it necessary to submit those Letters to His Excellency, inasmuch as, in a case of local regulation and arrangement, it appears to me quite unnecessary to trouble His Excellency, or to imply an appeal to his superior authority, until the case had been before the Lt. Governor; more particularly as His Excellency has uniformly during the period of my Command referred to me all matter of that description, and has directed me to decide upon them.

* Copied from original letter-book in Mitchell library, Sydney.
With respect to the case of Mr. Lette's spirits, I shall state my Sentiments very clearly. I disapprove of Mr. Comy. Walker having consented to receive Wheat in payment of duties from any Indiv'ual, without express sanction and permission, which in some peculiar cases it might be expedient to give, it being contrary to the General System and being objectionable on the general principle as affording favor to one Individual to the loss of others. I have before refused all Lette's applications on the subject on this last ground, because all would have an equal claim to pay duties in produce, and that would be impossible.

But, though Mr. Comy. Walker has fallen into an error in this instance, it is manifest from his Letter that it did not proceed from neglect or intentional disobedience; and his Explanations, intended to be laid before His Excellency in consequence of your Letter, seem to me to be entirely satisfactory.

Having thus expressed my opinion, I return the Letters; and, if you shall think it expedient to bring this matter before His Excy. the Govr. in Chief, it will rest with you to do so in the shape of an appeal from the opinion and decision expressed by me; and I shall be very willing to forward to His Excellency any Letter from yourself or Mr. Comm'y Walker in that form.

I have to request that you will communicate to Mr. Comy. Walker a Copy Extract of this Letter, so far as it relates to his conduct and my decision.

I have, &c.,
WM. SORELL.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.

10th, 11th and 25th June, 1819.
[Copies of six letters, bearing these dates, are not available.]

MAJOR CIMITIERE TO GOVERNOR MACQUARIE.

17th June, 1819.
[A copy of this letter is not available.]

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir,

24 June, 1819.

I have the honor to acknowledge the receipt of your Letters, vizt. four of date the 10th, and one of the 11th Instt., with their several Inclosures.

With respect to the appointment of Chief Constable, it is certainly proper that the Chief Constable of the Settlement should be upon the spot where the Commandant is; but, as no Salary can be annexed to the office of Constable at Launceston beyond that of a District Constable, I should conceive that it will be

* Copied from original letter-book in Mitchell library, Sydney.
better to rate Wm. Carnell "Chief District Constable" for Launceston, etc., and I will authorise £10 p. Annum being paid to the person holding that office, as received by Two Chief District Constables here.

I return the List of persons for supplying fresh Meat to His Majesty's Stores from 25 Inst., approved by me, with a Memorandum of remarks, which I beg you will be pleased to pass to Mr. D.A. Comy. Genl. Walker.

In all future half years, I think it will be best to have the Port Dalrymple Tender List printed in the Gazette and in Bills for publication.

Respecting the Clearance of the Brig Governor Macquarie, it appears that Mr. Reibey of this place omitted through a misunderstanding to procure the clearance from The Dy. Judge Advocate's office here.

His Excellency The Govr. in Chief has notified to me the House for The Revd. Mr. Youl.

I Regret that I cannot send over any Bricklayers, there being most important Works especially the Hospital on the point of being commenced here, and our number not exceeding what are absolutely required, not one Bricklayer having been received by the last Ships. But, if it will expedite the erection of the Buildings at George Town and prevent a division of the Workmen, I shall take upon me to pay for the necessary repairs of the House at Launceston, provided the Expense be not very considerable. I request you will forward an Estimate of the same, and I will then reply immediately. In the mean time, to the extent of £30 I shall now guarantee the payment from the Fund on your Certificate of the Accounts and of the Work being done.

I have now the painful duty of adverting to your Letter respecting your Correspondence with Mr. Dy. Asst. Comy. Genl. Walker, which, however, I shall do in a separate Letter. Instructions respecting Mr. Danell's location and Indulgences are forwarded in the same way.

Wm. Sorell.

Lieut.-Governor Sorell to Major Cimitiere.*

Sir,

I have the honor to acknowledge the receipt of your Letter of the 10th June with extracts of Letters, addressed to you by Mr. Dy. Asst. Comy. Genl. Walker.

With respect to the first, dated 28 May, I lament that correspondence should arise upon matters, so unimportant and so

unconnected with any branch of the Service; but I am clearly of opinion that the style of the Paragraph of Mr. Walker's Letter of that date, which you have transmitted, is inconsistent with that suited to the official Correspondence between the Commandant of the Settlement and an officer serving therein.

With respect to the 2nd Extract, given as from Commy. Walker's Letter of the 28 May, in reply to yours of the 26, I really am at a loss to comprehend it. It appears to me to be copied incorrectly, and I have therefore enclosed it for your perusal; but, if it is to be understood as conveying an objection on the part of Mr. Walker to an order to confine his official Correspondence to matters of duty, connected with the department under his charge, I can only say that you have an undoubted right, if you think fit to require any officer serving at the Station, where you Command, to limit himself in his correspondence with you to official matters connected with his department. On none other, as a matter of right, can he be entitled to correspond, and none other can be necessary in conducting the public Service.

I do not see that I can at present add anything to these opinions, but, upon hearing from you, I shall be prepared to do whatever the case may further seem to require.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir, 24 June, 1819.

Land and indulgences for J. Danells.

Having been honored with Instructions from His Excellency the Governor in Chief respecting John Danells, permitted to become a Settler at Port Dalrymple with certain Indulgences, I now annex a statement of the same, vizt.

A Location of Sixty Acres; himself and family to be victualled from His Majesty's Store for Six Months; with one Government Man for the same period, also on the Store.

Upon Mr. Danell's notifying the place, which he desires for his location, and which from its small size should adjoin other Farms measured or ordered, I shall instruct the Depy. Surveyor accordingly.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir, 24th June, 1819.

Regulations re shipping at Port Dalrymple.

Having consulted The Depy. Judge Advocate, It has been determined to enlarge the period, which Vessels may stay and clear out from Port Dal. without Certificate from his office, to

* Copied from original letter-book in Mitchell library, Sydney.
SORELL TO CIMITIERE.

Twenty Eight days. This has been determined on account of the trouble and Expense attendant on advertizing and procuring Certificates here; and, therefore, it is only required, when Vessels make a stay beyond the ordinary time required for landing a Cargo and taking on board produce from the Settlement.

I now transmit a General Abstract of the Regulations respecting the Clearance of Vessels and passengers from Port Dal., which I trust will appear sufficiently clear and explanatory; should any point remain doubtful, I beg the favor of you to inform me.

I have, &c.,

W.M. SORELL.

[Enclosure.]

The following Modifications of The Port Regulations with respect to Clearances of Vessels and of persons are to be in force at Port Dalrymple:

Any Vessel, entering Port Dalrymple and not staying beyond 28 days, may be cleared by the Commandant for the Crews and all persons, who arrive on board, without reference to The Depy. Judge Advocate’s office at Hobart Town, the Master paying due attention to the 16th article of the Port Regu., respecting crying down credit to the Crew and posting up Bills to give Notice of his departure, at least four days before he applies for his Clearance.

All Vessels, which remain in the Port above 28 Days, must be advertised according to Regulations in The Hobart Town Gazette, and must obtain their Certificate from The Depy. Judge Advocate’s office to be exhibited to the Commandant, before he clears them out.

Vessels, entering the Port with a Clearance last from the Derwent, are exempt except they trade from paying Port Dues; but Vessels from elsewhere, putting in for Trade or refreshments, always pay the duties.

No person, resident or sojourning at the Derwent, can be cleared in a Vessel from Port D., except he or she exhibit a Certificate from the Secy.’s office to the Commandant, dated within Ten days of the time of applying for such clearance.

Persons resident or sojourning at Port Dal. may be cleared out by the Command’t upon producing a Certif’te from The Depy. Judge Advocate’s office, dated within 10 Days of the time of applying for such Clearance.

The distinction between the two Settlements being that all persons, belonging to The Derwent who wish to depart from Port D., must pass their Certificates through the Secy.’s office, and that those, residing at Port D., may send for their Certificates, and, on exhibiting the D.J. Adv. Certificate direct to the Commandant, may at once be cleared by him.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.

25th June, 1819. 24 June.

2nd July, 1819. 2 July.

[Copies of these two letters are not available.]
1819.
3 July.

Lieutenant-Governor Sorell to Major Cimitiere.*

Sir,

3 July, 1819.

The Messenger has this day brought your Letters of 23rd and 25th Ultimo. with their Inclosures.

I transmit Tickets of Leave for Jessup and Stubbs, and Mr. Field's Memorandum with an answer thereupon. I have it not in my power to place persons so situated upon the Store.

The Prince Leopold arrived on the Evening of the 1st. I understand that two of her Crew were left behind, who of course will be sent over.

I am sorry to say that some deficiency of the Slops, shipped at George Town for this place, has appeared. I enclose the report of a Survey, held upon the business this day, and request you will be pleased to have it enquired into. It appears that the Bales and packages were shipped in a very loose way; and certainly Mr. Chase the Master should not have given a receipt for the Contents, unless they had been counted to him. The Stockings in particular were I find only tied in rags.

The brig Daphne arrived on the 1st from Sydney.

I have, &c.,

Wm. Sorell.

10 July.

Lieutenant-Governor Sorell to Major Cimitiere.*

Sir,

10th July, 1819.

I have been honored with your Letter of the 2nd transmitting a Letter from Mr. Comm'y Walker with other papers; and I now inclose my reply thereto, requesting you to seal and forward it after perusal.

I have, &c.,

Wm. Sorell.

[Enclosure.]

Lieutenant-Governor Sorell to Dep. Assist. Comm'y Walker.*

Sir,

10th July, 1819.

I have to acknowledge the receipt (through the Commandant) of your Letter of July 1st, detailing particulars respecting a Note of hand bearing your name, which a Mr. Reid held, and transmitting Depositions respecting that person's conduct thereupon. I had previously received a Letter from Mr. Reid with a Copy of the Note in question, complaining of non-payment, to which my Secretary was instructed to reply.

With regard to the manner, in which Mr. Reid has aspersed your character in relation to this Note as represented in your Letter and the accompanying papers, I regret that it is wholly out of my power to afford you any redress or to do any thing to

* Copied from original letter-book in Mitchell library, Sydney.
facilitate it, Mr. Reid being in that respect quite out of my Jurisdiction and being subject only to such legal proceedings as the case may admit.

I have, &c.,

WM. SORELL.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.
21st and 23rd July, 1819.

[Copies of these two letters are not available.]

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*
Sir, 30 July, 1819.

Being desirous of receiving the same Quarterly Returns from the Settlement under your Command, as are sent in to me here, I transmit a List of the Departments and the Heads of returns furnished by each. The Supt. of Herds now sends in a monthly return, which is unnecessary. The Commiss'y does not send in the Quarterly Return as is done here.

With respect to the Return of Births, Marriages and Deaths, which (with the Christenings) is here supplied by the Chaplain, the return from Port Dalrymple, Christenings of course excepted, in the absence of a resident Chaplain can be furnished under a Certificate of a Magistrate to you.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*
Sir, 31 July, 1819.

I have this day had the honor to receive your Letters by the Messenger of date 21 and 23 July with their inclosures. I now transmit the fresh Ticket of occupation for Mr. Lette, and the Ticket of Leave for Gore.

From the report of the Board of Survey upon the 'Slops deficient by The P. Leopold, it appears that they were negligently taken in charge, both in the way in which they were tied up, and for the want of being counted by Mr. Chace, who ought to have had the quantity received compared with the Invoice.

Mr. Mountgarrett having stated himself to be destitute of Supply of medicines, I have instructed Mr. Luttrell to supply him with a portion from a Chest, which has been recently purchased here, and which is intended to include a supply also for Mr. Owen at George Town.

The three runaway prisoners must be sent over here under a proper escort; and I could wish it to be done as soon as possible, as they must be sent to the Coal River. Wright Morris, being

* Copied from original letter-book in Mitchell library, Sydney.
of the Settlement at Port Dalrymple, may be retained if you think proper to go from thence. If the Country is considered too wet for the escort to pass, it will be best to make them work in Irons till they can be sent over.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.
5 August, 1819.
Sir,
Observing amongst the Accounts, transmitted by Mr. Cy. Walker to the Treasurer of the Police Fund, one for a charge for shearing Govt. Sheep, I fear I must have omitted to address you on that subject, which it was my intention to do last half year, to direct the charge to be discontinued. I consider that the influx of Convict Labourers should now prevent such heavy half yearly charges; and I, therefore, request that, from the Crown Servants who can shear sheep, you will afford the Superint’t of Stock the assistance necessary for that purpose, for which no charge can be allowed on the Fund; should you find it impossible to enable the Sup’t of Stock to effect the shearing without employing Men to do it, you will be pleased to order an arrangement for their being compensated in Sheep at the current price of the Settlement to be specified in the returns.

I have, &c.,
WM. SORELL.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.
2nd and 6th August, 1819.
[Copies of these two letters are not available.]

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.
7th August, 1819.
Sir,
As it occasionally happens that a Crown Servant, especially Tickets of Leave, is allowed to remove to Port Dal., a measure in which I am induced to acquiesce from the idea that accession of Laborers is desirable for that Settlement; and, as I believe there is now neither Superint’l nor Chief Constable at Launceston, it will be necessary that some one proper person be appointed there to keep a register of the Crown Servants, who may be allowed to remove to Port Dalrymple, and to transmit the List to you so that the General List may be kept complete.

The Chief Dist’t Constable or Magistrates’ Clerk would perhaps best suit. But I beg you will name the person, in order that all Crown Servants may be ordered to exhibit to him their papers.

SORELL TO CIMITIERE.

I beg the favor of you to inform me whether the Muster of Crown prisoners in the different Districts at Port Dal. upon Sundays are conducted according to the System, established at Port Jackson and at this place. The District Constables make reports of their Musters, and all absentees are ascertained.

I now transmit a paper containing the Regulations in question, which I consider one of the most useful and important, and which the Magistrates at Launceston should see enforced.

I have, &c.,

WM. SORELL.

P.S.—I think on the whole the best way would be that all Crown prisoners from here should exhibit their pass and permission to the Magistrates at Launceston, who should make the Chief district Constable keep the list and return it to you.

[Enclosure.]

[A copy of this paper is not available.]

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir, 7th August, 1819.

I have had the honor to receive your Letter of the 2nd Inst., enclosing for my perusal a series of documents, under cover, open, to Lt. Col’l Erskine, which I shall forward by the Govt. Brig Prince Leopold, now preparing for Sydney.

As the matters in question will in no degree become objects of official remark or proceeding from me, I shall abstain from observation thereupon, trusting that the Command’g officer of the 48 Regt., under the authority of the Governor and Commander of the Forces, will do all that may seem necessary in this instance.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir, 7th August, 1819.

It appearing that a Mr. Charles Reid, who came to Port Dalrymple in the Schooner Sindbad some time since in some naval or trading Capacity, connected with the owner of that Vessel, but without any authority or permission from His Excell’y The Govr. in Ch’f to become a Settler or resident in Van D. Land, has remained at Port Dal.; and, no person in that situation having any title to fix his residence therein without His Excellency’s order or Sanction, I am to desire that you will

* Copied from original letter-book in Mitchell library, Sydney.
enforce Mr. C. Reid’s departure on board of the Vessel, in which he came, should she still be in the Port, or otherwise by the first Vessel clearing for Port Jackson.

P.S.—Should Mr. C. Reid have obtained any Indulgencies in Crown Servants, it is my desire that they may forthwith be called in.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.

Sir, 16th August, 1819.

I have been honored with your Letters of the 6th Inst. with their Enclosures.

Until some arrangement can be made respecting a Chief Constable for the County of Cornwall, I recommend to you to name a trusty Man at George Town “to act as Chief District Constable” with £10 p. Ann’m, the same as at Launceston, and I will confirm the allowance. I fear that, as George Town is yet situated, it will not be easy to get a person of sufficient Character and responsibility to fix there.

I am very sorry to hear of the escape of these five Villains, who I fear will give great trouble, as Wright Morris has been so often across the Country.

I doubt not that you have put all people possible in motion to retake them, and I hope you will bring to exemplary punishment the persons, who were in charge of the prison at the time, as such an event could not have happened without connivance or neglect on their part.

I should recommend that Criminals, who have once made an escape, as Morris and Hammersley had done from hence, should, when taken, be ironed at Night by a chain through their fetters to a ring or Staple in the Wall or floor of length sufficient to allow them to lie down without restraint.

The Corp’l Comm’g at York Plains has applied for ammunition, of which I have allowed a small supply to be sent him with orders to apply to you.

I have, &c,

WM. SORELL.

GOVERNOR MACQUARIE TO MAJOR CIMITIERE.

Sir, Government House, Sydney, 18th Augt., 1819.

I have the honor to acknowledge the receipt of your Letters dated 25th May and 17th June last. By the former, I am happy to find you have removed from Launceston to George-Town with

* Copied from original letter-book in Mitchell library, Sydney.
SORELL TO CIMIÈRE. 525

18 Aug.

the Head Quarters of the Settlement of Port Dalrymple, and I trust the Public Buildings at the New Town will now go on very rapidly.

I have to express my entire approbation of the several arrangements you deemed it necessary to make on your removal to George Town, and I am glad to find the old Government House at Launceston has been put in suitable repair for the temporary residence of the Revd. Mr. Youl the Chaplain. He will leave this for Port Dalrymple in the beginning of next month.

I am concerned to inform you that, as yet, I am unable to send you any Stores or Slop Clothing from hence for your Settlement, none of the long expected supplies having yet arrived from England; but I trust they will now very soon, and, when they do, you may depend on my sending you a proportion of them.

I have, &c.,

L. MACQUARIE.

MAJOR CIMIÈRE TO LIEUT.-GOVERNOR SORELL.

18th, 19th, and 20th August, 1819.

[Copies of these three letters are not available.]

LIEUT.-GOVERNOR SORELL TO MAJOR CIMIÈRE.*

Sir, 21 Aug., 1819.

I have to request you will be pleased to direct Mr. Corny, victualling Walker to furnish me with a return of all persons, victualled from H.M. Store at Pt. Dalrymp., the Names and designation with a remark of the cause of the persons being on the Store to be inserted in all Cases, except with respect to the Military and the body of Crown Servants, overseers, etc., employed in the Govt. Works, who can be returned in aggregate, specifying only the Numbers at single or extra half ration. I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMIÈRE.*

Sir, 31 August, 1819.

The Messenger arrived yesterday, bringing your several Letters of 18, 19 and 20 August and their inclosures.

Mr. Reed having left the Settlement of Port Dal. by the Vessel in which he came, it only remains for me to request that, in the event of his again coming thither, cleared out from Sydney, he be not suffered to fix his residence in that Settlement, unless the Govr. in Chief's authority to that effect be specified either in the Port Clearance List of a Vessel or borne by Mr. Reed.

* Copied from original letter-book in Mitchell library, Sydney.
I transmit a Ticket of occupation for Mr. Daniel's Land, and a Certif'te of freedom for Catherine Lynch; and I have laid the proceedings of the Bench in the case of Mr. Lette and Mr. Carey before The Depy. Judge Advocate. Mr. Lette has lately addressed himself in a very insolent Manner to Mr. Dry on refusing to pay a note of hand for Duties, the payment of which he had been accommodated to hold over for a very long time; and, as Mr. Lette has received particular indulgence with respect to his duties beyond any other person in the Colony, I have to request you will not grant him further indulgences of any kind beyond his just rights, which of course I wish in no case to infringe.

I have, &c,

WM. SORELL.

P.S.—After examining the List of persons victualled from H.M. Store, I shall return it with probably some queries for Mr. Walker, with a view to discontinuing any who have not unquestionable claims to be victualled.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir,

By the delay of Mr. Stocker's departure, I am enabled to communicate the Depy. Judge Advocate's opinion upon the proceedings taken by the Bench of Magistrates at Port Dalrymple in the matter of Lette and Carey.

In trying Carey and fining him for the Assault, The Magistrates have exceeded unintentionally their powers, that offence being only Cognizable by a Court of Criminal Judicature. The Course of proceeding here in such cases is to commit the offending party for trial, if it be proper to do so, or to bind him over from time to time for his appearance before a Bench of Magistrates, till the recognizance is either discharged by desire of the Complainant, or expires by his non-appearance to renew his Complaint.

Weak and insufficient as this latter course is, the only alternative is sending all parties to Port Jackson; and, if any proof of the extreme necessity of a Criminal Court in Van Diemen's Land were required, this fact would afford it.

Mr. Abbott will forward some Memorandums for your information by the next opportunity; in the mean time, it is recommended that Bonds should not be taken above £50, because the penalty cannot be recovered in our Court; Carey's Bond can only be enforced by the Supreme Court.

It is the Depy. Judge Advocate's opinion that, in cases of violent assault between free people at Port Dalrymple, they should

* Copied from original letter-book in Mitchell library, Sydney.
be bound over to appear here at the Monthly Sessions, which takes place on the first Saturday in every Month, their Bonds in such case being remitted to him. I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir, 2nd Sept., 1819.

Having examined the List of Persons victualled from H.M. Store at Port Dal., it appears that several are now receiving that indulgence, whose Title or authority thereto is unknown to me.

With the List, which I now return, I have enclosed Mem’ms upon the different persons and classes, who ought to be struck off the Store; and I request you will have the goodness to send over the same List after the several remarks and explanations desired in my paper of remarks shall have been inserted.

In order to insure all Settlers being struck off the Store at the expiration of the period, for which the Govr. in Chief orders them to be victualled, I invariably transmit to you a Copy of the order, which you will of course communicate to the Commissary, as I do here, who then takes care and is responsible for discontinuing to victual the party at the time fixed, as also his family and Servants.

In calling upon Mr. Walker to fill up the List with the information desired in my paper, you will be pleased to send him my remarks or give the order yourself, as you deem best. The number of rations borne at Port Dalrymple so much exceeds the proportion of its population to this Settlement that I am anxious to have every person put off the Store, who is not strictly entitled to be victualled.

The population were at the last Muster

Derwent 2,800 and odd; Port Dalrymple 700 and odd;
the rations are now 7,000 and odd and 5,000 and odd, a disproportion which seems excessive, and which, upon the alteration now called for, may be reduced I am persuaded very considerably. From remarks made opposite the Names of Two persons, returned as Children, you will perceive they are married. This Mr. Archer mentions; and I beg to recommend your particular attention to the description of persons, who are victualled, when you take the next muster, which affords the best opportunity of enquiry. No children should be victualled as such after 16, as they are then eligible for Land.

I have only now to add my request that all persons specified in my paper of remarks, who do not exhibit or are not known to you to have special authority from His Exc’y for being victualled,

* Copied from original letter-book in Mitchell library, Sydney.
be forthwith struck off, with their Families and Servants, retaining the latter, if they desire it, off Store; that the Officers and Supts. alluded to in my paper be reduced to the number of Servants therein stated; and that, on returning to me the List with the insertions required, you will also send a return of all persons and classes, who are struck off the Store under this communication.

In any doubtful case or claim, you will be pleased to continue the person on Store 'till I can decide upon it after receiving the returns.

I consider the Number of Men, now employed in the Govt. Works at George Town, as the highest which can be so placed, except by special order of His Excellency, and bearing a very high proportion to those so employed here. I have, therefore, to request that you will consider 200, including all overseers, as the established average number for the Works; and, should their appear to be any surplus of Crown Servants left to Govt. in consequence of these arrangements, an eligible opportunity will be afforded for granting Tickets of Leave to such extent, as may appear convenient, and for which I shall be happy to attend to your recommendations.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir,

13th Sept., 1819.

His Excellency The Govr. in Chief having been pleased to approve of my proposal to defer the Musters in V. D. Land to the Month of October, it is my intention to commence the General Muster in this Settlement on Monday, 11 Oct'r. I have to request you will begin the Muster of your Settlement at the same time, and that Copies of the Musters may be sent to me after it is compleated.

It will be very desirable to grant the indulgence of Tickets of Leave to some Men at this Muster, which will set them at large before Harvest. I request, therefore, you will select 20 or 30 of the oldest and most deserving prisoners from Settlers' Service and the Works, and forward their recommendations.

I shall be enabled to supply Men in their place, as a Number may be expected in a few Weeks. I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir,

13 Sept., 1819.

Having some time since forwarded to His Excellency the Governor in Chief a Memorial (which I believe came to me
through you) from Mr. Surgeon Mountgarrett, praying to be allowed to purchase the Barrack, in which he resides at Launceston, I have now to acquaint you that His Excellency has empowered me to accede to Mr. Mountgarrett's application.

I, therefore, request that you will notify the same to him, and that you will be pleased to nominate a Committee of Survey to examine and value the premises; and you are hereby authorised to cause the Inspector of Works to deliver over possession of them to Mr. Mountgarrett at the Valuation, which shall be fixed, and on payment of the Amount.

The Inspector of Public Works, The Commissary and Capt. Barclay will, I conceive, form the most proper Committee, which can be conveniently assembled at Launceston.

I have, &c,

WM. SORELL.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.

15th and 17th September, 1819.

[Copies of these two letters are not available.]

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir,

17th Sepr., 1819.

Feeling at all times particularly anxious to obviate any risk of opinions, which, in cases of report from you, I might feel called upon to express upon occurrences in your Settlement, being directed to subjects submitted to His Excellency The Governor in Chief, I have been induced to address you in consequence of understanding that Mr. Commiss'y Walker's discussions had been subject to report to His Excellency; The conduct and correspondence of that officer having been matter of reference to me and my opinion thereupon having been delivered to you.

I have now to request you will be pleased to acquaint me whether Mr. Comm'y Walker's conduct or Letters were reported by you to His Excellency the Governor in Chief, and

I have, &c,

WM. SORELL.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.

24th, 25th and 26th September, 1819.

[Copies of these three letters are not available.]

* Copied from original letter-book in Mitchell library, Sydney.

SXX. III. Vol. II—2 L
1819.
28 Sept.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir,

I had the honor to receive Your Letters of 15 and 17 Sept. with their Inclosures.

I have ordered payment of Captn. Watkins' Bill for repair of his Quarters at Launceston.

I transmit Tickets of Leave for Kemp and McKay at your recommendation.

I enclose two applications for Licences of Occupation for grazing from Mr. Massey and Thos. Smith; at the Muster, it will be in your power to ascertain whether the same place is meant by both. If so, I think Mr. Massey as an old public Serv't is entitled to the preference. I shall wait your report on the Subject.

I regret to state that there is a total deficiency of Slops and Stores throughout the Territory. The Governor in Chief writes that he has none, nor does he soon expect any. We had not enough for the last half Yearly Issue, and, had not purchases been lately made from The Admiral Cockburn, the Works must have come to a stand.

I fear it is not in my power to assist you with a Miller; but, if one that I can dispose of can be found, I will send him over.

With respect to Mr. Hardwick's application (whose Letter I return), as The Govr. in Chief appears to have sanctioned Races† at Sydney, it is not unreasonably concluded that some latitude is given to other places. Nevertheless, there being so wide a difference in opulence and consequence between Port Jackson and these Dependencies, as to render in some Cases that, which might be deemed admissible in the one, objectionable in the other as pernicious to a small place, I deem it best to lay the application before His Excellency. Mr. Hardwick must, therefore, wait the reply, and I will write by the Adm'l Cockburn, which sails on Sunday.

I have, &c.,

WM. SORELL.

P.S.—John Allen having applied for his Certificate of Freedom and the Indent being found right I now transmit it to be given to him.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.

30th September, 1819.

[Copies of letters, bearing this date, are not available.]

* Copied from original letter-book in Mitchell library, Sydney. † Note 188.
I was yesterday honored with Your Letter of the 26 Ulto. respecting the conduct of Dy. A. Cy. Gl. Walker, with two Letters addressed by his Clerk to the Commandant's Clerk on the subject of Vouchers.

It is to be regretted that you did not cause those Letters to be immediately enclosed back, with an order to the Writer never again to presume to address your Clerk on public business, on pain of being immediately ordered to labor, and with an intimation to Mr. Comy. Walker that no Voucher or papers would be received or signed except transmitted by himself, as his duty required.

As Mr. Walker gives up charge of the Depart't on the 24th Inst't, I do not see that any advantage to the Service can arise from Communication to him, unless indeed he shall omit to obey my orders to furnish the return of Expenditure, since he has been stationed at Port Dalrymple. But I shall certainly submit my opinion upon the subject to Head Quarters, and to the head of his own department.

I have, &c.,

WM. SORELL.

6th October, 1819.

[A copy of this letter is not available.]

I am concerned to find that my application, on the subject of Mr. Comy. Walker's conduct and correspondence with reference to its having been under the Govr. in Chief's notice, should have conveyed an impression as if I conceived you to have made a report savouring of duplicity. My enquiry was couched, I trust, in mild and delicate Terms, to ascertain a fact upon which it was necessary for me to be assured; not that I supposed you had made a report to Two authorities, the Chief and the local, on the same subject, but conceiving what had passed might have been adverted to in your Correspondence, though not to seek any decision from His Excellency.

I regret that you should allow yourself to misconstrue my motives or feelings, because I have clearly stated, and I hope ever evinced, a desire to conduct the service in a manner free from any unpleasant impression.

* Copied from original letter-book in Mitchell library, Sydney.
The Correspondence in question was, I apprehend, forwarded by Mr. Walker to the Head of his department, and by him brought before The Govr. in Chief. I shall not fail to advert to the whole in my next dispatch. I shall be happy to allow payment at 3s. per day to the Artificers, and 2s. to the laborers, employed in extra Work at Launceston, provided they do not receive an extra half ration, in which case, as in strictness their whole time is due to Government, only half those payments can be given as an encouragement.

The price asked for the kitchen to the Comm't Barrack is considered much too high. I have, therefore, arranged with Mr. Archer to get it built, and have undertaken to procure His Excellency's sanction to allowing Mr. Archer to land one Cask (63 Galls.) of Spirits, duty free, as an indemnification. The payment in spirits as proposed would have made it cheap enough to Government, but I cannot take upon me to make any payment for Government in that way.

The Tickets of Leave recommended by you shall be forwarded by this opportunity, if they can be prepared.

P.S.—Since I wrote to you respecting the Govt. House possessed by Mr. Walker, I find he was allowed to purchase it, which I had quite forgot. It cannot, therefore of course, be resumed except with his consent, which, as the House was sold on credit and is not yet paid for, he may perhaps readily give.

Lieut.-Governor Sorell to Major Cimitiere.*

8th Octo., 1819.

Sir,

I enclose a List of Forty Crown Servants now proceeding to your Settlement, of which Thirty three are new by The Admiral Cockburn. No Artificers came. Those sent from hence are all Volunteers. Lee is a Bricklayer.

After allowing for the Tickets of Leave recommended, you will be pleased to arrange that the number in Govern't Employment does not exceed Two Hundred, as before fixed; the Settlers will no doubt be glad to take the remainder.

The Men by the Adm'l Cockburn came with good characters generally.

I have, &c.,

Wm. Sorell.

Major Cimitiere to Lieut.-Governor Sorell.

8th October, 1819.

[A copy of this letter is not available.]

Lieut.-Governor Sorell to Major Cimitiere.

Sir,

A prisoner named John Birch was apprehended and brought in here yesterday, who states himself to have run from George Town with Hammersly. No report of their absenting themselves has reached me.

The Examination of this Man, as taken on oath, contains statements, which I feel it my duty without loss of time to bring before you, for which purpose I transmit a Copy of his Examination.

As it is of the utmost importance that some of the points stated should be explained, I request you will inform me:—Whether any Convict is subjected to Corporal punishment without a form of trial, i.e. having the charge taken down, a hearing for defence given, and the sentence recorded.

Whether any Convict is brought out for Corporal Punishment a second Time for the same Crime or on the same Sentence.

What allowance of Bread is made to Men confined on Bread and Water, and with respect to Fire and clothing.

As the System and principles of Punishment, which are in use respecting the Crown prisoners, will become a leading object of attention in the Enquiry,† which is about to take place in these Colonies, it is of the highest importance to all in authority to have them well understood and established.

I have, &c,

WM. SORELL.

[Enclosure.]

[A copy of this paper is not available.]

Lieut.-Governor Sorell to Major Cimitiere.

Sir,

Captn. Watkins has forwarded to me a Testimonial of the good conduct of Thomas Reynolds, Crown Servant, who was his Govt. Man. It is my general practice, when an officer or respectable Inhabitant leaves the Colony and gives up his Govt. Servants with certificates of honesty and good behaviour, to prefer granting such Servant a Ticket of Leave to recalling him to public Labor, should his period in the Country appear to warrant it.

I request you will state the time of Thos. Reynolds being at Pt. Dalrymp., and whether his conduct has been free from charge or Magisterial notice.

I have, &c,

WM. SORELL.

* Copied from original letter-book in Mitchell library, Sydney. † Note 189.
1819.
16 Oct.

Letters acknowledged.

Victualling list.

Instructions to T. Archer.

Barrack of J. Mountgarrett.

Shipment of spirits.

1819.
16 Oct.

Lieut.-Governor Sorell to Major Cimitiere.*

Sir,

I have the honor to receive Your Letters of 30 Septr. with their Inclosures.

I have delivered the Victualling List to Mr. Archer, who is setting off for Port Dalrymple in order that all final corrections and alterations may be made.

Mr. Hull sent for my perusal his Instructions to Mr. Archer, from which it appears that no change is made in the System of ordering Issues from H.M. Store, as I had before understood to be in contemplation.

I will communicate my decision respecting Mr. Mountgarrett's Barrack by the next opportunity. I confess the lowness of the Valuation much surprised me, compared with the demand of £78 for building a Kitchen to Mr. Archer's Quarter. Mr. Mountgarrett's was considered the best Officer's Barrack at Launceston. Hammersley has been taken here.

One Thousand Gallons of Spirits are ready to be sent to your station, and, if possible, they will go by the Sloop Martha now advertised for going round.

I have, &c,

WM. SORELL.

19 Oct.

Shipment of spirits.

Issue of arrear of spirits to troops and constables.

Lieut.-Governor Sorell to Major Cimitiere.*

Sir,

By the Sloop Martha, which sails to-morrow for Port Dal, One Thousand Gallons of Spirits is embarked, consigned to the Commiss't Officer at Port Dalrymple.

The arrear of Spirits due to the Troops and Constables being considerable, it is I fear to be apprehended that so large an Issue at once may have effects very injurious to good order; if any arrangement could be made to prevent or diminish that effect, I should think you would find it very desirable. I have no hesitation in giving my sanction to the disposal of such part of the arrear of spirits due to the Soldiers, as it might appear just and regular so to appropriate under your direction, the deduction from the revenue thereby arising being in my opinion fully compensated by the attendant diminution of drunkenness, while the produce would afford a good supply of Necessaries to the Men. This is suggested to my mind by the System in use here, and I am informed at Sydney, where the Serjeant of the Canteen disposes of the Spirits, retained from Men in arrear, for Necessaries; and I mention it only from apprehending the ill effects of such a large quantity of Spirits being issuable at George Town. The new arrangement of the Commissariat leaving us to

* Copied from original letter-book in Mitchell library, Sydney.
know that the Supplies for your Settlement are to be arranged here, care will be in future taken that Spirits is sent round, so as to preserve a supply for the regular issue.

I am to recommend and to desire that no issue of Spirits be made beyond those established by Regulation except on occasions of Emergency, and the Return of which will be made monthly with The Commissariat Accounts to the senior officer here for my information.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMIETIHE.

Sir,

I have the honor to acknowledge the receipt of your Letter of the 8 Inst't with its Inclosures.

I had clearly stated to you that, having been reminded of the permission before given for Mr. Comy. Walker to purchase the Govt. Horse, which was lent to him, my original intention of transferring the Poney to Lt. Vandermeulen for his use as Inspector of Works could not take effect.

Mr. Comy. Walker having now urged his claim to become the purchaser of the Horse in question on the Terms first approved vizt. £15, I conceive it but just to assent thereto. I cannot perceive any ground of claim to the Horse without payment, nor indeed would it fall within my authority to admit it. I shall, therefore, feel obliged to you to notify to Mr. Walker that, on paying in the Sum of £15, the Horse in question becomes his property; and I beg you to cause the payment to be remitted to the Treasurer of the Fund.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMIETIHE.

Sir,

I have been honored with Your Letters of the 18 and 21 Inst, with their Inclosures.

I observe, in the Quarterly Returns of Crimes and punishments, the Names of the Men stated in the Examination which I sent to you in reference.

Having conferred with the Dy. J. Advo'e with respect to prisoners being sent from Your Settlement to New Castle, I have now to request that, in all cases of Men being so sentenced in future, you will be pleased to make a specific report of them, and not to put the Sentence in force until my decision thereupon be received. It may frequently answer best to have prisoners sentenced to N. Castle sent over here, so as to go up by a Govt.

* Copied from original letter-book in Mitchell library, Sydney.
Vessel with any Men similarly circumstanced from this place, when one Guard will suffice for the whole, and the expense of carrying the people to Sydney will be saved.

I request you will be pleased to send a List of the Fees, taken by the person officiating as Clerk to the Magistrates.

Be pleased to state whether John McKnight, respecting whom I wrote to you by the Govr. in Chief's desire, was sent to Sydney or chose to remain, and whether you made a report thereupon.

I transmit a Mem. upon several points connected with recent Correspondence.

I have, &c,

WM. SORELL.

P.S.—Just as I had concluded this, I rec'd a Letter from Jno. McKnight stating his Wish to go to Sydney. I request you will give him leave and report him to Mr. Campbell, as sent by His Excellency's own order to me.

[Enclosure.]

JA copy of this memorandum is not available.]

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.

29th October, 1819.

I have the honor to acknowledge the receipt of your Letter of 6th Ulto., containing reply and explanation respecting a statement made by a Convict named John Birch.

The Corporal Punishments appearing to have so little effect, it will become a matter of great importance to have some Cells built at the earliest possible moment for the punishment of refractory prisoners; during confinement in which, Bread only should be allowed, the Meat stopped, but the former in such quantity as to allow a pound and a half of actual issue per day. Fire must of course be permitted during the cold Season, and Men in solitary confinement must be suffered to come out for a time to air and warm themselves.

I shall not fail to send round a Supply of Slop and Jail Clothing, the moment any shall arrive here.

I approve of the temporary permit, which you have given to T. Reynolds, his time being so near expiring.

The Prisoners, Miles and Daly, who deserted the party on the road, are here, and will be sent over by the next safe opportunity.

I have, &c,

WM. SORELL.

* Copied from original letter-book in Mitchell library, Sydney.
LIEUT.-GOVERNOR SORRELL TO MAJOR CIMITIERE.*

Sir, 9 Novem., 1819.

His Excellency The Govr. in Chief having been pleased to direct that the following Indulgences should be extended to the Bearer, Charles Parker, Esq., upon his application to become a permanent Settler in Van Diemen’s Land, vizt.

“500 Acres of Land at either of the Settlements, Himself and 5 Govt. Men to be victualled from H.M. Store for 18 Mos., and 5 Cows on a Credit of Three Years to be then paid in Money Wheat or kind at his option”;

and Mr. Parker having made his Election to settle at Port Dalrymple, he now proceeds for that purpose; and I have to request that, upon his notifying the spot at which he desires to take his Land, and applying for his Indulgences, you will give the necessary directions for his receiving them. I have, &c.,

WM. SORRELL.

LIEUT.-GOVERNOR SORRELL TO MAJOR CIMITIERE.*

Sir, 9 Novem., 1819.

I have been honored with your Letter of the 29 Ulto., in reply to one addressed to you by me under date 19 Oct., respecting arrears of Spirits, and I confess that I have never felt more astonishment at any Communication, whether as to substance or style, than at the Letter in question; upon which, however, I shall refrain from going further into reply or remark, as I shall take an early opportunity of laying the Correspondence before His Excellency the Governor in Chief.

I content myself at present with assuring you that, in conducting the publick duties of the relative situations, which are entrusted to you as Commandant at Port Dalrymple and to me under the Sovereign’s Commission as Lt. Governor of the Settlements in Van Diemen’s Land, “Suggestions” will never be employed on my part; but I shall in all cases act upon the direct exercise of the Authority, which belongs to the office that I have the honor to fill.

I have, &c.,

WM. SORRELL.

LIEUT.-GOVERNOR SORRELL TO MAJOR CIMITIERE.*

9 Nov., 1819.

The Lt. Governor has the honor of transmitting to the Commandant of Port Dalrymple, a petition, which he received from Mr. J. Miller, Mountgarrett’s hand, for a Ticket of Leave for John Miller, who he understood was his assigned Servant and had been so for Two Years.

* Copied from original letter-book in Mitchell library, Sydney.
The Commandant will cause the past service and present situation of John Miller to be added upon the Petition, and then to return it. If the Man is in Govt. Service, Mr. Mountgarrett's application was quite irregular and improper.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.
11th, 12th and 13th November, 1819.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir, 24 Novem., 1819.

I have been honored with your Letters of date 11, 12 and 13 Novem., with their several Inclosures.

With respect to the order, dated the 6 Novr., copy of which you enclosed, it is my duty to state that no such Regulation can be applied in Van Diemen's Land except by my immediate order. The regulation issued by me here is certainly the foundation of that which you published; and I do not doubt of the provisions being equally proper and applicable at Port Dalrymple; but, as the order issued by me affixes a pecuniary penalty to breaches of its regulations, no authority but mine can extend those penalties, a superior one excepted.

This you will be pleased to hold in view in all regulations, which concern the free people; and, whenever it appears to your self, or on a representation of the Magistrates, that special Regulations on any local point or an extension of Regulations already established here are become suitable and necessary at Port Dalrymple, you will be pleased to lay the same before me in order to the necessary steps being taken; the principle being that, in matters of local Regulation not provided for by the Colonial Laws and orders, the authority of the Lt. Governor (in the absence of Superior) can alone operate in the Settlements in Van D. Land.

I shall publish an order, fixing the provisions declared in that issued by you in the next Gazette.

I enclose Two Tickets of occupation for grazing ground in lieu of those returned.

I have, &c.,

WM. SORELL.

MAJOR CIMITIERE TO LIEUT.-GOVERNOR SORELL.
26th and 28th November, 1819.

*Copied from original letter-book in Mitchell library, Sydney.
LIEUT.-GOVERNOR SORELL TO MAJOR CIMIETIERE.*

Sir,

29 Nov., 1819.

I request you will be pleased to instruct the Naval Officer to enter into a Book the Port Clearance List of Crew and Passengers of each Vessel, leaving Port Dalrymple with the date of departure.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMIETIERE.*

Sir,

29 Nov., 1819.

I request you will be pleased to transmit a List of all Return of ticket of leave men in the Settlement of Port Dalrymple, specifying those whose Tickets are made for this Settlement, and those for the former.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMIETIERE.*

Sir,

2 Dec., 1819.

His Excellency The Govr. in Chief, in reference to the Supernumerary Subaltern Officers now attached to your Command, has been pleased to authorize that Ensign Roberts should be transferred to the station of Port Dalrymple.

I have therefore to request that you will give orders to Ensign Roberts to repair to George Town, there to report himself to Major Cimetiere, commanding at that place.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMIETIERE.*

Sir,

3 Dec., 1819.

I have to acknowledge the receipt of your Letters of 26th and 28 Ult.

I am truly sorry for the state of the Prisoners at George Town, and more so because I have no means of remedying it. No Slops are here except a few Jackets; no Shirts, no Shoes, no Trowsers. Mr. Drennan, Dy. Comy. Gl., who is just arrived and going over to Port Dal., informs me there are none at Sydney. I shall make the most forcible representation in my power on the subject to The Gov. in Chief, to whom I have before urged the want of Supplies here.

I am sorry that Lt. Vandermeulen's report of the total Deficiency of Iron did not arrive earlier, as I would have endeavoured to send some small supply from here by any Vessel going, of which several cases have not long ago occurred; in

† Note 190.
1819.
3 Dec.

Cancellation of ticket of leave for P. Miller.

Prisoners in custody.

Gaol at Launceston.

For the reasons stated in your Letter, The Ticket of Leave for P. Miller is cancelled, and you will be pleased to return it. He must continue to work for Govt., until the state of the Works admit of his being spared.

The four prisoners, Allen, Solomon, Booth and Daly, are in safe custody here.

It will be a matter of indispensable necessity to have a place of confinement built at Launceston; but I shall wait The Governor in Chief's arrival.

The Tickets of Leave, Licenses of Occupation, recommended by you, shall be forwarded as soon as they can be prepared.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir, 3rd Dec'r, 1819.

The Ship Adm'l Cockburn having brought 150 Male Convicts from Port Jackson, I have directed 50 to be dispatched to Port D., Two of which whose names are marked in the list are assigned to J. Cox, Esqr.

I am sorry that they are not the description of Men I could wish, as I had hoped to receive newly arrived Convicts, and these are selected from the Gangs at Sydney; and they are represented generally to be very bad.

A rigid and vigilant system of preventive police will, therefore, be necessary to prevent Crimes and escape. They are intended of course to be put off Store to the Settlers, so that the Govern't Gangs at George Town may not exceed 200, a number fully sufficient for the scale of Works; and it would be particularly objectionable to increase them, even if required, when such a complete destitution of Slops and Stores exists, and George Town does not afford cover for a larger number. If, therefore, the Settlers require Men, as they will no doubt do for the Harvest, I must request you will assign them from the old or from these Men, as may seem best to suit.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir, 3d Dec'r, 1819.

I have the honor to acquaint you that, in pursuance of Instructions received from His Excy. the Govr. and Commander

* Copied from original letter-book in Mitchell library, Sydney.
of the Forces, Ensign Roberts, 48 Regt., is directed to join your Command; he proceeds with the escort of Prisoners now forwarded for the use of the Settle'ts at Port Dal.

I have also to acquaint you that Ensign Hayes, 48 regt., lately arrived with the Guard p. Ad'I Cockburn, and who is certified by Asst. Surgeon Hamilton to be unable from bad health to do duty, is allowed at his own request to proceed to Launceston.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir,
4th December, 1819.

I have the honor to apprise you that 50 prisoners, from 150 brought by the Ad'I Cockburn, have been landed this Morning and sent off for Port Dalrymple.

The Lists, etc., are in the hands of the Constable in charge; but, as the opportunity of Mr. D. Cy. Gl. Drennan and Mr. D.A. Cy. Gl. Hull going over affords me the means of letting you know earlier of these Men being on their way, I avail myself of it.

Should this Letter arrive in time, as I conclude it will, I should recommend immediate Notice being given to the Settlers and that the Prisoners may be distributed at Launceston, in order to prevent a prolonged March to no purpose; it will be necessary that the Settlers be allowed to take the whole, if they apply, as I am enjoined to put them off the store, except hands are found who may be useful for the Govt. Works, in which case others from George Town must be given, the Govt. Gangs being limited to Two Hundred.

I request you will forward me a return of the distribution of these Men. Their destitute state as to clothing is truly lamentable; and I possess no means of relief, there being not one Shirt, Shoe or pair of Trowsers in Store here, and none as I find at Sydney.

The Tickets of Leave recommended by you are herewith forwarded, also the Licences of Occupation. I have, &c.,
WM. SORELL.

P.S.—Three of the division of Men for P. Dal. were detained after being landed, being found unable to march. The Constable had their Names noted, and Three Men will go on Monday in their room.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir,
7 Decem., 1819.

The indulgence, which has been allowed in these Settlements, of Govern't Servants on the Store to Officers not being

* Copied from original letter-book in Mitchell library, Sydney.
LIEUT.-GOUVERN SORELL TO MAJOR CIMITIERE.*

Sir,

7th Decem., 1819.

It appearing that several of the Men arrived by the Adm'l Cockburn are not fit for labor, nine of this description, independent of Sick, being already reported here, I request you will cause the Prisoners, who went to Port Dalrymple, to be medically inspected and to send a Return of any who are unable to work. Some with slight defects, who landed here, have been taken as Stock-keepers; and probably the same employment might be found for some of the same description at Port Dalrymple.

I request you will cause a return from the Inspector of Works to be sent of the Articles most urgently needed for carrying on the Public Works; and I shall endeavour, if it be possible, to assist with some supply from hence by any Vessel coming round.

I have, &c.,
WM. SORELL.

MAJOR CIMITIERE TO LIEUT.-GOVERN SORELL.

10th and 12th December, 1819.

Copies of these letters are not available.

* Copied from original letter-book in Mitchell library, Sydney.
SORELL TO CIMITIERE.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir, 15 Decern., 1819.

I have the honor to inclose some Memorials for Emancipation, etc., from Persons at Port Dalrymple, which stood over in consequence of His Excellency the Governor in Chief restricting the grant of that Indulgence last Year; and, from the period which has elapsed, a reference has become necessary. I have placed on each a Label explanatory of the information needed, and I have to request that, where any objection exists to one of the applications, it may be noted by yourself or one of the Magistrates, and that those, which are entitled to recommendation, may also have it.

I have, &c.

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir, 17 Decern., 1819.

Mr. Ed. Nayler, late Wharfinger at the Derwent, having purchased the Farm, late Patrick Roache’s, in the County of Cornwall, the following persons have been allowed to proceed thereto in his employ and to remain at the Settlement under your Command.

Sam'l Monday, assigned to Mr. Nayler off Store.
Thomas Collins (Ticket of Leave).
Mich'l Dunn Do.
Chist'r Jackson, Crown Serv't on loan to the latter.

I have, &c.

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR CIMITIERE.*

Sir, 18 Decern., 1819.

I have had the honor of receiving your Letter of 12 Inst't, accompanied by Dispatches and Letters from Head Quarters agreeing with the list.

Being much pressed at present on my return from the Muster and to prepare Letters for a Vessel under dispatch for Sydney in a day or two, I am only enabled to request that you will cause the least possible delay to occur in the departure of The Prince Leopold for this Port.

I also request you will be pleased to afford any assistance and facility to The Revd. Mr. Youl for the comfortable establishment of himself and family at Launceston. I have, &c.

WM. SORELL.

The Convict Hammersley being to proceed to The Coal River by the first conveyance, I request you will be pleased to forward a certified Copy of his sentence.

* Copied from original letter-book in Mitchell library, Sydney.
1819.
22 Dec.

Letters acknowledged.

I forward the Two Tickets of Leave recommended by you, and also the Licence of Occupation for N. Lucas.

I am sorry I have no Government Horse to allot to the use of Lieut' Vandermeulen; but I have no objection to allow the £15 due for the poney, which Mr. Walker bought, and £5 from the Fund, making up £20, if the purchase of one can be effected for that sum.

Respecting Mr. Asst. Surgeon Owen’s claim to a Servant on Store for Medical Service to the Military, I apprehend Mr. Mountgarrett yet holds one on that ground. Two of course cannot be allowed, though I believe one has been customary; and, as the main body of the Detachment is now at George Town, the Medical Officer there stationed has the best claim.

In the remarks, some time since made by me on the Victualling List, and the Servants allowed, to which I await a reply, I pointed out the Number of Servants to Mr. Mountgarrett.

I also wait the return of Ticket of Leave Men as required.

Weekly overland messenger.

I approve of Mr. Massey’s being District Constable at Launceston.

The Runaway Prisoners, of which you sent a List, are in Gaol here. I also understand that Blake, late Mr. Dry’s Servant, is taken, and I request you will send him after Trial, and the prisoner under sentence to New Castle, to this place under an escort.

I hope that the Man Harlowe, who I find was taken with Blake but escaped, will be taken, for which every exertion be employed.

I request you will send me an appropriation List of the Prisoners last sent, not a nominal one, but shewing how many went to Settlers and how many remain to Government.

I have, &c.,

WM. SORRELL.

30 Dec.

Escape of convicts from gaol at George town.

Sir,

A Report has just reached me that Harlowe and Birch, Two Criminals in confinement at George Town, have effected their escape. I request you will acquaint me by the first

* Copied from original letter-book in Mitchell library, Sydney.
opportunity if it is the case, and, if so, whether the Gaol built by Mr. Leith is in itself a place of sufficient security, which, from escapes having before occurred, would seem doubtful; otherwise some very great neglect must exist in those who have the charge. Upon these points, should those offenders have escaped, you will be pleased to report fully in order that, if the Prison is insecure, it may be remedied immediately, and also that, if any neglect of duty in persons in charge has occasioned the escape, suitable Measures may be taken.

I have, &c.,

WM. SORELL.
SECTION B.

CORRESPONDENCE RELATING TO TRADE AT HOBART TOWN. 1812

14th July, 1812. " J"

[Copies of this correspondence will be found on page 500 et seq., volume VII, series I.]

MEMORIAL OF MARINES TO GOVERNOR MACQUARIE.

September, 1812. — Sept.

[A copy of this memorial will be found on page 680, volume VII, series I.]

EXTRACT of a Garrison Order, issued by Major Andrew Geils, 73rd Regt., Commandant, dated Hobart Town, 10th September, 1812.

The Commandant has much pleasure in informing the Detachment of Royal Marines that such, as are married, have families, and are men of good character, wishing to remain in this Colony, that the same indulgences,* formerly promised to such individuals of this Corps, will be extended to them; and, though the Instructions received by the Commandant do not embrace unmarried men, yet he feels little doubt that His Excellency the Governor in Chief will also extend the same indulgences to such of them, as can bring forward testimonials of their good conduct.

LIST of Royal Marines returning to England.

Sydney, New South Wales, 20th October, 1812.

<table>
<thead>
<tr>
<th>No.</th>
<th>Rank and Names</th>
<th>No. of Compy.</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Serjt. Willm. Bean</td>
<td>86</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Corpl. Richd. Serjeant</td>
<td>84</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Drummer Wm. Hughes</td>
<td>32</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Do. John Brinn</td>
<td>47</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Private Robt. Andrews</td>
<td>32</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>'' John Bellingham</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>'' Wm. Catford</td>
<td>29</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>'' Thos. Green</td>
<td>35</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>'' Wm. Johnson</td>
<td>29</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>'' Richd. Rowell</td>
<td>26</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>'' Jas. Ray</td>
<td>74</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>'' Jas. Spooner</td>
<td>53</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>'' Richd. Walton</td>
<td>86</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>'' Josh. Wolley</td>
<td>41</td>
<td></td>
</tr>
</tbody>
</table>

Wives of Marines:—Elizabeth Bean; Mary Hughes.

H. C. ANTILL, Major of Brigade.

* Note 7.
1812.

Visit of T. Davey to Sydney.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

His Majesty's Transport Minstrel,

Sir,

I have it in command from the Earl of Liverpool to repair direct to the Derwent as Lieutenant Governor of the Settlements at Van Diemen's Land, but I have deemed it expedient to take the earliest mode of conveyance to wait on your Excellency previous to my proceeding to the duties of that station.

I have, &c.,

T. DAVEY, Lt. Col'l.

1813.
30 Jan.

Request for use of boat.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

His Majesty's Transport Minstrel,

Sir,

I have in trust a small box addressed to your Excellency, which I am prevented from sending on shore, and personally reporting the arrival of myself and family, not having the accommodation of a boat; I therefore am compelled to request that your Excellency will be pleased to favor me with a boat any time to-morrow after 1 P.M.

I have, &c.,

T. DAVEY, Lt. Col'l.

1813.
30 Jan.

Request of T. Davey for land grant.

LIEUT.-GOVERNOR DAVEY TO GOVERNOR MACQUARIE.

Sydney, 30th Jany., 1813.

Sir,

I beg to apprise your Excellency that I am ready to proceed and enter upon the duties of my Office as Lieutenant Governor of Van Diemen's Land; and I most respectfully solicit your Excellency will be pleased to take into consideration the indulgence of a Grant of Land* to enable me to meet the necessary expenses, in support of the honorable situation I hold, without which I beg leave to observe to your Excellency that I shall necessarily be compelled to encroach upon the domestic establishment of my family every succeeding year, which, after a Service of 35 years, I feel myself not justified in doing, and I trust my solicitation is not unprecedented.

I have, &c.,

T. DAVEY, Lt. Col.

GOVERNOR MACQUARIE TO ACT. DEP. SURVEYOR-GEN'l. MEEHAN.

Sir,

Government House, Sydney, 30th Jany., 1813.

You are hereby ordered and directed to locate and measure out for Lieut. Govr. Thomas Davey, in any part of the Settlement of the Derwent he may prefer (providing the same does not interfere with Lands reserved for the use of the Crown) Three Thousand Acres of Land, for which this will be your Warrant and authority.

I am, &c.,

L. MACQUARIE.

* Note 154.
GENERAL ORDERS.

Extract of Government and General Orders.

Hobartown, 5th March, 1813.

The Lieutenant Governor, having received directions from the Governor in Chief to regulate the Prices of Animal Food and Grain, in conformity with the prices established at Head Quarters, is pleased to direct that no wheat is in future to be received into His Majesty's Stores at more than Eight Shillings per Bushel, and that no Mutton, Beef or Pork is to be received at more than Seven pence per pound.

T.D.

Extract from the Government and General Orders of Hobartown.

6th March, 1813.

The Lieutenant Governor, conceiving that nothing can be more conducive to Regularity and good Order than System, is pleased to direct that no person, whatever his situation may be, shall be allowed to draw Provisions from the Public Stores beyond his weekly allowance in advance; and, as he conceives it the duty of every Person to draw his Rations upon the day appointed, He is pleased to direct that, if any Person shall omit doing so, the same is to be forfeited to the Crown.

The Lieut. Governor is further pleased to direct that the Stores for the future will be opened during the Summer at Sunrise, and during the winter at Eight O'clock in the morning; and on no Account whatever are they to be kept open after three o'clock in the Afternoon.

The Lieut. Governor, conceiving that great confusion and irregularity has been created in the public accounts from the practice of allowing certain officers holding public Situations to give Orders for the issuing of Stores and Provisions, is hereby pleased to direct that the Deputy Commissary will not in future issue any Articles whatever, from the Public Stores, without an Order from the Lieutenant Governor, which Order will be addressed to the Senior Officer of the Department wherein the Articles are required.

General Orders.

19th June, 1813.

Various applications having been made as well to His Excellency the Governor, as to His Majesty's Ministers in England, soliciting the removal of that Restriction which has hitherto subsisted in regard to foreign trade with the Ports of the Derwent and of Port Dalrymple in that part of the Territory of New South Wales called Van Diemen's Land, and His Excellency, judging that the Restriction in the trade of those two Ports is now no longer necessary to be persevered in, is pleased to give this public Notice, that the Restriction contained in the thirty third article of the Port Regulations of Port Jackson, published under Date the 1st October, 1810, is hereby Rescinded, and that Merchant or Trading Vessels from England, India, or other Countries in Amity with Great Britain, are henceforth at liberty to touch at the Ports of the Derwent and Port Dalrymple aforesaid, and, on due Entry being made of their Cargoes, and the regular Duties paid thereon, the Masters or Super-cargoes of the vessels may proceed to make sale of such part or parts of their Cargoes as may be by their respective Commandants deemed necessary to the wants or demands of those Settlements, in like manner and with equal freedom as at Port Jackson.

LACHLAN MACQUARIE.

* Note 191.
**GENERAL STATEMENT of the Inhabitants at His Majesty's Settlement at Port Dalrymple, Van Dieman's Land, as per General Muster, taken by order of Lieutenant Governor Davey on the 6th of October, 1813.**

<table>
<thead>
<tr>
<th>Civil Department Victualled</th>
<th>Military Department Victualled</th>
<th>Free Persons Victualled</th>
<th>Prisoners Victualled</th>
<th>Number of different Rations</th>
<th>People not Victualled</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commandant &amp; Surgeon</td>
<td>Assistant Surgeon</td>
<td>Acting Deputy Commissioner</td>
<td>Storekeeper and Superintendents</td>
<td>Total of Civil Department Victualled</td>
<td>Total of Military Department Victualled</td>
</tr>
<tr>
<td>1</td>
<td>1</td>
<td>1</td>
<td>5</td>
<td>8</td>
<td>19</td>
</tr>
</tbody>
</table>

Launceston, Port Dalrymple, 24th November, 1813.

T. Archer, Clerk Comm't in charge.
MEMORIALS.

THE HUMBLE MEMORIAL OF JOHN INGLE.*

To His Honor Lieutenant Governor Davey, etc., etc., etc.

Sheweth,

That your Honor's Memorialist is a Merchant and Stockholder in this Town, and is at this time possessed of Live Stock, Merchandize and Buildings to the amount of Twenty three thousand pounds, an estimate of which is hereto annexed;

And, it being the Intention of your Honor's Memorialist to apply to His Majesty's Ministers for an extension of Land in this Island, humbly begs that your Honor will be pleased to certify the above, so far as may come within your Honor's knowledge.

And your Honor's Memorialist,

As in duty bound will ever pray.

[unsigned.]

Houses, Buildings, Merchandize, etc £10,000 0 0
730 Horned Cattle at £15 per head 10,950 0 0
370 Sheep at 30s. each 555 0 0
16 Horses £100 each 1,600 0 0

£23,105 0 0

Certificate.

UPON a reference to the return of General Muster lately taken, I find Mr. John Ingle does possess the several quantities of Horned Cattle, Horses and Sheep, as stated in this Memorial, and I have every reason to believe the statement of his Tenements and Merchandize is rather under than over what he really possesses.

And I do hereby certify that Mr. John Ingle has at various times supply'd the wants of Government, when they could not have been otherwise procured; and I do further certify that I think Mr. Ingle meriting the favourable consideration of His Majesty's Government.

Given under my hand at Government House, Hobart,† Van Diemen's Land, New South Wales, 30th Decr., 1813.

T. DAVEY, Lt. Govr.

THE HUMBLE MEMORIAL of Leonard Fosbrook,‡ late Deputy Commissary at Hobart Town, Van Dieman's Land.

To His Excellency Governor Macquarie, etc., etc., etc.

Most respectfully States,

That Memorialist, in Obedience to Your Excellency's Commands, left the Derwent by the earliest opportunity, after

* Note 192. † Note 51. ‡ Note 4.
those Commands were Communicated to him, for Head Quarters and arrived at this Settlement on the 21st day of January last.

That Memorialist hath been informed that he is about to be brought forward to answer before a Court Martial to some Charges,* which were preferred against him, *ex parte, in London some years since, and which go to accuse Memorialist with Peculation in the Commissariat Department in the Years 1807, 1808 and 1809; and Memorialist hath moreover been informed that there are other charges of a similar nature to be exhibited against him, which refer to a more recent date, and said to have been preferred by Colonel Geils, the late Commandant of the Derwent.

Equally unconscious of having Committed any act of wrong or Injustice, either at the former Period, or at any time previous or subsequent thereto, Memorialist is anxious to meet every Enquiry that may be made into his Conduct at whatever Tribunal, he may be cited to appear; and, with that Confidence which result from Integrity and Innocence, Memorialist humbly hopes Your Excellency will be pleased to direct those Enquiries to be made as speedily as possible; and, in taking into Your Gracious consideration the object of this Memorial, Memorialist respectfully begs leave to represent that the Expences incurred by his remaining at this Settlement, altho' considerable, are only a secondary object compared to the anxiety of mind, under which Memorialist labours, and from which he therefore Earnestly prays to be relieved.

Memorialist will Trespass no longer on the occasion than to submit to Your Excellency's Wisdom and Judgment, whether it has not been the uniform custom and practice in these cases to give up the Name of the accusing Party, to leave the Party accused at liberty to rebut the accusation by Proving the Infamy of the Character of the Person, at whose instance it has been fabricated and brought forward; and, if it should appear that the charges,* which relate to the Years 1807, 1808 and 1809, have been preferred by one Francis Shipman (as Memorialist hath been informed), Memorialist will shew that this Man about two years since forfeited his life to the offended Law of his Country by a Public Execution.

May it, therefore, Please Your Excellency to direct the Enquiry in Question to be made as speedily as possible, but with all due respect nevertheless to Your Excellency's convenience; and Memorialist will ever pray.

LEONARD FOSBROOK, Dy. Comm'y.
Sydney, 1st February, 1814.

* Note 193.
COURT MARTIAL ON L. FOSBROOK.

COMMISSION TO EDWARD ABBOTT AS DEPUTY JUDGE-ADVOCATE IN VAN DIEMEN'S LAND.

8th February, 1814.

[A copy of this commission will be found on page 267, volume VIII, series I.]

COURT MARTIAL ON DEP. COMMISSARY L. FOSBROOK.*

28th February, 1814.

[The charges preferred and the sentence of the court will be found on page 238 et seq., volume VIII, series I.]

Address of Mr. Leonard Fosbrook.

To the President and other the Honorable Members of the Court Martial Assembled.

Mr. President and Gentlemen.

I confess I feel myself at a Loss in what manner to open an Address to you, which comes in the shape of a Defence to the Present Prosecution. Your time has been occupied by a tedious Enquiry into Circumstances and Statements, to which you have patiently listened, expecting I presume to have met with Evidence in support of the Charges, which I have been brought before this honorable Tribunal to answer.

Whether the Testimony of the Witnesses has gone to establish one Point, upon which an Officer, who has had the honor to hold His Sovereign's Commission for Eleven Years, could have been arraigned in a Criminal point of view, I submit to your Superior Consideration. Next to that Consciousness of Innocence, which is my first Boast, I feel the highest gratification in reflecting that my Case is before Gentlemen of Honor and Discernment, who would be as prompt to detect and Punish Guilt as to approve and protect Innocence.

Gentlemen, I admit there was an appearance of Candour in that part of the opening Address, which referred to the nature of the Charges against me, when the Accusation took the form not of an Embezzlement on my part, but of an unexplained Deficiency; and I would give it all the Credit it deserves, if I had not reason to apprehend that it grew either out of an Anticipation of the Facts, which would appear in Evidence, than Concession Calculated for my Honor or advantage. Yielding, therefore, to my feelings as to the Impulse of injured Honor, it is impossible for me, while I trace, to pass over the original Motives of this Prosecution, without attaching to them some

* Note 4.
degree of private Male and personal Animosity. I am aware, Gentlemen, that whatever originates from such unworthy Motives generally carries with it the feature of its own Deformity and accelerates its own Defeat; but, in the mean time, the Character, Credit and future Prospects of the accused Party are objects of tender and important Consideration, as well with himself as with that Society of which he is a Member.

But, while I complain of the motives which first Instigated this Prosecution, I beg leave to express my high sense of the delicate and handsome manner, in which it has been conducted by this Court; it claims from me every sentiment of Gratitude, and I offer it with every becoming sentiment of Respect.

I will not attempt to follow the Complicated Statements, brought before the Court, of the Quantity of Provisions reported to be in His Majesty's Stores at the Derwent, nor do I know that it is necessary to Question their accuracy. I have never disputed the Correctness of the Survey, held from the 25 Septr. to the 9 Octr., 1812, whatever might be the Inducement for that Survey. I was content to consider it was calculated for the good of His Majesty's Service. I had nothing to fear from it.

In meeting charges of this nature, I was naturally led to expect that there would have been some Colour of Evidence at hand to support the Accusation, and that, whether I stood charged with having Embezzled, wasted or misapplied the Provisions in His Majesty's Stores, some Witness would have spoken to the fact; but the Prosecution is silent on that head; it is left to Inference, not to matters of fact; and an Officer and a Magistrate, in whom important Trust and especial Confidence have been reposed, is brought to a Public Tribunal to account for and explain Deficiencies, which upon the face of them explain themselves. Gentlemen, this explanation is Comprised to a very narrow Scale; there is and always has been a Certain Loss on the Issue of Provisions from the King's Stores; the general proportions may be ascertained from the report of any person, who has been in the habit of attending the King's Stores. To that Point, if necessary, I can produce the most respectable Testimony.

Then, Gentlemen, if there has appeared before you no proof of my having misapplied, wasted or embezzled the Provisions in His Majesty's Store, and it is left to be determined by Inference, how can I answer this Accusation better than by an Appeal to your Honor and Discernment to distinguish between Wilful Waste and Embezzlement, and an adventitious Deficiency so easily accounted for and that can be explained on the simplest Ground imaginable.
And you will take into consideration, Gentlemen, that it is altogether impossible for a Person at the Head of the Commissariat to Guard against occasional Peculations of Persons, who have Constant access to the Stores; they may be unimportant as single Acts, but, when they accumulate, they may produce great deficiencies. I do not know of any such Peculations having existed, nor am I charging any Person with them; but, whilst such a Hazard exists, and no human Caution can guard against it, certainly the Deputy Commissary cannot in Justice be charged for that, which he had not the power to prevent, and could only punish after Detection.

Gentlemen, I might complain of the Hardship of being unacquainted with the nature of the Charges in Contemplation to be preferred against me, whilst I was at the Derwent and had the Power and opportunity of bringing up Persons as Witnesses; but, from Consciousness of Innocence, I sought no advantage from that Circumstance. I knew of no wrong, and, therefore, felt no necessity for means of Exculpation; and I trust, Gentlemen, you are satisfied that, in the course of this Enquiry, I have not abandoned or waved one Question that could lead to explain to the satisfaction of the Court any occurrence Connected with these Charges.

Permit me here to suggest that it formed no part of my Duty to have Major Geils' Orders to issue Rice, or any other article of Provisions, from the King's Stores; the Issue generally depended upon the quantity in the Stores, discretionary I presume with myself as Deputy Commissary, and for which I was not accountable to the Commandant.

I come now to the Iron, of which I am charged with having defrauded His Majesty's Stores to the amount of 270 Pounds weight, and in value to something about £3 7s. 6d. Gentlemen, I have uniformly disclaimed any knowledge of the Issue of this Iron; and, when the Store Keeper, Mr. Boothman, says it was by my Verbal Order, it must be obvious to you that, if he did not account for it that way, he must have drawn upon himself a Prosecution; but, Gentlemen, the whole of Mr. Boothman's Evidence goes to prove that this Iron specifically was to be returned or Paid for, and that such was his motive for entering it in the Store Memorandum book only. It will be scarcely reconcilable to reason so as to be admitted a Common Inference that I would Commit myself for the trifling object of 270 Pounds of Iron; and it is equally extraordinary that, after so many years Service in the King's Stores, this solitary Instance should have been marked out to attach Criminality to me as a Public Officer.
I will now proceed, Gentlemen, with your permission, to call such Evidence, as is on the spot, to speak to such facts as are within their knowledge in reference to the Public Accounts and Returns, and to the usual Proportion allowed for waste on issue from His Majesty's Stores.

I am, Mr. President and Gentlemen,
Your most Obedient humble Servant,

LEONARD FOSBROOK, D. Comm'y.

Sydney, New So. Wales,
3d March, 1814.

COLONIAL SECRETARY CAMPBELL TO MR. T. ARCHER.*

21st May, 1814.

HEADS of Letter to be written by Secry. Campbell to Thomas Archer, Esqr., at Port Dalrymple.

1. The Govr. having every reason to entertain a good opinion of Mr. Archer's Honor and integrity, as well as of his good sense and judgment, has thought fit to appoint Him a Justice of Peace and Magistrate at Port Dalrymple, in room of Mr. Mountgarrett removed from that office for improper conduct.

2. Herewith Mr. Archer will receive a Copy of the Genl. Order of this day's date containing his appointment as a Magistrate. Capt. Mackenzie, the Comdt. of Port Dalrymple, will deliver him the usual Precept of his appointment as Magistrate, and will at same time administer to him the customary oaths taken on all such occasions.

L.M.

COLONIAL SECRETARY CAMPBELL TO MR. J. MOUNTGARRETT.

21st May, 1814.

HEADS of a Letter to be written by Secry. Campbell to Mr. Jacob Mountgarrett, Surgeon at Port Dalrymple.

1. The Govr., having received information, which he can depend on being correct, that Mr. Mountgarrett had connived at the escape of both George Williams and Peter Mills from the Settlement of Port Dalrymple, and that he had even corresponded afterwards with the former Person, has deemed it his indispensable duty to remove Mr. Mountgarrett from the office of Magistrate at Port Dalrymple, which he has disgraced by such highly improper and illegal conduct.

2. Mr. Mountgarrett will receive herewith for his further information copy of the Genl. Order issued this day by the Govr. on the foregoing subject.

L.M.

* Note 96.  † Note 173.  ‡ Note 43.
THE MEMORIAL of Leonard Fosbrook, Deputy Commissary at Hobart Town on the Derwent in Van Dieman's Land.

To J. C. Herries, Esqre., Commissary in Chief, etc., etc., etc.

Respectfully Sets forth,

That Memorialist was Appointed Deputy Commissary at the Derwent by His Majesty's Commission, dated 10th March, 1803, on a Salary of Five Shillings per day, subject to the deduction of the Income Tax.*

That Memorialist left England in April, 1803, and arrived at the Derwent in June, 1804, at which time Memorialist took upon himself the Charge of the Commissariat Department in that Settlement, and continued to exercise the Duties of it until the Month of October last (1813), when Memorialist was Ordered from that Station by His Excellency Governor Macquarie, and directed to Proceed to Head Quarters (a Distance of 700 Miles) to answer to certain Charges† of Peculation, alleged to have been committed by Memorialist, so late back as the Years 1807, 1808 and 1809, and which had been preferred in London by and on the Information of one Francis Shipman, who had formerly been a Subordinate Clerk in the Commissariat at Hobart Town, but who lately terminated the Career of an ill spent Life and paid the forfeit of it to offended Justice by a Public Execution.

That Memorialist arrived at Head Quarters at Sydney, New South Wales, on the 21st January last, and reported himself to the Deputy Commissary General Allan.

That, after a period of some Weeks had elapsed, Memorialist was induced to present a Memorial to Governor Macquarie (a Copy annexed No. 1), which produced a Written Intimation from His Excellency that a Court Martial would shortly be ordered to assemble to Investigate the Charges. But, instead of those Charges being preferred or any thing in the shape of them, Memorialist was called upon before a General Court Martial, which sat on the 28th February, to answer to two other Charges (Copy annexed No. 2), instituted against Memorialist at the Instance of Major Geils (who had been Commandant at Hobart Town) as fallacious as groundless, Manifestly the pitiful fabrication of Malice and Revenge and resulting from that Species of Cunning and Chicanery, which prompts Men implicated in Certain Degrees of Guilt to be the first to come forward with Complaints, the more effectually to screen themselves from Accusation.

And here Memorialist humbly Prays to refer to a Copy of his Defence (annexed No. 3), from the Perusal of which it will

* Note 98. † Note 193.
Memorial of 
L. Fosbrook 
petitioning for 
reinstatement.

1814.
24 May.

Memorialist 

appear that Memorialist had nothing to fear from the Charges, 
his brought before so Solemn a Tribunal to answer; and 
Memorialist at the same time trusts that, by a reference to the 
Proceedings of the Court Martial in this Case, it will be seen 
that there was not a Shadow of Evidence that went to Support, 
much less to Establish one Article of Criminality against him. 
The Chief matter remaining in doubt appearing to be the 
accuracy of Calculation on the loss sustained on the Issue of 
Provisions, Combined with the Consideration how far an Officer 
in Charge of Stores at a Settlement, so remote from Head 
Quarters (from whence Provisions were Originally sent), could 
held responsible for Waste and Losses by the Conduct of In-
fier Clerks, who had general access thereto, and who might 
carry on a System of Private Plunder, which no human 
Caution could guard against and could only be Punished when 
Detected.

And Memorialist humbly shews that, as the Result of the 
Court Martial held on these two Charges has been submitted to 
the Approval of His Royal Highness The Prince Regent, Memo-
rialist is necessarily compelled to remain in a State of Suspense 
for a Period of Two Years or more, deprived of his Rank, desti-
tute of the means of supporting himself, and in every other 
respect subject to severe and degrading Misrepresentations.

That Memorialist is therefore led to hope and trust, under the 
very Peculiar circumstances of his Case, that he may look up 
to You, Sir, as the Head of the Commissariat Department, for 
Protection; and that your high sense of Honor and Rectitude will 
Prevail with you to interfere in Memorialist’s behalf in such 
way, as you shall consider him entitled, with a View to restore 
him to a Situation, which he has filled with unblemished In-
tegrity and with due zeal and attention to the Public Interests 
for a Period of Eleven Years; nor is it necessary to point out 
to you, Sir, the very slender Pay, which has heretofore been 
apportioned for Services in the Commissariat in these remote 
and distant Settlements, nor the Severe Losses and Disappoint-
ments Memorialist has met with and must feel in being Deprived 
of those Advantages, both in Point of Rank and Remuneration, 
which have of late so liberally distinguished the Commissariat 
Department.

May it, therefore, please you, Sir, to take all the relative 
Circumstances of Memorialist’s Case into due Consideration and 
grant him such relief as he may Merit.

And Memorialist will ever Pray,

LEONARD FOSBROOK, Dy. Comm’y.

Sydney, New So. Wales, 24th May, 1814.
MACQUARIE TO JEFFREYS.

[Enclosure No. 1.]

[This memorial, dated 1st February, 1814, will be found on page 551 et seq.]

[Enclosure No. 2.]

[The charges, preferred against deputy commissary Fosbrook, will be found on page 288, volume VIII, series I.]

[Enclosure No. 3.]

[The address to members of the court martial will be found on page 553 et seq.]

GOVERNOR MACQUARIE TO LIEUTENANT JEFFREYS.

Government House, Sydney, N. S. Wales,

Sir,

27th May, 1814.

1. It being deemed expedient for the good of His Majesty's Service, and for the advantage of the Settlements on Van Diemen's Land, to send Sixty Female Convicts, together with other Passengers, at the expense of Government, or board of His Majesty's Colonial Brig Kangaroo under your command, you are hereby ordered and directed to sail early to-morrow morning, wind and weather permitting, with the above mentioned Female Convicts and other Passengers, now on board the Kangaroo, for Hobart Town on the River Derwent in Van Diemen's Land; making the best of your way thither, and on your arrival there reporting the same to Lieut. Govr. Davey; whose orders you will receive and obey relative to the disembarkation of the said Female Convicts and other Passengers on board the Kangaroo.

2. Herewith you will receive my Dispatches for Lieut. Govr. Davey, which you will be pleased to deliver to him immediately on your arrival at Hobart Town.

3. After you have landed the Female Convicts and other Passengers at Hobart Town, and allowing yourself a reasonable time there to wood and water your Vessel, you will, with Lt. Govr. Davey's permission, set sail from that Port and make the best of your way back to Port Jackson, receiving such Passengers or Quantities of Wheat, as Lt. Govr. Davey may have occasion to order on board, on account of Government for this Place.

I am, &c.,

L. Macquarie.
Instructions for Mr. George William Evans,* Deputy Surveyor of Lands in Van Diemen's Land.

Sir, Govt. House, Sydney, N. S. Wales, 27th May, 1814.

On receipt of these Instructions, you will embark on board His Majesty's Colonial Brig Kangaroo, and proceed in her to the Derwent for the purpose of assuming your Duties of Deputy Surveyor of Lands in Van Diemen's Land, reporting yourself to Lieut. Governor Davey immediately on your arrival at Hobart Town, which is to be considered as the place of your general residence; and in performing the Duties of your Office, you will be guided by the following Instructions.

1. As no Person, excepting the Governor in Chief, is invested with the power or authority of making Grants or Leases of Land in any part of the Territory of New South Wales or its Dependencies, you are not to locate or measure out any Land, for any Person whatever, without a written Order from me, signified to you through Lieut. Governor Davey; to whom I shall always communicate my orders on such Subjects, specifying the quantity of Land to be located to Persons entitled to such indulgence and approved by me.

2. In the event, however, of Lieut. Governor Davey deeming it expedient, and for the good of the Public Service, to take upon himself the responsibility of ordering you at any time to locate and measure out Lands or Town Allotments, you are to obey such Order, requiring the same in writing under his hand and reporting the circumstance to me by the earliest opportunity.

3. In all your locations and measurements of Land, you are hereby ordered and strictly enjoined to observe the most rigid impartiality and justice, shewing neither favor nor partiality to any one in the choice, quality, quantity, or situation of such Lands, as you may be ordered to measure and mark out in Van Diemen's Land.

4. You must keep regular Registers and memorandums of all grants of Lands or Town Allotments, marked out by you in any part of Van Diemen's Land, with regular sketches or Charts of your Surveys, so as to be able to connect them at your leisure into one General Map or Chart of the Whole of the Lands granted at each Settlement; and I must particularly direct your attention to this part of your Instructions, as it is of most material consequence, in view to your being enabled to furnish me, with as little delay as possible, with a general Chart or Map of the Settled Parts of Van Diemen's Land; which being much

* Note 45. † Note 194.
MACQUARIE TO ROSE.

required, you are hereby directed to make every exertion in your power to procure the necessary materials and information for making out the Map or Chart herein alluded to.

5. The several Sketches or Charts of the Measurements and Surveys of Lands and Town Allotments, made by Mr. Meachan and yourself at the Settlements of the Derwent and Port Dalrymple in 1812 and 1813, as well as the Plans of Hobart Town and Elizabeth Town at the former Settlement, having been minutely examined, approved and signed by me, and with Copies of which you have been furnished, you are hereby ordered and directed to be implicitly guided by these Sketches and Plans accordingly, signifying to the Settlers and all other Persons concerned, that it is my positive orders that they also are to govern themselves by the Measurements and Sketches alluded to, as no deviation therefrom will be allowed. On any such attempt being made by any one, you are immediately to apply to Lt. Govr. Davey for an order to prevent it.

6. As it is my particular wish that the Town of Hobart should be built according to the Plan I laid down and have approved, you are on no account to permit any deviation from the said Plan.

7. On your arrival at Hobart Town, you will submit these Instructions to Lieut. Governor Davey for his perusal and information.

I am, &c.,

L. MACQUARIE.

COMMISSION TO MARTIN TIMS AS PROVOST-MARSHAL IN VAN DIEMEN'S LAND.

31st May, 1814.

[Commission for M. Tims as provost-marshal.]

GOVERNOR MACQUARIE TO LIEUTENANT DAVID ROSE.

Sir, Government House, Sydney, 18th Augt., 1814.

As you have now no longer any Military Duties to perform, and as I conclude you will proceed to live on and cultivate the Lands I ordered some time since to be located for you at Port Dalrymple, I have directed Lieut. Governor Davey, in my Dispatch to him of this date, to assign to you Six Government men on the Store for Eighteen Months as soon as they can conveniently be spared, signifying to him at the same time that you are yourself to be victualed from the King's Store for the same
1814.
18 Aug.

Land grant and indulgences for D. Rose.

period of time. I have also directed Lt. Govr. Davey to allow you to have Six Cows from the Government Herds at Port Dalrymple on three years credit, in case you should wish to receive that number of Cattle.

These are all the indulgencies I can with propriety extend to you as a Settler.

I am, &c.,

L. MACQUARIE.

P.S.—I was favored with your Letter of date 13th June last some time since, but have not now time to notice further the contents of it.

GOVERNOR MACQUARIE TO LIEUTENANT GUNNING.

18th Augt., 1814.

[This letter was a duplicate of that to lieutenant David Rose, G.W. Gunning.]

GOVERNOR MACQUARIE TO ENSIGN LASCHELLES.

Sir,

Government House, Sydney, 18th Augt., 1814.

I have received your Private Letters under dates 24th May and 1st June last with their respective accompanyments. Altho' I highly disapprove of Lt. Govr. Davey's having taken upon himself the unwarrantable responsibility of detaining you as his Secretary and preventing your proceeding with your Regiment agreeably to my positive orders, yet, as he appears to attach so much consequence and importance to your Services as his Secretary, I have been induced from this consideration alone to permit you to remain with him in Van Diemen's Land, until I shall be honored with the pleasure of His Royal Highness the Commander in Chief respecting you, it being my intention to transmit Home by the first opportunity the Resignation of your Commission as Ensign in the 73d Regt., that being the only condition on which I could allow you to remain in the country. As Lt. Governor Davey appears to have entirely forgotten a principal part of his Letter to me respecting you, under date 24th February last, I now hand you a Copy of it for your information, not conceiving myself any longer bound to secrecy from Lt. Governor Davey's very inconsistent conduct.

I cannot help considering it great presumption in you, Sir, to ask me to furnish you with a Copy of that part of my correspondence with the Secretary of State respecting you. If even I had written to the Secretary of State about you, I should not
have felt myself bound to comply with so unreasonable and indelicate a request; but the fact is I never mentioned your name at all in any of my Letters to the Secretary of State, contenting myself with recommending strongly that Lt. Govr. Davey should be allowed a Secretary, as I conceived it was absolutely necessary that he should have one to assist him in so troublesome a Command, it being a matter of indifference to the Secretary of State who that Person should be, provided he was capable of discharging the Duties of such an important office, and of which Lieut. Governor Davey himself ought to be the best Judge.

Whoever informed you, that Mrs. Davey had in her Letter to Mrs. Macquarie most shamefully misrepresented and traduced your character, told you what is not true, and you are at liberty to communicate this contradiction to the Person from whom you have had your information.

I return you herewith the original Letters addressed to you by Lt. Governor Davey, which you sent for my perusal.

In future when you have occasion to address me by Letter, I must request it may be under a Publick and not a Private Form.

I am, &c,

L. MACQUARIE.

GOVERNOR MACQUARIE TO LIEUTENANT GEO. W. GUNNING.

Sir,

Govt. House, Sydney, 18th Augst., 1814.

I have received your Letter under date the 2d of June last, signifying your intention to resign your Office of Inspector of Government Public Works on the 30th of the same month; in consequence of which intimation I have appointed Capt. Clarke of the 46th Regt. to be your successor in that Office.

As you have now no longer any Military Duties to perform, and as I conclude you will proceed to live on and cultivate the Farm some time since located for you at the Derwent by my orders, I have directed Lt. Governor Davey, in my Dispatch under this day's date,* to assign to you Six Government Men on the Store for Eighteen months, as soon as they can conveniently be spared, and have signified to him that you are yourself to be victualled from the King's Store for the same period of time. I have also directed Lt. Govr. Davey to allow you to have Six Cows from the Government Herds at the Derwent, on a credit of three years, in case you should wish to receive that number of Cattle. These are all the indulgencies I can with propriety extend to you as a Settler.

I am, &c,

L. MACQUARIE.

* Note 195.
List of Bills drawn by Mr. Thomas Archer, Clerk in the Commissariat Staff at Port Dalrymple in Van Diemen’s Land on Deputy Commissary General Allan, being for the Salaries due to the Officers on the Civil Establishment at that Settlement from 1st July, 1813, to 24th Decr., 1814.

<table>
<thead>
<tr>
<th>Date</th>
<th>In whose Favour</th>
<th>Rank or Situation</th>
<th>Rate of Pay</th>
<th>Period From To</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1814 Dec. 24th</td>
<td>Mr. Richard Dry</td>
<td>Superintendent</td>
<td>£50 Pr. Annum.</td>
<td>1st July, 1813 to 24th Decr., 1814</td>
<td>£61 11 0</td>
</tr>
<tr>
<td></td>
<td>Mr. John Thomas</td>
<td>Harbour Master</td>
<td>Do</td>
<td>1st Sept., 1813 to Do</td>
<td>£50 6 0</td>
</tr>
<tr>
<td></td>
<td>Mr. Richard Sydes</td>
<td>Superintendent</td>
<td>Do</td>
<td>28th Nov., 1814 to Do</td>
<td>£3 6 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>£125 4 71</td>
</tr>
</tbody>
</table>

Port Dalrymple, Van Diemen’s Land, 24th Decr., 1814.  

THOMAS ARCHER,  
Clerk on the Comm't Staff.

List of Bills drawn by Mr. Thomas Archer on the Commissariat Staff at Port Dalrymple in Van Diemen’s Land on Deputy Commissary General Allan, being for the Salaries due to the Civil Officers on the Civil Establishment at that Station from 1st Jany. to 24th Decr., 1814.

<table>
<thead>
<tr>
<th>Date</th>
<th>In whose Favour</th>
<th>Rank or Situation</th>
<th>Rate of Pay</th>
<th>Period From To</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1814 May 3rd</td>
<td>Captain John Ritchie</td>
<td>Commandant</td>
<td>10s. per diem</td>
<td>1st May to 3rd May</td>
<td>£55  7 0</td>
</tr>
<tr>
<td></td>
<td>Mr. John Smith</td>
<td>Surgeon</td>
<td>Do</td>
<td>3 May to 1 Jany, 1814</td>
<td>£61  2 0</td>
</tr>
<tr>
<td></td>
<td>Mr. Thomas Massey</td>
<td>Superintendent</td>
<td>£50 per Annum.</td>
<td>Do</td>
<td>£44  1 0</td>
</tr>
<tr>
<td></td>
<td>Mr. Walter Connison</td>
<td>Do</td>
<td>Do</td>
<td>Do</td>
<td>£44  1 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>£851  3 64</td>
</tr>
</tbody>
</table>

Port Dalrymple, Van Diemen’s Land, 24th Decr., 1814.  

THOMAS ARCHER,  
Clerk on the Comm't Staff.
ACCOUNT of Salaries due to Civil Officers, which have been paid by Deputy Assistant Commissary General Hogan at Hobart Town, Van Diemen's Land, from 1st January to 24th Dechr., 1814, inclusively, Ten per Cent. Income Tax deducted.

<table>
<thead>
<tr>
<th>In whose Favor</th>
<th>Rank or Situation</th>
<th>Rate of Pay</th>
<th>Period</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>From</td>
<td>To</td>
<td></td>
</tr>
<tr>
<td>Samuel Rate, Esq.</td>
<td>Depy, Judge Advocate</td>
<td>10s. per day</td>
<td>1st January 20th Sept.</td>
<td>£118 16 0</td>
</tr>
<tr>
<td>Revd. R. Knopwood</td>
<td>Chaplain</td>
<td>Do</td>
<td>24th Dechr. 21st Oct.</td>
<td>161 2 0</td>
</tr>
<tr>
<td>Mr. Mattw Bowden</td>
<td>Principal Surgeon</td>
<td>Do</td>
<td>25th June 24th Dechr.</td>
<td>122 6 0</td>
</tr>
<tr>
<td>Mr. G. W. Evans</td>
<td>Depy, Surveyor</td>
<td>5s. per day</td>
<td>1st January 24th Dechr.</td>
<td>41 3 6</td>
</tr>
<tr>
<td>Mr. W. Hoolely</td>
<td>Assistant Surgeon</td>
<td>7s. 6d. Do</td>
<td>25th Sept. Do</td>
<td>120 16 6</td>
</tr>
<tr>
<td>Mr. J. B. Boothman</td>
<td>Superintendent</td>
<td>£50 per annum</td>
<td>Do</td>
<td>11 5 0</td>
</tr>
<tr>
<td>Mr. R. Crowder</td>
<td>Do</td>
<td>Do</td>
<td>Do</td>
<td>11 5 0</td>
</tr>
</tbody>
</table>

Sydney, New South Wales, 25th February, 1815.

D. Allan, D.C. Gen'l.
1815.

1 Jan.

Surgeon's certificate re accident to T. Davey.

Certificate* re accident to Lieut.-Governor Davey.

This is to certify that Thomas Davey, Esquire, Lieutenant Governor of Van Diemen's Land, Lieutenant Colonel in His Majesty's Royal Marine Forces, etc., etc., did, on the twenty seventh day of February, one thousand eight hundred and thirteen, at 10 A.M., while visiting that part of the Settlement called Newtown, receive a fall from his Horse, by which accident he fractured Three Ribs on the Right side, and was so much bruised that he could not be removed to Head Quarters for a considerable time afterwards.

Given under my hand at Hobart town, Van Diemen's Land, this first day of January, One Thousand, eight hundred and fifteen.


Mr. J. Drummond to Governor Macquarie.

Sir,

Sydney, New South Wales, 17th Feb., 1815.

Salary of J. Drummond as naval officer.

As it appears from Earl Bathurst’s Letter,† notifying my appointment as Naval Officer at the Derwent, that I am not entitled to more than the fixed Salary of five shillings per Diem, I most respectfully beg leave to state that, at the time the above situation was conferred on me, I firmly understood that I should be allowed (in addition to the above Salary) the usual per Centage on the Port Duties collected.

From the knowledge your Excellency has of the expense of living in this Colony, I need not state how totally inadequate the above Salary is to support a family, or to maintain the be allowed (in addition to the above Salary) the usual per Centage on the Port Duties collected.

I therefore have most respectfully to request that your Excellency would be pleased to make such an application as you may deem proper to The Right Honble. The Secretary of State for the Colonies in order that I may either be granted an increase to my present Salary or permitted to draw the usual per Centage allowed to Officers holding my situation.

I have, &c.,

John Drummond, Naval Officer at the Derwent.

Dep. Judge-Advocate Bent‡ to Governor Macquarie.

Sir, Judge Advocate’s Office, Sydney, 17th February, 1815.

Opinions by judge-advocate.

I beg to acknowledge receipt of your Excellency’s letter to me of the 8th Inst., with the several inclosures therein mentioned, relative to certain circumstances which have occurred in

* Note 196. † Note 197. ‡ Note 87.
BENT TO MACQUARIE.

Van Diemen's Land and to the situation of the settlements there, of which your Excellency does me the honour to request my serious consideration and advice.

I beg to inform you that I have attentively perused and considered all the different papers and matters to which you have been pleased to call my attention; and, as to the papers No. 1 relative to the charge against Mr. Francis Williams, I am of opinion that, as this charge has already been submitted to the Magistrates at Hobart Town, who have not thought proper to commit Mr. Williams for trial and have sent up only the copies of the depositions of Mr. E. Lord and Mr. Bush, and as there are not any witnesses on the spot to substantiate the charge, it would be adviseable for your Excellency to refrain from taking any steps in this matter for the present.

As to that part of enclosure No. 2, which relates to the plundering* the house of Dennis McCarthy, and as to inclosures Nos. 3 and 4, I have only to recommend that, in these and in all other similar cases, the magistrates should take full, correct, and minute depositions of all the facts from the persons injured and all others who can give material evidence, as early as possible after the outrage, and exert all such means as they conceive will be best adapted for identifying the guilty, and issue their warrants for the apprehension of those on whom reasonable suspicion attaches. The constables in the execution of these warrants may be assisted by a military force if necessary; or, if such cannot be spared, I conceive it would be proper to swear in a sufficient number of additional constables, who might be employed in the pursuit of the offenders, and who could legally call upon all His Majesty's subjects to assist them when occasion required. It appears very clear that those concerned in these outrages cannot be taken without some extraordinary exertions, trouble, and expense; it might, therefore, be also adviseable to offer rewards to those who should apprehend and bring in any runaway prisoners or other notorious offenders who have fled from justice.

As to that part of inclosure No. 2, which relates to the notice served by Dennis McCarthy on Lieut. Governor Davey and the Magistrates at Hobart Town, I am not prepared to offer any opinion to your Excellency, not being sufficiently informed of the circumstances which have given rise to the notice, nor of the particular point on which my opinion is required. I will merely observe in general that no person can maintain an action against a justice of the peace for any thing done by him in the execution of his office, without first giving a written notice to such justice

* Note 193.
of his intention, in which he must express the distinct causes of his complaint, which is done in the technical language adopted in law pleadings. Upon this subject I may farther add that the warrant, under which Dennis McCarthy* is now confined in the Gaol at Sydney, is irregular in not expressing sufficiently the cause of his commitment, which is necessary in all commitments by magistrates, that it may appear on the face of them that they have not exceeded the bounds of their authority. I would wish also to mention that a man named Thomas Bailey is sent up from Port Dalrymple and confined in Gaol here without any warrant, and that both these persons have made applications to me for their discharge under the Habeas Corpus Act; but that I have declined to interfere in the business on account of certain doubts which I entertain relative to the construction of that Act. In the case of Bailey, I think it is to be lamented that the magistrates did not either commit him for trial and take the necessary measures for giving effect to the prosecution, or otherwise discharge him.

As to the charges against Peter Mills,† they appear to rest in a great measure on the evidence of Thomas Hinton,‡ an accomplice, and I regret that the Magistrates have not been able to send up other depositions in corroboration of Hinton’s testimony, which in certain points appears to be weakened by the other depositions. No steps can at present be taken towards the trial of Mills, John Thomas, or Dennis Curry, as I do not find that any of the witnesses have arrived to support the charges on which they are committed. I do not find anything in the papers before me that bears against the latter person, Dennis Curry.

I now come to that part of your Excellency’s letter, in which you observe that your late proclamation§ had not been attended with the desired effect, and request my legal opinion as to what steps may be most adviseable to adopt under the present peculiar circumstances of Van Diemen’s Land. The two principal objects seem to be to bring in all runaway prisoners or others, who have fled from justice, and to adopt such measures as may diminish this evil in future; and here I feel it necessary to express my conviction that all plans of police, however judicious in other respects, must be insufficient and inadequate to the maintenance of good order in the settlements at Van Diemen’s Land, until there are proper gaols there and a competent jurisdiction to try and punish delinquents of every description without the necessity of having recourse to the dilatory, expensive, and I may say almost impracticable method of applying to the Courts of Justice at Sydney. Until such a system is adopted, I can only recommend

* Note 199. † Note 42. ‡ Note 200. § Note 301.
BENT TO MACQUARIE. 569

some precautionary measures. I would advise the employment of a body of armed constables, or of soldiers acting under the civil authority, in the sole and active pursuit of the description of persons above mentioned, against whom the magistrates should issue their warrants in His Majesty's name, accompanied with a description of these persons. Upon the apprehension of any such persons, if any serious felonies are laid to their charge, which can be substantiated by legal evidence, the Magistrates would do right to commit them for trial and to transmit to me the depositions taken in the several cases, together with the names of the prosecutor and witnesses, and the bonds to prosecute and give evidence. In the case of free persons apprehended associating with Bush rangers and leading an idle and disorderly life, if no special charge of felony or other outrage be brought against them, I should recommend the magistrates to proceed against them under the vagrant acts, and to punish them accordingly. I would also advise the very frequent mustering of all persons and the apprehension and punishment of all such, who are found out of their habitations after a certain hour, or going from one district to another without a written pass from a magistrate or their master. I should require all masters, to whom prisoners are assigned as domestick servants, to see that they retire to their places of rest at proper hours, and to give immediate notice to the nearest magistrate or constable of the flight of any of their convict servants. All persons harbouring, concealing, or in any way assisting felons or runaway prisoners, should be brought to justice and punished as strictly as the law will allow. All compounding or compromising of felonies and other offences should be discouraged and punished, and every facility and support be given to the prosecution of offenders. It is the duty of all persons, who have suffered by the depredations of others, to prosecute the offenders, and for that purpose they should resort to a magistrate as early as possible after the commission of the offence, and make a deposition on oath of all the circumstances of the case, which deposition should be strengthened by the depositions of all who can throw any light upon the transaction. When the offender is taken, the party and the different witnesses should be bound with sureties to prosecute and give evidence. The expences of the prosecution should be defrayed out of the police fund, and, when the parties are really poor, they should be allowed a compensation for their trouble and loss of time. One or more of the magistrates should sit daily for the hearing all complaints, taking the depositions, and transacting the business arising out of the matters abovementioned, and a strong night watch be kept up in the towns. Those, who
live on contiguous farms at a distance from a town, might be exhorted to associate for their own defence, by keeping watch and giving mutual alarm and assistance when required.

Above all, the magistrates should be impressed with the conviction that to them is entrusted the important office of preserving the peace of the territory, and that the value and efficacy of every plan must depend upon their activity, impartiality, firmness and intelligence. My being unacquainted with the precise local circumstances of the settlements at the southward prevents me from offering any precise plan of police for your Excellency's consideration, and obliges me to confine myself to the general observations I have already made.

Should the measures which may be taken prove fruitless, and should the disturbances at Van Diemen's Land continue as flagrant as ever, and threaten a general and ruinous disorder, I know of no other step which can be adopted in such a case but the declaration of Martial Law, and adopting the most summary measures and punishments for the restoration of tranquillity; but, as many inconveniencies and evils would follow such a step, it ought not to be taken but on mature deliberation and a perfect conviction of its necessity.

Having endeavoured, as far as I am able, to fulfil your Excellency's wishes on this subject, I have now the Honor to return the papers transmitted to me by your Excellency and to subscribe myself,

Sir, &c.,

ELLIS BENT.

Governor Macquarie to Mr. G. W. Gunning.

Sir, Government House, Sydney, 14th March, 1815.

I have received your Letter of date 24th of last Month, enclosing a Letter, with accompaniments, to your address from Genl. Doyle, the Paym'r Genl. of the Marine Forces, under date 3d June, 1814, together with several other Papers relative to the Detachment of Marines paid by you at Hobart Town.

I shall not fail to write to the Paym'r Genl. of the Marine Forces by the first good opportunity that offers from hence for England, transmitting to him the several Papers now received from you in explanation of your accounts and Drafts on the Marine Pay Office; and I hope to be able to remove, by my own explanations to the Paym'r Genl. on this head, the suspension he has thought fit to lay on your last Drafts, which I trust he will in consequence finally honor.

I have also received a Letter by the Brig Emu from the Paym'r Genl. of the Marine Forces relative to the Detachment of
MEEHAN TO MACQUARIE.

Sir, Sydney, 8th July, 1815.

I beg leave to recommend to your Excellency that the Proposed Grants of Land now making out for the Settlers in Van Diemen's Land may not have the usual clauses inserted in them, viz., requiring a certain portion of them to be cleared and cultivated and not to be sold within Five years from the date.

The Motives that induce me to offer an Opinion to Your Excellency on the Subject are:

1st. Most of the Settlers in Van Diemen's Land had been removed from Norfolk Island thence, at which place they had no doubt complied with such Conditions as were then required of them; the Lands they now hold are chiefly given them in Lieu of Lands they held there, consequently might be deemed a hardship to have such conditions imposed on them.

2ndly. From the Inaccuracy of the Persons, who Acted as Surveyors in Van Diemen's Land, I found it necessary to alter the position and Description of Most of the Lands Granted there and consequently received nearly all the Grants in that Settlement, in order to have them Cancelled and new ones made out in their stead; such new Grants in my Opinion should not have them Conditions.

3rdly. When it is recollected that most of the Settlers from Norfolk Island had been removed in 1807 and consequently put in possession of their Lands, as soon after as circumstances would admit, and, altho' not yet receiving their Grants, it is to be presumed that nearly the whole of them have already cleared and cultivated the Quantity that would be required of them, Such Conditions Aught to be Omitted.

Lastly. The respective Grants of Land, ordered to be given by your Excellency, had been Measured by me in 1812 and 1813. Several of them have been in use since, so that prohibiting the sale of them for Five Years longer might be conceived a hardship.

Should the foregoing remarks appear to your Excellency proper to be adopted, I would recommend to Your Excellency to

* Note 67.
furnish Mr. Secretary Campbell with the necessary Instructions, so that the Conditions may be erased in the Grants and not be inserted in the Register of them.

I have, &c.,

JAMES MEEHAN, Depy. Surrv. Genl.

Memorandum.

In making out the new Grants of Land in Van Diemen's Land, the usual Clauses are to be omitted as recommended by Mr. Meehan; and such as are already inserted in the renew Grants must be erased.

13 July, 1815.

GOVERNOR MACQUARIE TO MR. JOHN DRUMMOND.

Sir,

Govt. House, Sydney, 17th July, 1815.

Herewith you will receive my Warrant authorizing you to assume the Duties of Naval Officer at Hobart Town in Van Diemen's Land on your arrival there, together with a Printed Copy of the Regulations of this Port; by which you are generally to be governed in executing the Duties of your Office at Hobart Town, as far as they can apply to that Settlement.

You will also receive herewith an open Letter addressed to Lt. Govr. Davey relative to the Indulgencies you are to receive as a Settler at the Derwent. I am, &c.,

L. MACQUARIE.

GOVERNOR MACQUARIE TO MR. G. W. GUNNING.

Sir,

Government House, Sydney, 18th July, 1815.

I wrote you on the 14th of March last, acknowledging the receipt of your Letter of date 24th of February, enclosing me a Letter to your address from Genl. Doyle with its accompany­ments relative to the Detachment of R. Marines lately serving at the Derwent. I now return you General Doyle's Letter with the several Papers you sent me along with it; and I recommend to you to write to him again, in Duplicate, explaining all the circumstances of the case relative to the Detachment of Marines remaining embodied and doing duty at the Derwent so much longer than was at first intended, which was owing to there not being a sufficient number of Troops to do the Military Duties of that Settlement without the assistance of the Marines, and that Pay was drawn for them as a matter of course, as long as they remained embodied and doing Duty at the Derwent. I shall also write myself to Genl. Doyle to the foregoing effect, by the first good opportunity; and I have no doubt he will, on the receipt of such explanations, order all your suspended Drafts to be duly honored.

I now enclose you an Extract of Genl. Doyle's Letter to me relative to the arrears of Pay and Clothing due to the Marines,

*Note 191.
who remained as Settlers in Van Diemen’s Land, and which the Lords of the Admiralty have agreed to pay them. I also enclose you a Copy of the Accot. of the amount of arrears of Pay and Clothing due to these men; which you will observe from the Extract of Genl. Doyle’s Letter herewith enclosed, I am authorized to pay them, and to draw Bills on him for the amount. But, as it will save much time and trouble your doing so instead of me, I have now to request that you will draw a Set of Bills on Genl. Doyle for the full amount of this Account of arrears, and pay the same to the men in the manner prescribed in the General’s Letter, namely, by a General List of the men’s names and sums due them, with the receipt of each Person annexed to his name, which general List should be made out in Triplicate, in order that it may be transmitted to Genl. Doyle in Duplicate, and that the third List may remain with yourself as your Voucher for the Payments. I shall inform Genl. Doyle that I have given you authority to draw on him as above stated; and, if you will send under cover to me your Letters and Receipts for him, leaving them open for my perusal, I shall forward them to him by the earliest opportunities from hence.

I am, &c,

L. MACQUARIE.

THE HUMBLE PETITION OF WILLIAM PATERNON.

12th September, 1815.

[This petition will be found on page 137, volume IX, series I.]

GOVERNOR MACQUARIE TO MR. G. W. GUNNING.

Sir, Government House, Sydney, 16th Sept., 1815.

1. I wrote you per the Govt. Brig Emu on the 18th of July last, enclosing for your information and guidance an Extract of a Letter addressed to me by Genl. Doyle Paymaster of the Royal Marine Forces, together with Copy of an account of Arrears of Pay and Clothing Due to the Detachment of that Corps who were allowed to become Settlers in Van Diemen’s Land, and authorizing you to draw Bills for the amount of the said account of Arrears; but to the Letter, herein thus alluded to, from me to your address, I have not as yet received any answer, which I cannot help expressing my Surprise at, considering the great importance of the subject. I therefore now transmit you a Duplicate thereof, in case the original may have miscarried, requesting to hear from you in reply thereto, as well as in answer to this present Letter, by the return of the Emu from the Derwent.

2. I have lately received a second communication from Genl. Doyle on the subject of the Marine Detachment. Copies of which
I now transmit herewith for your further information and guidance; and, as it appears from Genl. Doyle's last Letter that you had already drawn for the arrears of Pay and Clothing due to the Detachment of the Royal Marines allowed to become Settlers in Van Diemen's Land, previous to my receiving the regular authority for drawing for the same and delegating that authority to you, it only remains for me to recall that authority and to desire that you may not act upon it.

3. You will observe from the enclosed Papers, alluded to by Genl. Doyle, that Paymr. Birch drew for three months' Pay from 6th Octr., 1812, to 6th Jany., 1813, for Corpl. Bean and the other 13 men of the Royal Marines who went Home, which included a month you had already paid them for at the Derwent. Major Gells and Corpl. Bean certified to me that these men were only paid by you up to the 6th Octr., 1812, Inclusive and no longer, and on that Certificate I authorized Paymr. Birch to draw three months' advance Sea Pay for them, commencing from the 7th of Octr., 1812. It will therefore be necessary that you should afford me every explanation in your power on this point, that I may transmit the same to General Doyle.

I am, &c.,
L. MACQUARIE.

GOVERNOR MACQUARIE TO ENSIGN LASCELLES.

Sir,

Government House, Sydney, 16th Septr., 1815.

In reply to your Letter of 17th of last Month, I have to inform you that I have not, as yet, received any answer to my Letter to the Secretary of State for the Colonies relative to allowing a Secretary to Lt. Govr. Davey, which I recommended as essentially necessary, without however specifying any particular Person for that office. As soon as an answer is received on this head from the Secty. of State, it shall be communicated to Lieut. Governor Davey.

I am, &c.,
L. MACQUARIE.

CERTIFICATE* re ACCIDENT TO LIEUT.-GOVERNOR DAVEY.

These are to certify that Thomas Davey, Esqr., Lieutenant Governor of Van Diemen's Land, etc., etc., was thrown from his Horse on the public road leading from Hobart town to the District of Newtown, on Duty, at ten o'clock in the Morning of the third of February, 1813; in consequence of which fall, the two bones of his right leg were both fractured and otherwise severely bruised; he was for five Months under Medical Treatment, attended by the Colonial Surgeons, Mr. M'w Bowden and Mr. William Hopley, both of whom are since deceased.

* Note 196.
STEWART TO CAMPBELL.

The effects of such a fracture, occurring at his advanced period of Life, are most severely felt; and, in consequence of which and the different other accidents he has at various times encountered, his general state of Health is greatly impaired.

Given under my hand, this Seventeenth day of September in the year of Our Lord, 1815, At the Colonial Hospital, Hobart town, Van Diemen's Land.

SAMUEL LIGHTFOOT,
Asst. at the Colonial Hospital, Van Diemen's Land.

MR. W. STEWART TO COLONIAL SECRETARY CAMPBELL.

Sir, Sydney, 28 Sept., 1815.

I feel it a duty incumbent on me to State for your information a practise that has some years past been carried on out of the Derwent and Port Dalrymple that is of a most dangerous tendency and ruin to the industrious and fair trader, as likewise a serious loss to the present and rising generation, and has totally annihilated the Seal and Elephant Oil fishery about Basses Straits and the adjacent Islands, that has been the Means of supporting and Employing Numbers of Individuals as well as Vessels in an industrious Manner; and, if some means are not taken to prevent or suppress it, any Vessell or peoples lives are not safe, that frequent these places or liable to touch there on their lawful occasions, that is not concerned with them, and there is two people dead or Missing, namely, Robt. Knight and James Curney, who's deaths no person has yet accounted for.

There is a Custom here of Whale Boats from 25 to 30 feet long, who clear out from the Derwent or Port Dalrymple, each with 2 or 3 people on board, and after there departure amount to 6 or 7 in No., then go equipped with arms and dogs to hunt for their living, and save the Kangaroo Skins as well as what Seal Skins they can; the Elephant they Kill and destroy for their tongues (root and Branch).

The people, who are not cleared out, are a Banditti of Bush Rangers and others who are carried from the above Settlements after committing robberies and depredations on the industrious Settlers and others and depriving them of their Arms, dogs, Boats and other property.

Some time after their departure, Vessells are sent after them with diff. Articles of Slops, Tobacco, Amunitions, etc., to purchase what they have procured. And, when at the Islands, they encourage Men belonging to Vessells to desert and leave them in distress as well as heavily in debt, and likewise to rob and plunder them; to augment their fund and make them more formidable they
come frequently to the heads at Port Dalrymple, where they obtain every information of the transactions or steps that are taken.

I now mention men, who have been carried out of the above places in this manner, and who were in his excellency's proclamations. Namely, Morris Healy, Wm. Russell, Randal Ore, John Cresswell, John Whitehead, and also some others whose names I cannot recollect; there is also now two boats about Kents Group and one at Kings Island, who have carried on this practise skulking and lurking about to evade justice; they have also a custom of getting the native women of Van Diemen's Land among them, who they mostly obtain by force and keep them as slaves or negroes, hunting and foraging for them, who they transfer and dispose of from one to another as their own property; very few of whom ever see their native home, being away for numbers of years, and, if they do not comply with their desires or orders in hunting, etc., they by way of punishment half hang them, cut their heads with clubs in a shocking manner, or flog them most unmercifully with cats made of Kangaroo sinews; several of them have from two to six women, who they claim as their own private property in this manner.

These, Sir, are the outlines of the tricks, and I have candidly assigned my reason in stating them for your information.

I remain, &c.,

WILLM. STEWART.

30 Sept.

Memorial of Adolarius William Henry Humphrey of Pitt Water in the County of Buckinghamshire Island of Van Diemen.

To The Right Honorable Earl of Bathurst, His Majesty's Principal Secretary of State for the department of War and Colonies, etc., etc., etc.

Most respectfully sheweth,

That your lordship's memorialist bearing his Majesty's commission as mineralogist in New South Wales proceeded from England with the late lieutenant governor Collins to this settlement at its first formation in the year eighteen hundred and three but in consequence of his ill state of health brought on by the fatigues and hardships which he endured while exploring the interior and uninhabited parts of New Holland, Van Diemen's Land and the adjacent Islands memorialist was in eighteen hundred and twelve induced to request his excellency the Governor in Chief to tender the resignation of his office to His Majesty.

Memorialist begs leave to state to your lordship that in the year eighteen hundred and ten he had the honor to be appointed one of His Majesty's justices of the peace in this Island at which
time there existed and there has ever since continued to be in the Woods of the Country several alarming Banditti composed of the most profligate convicts who have absconded from their lawful occupations and supported themselves by rapine and plunder to the great terror of His Majesty's peaceable subjects and the ruinous destruction of their property.

That Memorialist's exertions to suppress and bring to justice these daring offenders has brought on him all the Malicious Mischief which their depraved Minds were capable of contriving. Memorialist's Sheep have been taken away from their Grazing ground by fifty and a hundred at a time and either destroyed or driven to distant parts by these Robbers where he as never since heard of them.

Memorialist begs further to state to Your Lordship that in the Month of March last while he was discharging his Magisterial duties in this town the Corn stacks on his farm at Pitt Water (about Thirty miles distant from this place) were wantonly set fire to in the dead of night by these miscreants and the whole produce of his Land entirely consumed by which Memorialist suffered a loss of upwards of Seven hundred pounds; but the depredations on Memorialist's property did not cease with this aggression for on the night of the tenth of May following a Banditti of eight Men Armed broke into his house at Pitt Water which was his chief residence and after plundering it of every portable article of value wantonly and maliciously destroyed every thing that they could not take away leaving Memorialist utterly destitute of every article of domestic comfort and use, the want of which will be long and severely felt by his family.

Memorialist entreats that Your Lordship will take into Your consideration that the very heavy losses which he has sustained have befallen him in consequence of his unremitted exertions to provide for the safety and Security of the Lives and property of His Majesty's subjects and his anxious endeavours to discharge his public duty. Under these circumstances Memorialist presumes to solicit Your Lordship to obtain for him the appointment of Police Magistrate in this Settlement with Salary and advantages similar to those enjoyed by the Police Magistrate at Port Jackson and such remuneration in Land and Cattle or otherwise as Your Lordship in your wisdom may deem most proper.

And Memorialist will ever Pray as in duty bound.

A. W. H. HUMPHREY.

Hobart Town, Van Diemen's Land, 30th Sepr., 1815.

Memorialist subjoins several certified copies of Affidavits in support of the facts he has had the honor of stating to Your Lordship.
1815.

30 Sept.

Necessity for appointment of police magistrate.

1815.

Agreement for lease of house by A. W. H. Humphrey from S. Bate.

1816.

22 Jan.

Report on allotment leased to S. Grove.

HISTORICAL RECORDS OF AUSTRALIA.

[Enclosure No. 1.]

LETTER FROM LIEUTENANT-GOVERNOR DAVEY.

My Lord,

I beg with submission to observe to Your Lordship that a Police Magistrate is essentially required in this Colony and the Public Service suffers in the absence of one and My Lord I know of no other Gentleman more worthy or capable to conduct the Duties of so important an Office as Your Memorialist who I strongly recommend to Your Lordship’s Notice and Compassion; the Police Fund of this Island is fully capable of answering the demand of two hundred a Year as a compensation for performing the duties of the Situation. I have, &c,

THOMAS DAVEY, Lieut. Govr., Van Diemen’s Land.

[Enclosure No. 2.]

[These depositions will be found on page 89 et seq.]

AGREEMENT BETWEEN S. BATE AND A. W. H. HUMPHREY.

An Agreement, entered into and made this 4th of December, 1815, between Samuel Bate on the one part, and Adilarus William Henry Humphrey on the other part, Witnesseth that the said Samuel Bate doth agree, allow, permit, and consent that the said A. W. H. Humphrey shall occupy and live in the dwelling House of the said Samuel Bate, situate in the Town of Hobart, Van Diemen’s Land, on the following Conditions: that the said A. W. H. Humphrey will use his endeavours to repair the said dwelling House as much as in his power lies; that he will keep the Fences round the Garden in good repair, and will not allow any Trees whatever to be removed; that he will surrender and vacate the said Dwelling House, whenever the aforesaid Samuel Bate shall return to this Country, or after the expiration of Eighteen Months, he should appoint an Agent for the disposal of the said Dwelling House he, the aforesaid A. W. H. Humphrey, will cause the same to be sold.

Witness:—THOS. NEWBY. A. W. H. HUMPHREY.

No. 79:—Registered in the Secretary’s Office, Hobart Town, Van Diemen’s Land, this ninth day of December, 1815.

THOS. M. LASCELLES.

ACTG. DEP. SURVEYOR-GENL. MEEHAN TO GOVERNOR MACQUARIE.

Sir, Sydney, 22nd January, 1816.

In compliance with your Excellency’s Memorandum directing me to afford you every information in my power respecting the House formerly belonging to Mrs. Susannah Groves at Hobart-town and sold by her to Government whilst Captain Murray commanded there;
MACQUARIE TO DRUMMOND.

I herewith inclose you a Lease* of the same made by Edward Lord, then Senior officer and Commanding, which had been put in my Hands by Mr. Thomas Kent in 1813, being then the presumed owner.

Prior to Mr. Deputy Commissary Fosbrook’s departure from this Colony for England, I had some Conversation with him respecting Mrs. Groves’s House; he had then shewn me some Memorandums made by him on the subject, and informed me that the House was unquestionably the property of the Crown. At the time of the Sale being made, there was not Money in the Police Fund of that Settlement to pay with. Captain Murray drew on the paymaster of the 73d Regiment for the Amount, which Sum was afterwards Refunded him by Mr. Fosbrook, who was then Treasurer of the Police Fund of V. D. Land. Consequently Captain Murray had no claim on the House. Neither was it intended at any time he should, as the purchase had been made by Order of Captain Murray in the name of Government. Captain Murray sold the House to Mr. Fisk as his own property and converted the Money to his own uses; Mr. Fisk sold it to Mr. N. Ayers; and Mr. Ayers again to Mr. T. Kent, in whose possession it was, when I left the Derwent in August, 1813.

I have, &c.,

JAMES MEEHAN, Depy. Survr. Genl.

GOVERNOR MACQUARIE TO MR. JOHN DRUMMOND.

Sir, Govt. House, Sydney, 27th Jany., 1816.

I have the honor to acknowledge the receipt of your two Letters, of the 16th of Augt. and 21st of Novr., 1815.

In reply to both these Letters, I have to inform you that I have written this day to Lieut. Govr. Davey, directing him to order the Balance, due on the Police Fund of Van Diemen’s Land on the 31st of Decr. last, to be paid forthwith into your Hands, and signifying to him that you are in future to be considered as the Acting Treasurer of that Fund, so long at least as you retain the Office of Naval Officer; but it is to be clearly understood that you are not entitled to any additional Salary as Actg. Treasurer of the Police Fund.

In consideration of the smallness of your Salary, I have directed Lt. Govr. Davey to pay you from the Police Fund of Van Diemen’s Land, a Weekly allowance of House-Rent, in your Capacity of Naval Officer equal to that for a Capt. in the Army, commencing from the date of your arrival at Hobart Town.

I am, &c.,

L. MACQUARIE.

* Note 205.
ASSIST.-SURGEON SMITH* to GOVERNOR MACQUARIE.
Sydney, 2nd February, 1816.

May it please Your Excellency,

I should not have intruded upon Your Excellency further than with my respectful Acknowledgements for your gracious Communication made to me on Wednesday last thro' Mr. Secretary Campbell, but feeling that I have a Character to maintain, which is full as dear to me as Major McKenzie's is to him, and having Relatives and Friends at Home, to whom the Preservation of that Character is an important Object, I cannot silently pass over Major McKenzie's unbecoming manner of noticing my Memorial, without respectfully submitting my Sentiments to Your Excellency, to whom I am equally as anxious to appear to have done my Duty as Major McKenzie, tho' I trust less rude and irritable and under less Apprehensions of the Consequences.

It cannot have escaped Your Excellency's Observation that, when Men are capable of such gross Acts of Injustice as those I have charged Major McKenzie with, they are equally as capable to have recourse to Falsehoods to screen themselves at the Bar of Justice. To Men of this description, who aim at Power only to abuse and pervert it, it seldom occurs that the hour of Retribution will one day come, when the Complaint of the injured Party will be deliberately and impartially listened to; When, reduced to a Level with his Accuser, the Offender can no longer intimidate him by holding over his Head the Rod of Oppression, and shut up the Avenues of Justice, but in the face of his Country stand to hear the black Record of his Offences exposed to legal Enquiry, and impartial Justice ready to deal out the Punishment due to him. I here most solemnly pledge myself to Your Excellency that, when this Case shall come before a Court of Justice, I shall be able to produce at least Nine Witnesses, all good and Creditable Characters, to establish the points at issue; and it will then appear, with what degree of Justice or pretensions to Truth, Major McKenzie has designated my Memorial "perjured and corrupt," or was warranted in calling it "a daring, malicious, scandalous and rascally Attack upon Ids Character," not denying the Accusations contained in it, other than by personal Invective and by assuring Your Excellency generally that he has "done his Duty."

In taking the liberty to mention to Your Excellency my Intention of availing myself of the first Civil Court that shall assemble, and whose Province extends to the Cognizance of Matters of so much magnitude, I am actuated by a desire to shew Your Excellency the Degree of Confidence, with which I shall make my Appeal to the Laws of my Country, and am prepared to

* Note 176. † Note 206.
MOUNTGARRETT TO MACQUARIE.

support that Appeal, however it may be matter of Regret to me that some time must necessarily elapse before I can bring my Suit to issue. I have, &c.,

JOHN SMITH, Asst. Surgeon.

SURGEON MOUNTGARRETT TO GOVERNOR MACQUARIE.

Sydney, 6th February, 1816. 6 Feb.

May it please Your Excellency,

I have taken the liberty to avail myself of Your Excellency's gracious Permission to enclose my Memorial in Triplicate to Earl Bathurst, Principal Secretary of State for the Colonies, and humbly to present my most grateful Acknowledgments for the Honor Your Excellency has done me in promising your favorable Recommendation of it to His Majesty's Ministers. I have, &c.,

JACOB MOUNTGARRETT.

[Enclosure No. 1.]

THE MEMORIAL OF JACOB MOUNTGARRETT, SURGEON AT THE SETTLEMENT OF PORT DALRYMPLE.

To His Excellency Lachlan Macquarie, Esqr., Governor in Chief of the Territory of New South Wales and its Dependencies, etc., etc., etc.

Most respectfully Sheweth:—

That Memorialist was unwilling to address Your Excellency on the Subject of his private Concerns, until his innocence on the late Accusations against him should have been fully established, and his Character restored to him unblemished; And Memorialist humbly trusts, that the verdict of the Honorable Court of Criminal Jurisdiction on Tuesday last has not only removed every Circumstance that had remained in doubt to the prejudice of Memorialist, but exposed and dragged to light, and to Universal reprobation, the dark, dangerous and malicious machinations, by which Memorialist had been brought before a Court of Justice to answer to a Criminal Charge.

Important as such a Triumph must be, with a view to the Common interest of Society, it has yielded Memorialist more intrinsic Satisfaction, from the reflection that the influence against him at Port Dalrymple had grown in his Absence into a formidable Combination; but it has afforded a recent Lesson to the Colony at large, and more directly honorable to the Authority which presides over it, that in a Court of Justice, constituted by such Authority, Truth and Integrity are sure to prevail, and the wicked views of prejudice and malice are as sure to be detected and defeated.

* Note 173.
And Memorialist presumes that it will be considered one of the most striking Features in this prosecution, and discover the fallacy and injustice in which it originated, when it shall appear that the Judge Advocate and Some of the Members of the Criminal Court seemed even to doubt of the legal necessity of Calling upon Memorialist for any defence upon his Trial, which left an inference that there was nothing for him to defend, no charge to exculpate himself from, consequently that all the Evidence, which had been brought forward against him, had received no degree of Credit from that Honourable Court, and that the attempts, which had been made to injure and harrass Memorialist by the dark Agents and Instruments of Slander and Defamation, had met with Contempt and Detection.

Memorialist will not intrude upon Your Excellency on this Occasion with a Statement of the numerous Acts of injustice that have been heretofore too Successfully practised against Memorialist at Port Dalrymple, not only in regard to his reputation, but to his property; but will respectfully beg leave to defer that to a future Period, when they will appear supported by incontrovertible evidence and Documents, and Strengthen Memorialist's Claim to redress.

Memorialist will now humbly submit to Your Excellency's gracious Consideration a Statement of these Circumstances under which he presumes to address Your Excellency, and then proceed to introduce the prayer of this Memorial.

Memorialist had the honor to Serve in His Majesty's Navy in the Medical Department from the Year 1790 to 1803, ten Years of which Period, Memt. acted as Principal Surgeon. That he came to this Colony as Surgeon of His Majesty's Ship Glatton, and, on the formation of the Settlement at the River Derwent, was appointed Colonial Surgeon on that Establishment, a Justice of Peace for the whole Territory; And, on the late Lieutenant Governor Collins assuming the Command there, Memorialist was removed to Port Dalrymple, where he has been regularly and assiduously engaged in the arduous Duties attached to those appointments.

From Documents and Certificates in the possession of Memorialist, and ready to be produced to Your Excellency, it will appear how far Memorialist has acquitted himself in the different Stations he has been placed in his Medical Capacity, with strict attention and undeviating fidelity, up to that late unfortunate Circumstance, when, acting in his professional Duty in this Colony, Memorialist was necessitated to undergo the amputation of his Arm.
From a review of Memorialist’s long Services, and the Sufferings he has met with, and his now Shattered and incapacitated State, Memorialist most humbly prays Your Excellency will be pleased to forward a Memorial to His Majesty’s Ministers, containing this general Statement and concluding with a hope that Memorialist may be permitted to retire from the Service on such a pension or allowance made to him, as may be deemed equivalent to those Services and Sufferings.

And in the mean time, Memorialist respectfully prays to throw himself upon Your Excellency’s gracious protection and to be allowed such indulgence as a Settler, as, in Your Excellency’s wisdom, Memorialist, under all the Circumstances of his Case, may appear to deserve.

And Memorialist will ever pray, etc.

J. MOUNTGARRETT, Surgeon, Port Dalrymple.

Sydney, 26th Jan., 1816.

I beg leave to recommend the Prayer of the foregoing Memorial to the favorable consideration of Earl Bathurst.

L. MACQUARIE.

[Enclosure No. 2.]

The Memorial of Jacob Mountgarrett, Surgeon at the Settlement of Port Dalrymple in Van Dieman’s Land, One of the Dependancies to His Majesty’s Territory of New South Wales.

To the Right Honorable Earl Bathurst, His Majesty’s Principal Secretary of State for the Colonies, etc., etc., etc.

Most humbly represents:

That Your Lordship’s Memorialist has been for a period of upwards of twenty one Years in His Majesty’s Service as Surgeon; was appointed to His Majesty’s Sloop Sincere, Captain Bradby, by Warrant dated 16th July, 1798, confirming one given to Memorialist by Admiral Hotham, Commander in Chief of His Majesty’s Ships and Vessels in the Mediterranean, dated 17th July, 1795. Afterwards to His Majesty’s Ship La Minerve, Captain George Cockburn, by Warrant dated 16th July, 1798, confirming one given to Memorialist by Admiral Sir John Jervis, K.B., Commander in Chief of His Majesty’s Ships and Vessels in the Mediterranean, dated 31st October, 1796, in which Duty Memorialist continued till the Year 1802, when that Ship was paid off at Deptford; and had been in One Action in the Mediterranean against the Spanish Frigate Sabina in 1796, and in the General Action on the 14th February with Lord St. Vincent against the Spanish Fleet off Cape St. Vincent; That Memorialist was afterwards appointed Surgeon to His Majesty’s Ship Glatton, Captain Collett, by Warrant dated 26th May,
1802, in which Ship Memorialist came to the Colony of New South Wales with four hundred Male and two hundred female Convicts.

That, on Memorialist's Arrival in this Colony, he Volunteered his Services with Captain John Bowen, R.N., to go in his Medical Capacity to a New Settlement then about to be formed at the Derwent in Van Dieman's Land; and, after that Settlement had been established and Memorialist had resided there about twelve Months, Memorialist went as Surgeon and a Magistrate with the late Colonel Patterson of the 102nd Regiment to the Settlement of Port Dalrymple, where Memorialist continued to exercise his professional Duties, and the Office of a Magistrate with Fidelity, Zeal, Promptitude and Attention.

That Memorialist came to Head Quarters at Sydney in New South Wales early in the Year 1815, and there had the misfortune to be obliged to undergo the Amputation of his Arm, in consequence of the Exercise of his Duty as a Surgeon at Sydney.

That Memorialist is therefore led to cherish a Hope that his long Services and Sufferings and his present shattered and incapacitated State will plead with Your Lordship in his behalf, when Memorialist humbly solicits Permission to retire from the Service on such a Pension or Allowance as Your Lordship in Your Wisdom and Humanity may deem equivalent to his long Services and Sufferings.

That Memorialist is desirous to pass the remainder of his days as a Settler on Van Dieman's Land, and therefore most humbly Prays Your Lordship will approve of his receiving such Indulgencies from the Government in that behalf, as are usually extended to Settlers of this Description.

May it therefore please Your Lordship to take Memorialist's Case into gracious Consideration, and to allow him to retire from the Service with the Indulgencies herein humbly Solicited.

And Memorialist will ever pray, etc., etc., etc.,

JACOB MOUNTGARRETT, Surgeon.

Sydney, 6th February, 1816.

STATEMENT BY JAMES TAYLOR.

James Taylor, per Ship Admiral Gambier (1st time) in 1808. Tried at Kent G.D., 27 July, 1807. Life. Says he has been about 5 years at Port Dalrymple in V. D. Land, during all which time he passed as a Free Man under the name of John Adams. He made his escape from Sydney in the Elizabeth and Mary belonging to Mr. Thorby. Lived for the three first years with Doctor Smith, then got a piece of Land from Capt. Ritchie the Comt., who afterwards recommended him to Govr. Macquarie for
a Grant, which He obtained, 30 Acres; but the Deeds still rest in the hands of Mr. Archer of the Commissariat at Pt. Dalrymple, the Grant made out in the name of John Adams; reported himself to Major Gordon and Capn. Kenny as having come free from England in the Unity, Schooner, and that he had been left by her with others as a Sealing Gang on the Island of Cape Barren, and that He got thence in an open Boat to Port Dalrymple. He was employed by Capn. Ritchie as a Constable, and never questioned about being a Free Man except as above related, by Major Gordon.

Age, 49 years. Height 5 5½.
Native Place, Bansted in Surry.
Calling, a Labourer.
Hair Black turning to Grey.
Eyes, Hazel; Complexion, Dark Sallow; Strong Made.
That He came back to Sydney in H.M.B. Emu in Decr., 1815, as an Evidence of the Crown in the prosecution of Mr. Mountgarrett, Dr. Smith and others.
The foregoing Acct. is taken from James Taylor himself, this 8 Feby., 1816, by me

JNO. THOS. CAMPBELL.

MR. A. F. KEMP TO GOVERNOR MACQUARIE.

Sir, Sydney, 3 April, 1816.
I beg permission to express my obligations to your Excellency for the intimation of your intention (through Mr. Wentworth) to Honor me with the Commission of a Magistrate for Van Dieman’s Land; the duties of which situation I shall feel pleasure in discharging unaccompanied with the service of the four Men usually assigned, untill a Vacancy occurs or your Excellency may see proper to order me to be allowed them.

I have, &c.,

ANTHY. FENN KEMP.

Answer.

As Mr. Kemp has offered to perform the Duties of a Magistrate gratuitously, he will be appointed a Magistrate at the Derwent on his proceeding thither.
Sydney, 3 April, 1816.

L.M.

ACTO. DEP. JUDGE-ADVOCATE GARLING* TO GOVERNOR MACQUARIE.

Sir, Sydney, 6th April, 1816.
I have the honor agreeably to Your Excellency’s desire to enclose you the precept for appointing Anthony Fenn Kemp, Esqr., a Justice of the Peace for the County of Buckingham in Van Dieman’s Land, who I beg to acquaint Yr. Excellency has taken all the necessary Oaths before me, and signed the requisite Declaration in my presence, to qualify himself for holding a

* Note 207.
Commission of the Peace and the Oaths and Declaration are according to the usage in those Cases filed in my Office.

I shall have the pleasure of sending Yr. Excellency on Saturday the Two Lists of the prisoners, tried at the last Criminal Court, in order to complete the Triplicate Returns for Transmission to the Government at home; and I will avail myself of the same Opportunity of sending Yr. Excelcyley. the several Books you were so kind as to accommodate me with on a late Occasion. I will also inclose at the same time the Evidence taken on the Trials of Mr. Mountgarret and Mr. Smith, which your Excellency has expressed a wish to peruse.

I have, &c.,
FREDERICK GARLING, J.A.

COLONIAL SECRETARY CAMPBELL TO GOVERNOR MACQUARIE.

Dear Sir,
6 Apl., 1816.

Precis of letters Herewith I give you the Outlines of some Letters I have been writing to the Southward to send by the Lynx.

As they were not immediately directed by you (except that about Mr. Kemp), I now submit their object to you.

I was the more desirous to expedite these, as perhaps, when the Kangaroo shall be sailing, I will be in the Country.

The preparing these has prevented my going over to Dinner, wh. I requested Major Antill to explain.

I am, &c.,
J. T. CAMPBELL.

[Enclosure.]

1. Letter to Col. Davey in respect to A. F. Kemp as a Free Settler and Copy of the G. and G.O. appointing him a Magistrate (this given in Charge to Mr. Kemp).

2. A Letter to Do. remarking on the circumstance wh. occasioned the G. and G.O respecting the Commt. and conveying those G. and G.O with instructions for his causing them to be carried into effect at Hobart Town and Pt. Dalrymple.

3. A Letter to Do. covering copy of the Muster List of the Crew and Passengers of the Lynx, and requesting him to attend to the particular circumstances of some of those persons being specially allowed to proceed, viz. Mr. Campbell's Servts, 2 Convicts.

4. A Letter to Do. requesting him to assign Richd. Clark as a Govt. Man to Mr. Fisk, and to transmit the Names of the two Convicts, late Servts. to Lieut. Campbell of the 73rd in order to them getting Tickets of Leave.

5. A Letter to Mr. Hogan and Copy of the G. and G.O.

6. An Ansr. to Mr. Fisk respecting his Govt. Man Clark.

DEP. ASSIST. COM.-GENL. HOGAN TO GOVERNOR MACQUARIE.

Sir,
Hobarttown, 12th April, 1816.

I would not perhaps be justified in this Intrusion, was I not compelled, from the overflowings of Gratitude, to take the liberty of writing to your Excellency.
MACQUARIE TO JEFFREYS.

I received a Letter from London from my Brother, informing me how highly gratified he was on learning at the Colonial Department that your Excellency had a favorable opinion of me.

Your Excellency has not only been the preservation of myself and Family in this distant part of the world, But your Goodness and Protection has extended to Europe.

I am well aware that complaints have been made to your Excellency of me (which I am convinced were from Interested motives), and that every step has been taken to deprive me of my situation since my arrival.

When I took charge of the Department here, I found an empty Office, without a single Book or Document as a Guide,* and the Service complicated and altogether different from what it is in Europe. If queries had been sent me after my first Quarter's Accounts were received at Head Quarters, it would have enabled me to make them up afterwards agreeable to the tenor of the Queries. In place of which, my Accounts were regularly acknowledged, and no fault found with them till February, 1815 (a period of 17 Months), when I received queries on them. This clearly evinces that a Plan was laid for the purpose of injuring me in your Excellency's opinion.

I sincerely hope your Excellency will forgive this trespass on your precious time, and attribute it to the true cause, "a Grateful heart."

I have, &c.,

P. G. HOGAN.

INSTRUCTIONS for Lieut. Charles Jeffreys, R. Navy, Commander of H.M. Colonial Brig Kangaroo.

Govt. House, Sydney, Saturday, 13th April, 1816.

1. You are hereby ordered and directed to set sail early to-morrow morning, with the Brig under your command, and with the Passengers embarked on board of her, for Hobart-Town in the River Derwent, wind and weather permitting, making the best of your way thither; and, immediately on your arrival there, reporting the same to Lieut. Governor Davey, and receiving his orders relative to the Disembarkation of the Prisoners and other Passengers shipped on board the Kangaroo for that Settlement.

2. Having landed all your Passengers at Hobart-Town, and wooded and watered your Vessel, you are hereby directed to return again to Port Jackson as soon as possible; and you are hereby strictly enjoined not to remain at Hobart Town beyond Ten days at the farthest from the date of your arrival there.

I am, &c.,

L. MACQUARIE.

* Note 160.
MR. A. W. H. HUMPHREY TO GOVERNOR MACQUARIE.

Sir,

Hobart Town, 6th of May, 1816.

Mrs. Humphrey, who is the bearer of this, will have the pleasure of delivering to your Excellency some Specimens of Animals the Natural production of the Territory over which you preside. I have labeled each and take the liberty of forwarding them for the information of your Excellency.

I have, &c.,

A. W. H. HUMPHREY.

UNDER SECRETARY GOULBURN TO MR. A. W. H. HUMPHREY.

Sir,

Downing Street, 21st May, 1816.

In reply to your Memorial to Earl Bathurst, dated 30th September last, praying that you might be appointed Police Magistrate at Van Dieman's Land, I am directed by his Lordship to acquaint you that you should address yourself to Governor Macquarie on that Subject.

I am, &c.,

HENRY GOULBURN.

W. H. CRAIG TO COLONIAL SECRETARY CAMPBELL.

Sir,

Hobart Town, Island of Van Diemen, 10th July, 1816.

Request for permission to present L. Macquarie with paintings of Hobart Town and Launceston.

I take the Liberty of intruding these few lines on your notice for the purpose of making a Proposal, which I shall be greatly obliged if you will have the Goodness to lay before His Excellency the Governor in Chief.

The term of transportation to which I was sentenced being nearly expired, it is my anxious wish, previous to my returning Home, to present His Excellency with some small Memento of my Gratitude for the kind forbearance that has been shewn to me at a time when my Conduct was marked with illegal Steps. I therefore wish to have the permission of His Excellency to make two Views of the Settlements on Van Diemen's Land, that is Hobart Town, and Launceston; and that, on my compleating the same, I may also be Allowed an Opportunity of coming to Sydney for the purpose of presenting the same.

Should this proposal meet the Approbation of the Governor in Chief, whom I trust will grant me an Opportunity of displaying my talents, I have to beg, Sir, that you will represent to the Lieut. Governor of Van Diemen's Land the Sanction I have to make such Drawings, and requesting him to furnish me with such Assistance as may be necessary to compleat the same.
MACQUARIE TO JEFFREYS.

About ten Months Ago, I had the Honor to make some Views of these Settlements for the Lieut. Governor, some of which I believe he forwarded to His Excellency at Sydney; but they were on a small Scale, and not sufficiently calculated to employ those Abilities which I anxiously wish to Display.

I beg leave to mention that I am provided with all Materials, Vellum paper and Instruments, and I await only for His Excellency's Commands on this Subject, as it will be the greatest pride and Pleasure of my Life to leave some small Specimen of those Abilities behind me, which have lain so long clouded by Misfortunes and destitute of Encouragement!

With the Greatest Respect, I have, &c.,

W. H. CRAIG.


Sir, Govt. House, Sydney, 1st Augt., 1816.

1. On receipt of these Instructions, Wind and Weather permitting, you are hereby directed to weigh anchor and sail with the Brig under your command from hence to Port Dalrymple in Van Diemen's Land direct, making the best of your way thither. On your arrival there, you will report the same to Major Stewart the Commandant, delivering him the Dispatch herewith entrusted to your care, and appointing a Day with him for disembarking the Passengers, Convicts, and Stores destined for that Settlement; and you will not fail to land the whole at Port Dalrymple on the Day appointed, taking the receipt of the Superintendent of Public Works at that Settlement for the whole of the Convicts and Government Stores you land there. As it is more than probable the Convicts, as well as the Stores you have now on board for Port Dalrymple, will be required by the Commandant to be disembarked at George-Town, you need not proceed further up the River than Lagoon Beach, or York-Cove, until you communicate with Major Stewart and receive his orders.

2. As soon as you have landed all the Free Passengers, Convicts, and Stores, you have on board for Port Dalrymple at that Settlement, you will immediately afterwards sail for and make the best of your way with the Brig under your command for Hobart-Town in the River Derwent, with the Free Passengers and Convicts you have on board for that Settlement, reporting your arrival there immediately to Lieut. Governor Davey, delivering him the accompanying Dispatch and receiving his orders for the disembarkation of the Free Passengers and Convicts on
ORDERS for voyage of H.M. brig Kangaroo and delivery of convicts.

1. You will proceed immediately to Norfolk Island, for the purpose of taking on board for that Settlement. You will not fail to call on the Supdt. of Public Works there, after the Convicts have been landed, to grant you a receipt for the number you disembark at Hobart-Town.

3. You must be particularly careful not to permit any Exchanges taking place amongst Convicts now on board the Kangaroo for the two Settlements in Van Diemen's Land, but see that those destined for either Settlement are disembarked at each agreeably to the List of their Names respectively, which will be delivered to you by Mr. Secretary Campbell; and you are hereby enjoined to use every possible precaution to prevent any of those Convicts now on board from making their escape from her either here, on the Passage, or on your arrival at the Places of their destination. The Military Guard on board the Kangaroo being of course under your orders, you will take care to place Sentinels in such places and with such orders as to preclude the possibility of any of the Convicts making their escape from the Brig under your command.

4. Having landed all your Passengers with their Baggage at Hobart Town, taken in your Wood and Water, and received such Passengers there for Port Jackson as Lt. Govr. Davey may have occasion to send hither in the Kangaroo, together with such Dispatches as he may deliver to you for me, you are hereby ordered and directed to return with the Brig under your Command again to this Port, with the least possible delay; and you are hereby strictly enjoined not to remain beyond Ten days at the furthest at the Derwent, on any account whatsoever.

I am, &c.,
L. MACQUARIE.

Robbery of farm of Lieut.-Governor Davey by bushrangers.

Hobart Town, County of Buckinghamshire, Van Diemen's Land.

Information on Oath of JOHN PEACHEY, Overseer of His Honor Lieutenant Governor Davey's farm at Carrington Park, Coal River, who saith:—About ten o'clock last night, the Eighth of September, 1816, William Wood, a Crown servant, was reading in the front Room of His Honor Lieutenant Governor Davey's house. I was in Bed; there came a knock at the Door. Wood opened the door and a man of the name of George Jones, Bushranger, said, "How do you do, Wood?" I immediately got up and went into the front Room, where I found five men, Bushrangers, viz. George Jones, Michael Howe, Peter Septon, John Chapman and James Parker; to the best of my belief, each of them had a brace of Pistols and a Musket. I said, well, my lads, what do you want; they said, "They just called to see me." I replied, well I suppose you want something to eat; they said, "Yes." I told them
that I had some fresh pork that was dressed; they said, "No." Chapman, one of the party, said, "I must have some of the Ham, which hangs up"; they asked where Manchester (another Crown Servant) was, and said let him get the pan and begin to fry. Michael Howe went in search of Eggs through the Premises, and then asked me for some Spirits, which I gave him; they took some Cream and beat up the Eggs, Cream and Spirits; they ordered me to make Tea, which I did; they then asked me for my Wife's Thread. I brought out my wife's work basket; they asked for some Ammunition. I told them there was a little Powder in the Closet. I went and brought it to them, also two small bags with some leaden Slugs in them; they desired me to tell my wife to get up; their reason for this, as I afterwards found, was to search the Room after my wife got up. Michael Howe, Peter Septon and George Jones went in and searched the Room; they turned everything out of the Boxes, and took away with them nearly three lbs. weight of the best Green Tea, a small parcel of Sugar, together with thread, Needles, etc.; they also took six bottles of Wine, which my wife had put by in case of illness; they asked me if the Wine was of one sort. When they came out of the Bed room, they told me what they had taken, which was a few things they stood in need of, but that they had not touched my wearing apparel; they packed up the wine with the other things, as also the remainder of the Ham and two or three loaves of bread in their napsacks; they then asked me for a candle to go to the Servants' house. I gave them one, and they went to the men's house and found two or three men absent; they returned back to the house and said there were two or three men absent, and added they must be off. Peter Septon asked me for some Grog, which I gave him, who mixed it with milk, and he then took it over to a sick man named Lucas (another Crown servant) at the men's place; they then took up their napsacks and went away, bidding us all a good night; they left the house, but returned immediately, saying they had left three leaden weights on the table; they turned on their way to Stynes and Troy's farm; during the conversation at Tea, they expressed a wish to see the Lieutenant Governor there, as they wanted to have a little private conversation with him. Mich'l Howe desired his compliments to Lieutenant Governor Davey. I had a musket in the House, which John Chapman changed. Michael Howe asked me for my dictionary. I gave it to him, observing to him that it was mine and, as soon as he had done with it, to return it to me; he promised he would.

John Peachey.

Taken and sworn before me this Ninth day of September, 1816, at Hobart Town aforesaid:—A. W. H. Humphrey, one of His Majesty's Justices of the Peace for the County aforesaid.

ACTG. ASSIST. COM.-GENL. BROUGHTON* TO GOVERNOR MACQUARIE.

(Letter marked "Private.")

Dear Sir,

Hobart Town, 30th October, 1816.

The Accounts, which will reach Your Excellency by this conveyance, will I am sure give you much pain, and I am sorry

* Note 208.
1816.
30 Oct.
Character of inhabitants.

Report re P. G. Hogan.

Fraudulent entry in commissariat accounts.

Survey of stores and provisions.

Deficiency of wheat in store.

to add there are too strong grounds for complaint. The rogery, which has been carried on at this illfated Settlement, is beyond all calculation, and, were there but six honest Men to be found in it, I have no doubt but such a scene of villainy would develop as would astonish the most hardened and depraved; but, as it is, crimes are committed with the greatest impunity, while detection is most difficult to come at; but, how can it be expected otherwise, when the very heads, with but few exceptions, set the very worst examples. In my last Letter to Your Excellency, I mentioned that I had some hopes that Hogan was an honest Man, and that his misfortunes proceeded from negligence and inattention to his duties, and placing too much confidence in those about him. I am truly sorry to have reason to alter my opinion of this unfortunate Man; but circumstances have come within my knowledge, which would make it criminal in me to deceive you with regard to him; and, however I may feel for the distresses of his family, I cannot put it in competition with the conduct I owe to your Excellency. It appears from what I have learnt, “that, at the time the Ontario* was at this place, that Hogan was very hard Push for Money to satisfy the demands made upon him; and that Mr. E. Lord lent him £400, to pay which Maum introduces the Name of Mr. Lord into the Vouchers as having delivered into the King’s Stores 800 Bushels of Wheat; Mr. Lord, on being sent for to sign the Vouchers, suspected all was not right, and questioned Maum† very closely, when he acknowledged the Wheat had never been put into the Store, and Mr. Lord declined having any thing to do in the affair, observing that he would much sooner lose his Money than have any thing to do in so foul a transaction”; this I had from Mr. Lord himself! I, however, ought to have told your Excellency that, on my arrival, Colonel Davey put into my hands a Copy of a Survey held on the remains of Stores and Provisions in the Magazine the 31st July last. Whether this was done to impress on my mind with what Vigilance and caution he conducted the Public Affairs, I cannot say; I, however, took particular Notice that there was on that day 3,265 Bushels of Wheat remaining in the Magazine. Some time after, I had occasion to go into the Place where Mr. Hogan keeps his Accounts, and there I saw an Abstract prepared, wherein the Names of Persons where inserted, as having been paid to the Amount of £3,200 for Wheat delivered into Store between that period and the 24th August; from which it was evident to me, from the Report of the Survey taken since

*Marginal note.—An American Brig. †Note 11.
my arrival, that there was upwards of 2,000 Bushels of Wheat deficient, but the following statement will best explain the business:

<table>
<thead>
<tr>
<th>Description</th>
<th>Bushels</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remained in Store 31 July, 1816, Per report of Survey</td>
<td>3,265</td>
</tr>
<tr>
<td>£3,200 Disbursed for Wheat Purchased since</td>
<td>6,400</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>9,655</strong></td>
</tr>
</tbody>
</table>

Suppose 750 Rations issued between the 31 July and 24 Sept., say 8 Weeks at 108 Bls. P. Week | 864 |
| 20 Bushels Per Week Issued to Working Oxen | 160 |
| Remained in Store Per Survey, 25th September | 5,398 |
| do damaged and unfit for Men to eat | 656 |
| **Total** | **7,078** |
| There appears a deficiency of | 2,587 |
| **Total** | **9,655** |

It may be said and I think it will adduced that they Victualled more than 750 full Rations, and that the Wheat owing to Government forms a part of the remains. I doubt both the one and the other. I have received 48 Men from Sydney; I issue as many extra Rations as they have been in the habit of doing, and, taking every description of persons, I can only make about 750 I am positive they have not borne more on their Books for many months back. I mention this circumstance, because I know that Rascal Maum, the Store Keeper, will resort to forcing the Numbers Victualled, that is he will make the Numbers in the Returns equal to the consumption of whatever may be deficient. I advise Your Excellency to call upon the Lieut. Governor for a Nominal Return of every person Victualled and Discharged since the first of January last; this will defeat their intentions, and I am much mistaken indeed if it does not open a scene of villainy. In this Return, they must distinguish such persons as receive an extra half Ration. I find that upon an Average I victual about 100 persons, who receive extra half, but, including these, I only issue 750 full Rations weekly.

With regard to the Wheat lent to individuals, the question is whether the Wheat was lent before the Survey of the 31st of July last, or between that and the 25th September following. If the Wheat was lent prior to the 31st July, I cannot alter the foregoing statement; but, if any was lent subsequent to that date, they of course will be entitled to a credit for the Number of Bushels so lent to individuals.

Your Excellency will be much surprised that an Officer (The Lieut. Governor’s Secretary) had the Assurance to borrow from the King’s Stores One or two hundred Bushels of Wheat, under

1816. 30 Oct.
Deficiency of wheat in store.
a plea that the same was for Seed, although this same Gentleman had a vast quantity the last season*; but how will your ears be astonished when I tell you that the Wheat, so lent, was actually bartered away for Rum on Board the Lady Elliott!! This, Sir, is what is called here, *Financtering*; I am sure Your Excellency will find another Name for such a diabolical scheme. Yet this same Gentleman affects the air of candour, and sometimes has the boldness to censure the Man, whose ruin he is effecting. My heart recoils at what I daily see and daily hear; but, such is the state of this unfortunate Settlement that if its safety, like Sodom and Gomorrah, depended on finding Six honest Men, I believe it would be swallowed up in all its iniquity. It will therefore appear to you, how difficult it must be to bring Proofs home to the Parties.

Nothing I think will point out more clearly the want of energy on the part of the Government of this Colony (if so it can be called) than that of suffering Six wretched Men to form themselves into a Banditti and rove about to the great annoyance of the honest and industrious Settler, for it is the honest and industrious, and such as are inimical to their lawless views, that are the marked objects. Poor Stanfield was the other day stripped of every thing he had, the value of which could not be replaced with £200. Staines and Troy, two Settlers, were also robbed about the same time, but 'tis currently reported that these two Men have been in the habit of receiving from the bush rangers, and that, having been disappointed in the Promises made by Staines and Troy, they took the liberty of Paying themselves; how true, or what foundation there may be for such a report I know not, but 'tis evident that these fellows are assisted by many of the Settlers; indeed I sometimes think they are encouraged by those, who wished to justify the necessity there was of establishing Marshal Law.

Soon after I came here, a Report came in that the Bush Rangers were at the Coal River; it was laughable to see the hurry it caused, Soldiers running ready to break their Necks! where to! Why to the Stores, to get rigged out with Blue Jackets and Shoes, and which by the by never answer but for one expedition; for the next, another supply is required. The whole place was in an uproar, and, as may be imagine, the Bush Rangers had information of our movements before the Soldiers were out of Town. Such is our System of Policy, not even Villainy is kept a secret, for there are some who boast of their

* Mr. Lascelles purchased a farm last year upon which a Crop of Wheat was standing.
iniquity and glory in their misdeeds. It is really lamentable to see so fine a Settlement as this so mismanaged; and I sincerely hope that the Report of a Lieut. Governor coming to relieve Colonel Davy is correct, though, when he is spoken to on the subject, He bawls out “Ponticherry.” I am afraid I shall tire Your Excellency’s patience with this dismal picture, but I assure you no description of mine is equal to convey to you an idea of the many improprieties which pass by with impunity.

I have enclosed you in my Public Letter my Abstract of Disbursements made on the Public Account from 25th September to the 24th October inclusive with a list of Bills drawn on the Deputy Commy. General to cover the same, and which practise I shall follow up every month. I would advise Your Excellency to call on Mr. Allan for Abstracts of the Disbursements made by Mr. Hogan, during the period he has been in Charge of the Commissariat at Hobart; And also Abstracts of the Numbers Victualled Weekly during the same period. I shall furnish you with one every Month myself, from which you will be enabled to compare the two together, and draw a comparative view of the difference between the two.

I have not sent you a Nominal List of the persons, who are Victualled from the King’s Stores, but I have sent you a Return of the Number and employment of every person Victualled from the King’s Magazine, which shews the Number, which their families are composed of, and the Servants they are allowed from Government. I think this will afford you every information you may require, and you will see at one view such persons as are Victualled, and who are not entitled to Rations, and others who have more men than they are entitled to, and others who have Servants who are not entitled to any; to draw your attention more pointedly to the objects, who I consider are coming under this description, I have made a reference mark. There has been no Survey of the Public Stock as yet taken, therefore I can make no Report on this subject; neither has there been a Committee on the subject of the Police Fund Accounts. I have often been asked by the Lieut. Governor when it would be convenient, and as often replied when ever he thought proper to convene the Committee.

There is nothing so much Wanted as a Public Slaughter House at Kangaroo Point, placed under the same regulations as that at Sydney; I should be much gratified if any thing I could say would induce Your Excellency to order one to be built immediately, exactly upon the same plan; A sketch of which shewing the dimensions could be sent down; Leaving out of the question
the saving it would be to Government, I am persuaded that, under the Superintendence of an honest Man, if one could be found at this place, it would be of very great advantage to the Public, and prevent many depredations, which the Breeders of Stock are loudly complaining of. The facility, with which robberys of this kind are committed and which are carried to a most alarming extent, is beyond all belief. Mr. Birch the other day assured me that he had not less than 400 Sheep Stolen within twelve Months, and that he had no doubt but they were slaughtered and turned into the King's Stores. If Your Excellency should approve of my Suggestion, I have to request you will have the goodness to send me a Copy of the Orders respecting the regulations of Slaughtering Cattle, and to which I hope Your Excellency will add that no person will, after such place is erected, be allowed to Slaughter Meat intended for the Public Store at any other.

I have also to remind Your Excellency of your promise to have Jno. Gregory, the Clerk who was sent to New Castle, forwarded to me. I am much distressed for a Man who writes a good hand and understands something of Accounts.

I was much grieved to hear of Your Excellency's indisposition, but it is of some consolation to learn that you are somewhat recovered; I hope, ere this reaches you, that you will be perfectly restored to health.

I beg you will remember me to my worthy friend Mrs. Macquarie and that you will assure her of the high sentiments of my regard and esteem; with respect to myself, I am as comfortable as a Man can be in the absence of a Wife, for whom he has the most affectionate regard; a few tours like these might give a zest to the joys I left behind me at my return; but I do not think they would prolong the period of my existence. I must here remind you, Sir, that at the expiration of twelve months, I trust I shall be relieved.

I have at present given you all the information I am able with regard to matters connected with this place; it is said here that I have been sent for this purpose; I can only say that I am influenced by no malicious views in the information I have given, and, if it may be productive of any good, it will carry with it its own reward, the self approbation of a good conscience.

I shall conclude with wishing You every comfort in this transitory World, but that you may be superlatively so in the World to come is the most ardent and sincere wish of

Dear sir, &c,

WM. BROUGHTON.
MEMORANDUMS taken from Mr. Broughton's Private Letters of dates 13th, 29th, and 30th of Octr., 1816: Vizt.

1st. Lt. Govr. Davey to be called on to have made out and transmitted as soon as possible to the Governor a correct Nominal Return of all Persons (Male and Female) victualled from the King's Stores at the Derwent from the 1st of January to the 24th of September last, both days inclusive, specifying the date of each Person's being put on or discharged off the Store, and distinguishing the names of such Persons as may have received an extra Half Ration during that period.

2d. Dy. Comy. Genl. Allan is to be called on to furnish the Governor forthwith an Abstract of all Disbursements made by Depy. Asst. Comy. Genl. Hogan at the Derwent, and drawn for by him, from the date of his taking charge of the Commissariat Department at the Derwent up to the 24th of Sept. last inclusive; and also an abstract of the numbers victualled weekly from the King's Stores at the expense of the Crown at that Settlement for the same period.

3d. A new Slaughter House for Govt. to be erected on Kangaroo Point; and a Sketch of the one at Sydney with Copy of the Regulations for Slaughtering Cattle for the King's Store to be sent to Mr. Broughton.

4th. John Gregory, Clerk, to be sent to the Derwent Pr. Kangaroo for Mr. Broughton.

5th. An absolute Pardon for John Gibson (Emancipated by Govr. Hunter in 1800), who came out a convict Pr. Ship Pitt in 1792; recommended by Mr. Broughton.

L.M.

GENERAL STATEMENT of the Inhabitants at Hobart Town, Van Diemen's Land, comprehending the Whole of the County of Buckinghamshire, taken at a General Muster under the Inspection of His Honor Lieut. Governor Davey, Assisted by Acting Ass't Comm'y Gen'l Broughton, between the 11th and 21st November, 1816, inclusive.

Hobart Town, Comprehending the whole of the Districts in the County of Buckinghamshire.

Civil Department:—1 Lieut. Governor; 1 Deputy Judge Advocate; 1 Chaplain; 1 Surgeon; 1 Provost Marshal; 1 Naval Officer; 1 Deputy Surveyor; 2 Superintendents; 8 Women; 20 Children.—Total 37.

Commissariat Staff:—1 Actg. Asst. Comm'y General; 1 Depy. Do. Do. (on leave of absence); 1 Women; 4 Children.—Total 7.

Military:—1 Captain; 2 Subalterns; 1 Asst. Surgeon; 64 Non Comm'd Officers and Privates; 6 Women; 16 Children.—Total 90.

Free Persons Victualled from the Stores:—101 Men; 36 Women; 52 Children.—Total 189.
Convicts Victualled from the Stores:—311 Men; 9 Women; 2 Children.—Total 322.
Total No. of Persons Vict'd from H.M. Stores. 645.
Free Persons not Victualled:—391 Men; 106 Women; 143 Children.—Total 640.
Convicts not Victualled:—40 Men; 86 Women; 9 Children.—Total 135.
Total No. of Persons not Victualled:—775.
Total No. of Souls in the Settlement:—1,420.

W. BROUGHTON, Ag. A.C. Genl.

MESSRS. RILEY AND JONES TO COLONIAL SECRETARY CAMPBELL.

Sir,
Sydney, 22d Novr., 1816.

We beg to request you will lay before His Excellency the Governor the enclosed Letter from Messrs. Kemp and Gatehouse of Hobart Town with their enclosures.

We have, &c,

RILEY AND JONES.

[Enclosure.]

MESSRS. KEMP AND GATEHOUSE TO GOVERNOR MACQUARIE.

Hobart Town, Van Dieman's Land,
Sir, 26th October, 1816.

We have the honor to enclose you a Protest we have been under the Necessity of making against Mr. Deputy Assistant Commissary General Hogan for witholding our Public Money lodged in his hands for Consolidation, and Copy of two letters we have wrote to His Honor Lieutenant Governor Davey on the subject, to which we have not been favored with a reply. We indulge a well grounded hope that your Excellency will afford us that relief, which we humbly hope our case entitles us to, and that you will be pleased to direct that Mr. Hogan will settle with us our just demands against Government in Conformity to his Receipts.

We have, &c,

KEMP AND GATEHOUSE.

Answer.
The only relief the Govt. can give to the Applicants in this case is to call on Mr. Asst. Dy. Comy. Genl. Hoggan for an explanation of his conduct, calling on him to liquidate the Debt he owes to Messrs. Kemp and Gatehouse. Mr. Secry. Campbell will accordingly write to Mr. Hogan on this subject.

L.M.

MR. J. R. O'CONNOR TO COLONIAL SECRETARY CAMPBELL.

Sir,
Sydney, N. S. Wales, 23rd Novr., 1816.

I take the liberty of enclosing you a protest and attestation of the non compliance of Mr. D.A. Comy. Genl. Hogan to grant a Set of Bills agreeable to the Tenor of the Enclosed "Orig. rec'd" for £68 9s. 1d. Stg. of that Gentleman, and have to
request you will do me the favor to submit the same for His Excellencies information and will feel particularly obliged by your favoring me with the result thereof. I have, &c.,

J. R. O'CONNOR.

Adjourn.—The Govr. can give Mr. O'Connor no other relief in this case than by calling on Mr. Hogan to liquidate the Debt; and Mr. Sec'y. Campbell is accordingly to write to Mr. Hoggan to this effect, requiring of him to make immediate Payment to the Parties concerned.

Sydney, 25 Novr., 1816.

L.M.

GOVERNOR MACQUARIE TO ACTG. ASSIST. COM.-GENL. BROUGHTON.

Sir,

Government House, Parramatta, 27th Novr., 1816.

I have to acknowledge the receipt of your several Letters under dates the 30th and 31st of last month, with their respective Enclosures and accompanyments, all which are perfectly satisfactory and regular.

You have forgotten that all Civil Officers, having Commissions from the Crown, are entitled to be Victualled from the King's Store, but not their Wives, Children or Servants; consequently Mr. Abbott, the Dy. Judge Advocate, is himself entitled as a Civil Officer to be constantly on the Store; but his Wife and Family, and his Government Men as a Settler, can only be victualled for Eighteen Months from the day they were first put upon the store.

Mr. Lascelles, as a Settler, was allowed by me Six Govt. men (but no more) on the Store for Eighteen Months, which are all he can be allowed, and I strongly suspect the 18 months have long since expired. If they have not already, or as soon as that period expires, it is my positive orders to you to strike them off the Store.

Mr. Gunning, as a Settler, was himself, with (I think) only six men, allowed to be on the Store for Eighteen Months, which period must long since have expired; and, as he holds no Public Office now to entitle him to be victualled, himself and all his Govt. Men (if any are still on) must be immediately struck off.

I observe from the Return you sent me that Lt. Gov. Davey has still no less than Twelve Govt. Men on the Store, and, as the period for which he was allowed them, namely Eighteen Months, must long since have expired, I request you will signify to him that it is my Orders to you to strike them off the Store forthwith, and I am to desire you will do so accordingly.

I shall not fail to direct the Deputy Com'ry Genl. to send down in the Kangaroo (which will be dispatched for the Derwent in about a fortnight hence) a Quantity of Sugar and Salt for the use of the Settlement.

I am, &c.,

L. Macquarie.
Governor Macquarie to Mr. John Drummond.

Sir,

Govt. House, Parramatta, 27th Novr., 1816.

I have now to acknowledge the receipt of your several Letters of dates 12th, 28th, and 30th of last month, with their respective Enclosures and accompaniments. In reply to the several Queries you put to me relative to your Department in the Letters above alluded to, I must refer you generally to the Port Regulations and Standing Orders of this Territory, which are sufficiently clear and explicit on all the Points you now desire information on; and, in case you should not on some particular occasions understand them, I would recommend to you in future to write to Capt. Piper, the Naval Officer here, for an explanation, and am sure he will always be ready to afford it to you. In the mean time, however, it is proper I should once for all inform you that the Spirit and true meaning of the Govt. and Genl. Orders* of the 31st of Decr., 1814, respecting the importation and Bonding of Spirits, is that the amount of Duties of all Spirits remaining in Bond at the end of Twelve Months should be paid to Government whether sold or not by the Importer or Owner of them. You are also invariably to collect and insist on the payment of the prescribed Duty on all Oils exported† from Van Diemen's Land to England or elsewhere, unless the proprietor produces to you an order from me dispensing with the same. I have no recollection of having ever remitted the Duty on Exported Oil from Van Diemen's Land either to Mr. Collins or any other Person; and no one but myself has authority to do so. I shall certainly look to and hold you responsible to the Crown for all Duties ordered to be levied on all goods and Merchandise, including Spirits, imported into the Derwent; and, as Lt. Govr. Davey possesses no real Power or authority either to mitigate or remit Duties on Spirits or any other article imported, I must desire you will remonstrate respectfully against his doing so, as often as he may attempt doing it, shewing him this Letter as your authority. You are also to call on him, at all times, when occasion may require it, to aid and assist you, with the interposition of his authority, to compell all refractory Persons to pay the Duties due by them to the Crown; and, in case of their still persisting to withhold the Duties from you, the Lt. Governor must be applied to by you to summon all such Persons to appear before a full Bench of Magistrates to answer for their conduct.

I remain, &c.,

L. MACQUARIE.

* Note 209.  † Note 210.
RETURN of Settlers, Land in Cultivation or Allotted, and Live Stock in their Possession, at His Majesty's Settlement, Hobart Town, River Derwent, Van Diemen's Land, and one of the Dependencies of the Territory of New South Wales, taken at a General Muster by order and in the presence of His Honor Lieutenant Governor Davey, assisted by Actg. Ass't Com'y Gen'l Broughton, from the 11th to the 21st November, 1816, Inclusive.

<table>
<thead>
<tr>
<th>In whose Possession.</th>
<th>Number of Acres of Land</th>
<th>Number of Horses</th>
<th>Number of Sheep</th>
<th>Goats</th>
<th>Swine</th>
<th>Propr.</th>
<th>Wife</th>
<th>Chil-</th>
<th>Govt.</th>
<th>Servants</th>
<th>Victualled and not Victualled by Government</th>
<th>Total Number of Persons Employed</th>
<th>Total Number of Persons</th>
<th>Total Number of Persons</th>
<th>Total Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Settlers</td>
<td>2,239 187</td>
<td>141</td>
<td>143</td>
<td>23,306</td>
<td>23,440</td>
<td>51</td>
<td>64</td>
<td>2,309</td>
<td>3,421</td>
<td>15,962</td>
<td>27,347</td>
<td>196</td>
<td>182</td>
<td>325</td>
<td>759</td>
</tr>
<tr>
<td>The Crown</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>2,239</td>
<td>187</td>
<td>141</td>
<td>143</td>
<td>23,306</td>
<td>23,440</td>
<td>56</td>
<td>82</td>
<td>2,738</td>
<td>3,989</td>
<td>19,794</td>
<td>34,870</td>
<td>196</td>
<td>183</td>
<td>332</td>
</tr>
</tbody>
</table>

W. BROUGHTON, A'g A.C. Gen'l.

GENERAL MUSTER of the Proprietors of Land and Stock at Launceston, Port Dalrymple, taken on the 9th December, 1816, by order of His Honor Thomas Davey, Esquire, Lieutenant Governor of Van Diemen's Land.

<table>
<thead>
<tr>
<th>Grant or Lease.</th>
<th>Number of Acres of Land</th>
<th>Number of Horses</th>
<th>Number of Sheep</th>
<th>Swine</th>
<th>Propr.</th>
<th>Wife</th>
<th>Chil-</th>
<th>Govt.</th>
<th>Servants</th>
<th>Victualled and not Victualled</th>
<th>Total Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officers and Settlers</td>
<td>Grants Do.</td>
<td>779</td>
<td>28</td>
<td>5</td>
<td>32</td>
<td>8,320</td>
<td>9,075</td>
<td>8</td>
<td>36</td>
<td>632</td>
<td>1,106</td>
</tr>
<tr>
<td>Free Men and Prisoners</td>
<td>Grants Do.</td>
<td>189</td>
<td>10</td>
<td>9</td>
<td>9</td>
<td>809</td>
<td>849</td>
<td>9</td>
<td>40</td>
<td>409</td>
<td>410</td>
</tr>
<tr>
<td>Total</td>
<td>964</td>
<td>38</td>
<td>14</td>
<td>31</td>
<td>9,129</td>
<td>9,075</td>
<td>8</td>
<td>36</td>
<td>701</td>
<td>1,106</td>
<td>6,777</td>
</tr>
</tbody>
</table>
1616.  
9 Dec.  
Return of inhabitants at Port Dalrymple.

18 Dec.  
Letters acknowledged.

Requisitions for stores, etc., received.

Mill-stones for R. Nash.

Shipments of sugar.

GENERAL MUSTER of Civil Department, Settlers, Free Men, Women and Children, Prisoners, etc., taken at Launceston, Port Dalrymple, Van Diemen's Land on the 9th Dec., 1816, by Order of His Honor Thos. Davey, Esqr., Lieut' Governor of Van Diemen's Land.

Civil Department:—1 Commandant; 1 Deputy Commissary; 2 Surgeons; 1 Insp'r Pub. Works; 2 Superintendants; 1 Chief Constable; 5 Women; 8 Children.—Total 21.

Settlers and Free People Victualled:—56 Men; 16 Women; 64 Children.—Total 136.

Settlers and Free People Not Victualled:—93 Men; 31 Women; 42 Children.—Total 166.

Prisoners Victualled:—119 Men; 13 Women; 5 Children.—Total 137.

Prisoners Not Victualled:—26 Men; 8 Women; 1 Children.—Total 35.

Grand Total 495.

GOVERNOR MACQUARIE TO ACTG. ASSIST. COM.-GENL. BROUGHTON.

Sir, Government House, Parramatta, 13th Decr., 1816.

I have to acknowledge the receipt of your several Letters under dates 12th, 13th, 19th and 20th of last Month, with their respective Enclosures and accompanyments, Pr. Brig Lynx, which arrived at Sydney on the 2d Instant from the Derwent.

The several Demands for Sugar and Salt, Slop Clothing and Bedding, Stationery, and other various Stores you forwarded to me by that Vessel, were all handed on to Depy. Com. Genl. Allan, with orders to comply with the same as far as the State of the King's Magazines here would admit of at present, including the Slop Clothing and Bedding you have applied for for the Old Norfolk Island Settlers, of which I entirely approve as a final liquidation of their claims. The Govt. Brig Kangaroo accordingly proceeds in a few days hence with the aforesaid Stores and some Government Men for the Derwent.

By the Kangaroo, I have ordered a Pair of Mill Stones to be sent to Robert Nash for the Wind-Mill erected by him at Pitt Water; and, in compliance with your recommendation and as an encouragement to his industry, I have no objection to Nash's Bond being taken for their amount, engaging to pay off the same by grinding Wheat for Government at a rate not exceeding one Shilling per Bushel, when required so to do, or paying for them in Wheat in case he prefers it.

I am, &c.,

L. Macquarie.

P.S.—Depy. Comy. Genl. Allan had shipped on the Kangaroo the first supply of Sugar demanded by you for the use of the King's Store at the Derwent previous to my receiving your Letter of 12th Novr. by the Lynx, announcing your having made a Purchase of a Quantity of that article; and I did not deem it of sufficient consequence to order the Sugar put on board the Kangaroo to be relanded.

L.M.
DEPOSITIONS RE BUSHRANGING.

1816.
26 Dec.

Robbery of Farm of Lieut.-Governor Davey by Bushrangers.

Hobart, County of Buckinghamshire, Island of Van Diemen.

Information on Oath of George Richardson, taken before me Adolarius William Henry Humphrey, Esquire, one of His Majesty's Justices of the Peace for the said County, this twenty sixth day of December in the year of Our Lord, one thousand, eight hundred and Sixteen, who saith:—I am Overseer to His Honor Lieut. Governor Davey at his farm at the Coal River; between three and four o'clock in the afternoon of yesterday, the twenty fifth December instant, the men employed on the farm had just got their dinner over, when six men entered the Kitchen, viz. Jones, Collier, Septon, the Frenchman from Port Dalrymple Settlement, Parker, and a Man, whose name I was told was Chapman, and who had some red blotches on his face; they were each of them armed with a Blunderbus or Musket, and several of them had a brace of Pistols; besides there were also two black Native Girls with them; they presented their Musquets at the Men, and drove all the men up to one corner of the Kitchen, and desired them not to move out of the place, placing a Sentry over them; they asked who was the overseer; finding I was, Parker and Collier directed me to give up the Key of my Room. I did so and the Bush rangers then went into the Room; they took about four or five lbs. of Tea, about 12 lbs. of Sugar, a Cutlas, about five Gallons of Rum, a quantity of Needles and Thread, two lbs. of Soap, a Tin Pot, fifteen or sixteen Quart Bottles, with three or four lbs. of Negro head Tobacco; they then called me into the Room and took the Trowsers (which were a new pair) off my legs; this Act was done by Jones in particular, and he put them on; they also took a shirt of mine and two or three shirts belonging to Wm. Smith, Servant to John Petchey; after putting those things into their Napsacks, they proceeded to the men's Apartment, which is a building detached from the House, and took from Culliford, one of the men employed on the farm, a New Jacket, Waistcoat, and a pair of Trousers, a Razor in a case, and a Gallon of Spirits, which the men had; they took a silk handkerchief from Thomas Wells, another man employed on the farm; and, from a man of the name of Clements, they took a book. Those are all the Articles I have missed at present, excepting a little writing Paper, which I forgot to mention they took out of my Room; they repeatedly told the men not to move, or they would put the contents of their pieces thro' them; they made all the men at the farm Drink of the Spirits as often as they pleased, insisting on their Drinking, or they would shoot them. Septon put the pistol to my breast and said he would shoot me, if I did not Drink, and actually forced all the men under the same threat. I observed that the Bush Rangers were all the worse for Liquor when they came in, but did not get quite drunk while they stopped. Septon and Chapman declared they had a great mind to take me and James Sponsford out and give us a good flogging for going out and giving the alarm, the last time they were at the farm. The Bushrangers said that what Yorke had stated in his late Deposition was all lies, for that they had never seen Yorke either on his way to Port Dalrymple or on his return back; and, if they could meet with him, they would cut off his Ears and put out his Eyes, and then put a Ball through his Body. Several of them said this, and Chapman in particular I recollect making use of those threats against Yorke. While the Bushrangers remained at the House, some of the Young Cattle came in front of the house. Collier said he would go...
1816.  
26 Dec.  
Deposition by  
G. Richardson  
re robbery  
of farm of  
T. Davey by  
bushrangers.  
out and Shoot one. I told him we had plenty of meat, and that it  
was a pity to waste it; he desisted; during the time the Bushrangers  
were in the house, Jones said, he would bet Five hundred Pounds that  
the Bush Rangers would be all in Hobart Town free and safe in five  
months, for that they had seen a Gentleman, who had promised to take  
up their cause; and shortly afterwards Jones said that Mr. Edward  
Lord was going up to the Governor in Chief, and that he would do  
every thing in his power for them, and get them in; they also said  
that they had the Newspapers conveyed to them within five hours after  
they were printed in Hobart Town; they said they had sent in  
another letter to Colonel Davey respecting a Memorial, but it was not  
such a Damned rascally letter, as they had sent him when he was at  
the farm; they also said that they wished to see Colonel Davey, but  
that they would not hurt him; they packed up the things in their  
napsacks, and, as they went away, discharged a Musket in the rear of the  
House, and then proceeded in front of the house and walked on about  
one hundred yards, and then they all discharged their Muskets and  
loaded again, and then went off into the Bush. I afterwards heard  
that the same Banditti went to Messrs. Stynes and Troy's, where they  
nearly all got drunk.  

GEORGE X RICHARDSON.  
Mark  
Sworn before me the day and year, and at the place above men-  
tioned:—A. W. H. HUMPHREY, J.P.  

Summary of private letters.  

Decr. 23rd, 1816.—Relative to the Bush Rangers and suggesting  
manner of extirpating that Banditti:—Judicious?  
Decr. 30th, do.—1st. Reduction in Price of Meat. 2d. Ration  
of Spirits for Troops. 3d. Mr. Tress's not preferring to settle at  
Derwent. 4th. Mr. Allan's duplicity, etc., etc. 5th. Mr. Hogan's  
Delinquency and Defalcations, etc., etc.  
Jany. 8th, 1817.—1st. Mystery in withholding Police Fund  
acct. 2d. Public Claims against Mr. Hogan too great to be  
liquidated by his Private Property. 3d. Necessity of bringing  
his Delinquency forward. 4th. Mr. Allan's advice to Mr. Hogan  
to resign! so as to get Half Pay.  
Jany. 8th, do.—Respecting Mr. Tress's Settling at Port Jackson  
decreed more advantageous for him, and Mrs. M.'s and my  
attention to his old Mo'r, etc., etc.  
Jany. 8th, 1817.—Respecting sundry new arrangements pro-  
posed by him for improving the Commissit. Departmt. at Hobart-  
Town, and referring to copy of Letter sent me, which was in-  
Do. 9th, do.—Respecting Bedding for the old Norfolk Island  
Stones.  
Do. 11th, do.—Respecting Purchase of Hay.
GATEHOUSE TO MACQUARIE.

Do. do. do.—Relative to Mr. Birch's receiving a Grant of his Premises instead of a Lease.

Do. 13th, do.—Relative to supposed combination at Derwent to oppose Reduction in Price of Meat, and wishing to have 60 Tierces of Salt Pork sent down thither immediately.

Do. 31st, do.—1st. Relative to prodigal Expenditure of the Public Money by Lt. Govr. Davey. 2d. Capt. Nairn's improper conduct. 3d. His orders respecting reception of Wheat into the Stores—very proper. 4th. Little Labour performed—and Task Work condemned. 5th. A different system required.


28th do. do.—1st. Relative to Lt. Govr. Davey's order for Purchasing Mr. Kent's Hay for Govt. 2d. The Lt. Govr.'s order for still victg. Govt. Men for himself as Lt. Govr. and Magistrate. 3d. Mr. Abbott, as Magistrate, Claiming 4 Govt. Men on the Store. 4th. Mr. Luttrell's Family on the Store as Settlers for 18 months only. 5th. Party Coloured Slop Clothing for Jail Gang and Colonial Cloth for Watch Coats. 6th. Hand Cuffs for Hobart Town. 7th. Respecting the £105 in Copper Coin delivd. him on his departure for Derwent by the Dy. Comy. Genl. not passing there, and requiring it to be reduced to £52 10s. according to the late Proclamation.*

29 Jany., '17.—1st. Respecting sending him down 2 or 3 Coopers for the use of the King's Stores at Hobart-Town.

MR. G. GATEHOUSE TO GOVERNOR MACQUARIE.

Sir, Hobarttown, 8th Jany., 1817. 8 Jan.

Permit me to lay before your Excellency my most grateful thanks for the Notice your Excellency has been pleased to take of my application to become a Settler at the Derwent, from the recommendation of Mr. Coutts Trotter of London and His Honor Lieutenant Governor Davey.

* Note 211.
1817.
3 Jan.
Inability to farm owing to depredations by bushrangers.

I have fixed on the Four Hundred Acres of land located to me by your Excellency, but am sorry to state that, from the continued depredations committed on Stock and other property by a Bandity of Ruffians and other ill disposed persons, I have not been able to advantage myself on my Farm, but do most earnestly hope ere long a greater Security will take place, when my studious application shall be to prove deserving your Excellency's kind Consideration as a Settler. I have, &c,

GEO. GATEHOUSE.

REPORT

22 Feb.
Report on claim of W. Paterson.

27 Feb.
Decision of Lieut. Governor's court in Rice v. Gavin.

Request for explanation.

Proposed appeal to England.

REPORT BY ACTG. DEP.-SURVEYOR MEEHAN ON ALLOTMENT AT HOBART TOWN.

22nd February, 1817.

[A copy of this report will be found on page 376, volume IX, series I.]

GOVERNOR MACQUARIE TO DEP. JUDGE-ADVOCATE ABBOTT.

Sir,

Government House, Sydney, 27th Febry., 1817.

It having been some time since reported to me that, in an Action which came on before the Lieut. Governor's Court of Van Diemen's Land and over which you presided as Deputy Judge Advocate, wherein Henry Rice Settler was Plaintiff, and Roger Gavin Settler was Defendant, relative to a certain Portion of Land ordered by me to be located to the former at the Derwent, and which was accordingly measured and assigned to him by the Deputy Surveyor, acting there by my immediate authority, the Court gave a verdict in favor of the Defendant Roger Gavin. This very extraordinary Decision being in direct violation of my orders and in open contempt of my authority as Governor in Chief of this Territory, whose authority ought to be considered as paramount to that of all other officers serving under him, I am now under the necessity of calling upon, and demanding from you, to state to me distinctly on what grounds and principles yourself and the Court passed the decision alluded to in favor of Roger Gavin, thereby subverting my authority and upholding that of the Lieut. Governor of Van Diemen's Land in direct opposition and contempt of mine.

In case you do not distinctly disavow this Principle of opposition and contumacious conduct of my authority, I must be under the necessity of making an appeal to His Majesty's Ministers in England on this important question, in order to obtain their decision and Instructions upon it.

I therefore request to be favored as soon as possible with your answer to this Letter, informing me at the same time of the names of the two Gentlemen who were the Members of the Court in the case of Rice and Gavin.

* Note 47. † Note 212.
Capt. Piper, the Naval Officer of Port Jackson, having lately informed me that you made him a communication stating that I had recommended Lieut. Forster, the Comr. of the Govt. Brig Emu, to the Secry. of State for the Situation of Collector of the Customs at this Port, and consequently to the great injury and loss of Capt. Piper as Naval Officer, I must request you will acquaint me from whom you received this information as it is totally unfounded; for I cannot for a moment suppose that Lieut. Forster himself would have told you a deliberate falsehood; and, being very desirous to trace this malicious report to the bottom, I hope you will not hesitate to give up your informer. I do sincerely wish to see Lieut. Forster soon back to this Country with some good and respectable appointment under Government, because I think him a most meritorious deserving officer; but I only recommended him generally to the favorable consideration of His Majesty's Ministers, without specifying any particular appointment for him.

I have, &c.,
L. MACQUARIE.

MEMORANDUM of Sundry Articles required by Asst. Comy. Genl. Broughton for the use of the Settlement of the Derwent, and Sundry articles which are to be sent thither on the Brig Jupiter in March, 1817, Viz.

50 Suits of Party-Coloured Slop Clothing for the use of the Jail Gang.

50 Watch Coats of Colonial Cloth for Constables, overseers, etc., etc., or a Sufficient quantity of Cloth for making them.

— Suits of Bedding, consisting of Palliasses, Blankets and Coverlets, for the Norfolk Island Settlers. N.B.—The same number of Suits of Bedding to be sent now, as there were formerly Suits of Slop Clothing sent for the Norfolk Island Settlers at the Derwent.

The Brass and Iron work, belonging to the Pair of Mill Stones sent some time since to the Derwent for Robt. Nash, having then been omitted, they are now to be sent by the Jupiter Brig.

100 Pairs of Hand Cuffs.

2 Coopers for Commissit. Stores.

Memo.

Mr. Allan to be directed to write to Mr. Broughton apprising him of the reduction made lately in the value of the formerly Current Copper Coin; and only Debit Mr. Broughton's Public account with £52 10s. stg. instead of £105 formerly charged him for the Copper Coin he carried with him to the Derwent, none of which has since been issued there.

Sydney, 1st March, 1817.

L.M.
1817.
1 March.

Allotment at Hobart town.

7 March.

Letters acknowledged.

Remission of duties on spirits by T. Davey.

---

HISTORICAL RECORDS OF AUSTRALIA.

Report on allotment at Hobart town purchased by Mr. S. Bate.

1st March, 1817.

[A copy of this paper will be found on page 278, volume IX, series I.]

Governor Macquarie to Mr. John Drummond.

Sir,

Govt. House, Sydney, 7th March, 1817.

I have to acknowledge the receipt of your Letter of date 8th Jan'y. last, enclosing your Reports as Naval Officer of the Derwent made up to the 31st of December last.

I am extremely sorry to observe that Lt. Govr. Davey has taken on himself the responsibility, most unwarrantably and without soliciting my sanction thereto, of remitting Duties altogether on some Spirits, and reducing them in other cases, all which proceedings are in direct disobedience of his Instructions and the Government Orders. The Duty has, in a very few particular instances, been reduced here on Mauritius Rum, and other Spirits under proof; but, it never was meant that this temporary local concession should be considered as establishing a permanent Rule; and, as I find it is so liable to abuse and various artifices being resorted to, I have resolved that all Spirits, of whatever Country and whether above or below proof, shall in future pay the same Duty of 7s. per Gallon. Since however it has been already sanctioned here in a few solitary instances, I have no objection to the Duties on Mr. Lord's Mauritius Spirits, which have actually been already landed and stored at Hobart Town, being reduced from 7s. to 5s. per Gallon. But it is to be clearly understood that any further importation of similar Spirits are to pay the full Duty of 7s. per Gallon.

By the Standing Regulations of the Colony, all Spirits, once landed, Bonded or Stored, are liable to and ought to pay the prescribed Duties, whether they be reshipped or not; and according to this rule Mr. Edward Lord ought to be held liable to you and Government for whatever Spirits he may have removed, or again reshipped on board the Kangaroo or any other Vessel; and you must demand the Duties of him accordingly for such reshipped or removed Spirits.

As it is proper that you should be guided in all cases by the Port Regulations,* and usual long established customs and practices observed at Port Jackson, I have directed Capt. Piper the Naval Officer here to write fully to you on this important subject, and to make you fully acquainted with the manner of his conducting and executing the Duties of Naval Officer here.

I feel not a little disappointed and surprised at not receiving from Lt. Govr. Davey by the Kangaroo the Statement of the

* Note 191.
MACQUARIE TO BROUGHTON.

Police Fund of Van Diemen's Land for the last two Quarters. I therefore desire you will inform me, as far as you know, why these Statements have been so long withheld, as it has a very strange and unaccountable bad appearance.

When the Quarterly Statements of the Police have once been audited and passed, you will in future transmit them to me, accompanied by attested Copies of all the Tradesmen and Merchants Bills connected with them or charged in the Police Fund accounts, as it is highly necessary that I should be made intimately acquainted with the nature and description of every charge made in that account.

In pursuance of orders recently received to that effect from Earl Bathurst, I have drawn a Draft* of this date on you as Treasurer of the Police Fund of Van Diemen's Land, in favor of Lt. Governor Davey, for the sum of One Hundred Pounds Sterling, which you will please to pay him and take his receipt for the same.

I have by this conveyance written† fully to Lt. Govr. Davey on the subject of not remitting or reducing any more Duties on Spirits: but most likely he will pay as little regard to these orders as he has to all my former ones.

Mr. Gordon, your Predecessor in Office as Naval Officer, has Refund to be granted his Bond for the Payment of the money so unjustly paid to him from the Police Fund by the orders of Lt. Govr. Davey.

I am, &c.

L. MACQUARIE.

GOVERNOR MACQUARIE TO ACTG. ASSIST. COM.-GENL. BROUGHTON.

Sir, Government House, Sydney, 8th March, 1817. 8th March.

1. I have to acknowledge the receipt of your several Letters under dates 16th Decr., 1816, and 6th, 8th, 10th, 24th, 28th and 29th Jany. last, with their respective Enclosures and accompaniments, per the Bengal Brig Jupiter, and Govt. Brig Kangaroo.

2. I request you will accept of my best thanks for your assiduous attention to every part of your Public Duty since you took charge of the Commissariat Department at the Derwent, your Accounts and reports, and the several arrangements you have made to improve that Department and to reduce the Public Expenditure, being highly satisfactory and meeting with my entire concurrence.

3. I have written† to Lieut. Govr. Davey by this opportunity conveying to him my decided disapprobation of his having ordered you to Purchase Hay for feeding the Govt. Working Oxen at Hobart-Town, with my positive injunction not to

---

* Note 213. † Note 214.
1817.
8 March.

No government men to be allowed to T. Davey.

Government servants for E. Abbott.

Victualling of family of E. Luttrell; and of servants of G. W. Gunning and T. A. Lascelles.

Shipping of clothing, etc.

Credit for loss on copper coin.

Purchase any more of this Article in future for Government, it being entirely unnecessary, and a prodigal expenditure of Public Money.

4. I have also sent Lt. Govr. Davey my most positive orders to have all his Government Men struck off the Store immediately, and have stated to him that he has no right to any either as Lt. Govr. or as Magistrate, agreeably to the true spirit of the orders of His Majesty’s Government at Home.

5. With regard to Mr. Abbott’s claim to have four Men victualled in his capacity of Magistrate, I do not admit that he has any just pretension to such indulgence as it was only intended to extend to those Magistrates who were not in the service of Government and had no Salaries; but our new Judge Advocate here having put in a similar claim, in virtue of his presiding at the Bench of Magistrates at Sydney, I have been induced to allow him four Men on the Store, until such time as I shall receive an answer from the Secry. of State to a communication I intended making to him immediately on this subject. You may therefore continue to victual four Government Men for Mr. Abbott, as a Magistrate, till further orders.

6. In respect to Doctr. Luttrell’s Family, it never was intended by me that they should be victualled longer than 18 months as Settlers; and, whenever that period has expired, they must all be struck off excepting himself. In like manner, the Government Men belonging to Messrs. Gunning and Lascelles, as Settlers, must all be struck off the Store, in case they have been on the allowed period of 18 Months.

7. By the Brig Jupiter, proceeding to-morrow to the Derwent, you will receive Fifty Suits of Slop, Party Coloured Clothing for the Jail Gang, Colonial Cloth sufficient to make Fifty Watch Coats for Constables, overseers, and Stockmen, complete Bedding for old Norfolk Island Settlers (formerly omitted to be sent down with their Clothing), One Hundred Pairs of Hand-Cuffs, and the Brass and Iron-Work belonging to the Pair of Mill-Stones, some time since sent down from hence for Robert Nash for the Mill he intends erecting at Hobart-Town. I am sorry I cannot now send you any Coopers, but I will endeavour to send a couple by the first Govt. Vessel going to the Derwent.

8. I have directed Dy. Comy. Genl. Allan to give you credit, in his Public Cash Account with you, for £52 10s. stg., being the difference between the then amount of the Copper Coin you carried down with you to the Derwent, and the present reduced valuation thereof, in terms of my late Proclamation* on this head.

I have, &c.,

L. Macquarie.

* Note 211.
BROUGHTON TO MACQUARIE.

LIST OF NAMES BY GOVERNOR MACQUARIE.*

At Derwent.

1. Mr. Edwd. Lord, late Lt. Marines. 6. Revd. Mr. Knopwood, J.P.
2. Mr. Collins, Mercht. 7. Mr. Humphries, J.P.
3. Mr. Kent, Settler. 8. Mr. Gordon, J.P.
4. Mr. Ingle, do. 9. Dr. Luttrell.
5. Mr. McNeelance. 10. Mr. Lascelles, late Lt. 73d.

At Port Dalrymple.

1. Mr. Mountgarret, Surgeon. 2. Mr. Smith, Asst. Surgeon.

Sydney, 26 Mar., 1817.

ACTG. ASSIST. COM.-GENL. BROUGHTON TO GOVERNOR MACQUARIE.

Dear Sir, Hobart Town, 3d May, 1817.

In compliance with your wishes, I have framed certain charges against Mr. Depy. Assistant Commissary General Hogan, upon which it appears to me that his Court Martial must be founded.

With regard to the particular form of wording them, I must confess my ignorance; but your long acquaintance with Military affairs will point out their Defects.

The Two first charges are nearly allied to each other; I have however for particular reasons kept them distinct.

The First is for misapplication of the Public Money, By having drawn Bills on Depy. Commissary General Allan at Port Jackson for the purpose of covering the Disbursements, made on account of the Public Service, and applying a part thereof to the Payment of his Private Debts, instead of appropriating them to the liquidation of the outstanding Receipts or Promissory Notes, issued by him and given in Payment on the Public Account for Provisions Purchased from Individuals.

The Evidences required to substantiate this charge are Mr. witnesses Kemp, Mr. Jemott and Mr. Belbin, of this place, who must be cited to appear. Mr. Jenkins of Sydney may be called upon to produce his Claims on account of a Captain Jones whose Agent he is, and also Mr. O'Connor to produce his claims for notes delivered by me to Mr. Hogan on his Account; all these persons have a particular description of their claims, which will go to prove that Bills were drawn for the Amount of the Receipts held by them. Mr. Allan may called first to prove that the Amount of the Bills, drawn by Mr. Hogan from time to time until he gave up the charge of the Commissariat at Hobart Town, are to the full Amount of the Disbursements he made on the Public Account.

* Note 215.
1817.
3 May.

Fraud.

The second charge—For having fraudulently obtained, from Messrs. Kemp, Jemott and Belbin, certain Receipts or Promissory Notes under a pretext of consolidating them by giving Bills on the Deputy Commissary General at Port Jackson, he knowing at the same time his Credit was exhausted on the Public Account and afterwards refusing to do so.

The Third Charge. For Gross neglect of Duty in neglecting to Account for the Public Expenditure of Provisions, while in Charge of the Commissariat at Hobart Town from the 25th December, 1815, to the 25th Sept., 1816, And for which Bills for the said Provisions were drawn on the Deputy Commissary General at Head Quarters, Port Jackson, to the Amount of £... Mr. Allan must ascertain the Amount drawn on him during these periods. I should really be very sorry to constrain anything connected with the second Charge, so as to add to the turpitude of it; but I cannot help observing the circumstance of his having taken from these persons the only proof (for any thing he knew) of their Claims on Government, carried with it a most fraudulent appearance. They have however all of them a particular description of the Receipts or Notes, which they delivered, and, should Mr. Hogan attempt to prove that the Notes he took up were of a Private and not of a Public nature, he will be foiled.

Concerning the third charge respecting Mr. Hogan's having neglected to render an Account of the expenditure of the Provisions for so great a length of time is unpardonable, especially when it is considered that the Amount as I suppose of 20 Thousand Pounds was drawn for the expense; Mr. Allan appears to me culpable in not having reported this circumstance to you. He may be called upon and asked the question, previous to the third charge being exhibited, How long is it since Depy. Assistant Commy. General Hogan rendered you an Account of the expenditure of Provisions; and what is the Amount of Bills drawn on you during 25th Decr., 1815, and 24th Septr., 1816? What Wheat has been sent from that place for the use of this Settlement? What is the Amount of Bills drawn by Mr. Hogan for Stores? What Provisions were there remaining in His Majesty's Stores the last time Mr. Hogan rendered you an Account of the expenditure? You will perceive from a Statement of the Probable Expenses at Hobart Town during the above periods what the Amount of Bills ought to have been, or nearly so, and the drift of these questions. Mr. Hogan must be debited for whatever Provisions remained in Store at the last period he rendered his Accounts, for the same reason that he has a Credit for the remains, when I took charge; He must have Credit for the
Wheat sent to Port Jackson, or for any Stores he Purchased, or Spirits, as the Account I have made only goes to state what the expense of victualling would amount under a supposition that Mr. Hogan, during the Nine Months, actually issued 750 Rations weekly, and which I am certain exceeds the Numbers he did victual. It is rather a complex sort of thing, but your knowledge of Accounts will give you an idea of what I mean, and the statement will better explain it; this, however, will not give an accurate Account of the expense, but will perhaps come pretty near what it ought to be.

I received Mr. Campbell's Letter respecting the Claim Government has on Mr. Gordon for Money improperly paid him as Treasurer of the Public Fund. I have laid the Letter and Bond before Mr. Drummond, who will ascertain the correctness of Mr. Gordon's statement, which, as soon as done, I shall make arrangements respecting the receiving of Cattle for this Amount; I must however observe that I feel much at a loss how to transact this business. I am made the medium of disposing of Government Cattle to individuals, who are invariably charged £20 a head, but, if I receive these at that rate, and they are Slaughtered for the benefit of that Fund, they will not fetch little better than half the price, and to take them at a less Price has the appearance of inconsistency, when I charge £20 a head for those I dispose of. Perhaps, however, it is your Excellency's intention that the Cattle shall be turned into the Government Herds without having any reference to the Police Fund; in that case, I think it would be the best way to allow Mr. Gordon the Price for the Cattle he delivers, which Government charges individuals, and, as most likely they will be issued to Settlers, the Government will sustain no loss.

With wishing you every possible happiness,

I remain, &c.,

W. BROUGHTON.
1817.
17 May.

Expectations re administration of W. Sorell.

Wheat received in payment of duties by E. Lord.

Charges submitted against P. G. Hogan.

Promissory notes issued by P. G. Hogan for private purposes.

which they were carried into effect, sufficiently points out the firmness of his character, and will tend to check the few turbulent persons in this Place, whose sole study has been to oppress the poorer orders of People. I find him to be a keen discerning Man, and, without the assistance of any one, has formed a pretty perfect knowledge of the characters of the disaffected, to whom I do not hesitate to say he will be a terror. I am persuaded, from the superior abilities he possesses, together with that cool and firm perseverance in which he conducts himself, that he will at all times be more than a Match for them. And I am as fully persuaded he will encourage the honest and industrious by a fair and impartial distribution of favors, in proportion to their exertions. I am happy in saying he approved of the principle, on which I opposed the reception of Mr. Lord's Wheat in payment of his duties on Spirits imported in this Colony. Circumstances, however, has since rendered it expedient that his Wheat on this account should be received. The propriety of which I could not but admit; as the calamity produced by the inundation at Hawkesbury will open a Market for our surplus Grain, and I shall have ample means of receiving a fair proportion from the Cultivators. A virtue was, therefore, made of a necessity; but the Lieut. Governor assures me that it shall not be made a president of hereafter. Indeed I am persuaded he is convinced that an attention to the interest and welfare of the poorer class will tend to the general interest of the Settlement, an idea which I am sure you will most cordially concur in.

With regard to the unfortunate Man Hogan, whom you find it indispensably necessary to bring forward for the sake of example, and to rescue the Government from that disgrace, which is highly improper conduct as brought on it: In my former Letter I have stated the Grounds, on which I am of opinion his Court-Martial must be founded; Namely, Mis-application of the Public Money; Unofficer like Conduct in having fraudulently obtained from certain Individuals Receipts granted by him in payment of the Public expenses, and afterwards refusing to consolidate them; Gross Neglect of duty in not having accounted for the Expenditure of Provisions from the 25 December, 1815, to the 25th Septr., 1816. A Fourth Charge may be set up against him for having issued certain Promissory Notes on his Private Acco't, bearing the King's Arms* with his Official Signature, and in all respects the same as those issued actually on the Public Account, thereby deluding the Public into a notion that they were issued on Account of the Public Service, and that Government was accountable for their Amount. Doctor Bush may be called upon to prove that himself, concerned with Capt. Clark of the 46th

* Note 217.
REGT., sold Mr. Hogan Sheep to a very considerable Amount and were paid in Notes of this kind. Doctor Hood may also be called to prove that some of these notes were deposited with him. Mr. Jenkins holds Mr. Hogan's acknowledgement for Two Notes, which I paid Mr. Hogan on Acco't of Capt. Jones of the Bridge-water for consolidation. If Mr. Hogan, as I suspect he will, sets up a plea that this £300 was notes given for a private consideration, Mr. Evans, the Surveyor, from whom I received, can prove that they bore the King's Arms and were in all respects the same as those given actually on account of the Public Service.

I have now to occupy your attention to what concerns myself more immediately; and, in the first place, I think in justice I ought to request a Court Martial,* and in that event it is my intention to call on Colonel Davey as one of the most Material Evidences in my favour. I have already announced to him my intention of doing so, and he assured me of his readiness to do me every justice in his power; I however want no favour from any one. I am ready to stand or fall on the Merit or demerit of my Conduct, feeling persuaded as I do that the shafts of Malice cannot even effect me.

In the next, I have to solicit that Your Excellency will take the circumstance of myself and poor dear old Mother into consideration. I have not seen her now for more than 30 Years, and, considering her very advanced Age, I am the more anxious; She I am told pines at times on account of the anxiety she feels at my absence. I, therefore, trust as soon as possible I shall be relieved; however I must wait patiently under the persuasion that you will do whatever you conceive to be best.

I remain, &c.,

W. BROUGHTON.

THE MEMORIAL of ANDREW BARCLAY

To His Excellency Lachlan Macquarie, Esquire, Governor and Commander in Chief over the Territory of New South Wales and its Dependencies, etc., etc., etc.,

Respectfully Sheweth,

That, in the year 1816, Your Excellency was pleased to give Memorialist a Grant of five hundred Acres of Land at Port Dalrymple in Van Dieman's-Land with a liberal measure of Indulgences as a Free Settler, and your Excellency's Memorialist has been resident thereon and industriously employed in the clearing and cultivating his said Farm from August, 1816, unto the present time.

That Your Excellency's Memorialist, in gratefully acknowledging the said favors, begs leave to add that, owing to the

* Note 218.
great scarcity of money in Van Dieman’s Land and the consequent difficulty in obtaining Payment of Debts there, he has been obliged to receive in lieu of Cash Payments for Goods and Merchandise, sold by him at that place, several Head of Horned Cattle and Sheep, whereby Memorialist’s Herds and Flocks are increased to an extent nearly double of that which he had calculated upon or wished for when he first became a Settler in Van Dieman’s Land.

That, by this increase of Stock, Your Excellency’s Memorialist finds the extent of His Present Farm not adequate to the furnishing sufficient Pasturage for His Herds and Flocks, and Memorialist hereon humbly solicits Your Excellency to take his case into consideration and to grant Him such addition to His Farm as Your Excellency may deem him Meriting of.

And Your Excellency’s Memorialist, etc.,

**ANDW. BARCLAY.**

Answer.

Altho’ it by no means follows as a matter of right that Settlers should receive additional Lands as their Stock increases, yet in Mr. Barclay’s peculiar case, and the Govr. being very desirous to promote his views, he will receive a further Grant of Three Hundred Acres of Land at Port Dalrymple.

Sydney, 24 June, 1817.

**L. MACQUARIE.**

Andrew Stewart to Colonial Secretary Campbell.

3 July. Hobart Town, 3d July, 1817.

Presuming you will pardon my freedom in addressing you; my uneasiness in my present situation occasions me thus troubling you with the subjoined copies of a Communication, I have received from the Lord Justice Clerk of Scotland, inclosing a letter his Lordship has received from Lord Sidmouth, One of His Majesty’s Principal Secretaries of State relative to my Case, which I hope you will have the goodness to submit to His Excellency the Governor’s consideration. Owing to my present situation, my views in life are completely frustrated; and I have endured hardships and deprivations since the time I have been detained in bondage, beyond the expiration of my Sentence, which would entrude too much on your time and patience to detail; however, my case is by this time before the public, with all the documents connected therewith. I am, &c.,

**ANDW. STEWART.**

P.S.—I beg leave to mention, I have given His Honor Lieutenant Governor Sorrell, copies of the Letters I have before stated.

[Enclosure No. 1.]

Sir, Edinburgh, 11th June, 1816.

“Prefixed is the answer I have received from His Majesty’s Secretary of State, to whom I applied in consequence of your letter to
me, and I sincerely hope that the communication, to which his Lordship refers, has by this time operated in your favour, and that you now are enjoying your liberty, and will continue to make a good use of it.

I am, &c.,
(Signed) D. BOYLE.

To Andw. Stewart, Hobart Town, River Derwent,
V.D. Ld., New South Wales.

[Enclosure No. 2.]

"My Lord,

Whitehall, 8th June, 1816.

"I have the honor to acknowledge the receipt of your Lordship's letter with its inclosure, of the 5th Inst. relative to a Convict (Andw. Stewart) now at Hobart Town, Van Dieman's Land, New South Wales.

"In consequence of a letter received from the prisoner in the early part of last year, a Communication was made shortly after to the Governor of New South Wales, apprising him that, altho' Andw. Stewart was transported for Life, his services to the Contractor were limited to seven years."

"I have, &c.,

(Signed) SIDMOUTH."

The Lord Justice Clerk, etc., etc., etc. JUDGE-ADVOCATE WYLDE TO GOVERNOR MACQUARIE.

(Jetter marked "Private.")

Judge Adv.'s Office, Tuesday Night, 11 o'k.

Dr. Sir,

8th July, 1817.

I have not thought it necessary to address you officially upon the addition of the fourth to the other Charges against Hogan, which I deem it very likely and not very unjustly perhaps your Excellency will think altered but not amended with respect to your own rough Draft; amplification you know is the very soul of a lawyer, and words, words, words, the vital breath of his Existence. If the charges are not satisfactorily drawn up, I shall be happy to avail myself of any suggestion you can give me for their Improvement; if they are proved, I fear they will, if not actually draw up Mr. Hogan, put an end at least to his Existence as an officer of the Crown; and we cannot but feel something of concern for the sufferer, if none for the culprit. I am truly concerned for the cause of your delayed removal from us. I hope a day or two will at least change it, I believe I must in candor say, not destroy it. Mrs. Wylde will I trust be able personally to report favorably of Mrs. Macquarie to-morrow; she would have called to-day, if she could have kept to her wishes. I had prepared two blank precepts for the appointment of the Members on the Governor's Court during the Circuit, in order to forward them to the Provost Marshal for Service without delay, and in order thus to inform the particular Individuals and thus prepare them for the Duty; but, inasmuch as thus I should render ineffective the present Court, which must subsist till the

* Note 158. † Note 47.
Sydney causes are finished, I would suggest to your Excellency that it would be of private convenience, if you could officially inform me of the particular persons to sit with me at Windsor and Parramatta, and whom I might apprise of your Intention and Communication. I found my Government Men in a rueful and really pitiable state on the farm without bedding, cloaths or necessaries. I am sorry to be informed that they will not be entitled to Slops this delivery, tho' I presume they will to bedding, when it shall take place at the Country Stores; if my farm had been named Eden, my Men will very soon be in a proper and natural Dress for such a place. Mr. Meehan was kind enough to meet me, and we fixed upon the scite of Mud-board Cottage. Had my court released me sooner to-day, my inclination would perhaps have induced me to break in upon you personally to acknowledge, as I sincerely feel your and Mrs. Macquarie's very kind attention to Mrs. Wylde during my absence, and your own very handsome and flattering official Letter to me on the subject of digesting the G. and G.O.; it would indeed have acted as a stimulus, had I wanted it, to my purpose and promise.

Believe me to be, Dr. Sir, &c.,
JNO. WYLDE.

JUDGE-ADVOCATE WYLDE TO GOVERNOR MACQUARIE.

(Letter marked “Private.”)


My Dear Sir,

I would suggest that the words “and mischievously” at the commencement of the 4th Charge should be erased; if you agree with me, will your Excellency have the Goodness to expunge words, which, I know not how incautiously, were used on the occasion.

Yours very resply.,
JNO. WYLDE.

CHARGES preferred by Governor Macquarie against deputy assistant commissary general Hogan. 10th July, 1817.

[Copies of these charges will be found on page 550 et seq., volume IX, series I.]

CAPTAIN PIPER TO GOVERNOR MACQUARIE.

Sir,
Sydney Naval Office, 22d July, 1817.

Having been favoured by Your Excellency with the perusal of Mr. Drummond’s Letter, Naval Officer at the Derwent, date Hobart Town, 28th June, 1817, Complaining of the hardships he labours under from the practise of exacting the Duties at this Port from Ships, which have entered their Cargoes at
this Office and afterwards cleared out for the Port of the Der-
went, a Dependant Settlement, with part of the Cargo so entered.

I request leave to reply by stating that it has been uniformly
Your Excellency's Orders and wish for me to do so, in order to
prevent Commanders of Vessels evading those duties so imposed
for the advantage of this the principal Settlement, and to pre-
vent smuggling. Mr. Drummond must certainly feel the incon-
veniency of this practice, who has alone the 5 per cent. Ad Valm.
and duties on these Cargoes to depend upon for the support of
himself and family, And with whom I shall most gladly share,
whenever I receive the least benefit.

Your Excellency will be pleased to understand that, when the
Ship Cochin cleared out for the Derwent, The Commander gave
me his Note, payable on his return to this Port, for whatever
goods or Merchandize he might dispose of at that Settlement.
The Ship is now returned with great part of that Cargo on
board, of which an account shall be rendered before her depar-
ture from this Port, and the only other hardship, that I am
aware of, that Mr. Drummond has to complain of is That Two
Hundred Gallons of Spirits was returned by the Brig Jupiter,
Captain Ferguson, from this to the Port of the Derwent, The
Commander giving me his Note payable at the end of this
Quarter, Amount Twenty Pounds, and secured by Mr. Richard
Jones. These are the grievances complained of, whereby it will
appear I have never derived the slightest advantage since Your
Excellency's application procured for Mr. Drummond what he so
much sought after, namely The 5 pr. Cent. on all Duties Col-
lected at the Port of the Derwent, instead of a fixed Salary.

I have, &c.,

JOHN PIPER,
Naval Officer and Collector of the Duties.

LIEUT.-GOVERNOR SORELL TO LIEUT.-COLONEL DAVEY.


Having directed a Court of Enquiry to assemble on Thursday the 31st Inst't, in pursuance of Instructions from His
Excellency the Governor in Chief, to investigate Charges* ex-
hibited against Mr. Actg. Asst. Commy. Genl. Broughton by
Edward Lord Esqr., and both those Gentlemen having intimated
to The Deputy Judge Advocate their desire to obtain your testi-
mony thereupon, I have to request that you will be pleased to
attend the Court of Enquiry for that purpose.

I have, &c.,

WM. SORELL.

[A similar notice was sent by the deputy judge-advocate.]
Lieut.-Colonel Davey to Governor Macquarie.

Sir,

Sydney, 27th October, 1817.

I was this morning honored with Your Excellency's letter of the 25th instant, apprizing me that no General Court Martial could now be held on Mr. Assistant Surgeon Younge, in consequence of an opinion, given by the General Court Martial and the Judge Advocate of the Territory on the late trial of Darcey Wentworth, Esquire, Principal Surgeon, from a belief that the Medical Officers on the Civil Establishment of this Colony are not amenable to Martial Law.*

From this circumstance, I have to request that Your Excellency will be pleased to return to me Mr. Assistant Surgeon Younge's presumptuous and insulting letter, which I transmitted to Your Excellency in the early part of his confinement.

I have, &c.,

T. Davey.

PAPERS to be furnished forthwith by Dy. Comy. Genl. Allan: Vizt.

1st. A Nominal Return of all Persons victualled and discharged from His Majesty's Stores at the Settlement of the Derwent from the 1st of Jany., 1816, to 24th Sepr. following, inclusive.


L.M.

28 Ocr., 1817.

N.B.—Sent copy of foregoing List of Papers to Secry. Campbell on 3d Novr., 17, wt. directions to write to Dy. Comy. calling on him to make them out forthwith, so as to furnish the Govr. with them by Saturday next at the farthest.

L.M.

Mr. J. Lord to Mr. J. R. O'Connor.

Hobart Town, Van Diemen's Land,

Dear Sir,

I take the liberty of troubling you, as I am told my Grants are ready in the Secretary's Office, to take the same up† for me, being two Sixty Acre Farms in my own name, and a Forty

* Note 220. † Note 221.
DAVEY TO MACQUARIE. 621

Acres of James Mayberry, a Norfolk Claim that belongs to me by purchase, also the Two enclosed making in all Five Grants.

I do not know the amounts, otherwise I would send the Money, but will pay Mr. Broughton the Minute he hands me your Account with any Interest you may Charge. I shall take the same as a favor confe rred on Your

Obdt. Humble Servant,
JAMES LORD.

Sydney, 24th Dec., 1817.

RECEIVED the Two Grants within mentioned, the Property of the within named James Lord.

J. R. O'CONNOR.

Hobart Town, 3 November, 1817.

J. R. O'CONNOR, Esqr., is hereby authorized by me to receive the Grant of my Land at this Settlement by paying the Fees and Expences thereof.

Witness: G. W. EVANS.

Sydney, 24th Dec., 1817.

RECEIVED the within Grant.

J. R. O'CONNOR.

Hobart Town, 4th Nov., 1817.

J. R. O'CONNOR, Esqr., is hereby authorized by me to receive my Grant at this Settlement by paying the Fees and expences.

Van Dieman's Land.

Sydney, 24th Dec., 1817.

RECEIVED the within Grant.

J. R. O'CONNOR.

LIEUT.-COLONEL DAVEY TO GOVERNOR MACQUARIE.

Sir,
Sydney, 5th Novr., 1817.

At the time your Excellency give Mr. Actg. Assist. Commissary Genl. Broughton directions to strike my Govemt. men off the store, was it then your Excellency's intention to extend that order to my domestic establishment or not. I am inclined to believe that the spirit of that order was not meant to have reached my family. I have therefore to request that Your Excellency will be pleased to direct Mr. Broughton to consider and continue my family in No. 5 on his Majesty's Store at that Settlement in conformity with Lord Bathurst's instructions on that head.

I have, &c.,

T. DAVEY.

[Enclosure.]

Extract of a Letter from His Excellency Governor Macquarie to Acting Assistant Commissary General Broughton of date 27th February, 1816.

"I observe, from the Return you sent me, that Lieut. Governor Davey has still no less than Twelve Government Men on the Store; and, as the
period for which he was allowed them, namely Eighteen Months, must have long since expired, I request you will signify to him that it is my orders to you to strike them off the Stores forthwith, and I am to desire you will do so accordingly."

LIEUT.-COLONEL DAVEY TO GOVERNOR MACQUARIE.

Sir, Sydney, 5th Nov., 1817.

The tenor of Lt. Governor and Mrs. Davey's Memorial* to Lord Bathurst, presented by Ld. Harrowby in the year 1814, run thus:—That your Memorialists and family sustained losses to a considerable amount £4,500 by the capture of His Majesty's armed Brig Emu; Your Memorialists humbly implore redress from your Lordship, and that enquiry be made into their respective losses, situations, and sufferings; and, if your Memorialists shall be found equally entitled to the favour and protection of Government, they humbly beg to select five thousand acres of Land in the most fertile spots and desirable situations in the Territory of New South Wales, And to receive one hundred head of horned cattle from the Government herd, with the assistance of six convicts, men on the King's Stores, with the usual indulgences for the term of five years.

The following is a copy of the 2nd Paragraph of Lord Harrowby's letter to Colonel Davey, under date the 17th of July, 1816.

"Lord Bathurst has kindly endeavoured to diminish the disadvantages of the removal of yourself and family by authorizing Govr. Macquarie to make you a grant of Land corresponding with your rank in His Majesty's Service, and to offer you such assistance in point of state and convict labour as has usually been granted to persons in your situation of life."

(sign'd) HARROWBY.

This signal mark of Ld. Bathurst's kindness, I presume is considered only a compensation for the very severe losses myself and family met with by capture of the Emu.

I beg leave to refer your Excellency to my letter of the 28th Decr., 1816.

I have, &c.,

T. DAVEY.

GOVERNOR MACQUARIE TO LIEUT.-COLONEL DAVEY.

Sir, Govt. House, Sydney, 5th Novr., 1817.

I have the honor to acknowledge the receipt of both your Letters of this day's date. In reply to which I beg to inform

*Note 222.
you that I cannot make any addition to the Grant of Land which I have already tendered you, until I receive the commands of Earl Bathurst* in reply to a reference I have made to His Lordship on that subject, after the receipt of the Letter you addressed to me under date the 28th of December last.

In respect to the Instructions I sent to Mr. Asst. Comy. Genl. Victualling of Broughton relative to striking off the Store such of your Govt. Men as had already been victualled from the King's Store upwards of 18 Months, I certainly did not mean to include yourself, Mrs., or Miss Davey; Servants only being specified in that order.

I have, &c.,
L. Macquarie.

Surgeon Mountgarrett to Colonial Secretary Campbell.
Sir, Sydney, 5th November, 1817.

In consequence of the illegal Arrest under which I am placed by Mr. O'Connor, I am under the necessity of requesting that you will have the goodness to attend the Supreme Court this morning at eleven o'Clock to give Evidence as to my being order'd to this Station as a Witness for the Crown. I trust the unpleasant Situation, in which I am, will plead my excuse for giving you this trouble.

I have, &c.,
J. Mountgarrett.

List of the Names etc. of Evidences to be examined on the part of the Crown at the Genl. Court Martial to be held at Sydney on Depy. Asst. Comy. Genl. P. G. Hogan, Sydney, 6 Novr., 1817.

4. Col'l Thos. Davey
5. A. F. Kemp, Esqr. of Hobart Town, and now at Sydney, with the exception of Mr. Maum.
6. Mr. Wm. Jemott
7. Mr. Jas. Belbin.
8. Mr. Wm. Maum, late Storekeeper

Evidences for the Crown on Mr. Hogan's Trial.
In support of the 1st Charge—
1. Mr. Kemp, From Derwent.
2. Mr. Jemott Do.
3. Mr. Belbin Do.
4. Mr. Jenkins, of Sydney.
5. Mr. O'Connor, of do.

Mr. Dy. Comy. Genl. Allan is first to be called to prove that the amt. of the Bills, drawn on him by Mr. Hogan from time to time until he

* Note 223.
1817.
6 Nov.

Witnesses for court martial on P. G. Hogan.

In support of 2d Charge, Messrs. Kemp, Jemott and Belbin.
In support of the 3d Charge—
Mr. Kemp.
Mr. O'Connor.

In support of the 4th Charge—
Col'l Davey.
Mr. Jemott.
Mr. Belbin.
Mr. Jenkins.


1st. How long is it since Dy. Asst. Comy. Genl. Hogan rendered you an account of the Expenditure of Provisions at the Settlement of Hobart-Town; and what is the amount of Bills drawn on you by him during the Period from 25th Decr., 1815, to 24th Sept., 1816, both inclusive?

2d. What Quantity of Wheat has been sent by Mr. Hogan from the Govt. Stores at Hobart Town for the use of the King's Stores at Port Jackson?

3d. What is the amount of Bills drawn on you by Mr. Hogan for Stores during the time he was at the Head of the Commiss. Department at Hobart Town?

4th. What Provisions were there remaining in His Majesty's Stores at Hobart Town the last time Mr. Hogan rendered you an account of the Expenditure thereof?

GOVERNOR MACQUARIE TO JUDGE-ADVOCATE WYLDE.

Sir,

Government House, Sydney, 12 Novr., 1817.

I do myself the honor of transmitting you herewith, as Per Accompanying List, Certain Documents connected with the Charges, which have been exhibited against Mr. Depy. Asst. Commy. Genl. Hogan, and to be investigated by the General Court Martial about to be assembled this Day.

I have, &c,

L. MACQUARIE.

[Enclosure.]

LIST of Papers for the Honble. The Judge Advocate from His Excellency the Governor, respecting Mr. Deputy Asst. Comy. General Hogan, 12 Nov., 1817.

1. Abstracts of Disbursements made by Depy. Asst. Comy. General Hogan on account of the Public Service at Hobart Town, Van Dieman's Land, from the 9th of Oct., 1813, to the 24th of Sept., 1816, £47,731 3s. 5d.

2. Abstract of the Number of Persons victualled Weekly at Hobart Town, Van Dieman's Land, by Depy. Asst. Comy. General Hogan from the 9th of Oct., 1813, to the 24 June, 1815, and from the 25th of October to the 24 of November of the same year.

3. List of the Receipts, given to Mr. Asst. Comy. General Hogan by Messrs. Kemp and Gatehouse on the 30 Sept., 1816, for the purpose of being Consolidated, £806 18s. 7d.
MACQUARIE TO WYLDE.

7. Letter from His Excellency the Governor to the Honble. the Judge Advocate.
9. Letter from Mr. Secy. Campbell to the Honble. the Judge Advocate, dated 12 Nov., 1817.

J. T. CAMPBELL, Secy.
12th November, 1817.

Compared, Correct:—J. T. CAMPBELL, Secy.

[Sub-enclosure No. 1.]
STATEMENT of the Probable Expenses incurred at Hobart Town, Van Diemen's Land, between the 25th Decr., 1815, and 24th September, 1816.

Suppose 750 Rations to be issued weekly from the King's Stores for the above Period and that the Ration was 1½ Lbs. of Wheat, 7 Lbs. of Fresh Meat, and Six Ounces of Sugar, it would then require as follows, viz:

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>6,053 Bushels of Wheat @ 57 Lbs.</td>
<td>@ 10s.</td>
<td>£3,021 10 0</td>
</tr>
<tr>
<td>210,000 Lbs. of Fresh Meat</td>
<td></td>
<td>6,125 0 0</td>
</tr>
<tr>
<td>11,250 Sugar</td>
<td></td>
<td>421 17 6</td>
</tr>
</tbody>
</table>

Amount of Provisions required .. £8,568 7 6

2,000 Gallons of Spirits purchased from Mr. Edward Lord about June, 1816 .............. 1,800 0 0

Amount of 2,500 Bushels of Wheat sent to Port Jackson in the Bridgewater .............. 1,250 0 0

Amount of 6,054 Bushels of Wheat remaining in the Stores on the 25th Septr. 1816 ........ 3,027 0 0

Deduct .. £15,645 7 6

The amount or Value of remains of Provisions Collected from the information that I have been enabled to obtain from Mr. Rayner, Store-keeper, who was in the Victualling Stores at the time.

24th December, 1815—

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>7,000 Bushels of Wheat @ 10s.</td>
<td></td>
<td>3,500 0 0</td>
</tr>
</tbody>
</table>

£12,145 7 6

[Sub-enclosure No. 2.]

[A copy of this abstract is not available.]
List of Store Receipts given to Mr. Assist. Commy. Genl. Hogan by Messrs. Kemp and Gatehouse on the 30th Sepr., 1816, for the purpose of being Consolidated.

<table>
<thead>
<tr>
<th>No. of Rect.</th>
<th>Date</th>
<th>In whose favour</th>
<th>For what consideration</th>
<th>Amount.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Pounds of F. Meat</td>
<td>Bushels of Wheat.</td>
</tr>
<tr>
<td>11</td>
<td>26 March, 1816</td>
<td>Mr. Thos. Fitzgerald</td>
<td>3,065</td>
<td>366</td>
</tr>
<tr>
<td>70</td>
<td>21 June,</td>
<td>Mr. Edwd. Lord</td>
<td>64</td>
<td>89</td>
</tr>
<tr>
<td>77</td>
<td>4 Augt.,</td>
<td>John Cassidy</td>
<td>49</td>
<td>24</td>
</tr>
<tr>
<td>16</td>
<td>31 July,</td>
<td>Mr. Wm. Kimberley</td>
<td>16</td>
<td>16</td>
</tr>
<tr>
<td>64</td>
<td>23 March,</td>
<td>Mr. Edwd. Lord</td>
<td>2,729</td>
<td>79</td>
</tr>
<tr>
<td>75</td>
<td>13 July,</td>
<td>Mr. Edwd. Lord</td>
<td>3,379</td>
<td>98</td>
</tr>
<tr>
<td>74</td>
<td>16 July,</td>
<td>Mr. James Mitchell</td>
<td>1,371</td>
<td>39</td>
</tr>
<tr>
<td>25</td>
<td>19 Augt.,</td>
<td>Mr. James Gordon</td>
<td>1,028</td>
<td>29</td>
</tr>
<tr>
<td>7</td>
<td>27 July,</td>
<td>Mr. Joseph Wright</td>
<td>766</td>
<td>22</td>
</tr>
<tr>
<td>72</td>
<td>5 July,</td>
<td>Mr. McNealace</td>
<td>5,348</td>
<td>150</td>
</tr>
<tr>
<td>13</td>
<td>31 July,</td>
<td>Mr. G. P. W. Evans</td>
<td>172</td>
<td>5</td>
</tr>
<tr>
<td>76</td>
<td>24 July,</td>
<td>Mr. A. Whitehead</td>
<td>275</td>
<td>19</td>
</tr>
<tr>
<td>30</td>
<td>31 July,</td>
<td>Mr. Wm. Kimberley</td>
<td>1,000</td>
<td>29</td>
</tr>
<tr>
<td>74</td>
<td>28 Augt.,</td>
<td>Mr. James Mitchell</td>
<td>103</td>
<td>3</td>
</tr>
<tr>
<td>73</td>
<td>29 June,</td>
<td>Mr. William Blyth</td>
<td>257</td>
<td>76</td>
</tr>
<tr>
<td>33</td>
<td>19 May,</td>
<td>Mr. Thos. Peters</td>
<td>203</td>
<td>64</td>
</tr>
<tr>
<td>71</td>
<td>21 June,</td>
<td>Mr. Edwd. Lord</td>
<td>203</td>
<td>64</td>
</tr>
<tr>
<td>46</td>
<td>13 Sept.,</td>
<td>Thomas Williams</td>
<td>876</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>13 Sept.,</td>
<td>Messrs. Kemp and Gatehouse</td>
<td>765</td>
<td>23 13 7</td>
</tr>
</tbody>
</table>

This Day Came before Me Anthony Fenn Kemp, Esquire, who, being duly sworn, says the List of Store Receipts on the other side drawn by Mr. Assistant Commissary General Hogan were delivered by him to the said Assistant Commissary General Hogan.

(Signed) ANTHONY FENN KEMP.

Sworn before me at Hobart Town this 3d day of May, 1817.

(Signed) Ed. Abbott, Deputy Judge Advocate.

Compared, Correct:—J. T. CAMPBELL, Secy.


<table>
<thead>
<tr>
<th>Unpaid demands made on P. G. Hogan.</th>
<th>£  s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. William Parsons</td>
<td>70 17 6</td>
</tr>
<tr>
<td>William Jemott on A/c of the Estate of Mr. Lang</td>
<td>755 7 1</td>
</tr>
<tr>
<td>Messrs. Kemp and Gatehouse</td>
<td>1,058 14 0</td>
</tr>
<tr>
<td>Mr. Johnson</td>
<td>46 17 6</td>
</tr>
<tr>
<td>William Collins</td>
<td>38 10 0</td>
</tr>
<tr>
<td>William Blyth</td>
<td>203 13 5</td>
</tr>
<tr>
<td>John Ingle</td>
<td>59 2 1</td>
</tr>
<tr>
<td>James Belbin</td>
<td>64 9 1</td>
</tr>
</tbody>
</table>

"True Extract." £2,297 15 9

Since this Account was made out it has been reduced Four or Five Hundred Pounds.

(Signed) T.D.

Compared, Correct:—J. T. CAMPBELL, Secy.
No. 152.  

Hobart Town 14 Jan., 1816.

Not to be Consolidated before the 24th June next.

I Promise to Pay to Bearer the Sum of Five Pounds Sterling.

(Signed) P. G. Hogan, D.A.C. Genl.

Entd. H.C.

Compared, Correct: J. T. Campbell, Secy.

[Sub-enclosure No. 5.]

DEP. ASSIST. COM.-GENL. HOGAN TO DEP. COM.-GENL. ALLAN.

Sir, 49 Phillip Street, 7th November, 1817.

I have the honor to acknowledge the receipt of your Letter of date 4th Inst., requiring me to furnish you with a Nominal Return of all Persons Victualled and discharged from His Majesty's Stores at Hobart Town from the 1st of January to the 24th September following, both days inclusive.

In Answer, I beg leave to acquaint you that, until Mr. Maum (late Storekeeper at that Station) is brought forward and Compelled to deliver up all the Public Papers relative to My Provision and Store Accounts, which he had withheld from Me notwithstanding repeated Applications having been made to him by the late and present Lieut. Governors, It is wholly out of My power to furnish the Document required by you.

I have, &c,

P. G. Hogan.

A True Copy:—D. Allan.

Compared, Correct:—J. T. Campbell, Secy.

[Sub-enclosure No. 6.]

DEP. COMMISSARY-GENL. ALLAN TO GOVERNOR MACQUARIE.

Sir, Deputy Commy. Genl. Office, 8th November, 1817.

In Conformity to your Excellency's instructions, contained in Mr. Secretary Campbell's Letter of date the 3d Inst., I have the honor of handing you a Part of the Papers required by your Excellency. The Nominal Return of all Persons Victualled at the Derwent, I am not able to furnish Your Excellency for the reasons stated by Depy. Asst. Commy. Genl. Hogan, a Copy of whose Letter I do myself the honor of Enclosing; in the Abstracts of the Numbers of Persons Victualled, there is a Broken period (Viz.), from June to October, 1815, which I am not able to supply owing to the very irregular Manner, in which Mr. Hogan sent up his Accounts, and which he is not able to furnish now from the Cause Mentioned by Him in the said Letter.

I have, &c,


Compared, Correct:—J. T. Campbell, Secy.

* Note 224.
Governor Macquarie to Judge-Advocate Wylde.
Sir,
Government House, Sydney, 3d July, 1817.

I do myself the honor to enclose to you herewith the rough Draft of Charges I intend to exhibit against Deputy Asst. Commissary General G. P. Hogan, requesting you will be pleased to peruse and frame them in a legal technical manner, in order that I may forward them so amended to the Prisoner Mr. Hogan previous to my ordering a Genl. Court Martial to be assembled for his Trial. On the back of the rough Draft of Charges, I have inserted the names of the Evidences, which will be required on the part of the Crown, on the Trial of Dy. Asst. Comy. Genl. Hogan.

I have, &c.,
L. Macquarie.

[Sub-enclosures Nos. 8 and 9.]
[Copies of these two letters are not available.]

Lieut.-Colonel Davey to Governor Macquarie.
Sir,
Monday, 17th Novr., 17.

I beg leave to acquaint your Excellency that the four logs of Cedar, which I took from Sydney in the year 1813, was used on the old Government house at Hobart Town. I have now to request that you will be pleased to spare me, for my own private consumption, four more logs.

I have, &c.,
T. Davey.

The Memorial of Edward Luttrell, Acting Colonial Surgeon, at Hobart Town, in Van Diemen's Land, Most respectfully Sheweth,
To His Excellency Lachlan Macquarie, Esquire, Captain General, Governor, and Commander in Chief, in and over His Majesty's Territory of New South Wales and its Dependencies, etc., etc., etc.

That, in January, 1816, Memorialist, in pursuance of the appointment, which he had the honor to receive from Your Excellency, proceeded to Hobart Town, under Orders to assume Charge of the Medical Department at that Settlement, where, shortly after his arrival, he was, in the course of his Medical Duties, called in to establish an imputation of Murder committed by a man named Clarke.

Clarke was fully committed to take his trial for the said Offence, and the peculiar constitution of the Courts within the Colony rendering it necessary that he should be tried at Sydney,
it became indispensable that Memorialist should appear as an
evidence against him there. Clarke was tried and acquitted and
Memorialist ordered to resume his Duty at Hobart Town, where
he arrived in December, 1816.

In October last, Memorialist was again ordered to repair to
Sydney to give evidence before the Criminal Court then
assembled in a case of Child Murder charged against Liley
McAller and others. The trial is over, and Memorialist still
continues absent from his family and home.

Under all the heavy expenses incurred, and the grievous hard­
ships suffered by Memt., added the discomfort naturally attend­
ant on a separation from his family at his advanced period of
life, he is induced, from a full consciousness of Your Excel­
leney's humane disposition and the nature of his case, most
respectfully to solicit that Your Excellency will be pleased to
allow him some remuneration, in whatever way it may seem
meet to Your Excellency.

And Memorialist will ever pray, &c.

Parramatta, 24th Novr., 1817.

EDWD. LUTTRELL.

Mr. J. Drummond to Under Secretary Goulburn.

Sir, Sydney, New South Wales, 27th Novr., 1817.

As the letter, I do myself the honor to enclose from His
Excellency Governor Macquarie, stating that His Excellency
could not make me any allowance for acting as Treasurer of the
Police Fund at Hobart Town also contains a remark on my
conduct, when rowing guard round H.M. Colonial Brig Kan­
garoo, which might leave an unfavorable impression on your
mind, I hope you will pardon the liberty I take in stating the
circumstances in justification of myself.

H.M. Colonial Brig Kangaroo having put into the Derwent on
her passage to England, and the Lt. Governor, having been
informed that Lieut’l Jeffries intended to smuggle Two thousand
gallons of Spirits, directed me to proceed in a boat with four
Soldiers on board the Kangaroo and ask permission to remain
on board to prevent all communication from the Shore, and, if
refused, to row Guard round her all night, She having sailed
that evening for England but brought to again three miles from
the Town.

Mr. Jones, Master of a Merchant Vessel, volunteered to accom­
pany me in his own Boat, and his Services were accepted by the
Lt. Governor. I proceeded to the Kangaroo, and, as Lt. Jeffries
refused to allow me to remain on board, I rowed Guard round

* Note 225.
Statement by J. Drummond re watch kept on H.M. brig Kangaroo.

Refusal of salary as treasurer of police fund.

1817.
27 Nov.

Statement by J. Drummond re watch kept on H.M. brig Kangaroo.

Refusal of salary as treasurer of police fund.

her; about an hour after Mr. Jones's boat being perceived was hailed from the Kangaroo, and on Mr. Jones answering, Lt. Jeffries, his 1st Officer and Surgeon immediately got into a boat, fully manned and armed, pulled alongside of Mr. Jones's boat, took her in tow and pulled on board the Kangaroo. I repeatedly requested Mr. Jeffries not to molest Mr. Jones, but he paid no attention to what I said; under these circumstances I did not think myself justified in firing on Lt. Jeffries and his men, which would no doubt have caused a great effusion of blood, as he offered no violence that I saw but was very abusive to Mr. Jones.

Lt. Jeffries however, I am sorry to say, when he got Mr. Jones on board the Kangaroo, not only put him in Irons but beat him most cruelly and detained him until released by an Order from the Lt. Governor.

The next morning I proceeded down the River with a Subaltern Officer and eleven rank and file under my Orders to watch the Kangaroo, and at night landed on an Island to Sleep. The Kangaroo stood out during the day, but, soon after we landed, we heard her come to an anchor opposite to where we were; Next day a Brig was Sent from Hobart Town, on board of which we remained Seven days watching the Kangaroo, when She proceeded to Sea, and, after being perfectly satisfied she was not in any of the Bays which we searched, nor off the Coast, we returned to Hobart Town, for which Service I never got the least remuneration, and on which occasion Governor Macquarie has been pleased to express himself as you will find by his letter to me.

I have, &c.,

JOHN DRUMMOND.

[Enclosure.]

GOVERNOR MACQUARIE TO MR. J. DRUMMOND.

Dear Sir, Govt. House, Sydney, 24th July, 1817.

I have been only favored with your Private Letter of the 1st Instant.

I am sorry I cannot with any propriety accede to your request for Salary for Acting as Treasurer of the Police Fund, that Duty having hitherto been attached to that of the Naval Officer of the Derwent, and it was partly on this account I recommended and obtained for you the 5 Pr. Cent. on the Duties, instead of your fixed Salary of 5s. pr. Day. I therefore cannot possibly sanction any additional Salary or remuneration for the extra Duty at present, the Treasurer of the Police Fund at Sydney (who has twenty times the trouble you have) having no allowance whatever for doing this Duty. In regard to your request.
DRUMMOND TO GOULBURN.

Sir, Sydney, New South Wales, 29th Novr., 1817.

I do myself the honor to state to you that His Excellency Governor Macquarie has suspended me from the Situation of Naval Officer at Hobart Town, Van Dieman's Land, and appointed Mr. John Beaumount until the pleasure of His Royal Highness the Prince Regent is known; and, however painful to my feelings, it becomes my duty to inform you that having fallen into an indiscretion with a young Lady, the particulars of which His Excellency will no doubt state, and, from the envy, hatred and malice I may say of the whole town, the most horrid, infamous and malicious reports were spread abroad, and a Magistrate, being employed, in the most artful manner obtained from us the whole truth, on which measures were adopted that brought us here; but I am most happy to state that we obtained a full, an entire and most satisfactory acquittal,* on which I immediately applied to His Excellency to permit me to return to my Duty at Hobart Town but His Excellency refused.

I beg leave most respectfully to state to you that, whatever indiscretion the frailty of Human Nature may have led me into, I can most solemnly assure you that I have ever discharged my Public Duty most faithfully and conscientiously, and by doing so have made the whole Colony my enemies, for in no part of the world is Smuggling carried on to a greater extent, which it was my constant and incessant endeavour to prevent; but, being entirely without the means of doing so, my Duty was most severe and unpleasant, and my situation most distressing to me. Had I possessed the means, I could have collected from One to Two thousand pounds more Duties at a trifling expence of Fifty pounds per annum, but the late Lt. Governor had it not in his power to assist me either with men or money. I therefore

* Note 226.
1817.
29 Nov.

Appointment as treasurer to police fund.

Grievances alleged by J. Drummond.

Request for reinstatement as naval officer; and remuneration as treasurer of police fund.

1817.
29 Nov.

Appointment as treasurer to police fund.

Humbly and confidently hope that I may be allowed to return to my Duty, which I shall always continue to perform with that Zeal for His Majesty's Service, and that fidelity which I am confident you will find on enquiry I have ever done.

I humbly hope you will have the goodness to pardon the liberty I take in stating to you that Governor Macquarie appointed me and desired that I should do the Duty of Treasurer of the Police Fund, but will not give me any pay or emolument whatever, as appears by His Excellency's letter to me, which I have the honor to enclose, although Lt. Campbell 73d Regt. His Excellency's Nephew was allowed 5 p. C. on the payments and Receipts, although he also acted at the same time as Naval Officer; and, in answer to His Excellency's statement respecting Mr. Wentworth, I beg leave to observe that he made a practice of Trading, which I never did or would do, and which must have been a considerable advantage to him.

His Excellency Governor Macquarie having desired John Piper, Esqre., Naval Officer here, to inform me that I was not to expect any encouragement from him, in justice to myself I beg leave most respectfully to state that I have never received those Privileges and Indulgencies from Government The Right Honble. Earl Bathurst was pleased to order me; and, although Governor Macquarie directed that I should have Six men victualled from His Majesty's Store for Eighteen Months, I have only had two Men for one year and nine Months, and I have laboured under great disadvantages by being prevented cultivating my land by the Banditti called Bush Rangers. I therefore earnestly hope that, should I be so unfortunate as not to be reinstated in my Situation, that I may be still allowed those Indulgencies which I have been promised as a Settler and obtained an order for.

Having arrived in this Colony with a considerable Sum of money, I beg leave to observe that the Emoluments of my appointment being totally inadequate to support me with the strictest economy as an Officer, I have been obliged to make use of it, and am now several hundred pounds poorer than on my arrival, and that I shall scarcely have sufficient to support me until I have the honor of receiving your answer. I therefore humbly and most earnestly hope that I shall be restored to my appointment, or I shall be left at an immense distance from my native Country and friends, destitute, and without the means of support or of returning to it; I also trust I shall be allowed some remuneration for the Duty I have done as Treasurer of the Police Fund, which gave me more trouble than that of Naval Officer, from the confused state in which I found the Accounts.
DAVEY TO BATHURST.

I hope you will have the goodness to pardon the great length of this letter, and I trust the importance of the Subject will be a sufficient apology for my thus intruding on your notice.

I have, &c.

JOHN DRUMMOND.

SURGEON MOUNTGARRETT TO COLONIAL SECRETARY CAMPBELL.

Sir, Sydney, 6 Dec., 1817.

May I request you to have the goodness to represent to His Excellency the Governor my extreme anxiety to return to My Duty at Port Dalrymple, and that, as I understand the Pilot, Captn. Paxton, will be the first Vessel that sails for Van Diemen's Land, I am led humbly to hope that His Excellency will be pleased to allow me a Passage in that Ship, or condescend to say in what other Vessel I may proceed to Port Dalrymple.

I have, &c.

J. MOUNTGARRETT,
Principal Surgeon, Port Dalrymple.

JUDGE-ADVOCATE WYLDE TO GOVERNOR MACQUARIE.

Judge Adv.'s Office, Sydney,

Sir, Saty., 6th Decr., 1817.

I beg leave just to enquire whether your Excellency could conveniently furnish me with the rough Draft of the Charges exhibited against Commissy. Hogan, which was transmitted to me on the 3rd of July last to draw up in a technical Manner, and whether your Excellency has a recollection of my applying to you personally, and by Letter I believe, for further Information as to the subject-Matter of and circumstances connected with the Charges and being referred by you on the occasion to that Draft as the only knowledge you could afford me in that respect.

I have, &c.

JNO. WYLDE, Judge Adv. N.S.W.

LIEUT.-COLONEL DAVEY TO EARL BATHURST.

My Lord, Port Jackson, N.S.W., 14th Decr., 1817.

I feel inexpressibly proud to declare that, during the time myself and family were representatives at Van Diemen's Land, Religion, Virtue, Morality and Example was the order of every succeeding day; but now, my Lord, I with sorrow perceive a disregard of all moral restraint* and even timid attention to principle. The very excesses of virtue are to be honored; but they are also to be corrected by prudence, by firmness, by a rational and judicious attention to circumstances, by an inflexible

* Note 128.
adherence to principle, in those respects of view, it appears to me,
that Religion, Virtue, Morality and Example in an Infant
Colony, is, at the present moment, an object of great public
concern.

During my administration, the Government House on the
birthdays of our most Gracious Queen was throng'd with the
most respectable females, married and unmarried of both Settle­
ments. But now, my Lord, alas! not a female appears at
Government House. Thus unhappily circumstanced, Society
sinks in oblivion.

I remain, &c.,

T. DAVEY.

LIEUT.-COLONEL DAVEY TO EARL OF HARROWBY.

My Lord, Sydney, New South Wales, 14th Decr., 1817.

Permit me to express my grateful feelings for the very
Signal mark of your Lordship's benevolence, by Letter under
Date the 17th July, 1816, The receipt of which I feel inexpress­
ibly proud to acknowledge.

Relying on the many proofs of your Lordship's regard, which
I have experienced During my time in His Majesty's Service,
I beg leave to impress upon your Lordship's mind that I
memorialized* the Earl of Bathurst in the year 1814, a copy of
which I submitted to your Lordship's consideration, and recom­
mendation, Soliciting 5,000 acres of Land, 100 young Horned
Cattle and five Convicts for five years on the Stores. This I
humbly instor Lord Bathurst for, as a Compensation for the
very valuable and considerable personal properties lost to myself
and family by the Capture of His Majesty's Armed Brig Emu,
seeing no prospect of Lord Bathurst's kind wishes towards me
carried into effect by the present Governor, whose vile reports
of me, I am aware have gone abroad; of which groundless and
extravagant as they are, I am compelled to take notice of them;
yet, I feel a pleasure to be able to refute such dark and invidious
insinuations. I thank Almighty God, I am still a Soldier, and
feel inexpressibly proud I am an Englishman! Governor Mac­
quarie's Letters† to L'd Bathurst, I am persuaded, are filled with
the most fallacious accounts of my conduct by the adoption of
Martial Law. My Lord, my cause is good, a good cause needs
no Advocate. Time and truth will make it triumph in spite of
its implaceable enemies.

Previous to my proclaiming Martial Law, I attentively and
perseveringly examined, cautiously and deliberately weighed all
manner of ways, and things; I used the best lights of my Under­
standing to Judge Right, and endeavoured to render my ser­
vice to my Country for enforcing obedience to the Laws, and

* Note 222. † Note 227.
for Suppressing every attempt to disturb the peace and tranquility of the Settlements in my charge. I have the comfort of reflecting that no practicable means, which honor, on my part, could suggest, have been left untried for giving effect to common efforts during the whole of my Administration in Van Diemen's Land, Happily for me. That the Service has established a tribunal competent to decide, and to whom I shall appeal, Trusting that by their decision I shall not be any longer shuffled about without having a solid foundation to rest on. By saying this, I allude to the retirement of Van Diemen's Land, which will render me a little comfort for the few years I have to live in this world. I have had the honor to Serve his present Majesty in every part of the Globe, During forty four years, with distinguished reputation, at once perilous and important, which I trust will entitle me to the favor and protection of Government and your Lordship's Support. In stating these facts, I mean not to make an ostentatious display of Services, which have no other merit than the motives that dictated them; but I mean to convince your Lordship, That I have not betrayed the trust of which Lord Bathurst have deprived me; and that whatever reasons His Lordship may have for giving a preference to another person, in my stead, he has no just ground of accusation against me.

I remain, &c.,

T. DAVEY.

P.S.—I beg your Lordship will be pleased, to pardon the irregularity in my writing, as I am confined to my room extremely ill.

[Enclosure No. 1.]

LIEUT.-COLONEL DAVEY TO EARL OF HARBOWBY.

My Lord, Sydney, 14th Decr., 1817.

The names of the prisoners* on the other Side of this sheet came out to New South Wales for the following Offences. I have, &c.,

Viz. T. DAVEY.

D'Arcy Wentworth, Esq., Magistrate, Principal Surgeon and Treasurer of the Police Fund:—Highwayman.

Simeon Lord, Esqr., Magistrate:—Pickpocket.

Mr. Michael Robinson, Confidential Clerk to Government:—Transported for Life, Sentence Death.

Mr. William Redfern, Second Assistant Surgeon, and Surgeon at Government House:—Transported for Life. Mutineer at the Nore in the year 1797.

The above Culprits have reced. a Free Pardon by the present Governor.

T. DAVEY.

* Note 228.
A STATEMENT OF FACTS.

T. DAVEY.

HIS EXCELLENCY GOVERNOR MACQUARIE TO LIEUTENANT-GOVERNOR DAVEY,*

relative to the purchase of Hay for Government Working Oxen, with Lieutenant Governor Davey's reply and Captain Nairn Inspector of Public Works Certificate.

Reply:—Let the Governor, if he can, digest the home truths contained in Captn. Nairn's certificate No. 1.

T. DAVEY.

LIEUTENANT GOVERNOR DAVEY'S REPLY to His Excellency the Governor in Chief's 4th Paragraph of a Public Letter, under date 7th March, 1817.

[Here followed a copy of lieutenant-governor Davey's letter to Governor Macquarie, dated 3rd May, 1817; see page 193.]

CERTIFICATE BY CAPTAIN NAIRN.

I DO hereby Certify that, since I have held the situation of Inspector of Public Works, there has not been any Hay whatsoever purchased by Colonel Davey, late Lieut. Governor, on the account of Government for the use of Government Horses and Working Cattle under my Inspection direct or indirectly.

Given under my Hand at Hobart town, Van Diemen's Land, this 3d Day of May, 1817.

W. NAIRN, Captain, I.P. Works.

N.B.—Captain William Nairn of H.M. 46th Regt. was appointed Inspector of Public Works by the Governor in Chief.

T.D.

2. Relative to the Importation of Eleven hundred Gallons of Spirits per Ship Eliza, Murray Commander.

Reply:—It was my order that 1,100 Gallons should be landed, without any private consideration or other motives foreign from the General weal. T. DAVEY.

PERMIT FOR SHIPMENT OF RUM.

To The Honorable Colonel T. Davey, Lieutenant Governor of Van Diemen's Land.

Sir,

I am directed by His Excellency the Vice President in Council to acknowledge the receipt of your Letter, dated the 25th May last, and to acquaint you that instructions have been issued to the proper Officers

* Note 229.
DAVEY TO HARROWBY.

at this Presidency to permit Captain Robert Murray to consign to Van Diemen's Land the 11,000 Gallons of Bengal Rum, which you have authorized him to Import into that Settlement.

Fort William, the 11th November, 1814. I have, &c.,

T. TROTTER.

The importation of eleven thousand one hundred gallons of Rum, herein expressed, received my permission to be landed at the Derwent for the General Good of the Inhabitants, and from no interested motive of my own either directly or indirectly, paying the usual duties to the Crown of seven shillings per Gallon.

Hobart town, Van Diemen's Land, March, 1815.

3. Relative to the embarkation of Lieutenant Colonel Davey's Luggage for New South Wales.

Reply:—I humbly implore your Lordship to recapitulate my Memorial* to the Earl of Bathurst in the year 1814, a copy of which I submitted to your Lordship and solicited a recommendation in behalf of my Prayer.

Mr. Peel's Letters No. 3 will show that it was not, at that time, in my power to take any property with me.

T. DAVEY.

At the time that Lord Liverpool gave directions to the Commissioners of the Transport Board to appropriate as much Tonnage of the Archduke Charles, as the other demands of the Service would admit, for the reception and conveyance of my Property to New South Wales, she had positively sailed from Cork with Prisoners; by this circumstance, my property was conveyed on board His Majesty's Armed Brig Emu by order of Government, and on her passage out was captured by the Enemy.

CURRENT PRICES at Hobart town for the undermentioned Articles in the year 1817, Viz.

<table>
<thead>
<tr>
<th>Item</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wine per Dozen</td>
<td>£29 6 0</td>
</tr>
<tr>
<td>Spirits per Gallon</td>
<td>£3 10 0</td>
</tr>
<tr>
<td>Common wine Glasses per Doz.</td>
<td>£3 0 0</td>
</tr>
<tr>
<td>Do. Tumblers</td>
<td>£6 0 0</td>
</tr>
<tr>
<td>Do. Decanters</td>
<td>£24 0 0</td>
</tr>
<tr>
<td>Earthenware one Sett</td>
<td>£45 0 0</td>
</tr>
</tbody>
</table>

and every other Article of life in proportion.

T. DAVEY.

4. Extra Expences on their Majesty's Birth Days.

Reply:—No. 4 will, I presume, entitle me to the favor and protection of Government, as the Salary of Lt. Governor During my time was only £208 annual.

T. DAVEY.

* Note 222.
EXTRA EXPENSES unavoidably expended on their Majesty's Birth Days during the Administration of Lieutenant Governor Davey.

Hobart town, Van Diemen's Land.

<table>
<thead>
<tr>
<th>Year</th>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1813</td>
<td>4th June</td>
<td>(Geo. III)</td>
<td>£50</td>
</tr>
<tr>
<td></td>
<td>12th August</td>
<td>(Prince Regents)</td>
<td>£50</td>
</tr>
<tr>
<td>1814</td>
<td>18th January</td>
<td></td>
<td>£50</td>
</tr>
<tr>
<td></td>
<td>4th June</td>
<td></td>
<td>£50</td>
</tr>
<tr>
<td></td>
<td>12th August</td>
<td></td>
<td>£50</td>
</tr>
<tr>
<td>1815</td>
<td>18th January</td>
<td></td>
<td>£50</td>
</tr>
<tr>
<td></td>
<td>4th June</td>
<td></td>
<td>£50</td>
</tr>
<tr>
<td></td>
<td>12th August</td>
<td></td>
<td>£50</td>
</tr>
<tr>
<td>1816</td>
<td>18th January</td>
<td></td>
<td>£50</td>
</tr>
<tr>
<td></td>
<td>4th June</td>
<td></td>
<td>£50</td>
</tr>
<tr>
<td></td>
<td>12th August</td>
<td></td>
<td>£50</td>
</tr>
<tr>
<td>1817</td>
<td>18th January</td>
<td></td>
<td>£50</td>
</tr>
</tbody>
</table>

£600

T. DAVEY.

5. Lieutenant Governor Davey to His Excellency Governor Macquarie relative to Five thousand Acres of Land, etc., etc., etc.

Reply:—No. 5° will I trust sufficiently explain.

T. DAVEY.

6. Charges* preferred by Lieut't Governor Molle against D'Arcy Wentworth, Esqr., Principal Surgeon.

Reply:—The charges against this Man will be quash'd, being a favorite of the Governor's.

T. DAVEY.

7. Lieut't Governor Davey's correspondence with Depy. Assistant Commissary General Hogan.

Reply:—This man's crimes will pass with impunity; he is an old favorite of the Governor's.

T. DAVEY.

LETTERS addressed by Lieutenant Governor Davey to Dep. Assist. Commissary General Hogan.

Government House, Hobart town,

Sir, 6th July, 1816, 10 A.M.

The alarming progress of neglect in the Commissariat Department at this Settlement by constant inebriety is highly reprehensible; you are well aware that Reports of your drunkenness has long since reached His Excellency's ear, and it is of little consequence whether the default is by your own negligence, or that of your subordinates; there is now only one alternative

* Note 230.
left, and, if that is not immediately embraced, I shall be urged by every principle of Honor and Public Duty to convince you of your Error.

I am, &c.,
THOMAS DAVEY, Lieut. Govr.

P.S.—The Brigs Ontario and Spring are detained in this Port at a very great expense to their owners by your negligence.

TH. D.

Government House, Hobart town,
6th July, 1816, 3 P.M.

As I am going to leave Hobart town for a few days, I request you will lay before me any Papers of the last Quarter that you require my signature on, or before twelve o'clock on Monday next the 8th Instant.

I have, &c.,
THOMAS DAVEY, Lieut. Govr.

P.S.—An answer required.

Government House, Hobart town,
9th July, 1816.

From the very great neglect of the Commissariat Department under your charge, I have deemed it necessary, for my own safety and honor, to lay before His Excellency the Governor in Chief the enclosed copies of the originals, which I think but just to furnish you with.

I am, &c.,
THOMAS DAVEY, Lieut. Govr.

Government House, Hobart town,
13th July, 1816.

I beg leave to enclose you a Copy of a General Order, I have thought necessary to insert in the Van Diemen’s Land Gazette, for your information and guidance.

T. DAVEY, Lt. Govr.

[Enclosure.]

GOVERNMENT AND GENERAL ORDERS.*

Government House, Hobart town, 13th July, 1816.

His Honor the Lieut. Governor is pleased to direct that all Bills, which are issued from the Commissariat Department with His Majesty’s Arms attached thereto, shall express in the body of them for what Government purposes they are issued, in strict obedience to His Excellency the Governor in Chief’s Order on that head.

And the Lieut. Governor positively forbids any Bills being circulated in this Colony bearing His Majesty’s Arms, excepting only on Government Account.

By Command of His Honor The Lieut. Governor,
T. A. LASCELLES, Secretary.

* Note 231.
Correspondence of T. Davey with P. G. Hogan.

640 HISTORICAL RECORDS OF AUSTRALIA.

Government House, Hobart town,
18th July, 1816.

Sir,

I request you will furnish me with a return of the quantity of Wheat and Salt Meat there is in His Majesty's Magazine at this Settlement with as little delay as possible.

I am, &c.,
T. DAVEY.

Government House, Hobart town,
23rd July, 1816.

Sir,

I have to request you will furnish me with a correct account of the Quantity of Spirits that have been issued from His Majesty's Store agreeable to my Order, dated the 22nd February last, Duty free, setting forth the names of the persons to whom it was issued, as I am very desirous of immediately adjusting the Duties on Spirits at present in His Majesty's Stores with the Naval Officer.

I am, &c.,
THOMAS DAVEY.

Government House, Hobart town,
25th July, 1816.

Sir,

I enclose you my Bond for Fifteen young Cows due to Government on the 19th Instant after a Credit of three years; the Cattle shall be delivered into the charge of the Superintendent of Government Herds at the General Muster in the ensuing month. You will be pleased to acknowledge the receipt of this Bond, and you are on no account or pretence to suffer any person, who has entered into Bonds for Government Cattle to be allowed more than ten days after the expiration of the term, for which they had the same.

I am, &c.,
THOMAS DAVEY, Lieut. Govr.

Government House, Hobart town,
26th July, 1816.

Sir,

I require to see you at Government House on Public business before 3 o'clock P.M.

I am, &c.,
THOMAS DAVEY.

Answer given by Mr. Hogan's Servant that he was gone to New Town; after sending three or four times the same day and the following day, when I received the same answer, when it can be proved that he was at Home and not fit to do business.

Government House, Hobart town,
29th July, 1816, ½ past 1 P.M.

I am surprized your negligence should cause me to repeat the following order, the copy of which is as follows, and which
DAVEY TO HARBOWBY.

was written to you on the 23rd July instant. I have now to request that you will attend to my Orders and comply with it immediately.

I am, &c.,

THOMAS DAVEY, Lieut. Govr.

Copy of the Letter, dated 23rd July instant, annexed.

Government House, Hobart town,

Sir, 3rd Augt., 1816.

I request you will, with the least possible delay, report to me in writing; the Survey taken on His Majesty’s Store, agreeable to my General Order commencing the 29th July last.

I am, &c.,

THOMAS DAVEY, Lieut. Govr.

Government House, Hobart town,

Sir, 12th Augt., 1816.

I have to acknowledge the receipt of your letter of this day’s date, with an enclosure of letters addressed to the Persons, who stand indebted to the Crown (or Cattle issued from the Government Herds); and, agreeable to your request, I have given the necessary directions to the Police Magistrate for the immediate delivery of the same.

I am, &c.,

THOMAS DAVEY, Lieut. Govr.

Government House, Hobart town,

Sir, 14th Augt., 1816.

I request you will make an additional purchase of 12 yards of cloth, which, added to the 18 yards received in exchange for the blankets, will make up the quantity required by the Deputy Judge Advocate to supply the Constables attendant on the Lieut. Governor’s Court.

THOMAS DAVEY.

Government House, Hobart town,

Sir, 20th August, 1816.

In consequence of the Storekeeper proceeding this day to Port Dalrymple on Service, I request that His Majesty’s Store will not be opened for the issue of any Stores whatever during his absence, except the provisions on the regular issuing days.

I am, &c.,

THOMAS DAVEY.

Government House, Hobart town,

Sir, 24 Augt., 1816.

I have to request you do immediately send me a regular return in writing of the quantity of fresh meat delivered into His Majesty’s Store this day, from whom it has been received, and also an account of the issue.

I am, &c.,

THOMAS DAVEY, Lieut. Govr.
Correspondence of T. Davey with P. G. Hogan.

1817.

14 Dec.

Sir,

I enclose you an Extract of a letter from Messrs. Riley and Jones to Messrs. Kemp and Gatehouse ("and we are sorry to add that Mr. Allan will not accept Mr. Hogan's Bill in your favor for £142 8s. 5d., having received no Voucher or advice of it.")

I have to direct You will inform me without loss of time the reason this Voucher was not transmitted per the Kangaroo, as Mr. Kemp informs me the Bill was for Meat, supplied by himself for His Majesty's Magazine, and that he signed a Voucher for the same before me.

I am, &c.,

T. DAVEY.

Government House, Hobart town,

Sir, 29th Decr., 1816.

I herewith enclose you a correct Copy of the 9th and 10th Paragraphs* of His Excellency the Governor in Chief's Dispatch, under date the 12th Instant.

T. DAVEY.

Government House, Hobart town,

7th January, 1817, 3 P.M.

Sir,

I herewith apprise you that His Majesty's Arm'd Brig Kangaroo quits this Port to-morrow at daylight, and I trust that your Public Accounts will be ready to be sent on board that Vessel; but, should they not be ready, I should feel it my bounden duty to refer such unpardonable delay to His Excellency the Governor in Chief.

You are perfectly aware that I have repeatedly, and for months past, importuned you to bring forward and make up your Public Accounts with as much Dispatch as possible, in order that they might be transmitted to His Excellency.

By your delay, Sir, in making up the Public Accounts, the Public loses the use of a considerable Sum of their money.

The man, that does not guard against the possibility of such an Evil, is fundamentally defective; and if you, Sir, through indolence or other bad effects, go on in your own beaten track, you will soon find yourself and family subject to all the evils of a long Public Account far in arrear, and the difficulties of rendering an Account increasing daily will at last hold you responsible for thousands without an expectation of obtaining your final discharge during your life.

Your being charged in a Public Dispatch with Knavery and Embezzlement will, I fear, be attendant with the most serious consequence.

I am, &c.,

THOMAS DAVEY, Lieut. Govr.

True Copies:—T. DAVEY.

* Note 232.
8. Mr. Edward Lord to Lieut. Governor Davey, preferring charges against Acting Depy. Commissary Broughton.

Reply:—I am persuaded that Mr. Broughton’s charges will be quash’d; he is a man after the Governor’s own heart, and has been in the country since the year 1788.

T. Davey.

9. His Excellency the Governor in Chief to Lieutenant Governor Davey complaining of the extraordinary, improper, and unofficer-like conduct of Lieut’ Colonel Geils, of His Majesty’s 73rd Regiment.

Reply:—Here the Governor has shrunk from his public duty, and the pains of enquiry. This very extraordinary and highly improper conduct compels me to take notice it; what a vile designing man.

T. Davey.

One third of the complaints against this Officer was sufficient to dismiss him from His Majesty’s Service.

T.D.

10. His Excellency the Governor in Chief’s Proclamation respecting Bushrangers dated 14th May 1814, and the Bushrangers’ letter to Lieutenant Colonel Davey (written in blood), with the Lieutenant Governor’s Answer, dated 30th November, 1816.

Reply:—I beg your Lordship’s particular attention to the Paper No. 10.

T. Davey.

LETTER FROM THE BUSHRANGERS TO LIEUT.-GOVERNOR DAVEY.

From the Bushrangers to The Honorable T. Davey, Lieutenant Governor of Van damand’s Land, Sir, We have Thought proper to write these Lines To You As we have Been Kept In the Dark so long And We find it his Only to Keep Us Quiet Untill By some Means or another you think you can get Us Betrayed. But We will stand it No Longer We Are Now Determined to have it full And Satisfactory Either for or Against Us So We are Determined to Be Kept No Longer In Ignorance for We think Ourselves Greatly Injured By the Country At large In lay in To Hour Charge that Horid An detestable crime which We have fully Satisfied the Eyes of the Publick In All our Actions To the Contrary During our Absence from the Settlement I Have not the least Doubt But you are glad that these New Hands joaning Us We Are Glad Also though you think I Dare Say They Will prove to Our Disadvantage And We think

* Note 232.
Letter from bushrangers to T. Davey.

1817.
14 Dec.

To the Contrary And He who Preserved Us from Your Plots in Publick will Likewise Preserve Us from them In Secret as We Are Not Unacquainted with you having A party In Secret And Likewise Where they are And where We as much Inclined to take Life As you Are in your Hearts We Could Destroy All The Partyes you Can send out And Without We Have A Little Quietness More than What We have Had you shall soon Be Convinced of What I say. Therefore if you Wish to prevent it Send Word out By the Bearer Richard Westlick Which We Expect To Return on the 9th of the Ensuing Month With An Answer To Us Do not think to Defraud Us By sending out A party on this head for if you do you Take Away the Man's Life if they Are Either With him Or Watching him for We Will Be Watching Likewise you Must Not think to Catch Hold Birds With Chaff. Therefore To Affirm the Answer Either for Or Against Us that We will Receive Clap on it the King's Seal And Your Signature We have Weighed Well Within Our Own Breast the Consequence Which Will Attend to those Circumstances Therefore I Would Have you Do the same for the Good of the Peaceable And Well Desposed Inhabitants of the Territories of this Land. No More At Present.

MICHL. HOWE.

JAS. GARRY.

PETER SEPTON.

GEO. JONES x.

RICH. COLIER x.

JOHN CHAPMAN.

THOMAS COYNE.

JAMES PARKER.

MATHEW KEGGAN x.

JOHN BROWN x.

DENNIS CURRY x.

Answer to the Bushrangers' Letter, dated 30th November, 1816.

Government House, Hobart town, The Power of Pardoning Capital Offences rests solely with the Governor in Chief, but no application for favor can avail those, who are in the daily Commission of the Greatest outrages; good Conduct is the Surest way to Favor.

To All whom it may Concern.

T. DAVEY.

11. Depositions taken against the Bushrangers.

Reply.—Those depositions* are true, and entered on the records of Van Diemen's Land.

T. DAVEY.

12. Original Manifest per Ship Frederick, John T. Williams Commander, March 1815.

Reply.—I humbly beg your Lordship will for a moment glance over the Documents No. 12 and 13. It will exhibit the highly

* Note 233.
improper conduct of Govr. Macquarie. The importation of Ten's of thousands of Gallons of Spirits and other properties from India has been the grand Support of the General contract,* as well as private interests. It now exposes to open light those dark spots in General Macquarie's Conduct, whose base disposition, which has laid lurking in Secret, veiled with dissimulation During the whole of his Administration.

13. True Copy of Manifest per Ship Cochin, Rd. Pearson, Commander, 1814.

Reply:—Indeed every Vessel from India imports more or less Trade, such as Rum and Sugar; by this means the Governor's make themselves rich.

14. Surgeon's Certificates.

Reply:—I trust in God that my corporal calamities, personal losses, Services and Sufferings will be seriously considered, and Rewarded.

T. DAVEY.

[Copies of the certificates on pages 566 and 575 were inserted here.]

COL'L DAVEY'S ILLNESS.
I herewith Certify that I have attended Colonel Davey upwards of two Months, who during that entire period has been most Seriously indisposed, and part of which confined to his room in consequence of a Severe attack of inflammation proceeding from a fracture of the right Leg, which occurred at Hobarttown, Van Diemen's Land, a short time previously to his arrival here.

WILLIAM BLAND, Surgeon.
Sydney, New South Wales, 13th December, 1817.

15. The Lieutenant Governors that have been appointed at Port Jackson and Van Diemen's Land since the first formation of the Colonies.

Reply:—Those Officers have duly received the full pay of their Military Rank.

T. DAVEY.

My Lord,

I trust your Lordship will See the necessity of my receiving the Military Subsistence of my Rank in the Marine Service During the period of performing Military Duty in the Territory of New South Wales, in obedience to Command, and in common with my brother Officers in Similar Situations, my Lord.

This is the prayer of a faithful Subject.

T. DAVEY, Col'll.
LIST of Officers, who have received their full Pay as Military Officers during their command as Lieutenant Governors in the Territory of New South Wales. Viz.

Major Robert Ross, Royal Marine Forces, Port Jackson.
Major F. Grosse, 102 Regiment, Do.
Lieut't Col'l David Collins, Royal Marine Forces, Van Diemen's Land.
Lieut't Col'l O'Connell, 73rd Regiment, Port Jackson.
Lieut't Col'l Molle, 46th Do. Do.

LIST of three Sets of Bills of Exchange drawn by Colonel Davey, Royal Marine Forces, in favor of James Birnie, Esqr., or Order at Ninety days Sight.

dated Sydney, New South Wales, 12th December, 1817.

| From 4th June to 3rd November, 1812, 153 days, half Pay as Major in the Royal Marines @ 8s. per diem, Income Tax* deducted | £ 55 1 3 |
| From 4th November, 1812, to 31st March, 1816, 1,243 days, full pay as Major in the Royal Marines @ 16s. per diem, Income Tax deducted | £894 18 5 |
| From 1st April, 1816, to 9th April, 1817, 374 days, full pay as Major in the Royal Marines @ 16s. per diem | £279 4 0 |

£1,249 3 8

The Sum of £1,249 3s. 8d. is a just Debt due to me from Government. The Documents in Support thereof will prove it.

T. DAVEY, Major, Lt. Col'l R. Marines.

Addressed to The Honble. G. A. C. Stapylton, Paymaster, Royal Marines, Buckingham Street, Strand, London.

LIEUT.-COLONEL DAVEY TO GOVERNOR MACQUARIE.

Sir, Sydney, New South Wales, 15th December, 1817.

Under various circumstances, I trust Your Excellency will not suffer me to pay any duties for the Spirits that has been consumed at Government House during my command at the Derwent, and that Your Excellency will be pleased to direct that the Duties I have already paid on Spirits might be refunded; I therefore beg leave to enclose for your perusal and information.

* Note 98.
Mr. Gordon, the Treasurer of Police Fund, Account against me, wherein Your Excellency might perceive that the sum of One Hundred and three Pounds five shillings has been paid by me; and, as those Duties I presume are not felt at the present time by my Successor, I hope my request will meet Your Excellency's Approbation.

As Your Excellency is determined not to make any addition to the Grant of Land, which you have already tendered me, or until Your Excellency receives the commands of the Earl of Bathurst in reply to a reference which you have made to His Lordship on that subject, after receipt of the letter I addressed to Your Excellency under date 28th December last, I rest perfectly satisfied that the Earl of Bathurst will accede to the extent of my Prayer; in the mean time, and until I have the honor to hear from Lord Bathurst, having been importuned by Mrs. Davey and my Daughter for an allotment of Land on the hilly and rocky ground adjoining Preston's Farm, three miles from Hobart-town, at the foot of the great Mountain, where it is my intention to erect a house and reside with my Family for the present time, I therefore beg that Your Excellency will be pleased to locate to myself and Family two hundred Acres of Land on the spot solicited; it shall be held and considered a part of the Earl of Bathurst's indulgences.

I trust Your Excellency has received a letter from me, giving information of my expending four logs of Cedar upon the Old Government House, which I carried down to Hobart-town on board the Ship Frederick in the Year 1813, and soliciting Your Excellency for four in lieu of those expended.

James Perkins, a Marine, came from England with me as my Servant, received his discharge at the conclusion of the Peace, and returned to England some time ago; he received Your Excellency's Grant for a Farm which was measured to him adjoining my Farm at the Coal River; and, he being in my Debt to a considerable amount, request Your Excellency will be pleased to allow me to retain the Grant as a remuneration for said Debt.

Having had a Boat built at my own Expence for the use of my Family, which I shall take down to the Derwent, may I request permission to remove her to the King's Yard for the purpose of being painted and four Oars made for her, which I shall consider as adequate to the sum of three Pounds, nine Shillings and four pence halfpenny herein charged as per Ferryman's Account.

I have, &c.,

T. Davey.
1817.

20 Dec.

Memorial of
T. Davey
soliciting land grant, in compensation for losses by capture of H.M. brig Emu.

THE MEMORIAL of Thomas Davey, Esqr., a Lieutenant Colonel of His Majesty's Forces, and late Lieutenant Governor of His Majesty's Settlements in Van Diemen's Land.

To the Right Honorable the Earl Bathurst, His Majesty's Principal Secretary of State for the Colonies, etc., etc., etc.

Most Respectfully Sheweth,

That your Memorialist, on being appointed to the Government of Van Diemen's Land, received an order to embark on board the Transport Ship Minstrel then about to Sail from the River Thames for New South Wales; that your Memorialist, being a Married Man with a Family, and having an Establishment equal to, and proper for, the Rank he had the honor to hold in His Majesty's Service, was under the necessity of taking with him Baggage amounting in quantity to a greater extent than could be received on board the Ship Minstrel, as appears by the following Letter from Mr. Peel to your Memorialist dated the 29th day of February, 1812:

Sir,

I am directed by the Earl of Liverpool to acquaint you in answer to your Letter of this date, that the disposable tonnage in the Minstrel does not exceed five tons; but that the Commissioners for conducting the Transport Service will be instructed to appropriate for your use as much of the Tonnage of the Ship "Arch Duke Charles," as the other demands of the Service will admit.

I am, &c.,

ROBERT PEEL.

To Lt. Col'l Davey, etc., etc., etc.

That your Memorialist accordingly calculated on having his baggage received on board the Ship Arch Duke Charles; but, on enquiry, it appeared that that Ship had Sailed for Cork to receive Prisoners, previous to the receipt of Mr. Peel's letter in reference to her. That, thus circumstanced, your Memorialist applied to the Earl of Liverpool, then His Majesty's Secretary of State for the Colonies, to be permitted to take his passage on board the armed Brig Emu, which was then about to sail for New South Wales, and in which ship your Memorialist had been informed he could have all his Baggage conveyed, to which application your Memorialist received the letter following:

Sir,

Downing Street, 9th May, 1812.

I have not failed to lay before the Earl of Liverpool your letter of yesterday's date, with its enclosure; and I am directed by his Lordship to acquaint you that the Minstrel will not Sail till the next Convoy, and that the Public Service will Suffer
unless you are prepared to take your passage for New South Wales on board that Ship, there being no accommodation in the Brig now fitting for the Service of the Colony.

I am, 

Robert Peel.

To Lt. Governor Davie, etc., etc., etc.

That, in this extremity, your Memorialist found himself under the necessity of embarking on board the ship Minstrel, rather than that the Public Service should suffer one moment by any delay occasioned by your Memorialist, and his baggage to a very large amount, in extent and value, and which could not be replaced for several Thousands of Pounds, was embarked on board the Brig Emu, for the purpose of following your Memorialist to this country; but, unfortunately, that Vessel was taken and plundered, on her passage out by an Enemy’s Cruiser, in consequence of which event, your Memorialist’s baggage was totally and entirely lost.

That your Memorialist applied to your Lordship on this unfortunate occurrence, through the Earl of Harrowby, praying that your Lordship would please to move His Majesty’s Government, in consideration thereof, to make him such compensation as his great loss should seem to deserve. And your Memorialist presumed to suggest that the following (not exceeding the sum of one thousand pounds in value) should be granted him viz.

Five thousand acres of Land,

One hundred head of young horn’d Cattle, and

Five Convict Servants to be victualled and clothed from His Majesty’s Stores for five years; that your Memorialist was honored with a letter from the Earl of Harrowby, wherein His Lordship was pleased to express himself to the following effect:—

"that Lord Bathurst had kindly endeavoured to diminish the disadvantages of myself and Family’s removal, and had authorized Governor Macquarie to make me a Grant of Land in New South Wales, corresponding with my Rank in His Majesty’s Service, and to offer me such assistance in point of State and Convict labour as had been usually granted to Persons in my Situation in Life.”

That the remuneration, mentioned herein by Lord Harrowby, was evidently and clearly intended as expressed by his Lordship, “to diminish the disadvantages of the removal of myself and Family,” and by no means in remuneration for the very heavy and Serious loss, Sustained by your Memorialist in the loss of the whole of his baggage as aforesaid; that your Memorialist, in common with Lieutenant Colonel O’Connell, Mr. Ellis Bent,

* Note 222.
1817. 
20 Dec. 
Memorial of T. Davey soliciting land grant in compensation for losses by capture of H.M. brig Emu.

650 HISTORICAL RECORDS OF AUSTRALIA.

Lieutenant Colonel Molle, Lieutenant Colonel Erskine, Mr. Field, Mr. Wylde, and indeed every other public officer of your Memorialist’s Rank, has received a Grant of Three thousand Acres of Land; but this Grant your Memorialist humbly trusts, your Lordship will be of opinion could have no relation whatever with that which Lord Harrowby is pleased to speak of, in his letter before inserted, which His Lordship is pleased to consider as “intended to diminish the disadvantages of the removal of your Memorialist and Family;” much less was it intended as a compensation for the loss of your Memorialist’s baggage, as before mentioned. That your Memorialist after the receipt of the Earl of Harrowby’s letter, applied to Governor Macquarie, that His Excellency would be pleased to carry into effect the gracious intentions of His Majesty’s Government, to which application your Memorialist received the following answer:—

Sir, Government House, Parramatta, 27th November, 1816.

Earl Bathurst having authorized me in his last Despatch to give you a Suitable Grant of Land, not knowing that I had done so already, I now beg leave to inform you, that I have no objections to add two thousand acres to the three thousand already granted to you some time since, and that you choose this additional two thousand Acres, either immediately adjoining your present Grant, or in any other part of Van Diemen’s Land you may prefer, where your so doing will not interfere with the interests of the Crown or with that of Individuals.

L. MACQUARIE.

That Governor Macquarie on the 5th November, 1817, was further pleased to address a letter to your Memorialist, of which the following is an Extract:—

“I have the honor to acknowledge the receipt of both your letters of this day’s date; in reply to which I beg to inform you that I cannot make any addition to the Grant of Land, which I have already tendered you, until I receive the Commands of Lord Bathurst in reply to a reference I have made to His Lordship on that Subject after receipt of the letter you addressed to me under date the 28th of December last.”

L. MACQUARIE.

Your Memorialist now begs leave most humbly to represent to your Lordship the very pressing necessity, which exists, of his most anxiously Submitting his case to your Lordship, in the hope that it may receive the favorable consideration of His Majesty’s Ministers. Your Lordship will at once perceive, by Governor Macquarie’s letter, that that Officer felt (to say the least) a very great unwillingness, to carry the kind intentions
MEMORIAL OF T. DAVEY.

Of your Lordship into effect, and that, in availing himself of the Grant of Land, your Memorialist has already received in common with other Officers, as before stated, Governor Macquarie is desirous of preventing your Memorialist from receiving that remuneration for the very heavy loss of his baggage which your Lordship, and His Majesty's Government, has been most beneficially disposed to bestow upon him.

Your Memorialist begs leave to Submit to your Lordship that, after having served His Majesty for the period of Forty five years, in Situations equally perilous, and important, in all parts of the World, without the Smallest reproach or blemish, Such a very heavy loss as that of the whole baggage of himself and his Family, now expensively rising into Life, cannot but be most severely felt; and your Memorialist is well convinced that the generous Sentiments invariably shewn by His Majesty's Ministers to the old Servants of the Crown, will on this occasion induce your Lordship to bestow upon him that favorable consideration which he most anxiously trusts the circumstances of his case give him Some Claim to hope for.

T. DAVEY, Lt. Col'l and late Lt. Govr. of Van Diemen's Land.
Sydney, New South Wales, 20th December, 1817.

[Enclosure.]

MEMORIAL of Lieutenant Governor Davey to the Right Honorable the Earl of Bathurst, in the year 1814, for the loss of his Property in the Capture of His Majesty's Armed Brig Emu, Soliciting his Lordship for Five thousand Acres of Land, One hundred head of Horned young Cattle, and five Convict Servants, victualled on His Majesty's Stores for five years, as a compensation for the very considerable and valuable properties which are now at this moment Severely felt by himself and Family, this mode of recompense would not cost Government a Sum exceeding One thousand Pounds.

Gentlemen to whom the present Governor has given Grants of Land to on their arrival in this Country, viz.

Lieutenant Colonel O'Connell, 73rd Regt. 3,000 acres
Ellis Bent, Esqr., Judge Advocate 3,000 Do
Lieut. Colonel Davey, Royal Marines 3,000 Do
Lieut. Colonel Molle, 46th Regiment 3,000 Do
Lieut. Colonel Erskine, 48th Regt. 3,000 Do

and surely the three thousand acres I have received from the Governor can never be thought by Lord Bathurst a part of the remuneration intended for my Losses.

T. DAVEY.
List of Bills, drawn by Deputy Commissary General Allan on H. J. Addington, Esq., Agent for the Colony of New South Wales, for the Salaries of Civil Officers at Hobart Town, Van Diemen's Land, from 25th June to 24th December, 1817.

<table>
<thead>
<tr>
<th>Date</th>
<th>No.</th>
<th>Names</th>
<th>Rank</th>
<th>At what rate</th>
<th>Period</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1817 Decr. 24th</td>
<td>117</td>
<td>William Sorell, Esq.</td>
<td>Lt. Governor</td>
<td>£300 0 0 p. Ann. a moiety of</td>
<td>25th June</td>
<td>24th Decr.</td>
</tr>
<tr>
<td></td>
<td>118</td>
<td>Edward Abbott, Esq.</td>
<td>Depy. Judge Advocate</td>
<td>£200 0 0 p. Ann.</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td></td>
<td>119</td>
<td>Revd. Robt. Knowwood</td>
<td>Chaplain</td>
<td>£200 0 0</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td></td>
<td>120</td>
<td>Mr. G. W. Evans</td>
<td>Deputy Surveyor</td>
<td>£91 5 0</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td></td>
<td>121</td>
<td>Mr. T. R. Crowder</td>
<td>Superintendent</td>
<td>£50 0 0</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td></td>
<td>122</td>
<td>Mr. J. R. Boothman</td>
<td>Do</td>
<td>£50 0 0</td>
<td>14 Octr.</td>
<td>24 Decr.</td>
</tr>
<tr>
<td></td>
<td>125</td>
<td>Mr. Walter Pearhouse</td>
<td>Do</td>
<td>£50 0 0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sydney, New South Wales, 24th June, 1817.

List of Bills, drawn by Deputy Commissary General Allan on H. J. Addington, Esq., Agent for the Colony of New South Wales, for the Salaries of Civil Officers at Port Dalrymple, Van Diemen's Land, from 25th June to 24th December, 1817.

<table>
<thead>
<tr>
<th>Date</th>
<th>No.</th>
<th>Names</th>
<th>Rank</th>
<th>At what rate</th>
<th>Period</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1817 Decr. 24th</td>
<td>124</td>
<td>Brevet Major Stewart</td>
<td>Commandant</td>
<td>£182 10 0 p. Ann.</td>
<td>25th June</td>
<td>25th Decr.</td>
</tr>
<tr>
<td></td>
<td>125</td>
<td>Mr. Jno. Smith</td>
<td>Aed. Surgeon</td>
<td>£130 17 0</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td></td>
<td>126</td>
<td>Mr. Thos. Mussey</td>
<td>Superintendent</td>
<td>50 0 0</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td></td>
<td>127</td>
<td>Mr. Richel, Sydney</td>
<td>Do</td>
<td>50 0 0</td>
<td>...</td>
<td>...</td>
</tr>
</tbody>
</table>

Sydney, New South Wales, 24th December, 1817.

D. ALLAN, D. C. Genl.
LIEUT.-COLONEL DAVEY TO GOVERNOR MACQUARIE.

Sir,

Parramatta, 2nd Jan'y., 1818.

1st. I have the honor to acknowledge the receipt of Your Excellency's letter Dated the 31st Dec. last, which only came to my hand this Morning.

2nd. Your Excellency's compliance, with respect to my having Location at 200 acres near Preston's Farm, Affords me much satisfaction.

3d. I trust Your Excellency will allow James Perkins, of the Land grant to Marines, to receive his grant of Land at a future period.

4th. Your Excellency promises to ship four Logs of Cedar in lieu of four Logs used on Government House at Hobart Town, on my return to the Derwent. I shall feel much obliged to your Excellency, at an early moment, to name the Vessel and the time you intend I should depart from hence.

5th. I beg your Excellency will Accept of my best thanks for Emancipations. The Eight Conditional Pardons bestowed on those whom I have solicited.

I have, &c.,

T. DAVEY.

P.S.—I beg to Apologise for this bad paper from the Scarcity of Stationary at this place.

T.D.

GOVERNOR MACQUARIE TO LIEUT.-COLONEL DAVEY.

Sir,

Govt. House, Sydney, 7th Jan'y., 1818.

I have to acknowledge the receipt of your Letters of this date and 2d and 6th Inst. In respect to your returning to Hobart Town, I leave the time and Vessel entirely optional with yourself, as I do not by any means wish you to go in the Brig Govt. Macquarie, since you think there is not suitable accommodation for you in that Vessel. The four Logs of Cedar will be put on board whatever Vessel you proceed in yourself to the Derwent.

I return you the Memorials of John Faulkner and George Clarke with my answers written on their Margins.

I have, &c.,

L. MACQUARIE.

REV. R. KNOPWOOD TO EARL BATHURST.

Hobart Town, Van Diemen's Land,

My Lord,

20 January, 1818.

It is with much reluctance that I thus press myself on Your Lordship's notice, but necessity Compels me to make this appeal for Justice, there being no other apparent method of procuring it.

I beg leave to inform Your Lordship that I was appointed Asst. Chaplain to the Settlements in New South Wales in the
Year 1802, when Lord Hobart held the Seals of the Colonial department, from whom I had the fullest assurance that I would be allowed a House suitable to my rank, and the Late Lieut. Governor Collins renewed this assurance on our arrival at this Settlement. I lived 18 Months in a Tent, suffering all the privations incident to the formation of a New Colony, and, seeing no prospect of a Barrack being Erected for me, I was under the necessity of building a Cottage, which cost me a large Sum of Money owing to the high price of Labour.

This Cottage I have since been obliged to sell, for the purpose of liquidating Debts Contracted by its erection. I beg leave further to inform Your Lordship that I implored an amelioration of my circumstances from His Excellency Governor Macquarie, both by Letter, and memorial, but to no purpose. I Enclose the Correspondence to convince Your Lordship of the evasive answers, which have been return’d by His Excellency. But, while Governor Macquarie will not allow Me a single Shilling for Barrack rent, he pays £100 per annum out of the Police Fund for my Junior, Mr. Cowper.*

To convince Your Lordship of the truth of this assertion, I enclose three Sydney Gazettes containing quarterly estimates of the Colonial Fund in which the above Sum alluded to is charged.

During a period of 14 Years, I have only received £30 on account of Barrack Rent; I hope therefore Your Lordship will lend my case a little attention and grant me such a remuneration as fourteen Years privation may in Justice give me claim; with apologizing for trespassing on your Lordship's time,

I have, &c.,

ROBERT KNOPWOOD.

[Enclosure No. 1.]

MEMORIAL OF REVEREND R. KNOPWOOD.

To His Excellency Lachlan Macquarie, Esquire, Governor in Chief of His Majesty's Territory of New South Wales, etc., etc., etc.

THAT Your Excellency's Memorialist has been Assistant Chaplain in these Settlements since the first formation under His Honor the late Lieutenant Governor Collins, and upon his arrival at Sullivan Cove had a promise that a Suitable Barrack should be Erected for his residence; after remaining Eighteen Months under Canvas, and owing to the Scarcity of Crown Servants, it could not be carried into Effect. Your Excellency's Memorialist was therefore Under the necessity of building

* Note 135.
a Cottage for himself, for which he has received no remun-
eration except one Year and a half Barrack Rent at Eight
Shillings per Week.

Your Excellency’s Memorialist therefore respectfully solicits
that Your Excellency will take into Your consideration the
Justice of his Claim for the allowance of Barrack Rent, and
that you will be pleased to direct that Such allowance may be
continued him from the period to which he was last paid, and at
such rate as Your Excellency may deem meet and for which
indulgence

Your Excellency’s Memorialist Will Ever pray, etc., etc., etc.
Hobart town, 18 Oct., 1816.

Answer.

No allowance for house rent for Chaplains in this Colony has ever been
ordered or Sanctioned by Government and therefore a reference will be
made on the Subject to His Majesty’s Ministers by the Governor; but
Until an answer is received from them the Governor cannot authorise
any allowance for house rent to be paid to the Revd. Mr. Knopwood.
10 Dec., 1816.

[Enclosure No. 2.]

REV. R. KNOPWOOD TO GOVERNOR MACQUARIE.

Sir,

I beg leave to acknowledge the receipt of Your Excel-
lency’s answer to my Memorial, and I cannot but think it ex-
tremely hard that, after Servitude as Chaplain to this Settlement
from its commencement in 1803, I should be denied the indul-
gence that has ever been extended to my Brethren at Sydney.

The Commission, I have the Honor to hold from Our most
Gracious Sovereign, Constitutes me His Majesty’s Assistant
Chaplain to these Settlements, and, prior to my Leaving Eng-
land, I was assured by Lord Hobart then Secretary of State for
the Colonys that a comfortable House should be erected me by
Government, as soon as possible after the formation of the
Settlement, which House was commenced upon in the early part
of 1805; but the distress’d period which for such a length of
time visited this Settlement by its being literally deprived of
food, Except what Game the Country afforded, prevented its
completion, and I was induced at the particular request of Lieut.
Govnr. Collins to Erect a House in which I have ever since
lived, On an assurance from His Honor that the Government
would remunerate me by a good Rent, for the heavy expence I
was then put to; but, as not any adequate remuneration has
ever been made, having only received the Sum of £31 2s. one
year and a half pay House rent, I have been compelled to
dispose of the House which had cost me so heavy an expence in building, for the express purpose of discharging the Embarrassment I had been put to and labour'd under from its Erection.

Your Excellency is fully sensible of the inadequacy of my pay in this Expensive part of the world to admit a deduction for House rent; the common charge for a poor house have been One Hundred pr. Annum; and, unless your Excellency will take my Case into Your Consideration and give Orders for a House to be provided for the Chaplain, I shall in a very few weeks be destitute even of a Covering wherein I can repose after the Labours of the day.

I have, &c.,

ROBERT KNOPWOOD.

Answer.

The Governor has received Mr. Knopwood's letter of date 11th of January last, and, in reply thereto, has now to inform him that he cannot allow him any House Rent, nor build him a House untill an answer from His Majesty's Prinl. Secry. of State for the Colonies to a recent Communication made to him on this Subject, is received.

Govt. House, Sydney, 7 March, 1817.

[Duplicates of this letter and its two enclosures were also transmitted under date 2nd April, 1819.]

LIEUT.-COLONEL DAVEY TO GOVERNOR MACQUARIE.

Sir, Sydney, 2nd Feb'y, 1818.

Referring to the letter, with which your Excellency was pleased to honor me on the 31st of Decr. last, I beg leave to acquaint your Excellency that I purpose taking the 2,000 Acres of Land some time since tendered to me in the following manner; to which I earnestly beg the favor of your Excellency's concurrence:—

Land adjoining Preston's Farm ......................... 200 Acres
Land to be taken in the County of Buckingham, V.D.L. 800
Land at or near Illawarra,* commonly called the Five Islands ........................................... 1,000

2,000

Should it be your Excellency's pleasure to accede to this arrangement, I have further to solicit that your Excellency will be pleased to Issue orders accordingly to the proper officers.

In your Excellency's letter of the 8th of Novr. last, you was pleased to say that, on my readiness to accept the Land offered to me, you would order certain indulgences to be allowed me. I have now to hope that your Excellency will be pleased to communicate to me your intentions on that head.

I have, &c.,

T. DAVEY.

* Note 234.
DAVEY TO MACQUARIE.

GOVERNOR MACQUARIE TO LIEUT.-COLONEL DAVEY.

Sir,  
Govt. House, Sydney, 7th Feb., 1818.

I have to acknowledge the receipt of your Letter of date 2d Instant. In reply thereto, I have now to inform you that, altho' I consider such a practice very irregular, I shall have no objection to your having the 2,000 acres of Land, I tendered for your acceptance some time since, marked out and Divided into either two or three Separate Allotments in Van Diemen's Land, wherever you may prefer them on that Island, where Lands are still disposeable; but I cannot possibly accede to your request for any part of the 2,000 acres in question being granted to you at Illawarra* (or Five Islands), the whole of the disposeable Lands in that New District being already pre-engaged, after reserving the necessary allotments for the use of Government.

The Indulgencies or Privileges I intend annexing to the Grant of Two Thousand Acres of Land proposed for your acceptance are the following,—Vizt.—Yourself and Family, together with 8 Govt. men, to be victualled from the King's Store for Eighteen Months, and to receive Twelve Cows from the Government Herds in Van Diemen's Land on a credit of three years, to be paid for at the expiration of that period in kind.

I must, however, apprize you that, previous to those indulgencies being granted, it is absolutely necessary that you should first pay back in kind the number of cattle already issued to you from the Govt. Herds.

I have, &c.,  
L. MACQUARIE.

LIEUT.-COLONEL DAVEY TO GOVERNOR MACQUARIE.

Sir,  
Sydney, 9th Feb., 1818, Monday.

I have the honor to acknowledge the receipt of your Excellency's letter of the 7th Inst. at a late hour on Saturday Eveng., informing me that, Although you considered such practice very irregular you had no objections to my having the 2,000 Acres of Land, your Excellency had tendered for my acceptance some time since, marked out and divided into either two or three separate allotments in Van Diemen's Land, wherever I might prefer them on that Island where lands are still disposeable, but that your Excellency could not possibly accede to my request for any part of the 2,000 Acres in question being granted to me at Illawarra (or Five Islands), the whole of the disposeable lands in that new district being already pre-engaged, after reserving the necessary allotments for the use of Government.

I solemnly pledge my honor to have the Earl of Bathurst's directions for a grant of Land in the neighbourhood of Port

*Note 234.
1818.
9 Feb.
Appeal to be made to England for land near Port Jackson.

Live stock for T. Davey.

GOVERNOR MACQUARIE TO LIEUT.-COLONEL DAVEY.

Sir,

Government House, Sydney, 10th Feb'y., 1818.

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

Since you suppose yourself aggrieved, I think you do perfectly right to seek for redress at the Foot of the Throne, the more especially as you say you are advised so to do by "a Person in high authority."

Altho' it is an indulgence I do not by any means allow you to be entitled to, yet, as you have made a request to that effect, I shall forbear to insist on your paying back in kind the Cattle you originally received on 3 years credit from the Government Herds, until I receive the further commands of His Majesty's Government at Home respecting you.

I have, &c.,

L. Macquarie.

PS.—As it is not my wish to receive the Twelve Cows your Excellency has been pleased to offer me on a credit of three years, I have to hope your Excellency will allow me to withhold those I have at present belonging to Government in lieu, or at least until I hear from Old England.

T.D.

17 Feb.

Request for land near Port Jackson.

LIEUT.-COLONEL DAVEY TO GOVERNOR MACQUARIE.

Sir,

Parramatta, 17th Feb'y., 1818.

Since your Excellency has on sufficient grounds finally determined that I shall not have any part of the 2,000 Acres of Land in question granted to me in the vicinity of Illawarra, I have to request that I may be allowed to select 1,000 acres of

Jackson corresponding with my rank in His Majesty's Service, and such assistance in point of state and convict labour as has been usually granted to persons of my situation in life.

I presume, with the exception of your Excellency, I have a greater right to land in the vicinity of Port Jackson than any other subject now existing in the Territory of New South Wales. Thus circumstanced, I have deemed it expedient, by the persuasion of a person in high authority, to Petition the Prince imploring redress, and that enquiry be made into my losses by sea, services, present situation and sufferings. And, until the Royal pleasure of the Prince Regent is known In answer to my humble supplication, I shall feel it my duty to remain in silent submission.

I have, &c.,

T. Davey.

PS.—As it is not my wish to receive the Twelve Cows your Excellency has been pleased to offer me on a credit of three years, I have to hope your Excellency will allow me to withhold those I have at present belonging to Government in lieu, or at least until I hear from Old England.

T.D.
Land only in the neighbourhood of Port Jackson, or as near as the disposeable Lands will admit thereof. I trust that this requisition will meet your Excellency’s sanction. I have, &c,

T. DAVEY.

GOVERNOR MACQUARIE TO LIEUT.-COLONEL DAVEY.

Sir,

Govt. House, Sydney, 27th Feb., 1818.

I have the honor to acknowledge the receipt of your Letter of date 17th Instant, which a press of business has prevented answering sooner. In reply thereto, I have now to inform you that, as you have deemed it necessary to make a reference Home to His Royal Highness the Prince Regent on the subject of your Claims for Grants of Land and other Indulgencies, I must decline altogether all further discussion on this Subject, and beg to refer you to my Letters under dates the 7th and 10th Instant.

I have, &c,

L. MACQUARIE.

GOVERNOR MACQUARIE TO JUDGE-ADVOCATE WYLDE.

Sir,

Govt. House, Sydney, 23d March, 1818.

I do myself the pleasure of enclosing herewith, for your perusal and information, a Letter, with two enclosures, I recently received from Lieut. Governor Sorell; from which you will observe that Mr. Edward Lord of Hobart Town, who had some time since preferred certain charges against Mr. Actg. Asst. Comy. Genl. Broughton, and who had been Subpoenaed to come to Sydney for the purpose of substantiating those Charges, has refused to come to Sydney for that purpose, which, of course, precludes the possibility of holding a General Court here to investigate the conduct of Mr. Broughton as was originally intended by me; and, as to ordering one to be held in Van Diemen's Land, it would be attended with such an enormous expence to the Crown, and with so much inconvenience and loss to Private Individuals, that I do not think myself justified in resorting to an alternative fraught with so many inconveniences and liable to so many strong objections; the more especially, as I do not think such a step, if adopted, would be productive of any benefit to the Public Service.

I therefore now beg leave to transmit you herewith, for your perusal and consideration, the Proceedings of the Court of Inquiry which some time since was assembled by my orders at Hobart-Town, to investigate the Charges exhibited by Mr. Edward Lord against Mr. Acting Asst. Comy. Genl. Broughton, requesting you will, at your leisure and convenience, be so good as to favor me with your opinion in writing as to the Merits of

* Note 235.
the Proceedings in question and the opinion given by the Court of Inquiry, founded on those Proceedings.

I have, &c.,

L. Macquarie.

JUDGE-ADVOCATE WYLDE TO GOVERNOR MACQUARIE.
(Letter marked "Private")

Judge Adv.'s Office, Tuesday Evg., 9 okl., 24 March, 1818.

Dear Governor,

I return you herewith the papers connected with Mr. Broughton's affair as also inclose my official Letter in that respect with the Sketch, etc., suggested, and which, if not approved, I shall be most happy to modify in any way pointed out, as the only object is to meet your Ideas and my own. Thanks for your Communication as to the discharges from Parramatta Gaol. I was not indeed aware of the Colonial Law you suggest, but in that case I certainly intended only to bring the Matter under your consideration.

As I am of all Creatures the most fidgety and uneasy, when not on decisive terms with any one, when I left you this morning I scribbled the inclosed note to Mrs. Macquarie, and afterwards was so doubtful how it might be received that I did not venture to forward it. May I beg of you so far to lead me as to have it delivered, tear it up, or not as you may judge it likely to promote the sincere wish I have of removing all Distance, even in manner, between us.

Yours very truly and respectfully,

JNO. WYLDE.

MR. R. DRY TO LIEUT.-GOVERNOR SORELL.

Launceston, 24th April, 1818.

Sir,

I beg leave to state to Your Honor that the Govt. Barrack, in which I now reside, has been occupied by me for nearly Ten Years, and, owing to the Contracted dimensions of the Original Premises, I have been under the Necessity of making additions thereto for the accommodation of my Family, by which I have incurred an expense of nearly One hundred pounds; and, as it is the Intention of Government to remove the Establishment to George Town, I hope you will have the Goodness either to Order me a remuneration for the Expenses I have been at, or to allow me to become the proprietor of the Original premises, which favor will be thankfully acknowledged.

By Your Honor's Most Obedt. Humble Servant,

Richard Dry.

The Circumstances herein stated were communicated to me by Mr. Archer when I last visited Port Dalrymple. The long Service
of Mr. Dry, the very small value of the Premises to Government, and Mr. Dry's new wing, his office therein to accommodate the arrangement of quarters, all induce me to submit to Your Excellency my earnest recommendation that you would be pleased to grant the House and Garden in question to Mr. Dry.

W. Sorell.

GOVERNOR MACQUARIE TO LIEUT.-COLONEL DAVEY.


I have to acknowledge the receipt of your Letter dated 26th Inst. (supposed to be intended as this day), and, in reply thereto, beg to inform you that, as you have stated to me in a former Letter that you had sent Home a complaint against me for supposed grievances, to be laid at the foot of the Throne, I do not think myself justified in departing from my former determination in respect to your Lands, until I am honored with the pleasure and commands of H.R. Highness The Prince Regent on this point.

I have, &c,

L. MACQUARIE.

DEP. ASSIST. COM.-GENL. HOGAN TO COLONIAL SECRETARY CAMPBELL.

Sir, Sydney, 27th April, 1818.

I have the honor to acquaint you, for the information of His Excellency the Governor in Chief, that, having been furnished with various Queries on my Provision Accounts, the Vouchers, in support of the Answers to which, will require the signatures of a great many Persons Resident on Van Diemen's Land, in order to procure which it will be necessary for me to go to that Station; therefore beg leave to request that His Excellency will be pleased to order a Passage for me by the next Ship proceeding there for Government.

As I intend, with His Excellency's permission, to remain on Van Diemen's-Land until His Majesty's pleasure is made known relative to my General Court Martial,* I most respectfully beg leave to request that His Excellency will also be pleased to grant a Passage for my Family.

I have, &c.,

P. G. Hogan, D.A.C. Gl.

DEP. ASSIST. COM.-GENL. HOGAN TO COLONIAL SECRETARY CAMPBELL.

Sir, Sydney, 15th May, 1818.

With reference to your Letter of the 13th Instant, informing me that His Excellency the Governor in Chief had been pleased to Grant a Passage for myself and Family to the

* Note 236.
Derwent on Board the Ship Minerva, which is to sail on Sunday next, I have the honor to acquaint you that I will Embark on that Day.

As I am proceeding to the Derwent for the express purpose of obtaining various signatures relative to the Queries on my Public Accounts, and which are necessary for me to have ready against His Majesty's Pleasure is made known on my General Court Martial, I beg leave to request you will enquire of His Excellency, whether I may not Embark without going through the routine of the Port Regulations.

I have, &c,

P. G. Hogan, D.A.C. Gl.

---

Lieut.-Colonel Davey to Governor Macquarie.

20 May. Sir, Sydney, 20th May, 1818.

I am, your Excellency, this morning informed that the Lady Castlereagh will positively proceed to Van Diemen's Land on Saturday the 30th Inst. In consequence thereof, I beg your Excellency will be pleased to permit me to leave my grant of 2,000 Acres of Land in the hands of those I am indebted to in this neighbourhood, since my arrival here. If I am compelled to remain at Sydney from this effect alone, it will be attended with the fatal ruin of my family, And ultimately incur an enormous expense on Government.

I have, &c,

T. Davey, Coll.

---

Lieut.-Colonel Davey to Governor Macquarie.

30 May. Sir, Sydney, 30th May, 1818.

As it is not probable I shall ever visit this part of His Majesty's Territory again, I therefore take the liberty to lay before your Excellency a few Memorials for Land and Mitigation of punishments, which I trust will be compassionately received by your Excellency; Altho' the former ones are premature, and I am perfectly aware the latter ones are sent at an unseasonable period, yet I Trust that your Excellency's benevolence will pardon this intrusion, as nothing upon earth could have induced me to trouble your Excellency, were I not positively certain that this application would be the last, I could with propriety disturb your Excellency with; and I have to beg that your Excellency will do me the favor to withhold the said Memorials until the Appointed period arrives for the distribution of such indulgencies.

I have, &c,

T. Davey.
List of Bills, drawn by Deputy Commissary General Allan on H. J. Addington, Esq., Agent for the Colony of New South Wales, for the Salaries of Civil Officers at Hobart Town, Van Diemen's Land, from 25th Decr., 1817, to 24th June, 1818.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1818 June 24th</td>
<td>155</td>
<td>William Sorell, Esq.</td>
<td>Lieut. Governor</td>
<td>£300 0 0 p. Ann., a moiety of</td>
<td>1817, 25th Decr. - 1818, 24th June</td>
<td>£300 0 0</td>
</tr>
<tr>
<td></td>
<td>156</td>
<td>Edward Abbott, Esq.</td>
<td>Dep't. Judge Advocate</td>
<td>£600 0 0 p. Ann.</td>
<td></td>
<td>£600 0 0</td>
</tr>
<tr>
<td></td>
<td>157</td>
<td>Revd. Robt. Knopwood</td>
<td>Chaplain</td>
<td>£200 0 0</td>
<td></td>
<td>£200 0 0</td>
</tr>
<tr>
<td></td>
<td>158</td>
<td>Mr. Edwd. Luttrell</td>
<td>Surgeon</td>
<td>£100 0 0</td>
<td></td>
<td>£100 0 0</td>
</tr>
<tr>
<td></td>
<td>159</td>
<td>Mr. Hr. St. Jno. Younge</td>
<td>Asst. Do</td>
<td>£10 0 0</td>
<td></td>
<td>£10 0 0</td>
</tr>
<tr>
<td></td>
<td>160</td>
<td>Mr. T. R. Crowder</td>
<td>Superintendent</td>
<td>£70 0 0</td>
<td></td>
<td>£70 0 0</td>
</tr>
<tr>
<td></td>
<td>161</td>
<td>Mr. Walter Pearhouse</td>
<td>Do</td>
<td>£70 0 0</td>
<td></td>
<td>£70 0 0</td>
</tr>
</tbody>
</table>

Sydney, New South Wales, 24th June, 1818.

D. ALLAN, D. C. Genl.

List of Bills, drawn by Deputy Commissary General Allan on H. J. Addington, Esqr., Agent for the Colony of New South Wales, for the Salaries of Civil Officers at Port Dalrymple, Van Diemen's Land, from 25th December, 1817, to 24th June, 1818.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1818, June 24th</td>
<td>162</td>
<td>James Stewart, Esqr.</td>
<td>Commandant</td>
<td>£182 10 0 p. Ann.</td>
<td>1817, 25th Decr. - 1818, 8 April</td>
<td>£52 10 0</td>
</tr>
<tr>
<td></td>
<td>163</td>
<td>Gilbert Ginetiere, Esqr.</td>
<td>Do</td>
<td>£182 10 0</td>
<td>1818, 9 April - 24th June</td>
<td>£38 15 0</td>
</tr>
<tr>
<td></td>
<td>164</td>
<td>Mr. John Smith</td>
<td>Asst. Surgeon</td>
<td>£156 17 6</td>
<td></td>
<td>£156 17 6</td>
</tr>
<tr>
<td></td>
<td>165</td>
<td>Jacob Mountgarret, Esqr.</td>
<td>Surgeon</td>
<td>£182 10 0</td>
<td></td>
<td>£182 10 0</td>
</tr>
<tr>
<td></td>
<td>166</td>
<td>Mr. Richld. Sydes</td>
<td>Superintendent</td>
<td>£50 0 0</td>
<td></td>
<td>£50 0 0</td>
</tr>
<tr>
<td></td>
<td>167</td>
<td>Mr. Thomas Massey</td>
<td>Do</td>
<td>£50 0 0</td>
<td></td>
<td>£50 0 0</td>
</tr>
<tr>
<td></td>
<td>168</td>
<td>Mr. J. B. Boothman</td>
<td>Do</td>
<td>£50 0 0</td>
<td></td>
<td>£50 0 0</td>
</tr>
</tbody>
</table>

Sydney, New South Wales, 24th June, 1818.

D. ALLAN, D. C. Genl.
1818.
1 Aug.

Lieut.-Governor Sorell to Dep. Judge-Advocate Abbott, Chairman of the Bench of Magistrates.

Sir, Hobart Town, 1st August, 1818.

I have to request that you will bring under the consideration of The Bench of Magistrates, at the regular Monthly Sessions, the prices at present, and in future to be fixed, at the several Ferries in this Settlement, viz.:—that between Kangaroo point and Hobart Town; that which is intended to be licensed between Austin's and the Old Beach; and also the Ferries in Pitwater.

I have to recommend to the consideration of the Bench, whether the Prices, heretofore and still remaining fixed at any of these Ferries, be capable of reduction; the decision of which question will enable them to determine upon the prices at the whole:—for single persons and for more, for Goods, Carriages and Carts, and for Cattle and Sheep.

You will be pleased to report to me the estimates which the Bench may approve, sufficiently in detail to be applicable to all the cases, in order to my promulgating and establishing the same.

Mr. Gordon being in Town can afford assistance and information respecting the two Ferries in Pitwater.

I have, &c.,

Wm. Sorell.
there should be Diet Lists, the whole provisions, Tea, Sugar, etc., to be in charge of the Superint., and the Meals and Messes to be prepared under his direction daily.

The System of Naval and Military Hospitals would be in many respects the best adapted to the Colonial Hospital; but were the Rules and practice, as to diet, etc., of the English Hospitals to be adopted, no doubt it would answer; at present I am constrained to say that no system or arrangement at all appears to me to exist.

I have done my part in affording you all the aid which rests with me; You have a Superintendant very adequately paid to make him a responsible person, and he should be supported and made answerable for carrying proper regulations into effect. If he is unfit for his employment, one more fit must be appointed. The articles of Bedding, Utensils, Wine, Tea, and Sugar have been liberally afforded, as also Male and Female attendants to your demand. I can therefore conceive no possible reason why the Hospital, and the Patients, should not be, in regard to lodging, diet, cleanliness and all essential points, upon as good and respectable a footing as any; and it is my clear intention, as far as rests with me, to have them so.

With this view, having now explained the present defective state of the Hospital in all its arrangements, and my general idea of the System which ought to be established, I have to express my directions that it may be forthwith carried into effect; on Saturday next the 5th Sept., I will visit the Hospital, and shall then be able to judge fully as to its state, under the Instructions now conveyed to you. I am, &c.,

Wm. Sorell.

LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.

Sir, 31 August, 1818.

I have to acknowledge receipt of your letter just received.

I am aware that the economy of an Hospital must depend upon the means and conveniences that it affords, and I should not expect it to be carried to perfection in the present House.* But, as there are two Wards and two skillings, I conceive that one grand principle might be adopted, the having a System of dieting, under the direction of the Superintendant. Soup and plain cooked Meat could be the only varieties; the Tea, Sugar, etc., should I conceive be in his charge and made regularly in the Morning; if Dishes are wanted, I will order a certain number to be made, for which the Superint’t will be responsible.

I conceive that much might be done towards an improved System by a strict attention on the part of the Surgeon to the

* Note 237.
1818.
31 Aug.
Duties of superintendent at hospital.

Practice adopted in issues to patients.

Conduct of the Superintendent, and by making him accountable for his daily expenditure, and for carrying on the cooking and preparation of Messes at fixed Hours, with order and regularity. He should be held strictly responsible for the conduct of the Nurses and for the room being kept very clean.

I did not at all know the System of the Sydney Hospital. I wrote under the impression of the order and system to which I had been accustomed in Military Hospitals, and which prevail in the English Hospitals. These I conceive should be the model of ours as far as the means go.

The practice of issuing to each patient his whole portion of Tea and Sugar, and Wine (when given), appears to me to render those indulgences worse than useless, for, besides exposing the articles to almost certain robbery, the sick Man may drink all his Wine at once, or barter his Tea and Sugar for pernicious supplies. This is the part of the System which seems to be susceptible of immediate improvement. I am ready to do what rests with me to facilitate your making an alteration.

I am, &c,

WM. SORELL.

LIEUTENANT ROBINSON TO MR. A. F. KEMP.

8 Sept.
Return of muster paper to A. F. Kemp.

Sir,

I am directed by The Lt. Governor to return the Muster paper, which you have sent in, the regulation not being complied with by its transmission.

I am, &c,

H. E. ROBINSON.

9 Sept.
Necessity for personal attendance of settlers at musters.

LIEUTENANT ROBINSON TO MR. A. F. KEMP.

Sir,

The Lieut’t Governor’s occupations at the Muster this Morning prevented my receiving Instructions to write fully, when I was directed to return your muster paper. I am now directed to add that the Lt. Governor acknowledges no right to be exempt from personally making the returns required at the Muster in any proprietor of Land or Stock. So far from your situation as a Magistrate (leaving out of the present question your being under suspension) appearing to The Lt. Governor to give a Title to such Exemption, that would render still stronger the duty to make the returns required by the regulations, in the manner prescribed by usage and by the respect due to the Chief local authority, except in cases where reasons for absence are assigned. This obligation was virtually acknowledged by yourself, by your attendance at the last Muster; it has not been
ROBINSON TO KEMP.

questioned by any public officer, nor by any Individual, even by
The Lt. Governor's predecessor; and, whether as a Magistrate
under suspension, or as an Individual (being a proprietor of
Land in this Settlement), The Lt. Governor will not wave to you
any particle of what belongs to his official situation and autho-

I am, &c,
H. E. ROBINSON, Sec.

LIEUTENANT ROBINSON TO MR. A. F. KEMP.

Sir,

I am directed by the Lt. Governor to acknowledge and to
reply to your Letter.

It is very true that Civil and Military officers as such are
exempt by the orders from being mustered; but they are ex-
pressly required to make returns of their Land and Stock.

The Lt. Governor does not at all conceive it necessary to advert
the appointment of Magistrate in your case, it being quite irre-
relevant in the view which he takes of the subject. In my sec-

Exemption of officers
at musters.

I am, &c,
H. E. ROBINSON, Secy.
Lieutenant Robinson to Mr. A. F. Kemp.

Sir,

I am directed by The Lt. Governor to inform you that the Returns of your Land and Stock, being those only which have been required from you by my Letters, will as therein stated be received no otherwise than in person at the Secy.’s office, the place appointed for Muster and public business. I am commanded to add that no further Letters on the subject will be received.

I am, &c.,

H. E. Robinson, Secy.

Lieut.-Governor Sorell to Dep. Judge-Advocate Abbott.

Sir,

12 September, 1818.

As you have this day refused in your official capacity, when sitting as Chairman of The Bench of Magistrates, to take cognizance of the cases of certain persons, who were summoned to answer for non-compliance with the police Regulations of the Territory and Settlement, and have stated to me your determination, as a Magistrate, not to enforce those Regulations, I have considered it the most proper course for the other Magistrates, who were assembled to form the Bench, to delay proceeding on the matter until they receive further light upon it. This line of conduct has appeared to me the most suitable to the occasion, though the whole Five Magistrates, who sat upon the Bench with you, have in a body testified to me their readiness immediately to enter upon the case and to enforce the Regulations, and though my own opinions are quite decided on the subject, because I thought it of the first consequence that they should be possessed of the grounds of the opinion which has been given, upon an occasion of such importance, by the Law officer of the Settlement.

It appears to me that, as Chairman of the Bench, in that character and as Depy. Judge Advocate, it would have been proper to state clearly to the Magistrates, at the time, the reasons upon which you feel yourself warranted to reject a regulation which had emanated from the Supreme Chief of the Territory, and had been regularly promulgated by the Lt. Governor. The Magistrates in my opinion had a right to look for such information; but, as you limited yourself, when on the Bench, to declaring your refusal to take cognizance of the Breach of Regulations alleged, it becomes my duty to call upon you to state to me in writing the substance and the grounds on which you rest your refusal as a Magistrate to enforce the Police Regulations. This Letter and your reply will be submitted by me to the Magistrates, whose presence and your own I have requested on Monday. I
am desirous to attach to your communication all the weight and all the responsibility which belongs to your official character in the Settlement, and to the very great importance of the subject. And as the correspondence and proceedings will necessarily go before the highest authority in the Territory, and as the question now at issue, viz.:—whether or not Magistrates are bound to enforce the Col’l Laws and Regulations, is connected with opinions which have fallen from you, with respect to other parts of them, and especially the port Regulations, I have to add my request that your opinion and explanations may be fully and clearly stated.

I have, &c.,
WM. SORELL.

DEP. ASSIST. COM.-GENL. WALKER TO GOVERNOR MACQUARIE.

Sir, New South Wales, Sydney, the 14th September, 1818.

I beg leave to inform your Excellency that I have received directions from Deputy Commissary General Allan to proceed to Port Dalrymple to assume the charge of the Commissariat Department at that Station.

And, as I am informed the different Gentlemen of the Commissariat, who have hitherto arrived in this Colony, have all received Grants of Land with other privileges attached thereto, permit me most respectfully to solicit your Excellency will be pleased to extend the same indulgencies to myself, which have been conferred on others of the Commissariat, holding corresponding situations with my own.

I have, &c.,
THOS. WALKER, D.A.C. Gl.

Answer.
Dy. Asst. Comy. Genl. Walker will be allowed a Grant of Eight Hundred Acres of Land at Port Dalrymple, Four Govt. Men on the Store for Eighteen Months, and Six Cows from the Govt. Herds on a Credit of three Years, to be then paid for in kind.

L.M.
Sydney, 23d Septr., 1818.

LIEUT.-GOVERNOR SORELL TO DEP. JUDGE-ADVOCATE ABBOTT.

Sir, Government House, 14 September, 1818.

I have to acknowledge the receipt of the Letter with which you have honored me, in reply to mine of the 12th, and having briefly explained my sentiments thereupon this Morning, in presence of yourself and four out of the five Magistrates who sat upon the Bench with you on Saturday (Mr. Gordon having been unable to come in from Pitwater), I now beg to trouble you with them in writing.
It appears distinctly from your Letter that Instances do exist in which you conceive Magistrates are not bound to enforce the Colonial Laws and Regulations; it does not seem material to enquire whether they are few or many, as, upon one disputed case arising, it becomes indispensable to go to issue on the principle; for if it be once conceded that Magistrates, upon whatever ground, are warranted in exercising any latitude or discretion with respect to carrying into effect the Coll’l Laws and Regulations emanating from the Supreme authority, if it be a well founded opinion that Magistrates may be deterred from carrying them into effect by liability to actions in the Colon’l and other Courts for Acts done by them in the execution of their duty under these Laws, these reservations or qualifications being equally applicable to Regulations already established, and to any which may hereafter be made, the whole may become subject to doubt and question. The person administering this Lieut’l Government would be under the necessity of consulting you, and other Magistrates, before he could promulgate in this Settlement (with confidence that they would support it) any Regulation proceeding from the Chief Authority. Thus would the Magistrates (if this principle were admitted) be in fact possessed of a controlling power over The Lt. Governor, with respect to executing here the Regulations made by the Supreme Authority.

That the opinions expressed in your Letter of this date can be well founded:—that Magistrates can be open to prosecution for acts done in execution of the colonial Regulations:—that actions could be entertained against them in the Colonial or other Courts, on such grounds, provided the Law had been purely and correctly administered, is in my humble Judgement impossible; but, if your opinions can be sustained, it is at least essential that The Lt. Governor should know the ground upon which he stands:—it is of no less importance that the Magistrates may feel confident in their situations and duties. If on the other hand the Magistrates are borne out (as I feel satisfied they would be) in Law, in duty and in right, in carrying into effect the Colon’l Laws and Regulations, the Doctrine, which you have acted upon, must be in its effect pernicious and dangerous, and in its tendency subversive of authority.

These last observations I feel the more called upon to make, in consequence of the (to me) most unexpected and extraordinary allusion (made in your Letter) to Mr. Kemp as one of “the persons summoned before the Bench to answer for breach or contempt of the police Regulations.” You mention Mr. Kemp as “a person of respectability and Fortune” so summoned; can it be intended by you that any Man’s Fortune or Condition entitles
him to resist the Laws, or to be exempt from obeying them? That the possession of Money gives a claim to obey or resist regulations at pleasure? If such considerations were allowed to influence the Bench of Magistrates, every seditious and turbulent Demagogue, who has money, would at once feel himself above their Jurisdiction, and would of course set them at defiance.

The Magistrates have evinced, by their readiness to enforce the Regulations now before us, that such Feeling would not operate upon them, and I am sure they will concur with me in thinking that in any case of contempt or breach of Law and Regulation, there is double reason for enforcing obedience and punishing contumacy, when the example of the Recusant may, from his property or Station, be likely to encourage others in resistance by the exhibition of impunity in his own case.

It is noticed by you that the Police Regulations, published by me, contain a difference from the original order of His Excell. The Governor in Chief, the words in the Margin* being (in a parenthesis) in the former; these words crept into the paper of Police Regulations published by me, owing to its having had the Article copied from that given out by my predecessor, which I believed to be an exact transcript from the original Regulation of 1811, a copy of which I had not before me. If that deviation should affect the validity of the Regulation here, it will not affect the principle, which will be still acted upon under a corrected order; but, as those words constitute a limitation and not an extension of the original Law, the penalties contemplated by which could not therefore be increased or exceeded, I am of opinion that no valid objection to the order as promulgated here, founded as the preamble expressly states on the Governor in Chief’s, can be taken.

The paragraph, in which you express your readiness to give me your advice when required, leads me to add a few Words as to my views and impressions respecting the relative official responsibilities belonging to your situation and that which I have the honor to fill.

Upon questions of policy or expediency, I do not feel called upon to require your opinion; such I conceive to be the adoption or not in this Settlement of Regulations established by the Supreme Authority, which are not declared to embrace the Dependencies, or are not ordered to be enforced in them, and the application of which may depend upon various circumstances, as to increase of population, Trade, etc. In legal questions, I should of course resort to the Chief Law Officer’s opinion; his office I conceive affixing to him the duty and the responsibility of giving

* Marginal note.—No* exceeding 14 days.
The Lt. Governor advice in such cases. In others the responsibility is single. In reference, however, to this subject, I cannot help advertting to an opinion, which you expressed some time back, when the Master of the Frederick sent some insolent Letters, respecting a paragraph in the Gazette, to the officer who had acted as my Secretary; upon that occasion, in consequence of Mr. Kemp (the since avowed author of those Letters) quoting your opinion to Ensign Ross as the foundation of the threatened Action, I wrote to you:—a conference followed, and you declared that, if any person applied to you for advice, as to any proposed or intended action against the Government, Magistrates, or its officers, you deemed it your duty to afford advice and assistance when desired by any one who professed to seek redress by action, thus, in my idea, converting The Depy. Judge Advocate, the Official Law adviser of Government, and consequently of its officers, into a counsellor to those who might be seeking to assail them. That Doctrine, and the impression which was made upon me by the circumstances of that transaction, were certainly not of a nature to induce me to trouble you further than our relative Situations and responsibilities should warrant. I have only now to state in conclusion, my intentions with regard to the subject matter of this correspondence. When you reported to me on Saturday your refusal to concur with the other Magistrates, or the Bench, in enforcing the Police Regulations, I recommended through you that they should postpone the cases then before them till your opinion should be explained. Those Five Magistrates afterwards stated to me in a body their readiness to proceed and to carry into effect the provisions of the Regulations with respect to the Breaches alleged; But, your opinion having been now clearly declared, and the Breaches of regulations now existing not being connected with any immediate emergency, so as to render a delay in bringing them to issue of any material injury, I have recommended the Magistrates to let the matter rest until the decision of higher power can be received. I do not hesitate, however, to add, that, had the Breach of Regulations in this case involved any expediency or necessity of immediate procedure, I should not have been a moment doubtful in authorising the Magistrates to bring the case to Judgment, in perfect confidence that they would be borne out in any decision to which they might come, and in any act that they might do in the correct administration of the Law. No Inconvenience, however, arising from the delay, I prefer a reference of the case in its present form, leaving your opinions their full weight and their unqualified responsibility, for the consideration of His Excellency The Governor in Chief and the Judges of the Territory.
The matter will therefore of course rest, and the Magistrates will wait the arrival of the high opinions which will be sought for their guidance with the least possible delay.

I have, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO DEP. JUDGE-ADVOCATE ABBOTT.
15 Sept., 1818.
The Lt. Governor presents his Comp'ts to The Depy. Judge Advocate; the moving of papers in the Secretary's office on account of the muster having occasioned him to mislay the Precept* for appointment of Members of the Lt. Governor's Court, he has to beg the favor of The D.J.A. to furnish him with another, or with a Form which will allow of one being prepared in the Secy.'s office.
The Lt. Governor takes this opportunity to apprize The Depy. J. Advocate that the Members of The Lt. Governor's Court to be nominated for the ensuing sitting will be Edward Lord, Esq. and William Blyth, Esq., neither of whom have sat since The Lt. Governor's arrival.

LIEUTENANT ROBINSON TO MR. E. LORD AND MR. W. BLYTH.
Sir,
15 Sept., 1818.
I am directed by His Honor The Lt. Governor to notify to you that, in pursuance of the power vested in him by His Majesty's Royal Letters patent for this Colony, it is his intention to nominate and appoint you to be one of the Members of The Lt. Governor's Court of Civil Judicature to be assembled at Hobart Town on the first day of October next ensuing.

I have, &c.,
H. E. ROBINSON, Secy.

LIEUT.-GOVERNOR SORELL TO DEP. JUDGE-ADVOCATE ABBOTT.
Sir,
17 September, 1818.
I have been honored with your Letter of yesterday's date, in which you are pleased to inform me that, upon mature consideration, you are convinced that you were wrong in making any reservation, as stated in your Letter to me of 14 Inst. respecting the Colonial Regulations, and that you are willing to acknowledge the same in any manner that I may think suitable.
Assuming that this Declaration is to be understood as admitting on your part the entire validity and sufficiency of the Colonial Laws and Regulations, and the unqualified duty which attaches to all Magistrates to act upon and to enforce them,
1818.
17 Sept.

Trial of cases of breach of colonial regulations.

26 Sept.

Orders for voyage of brig Elizabeth Henrietta.

acknowledgement is to me quite satisfactory; it remains only that your opinion, as now upon full reflection altered, shall be acted upon in the immediate instances in which proceedings had been postponed by the Magistrates in consequence of your refusal to concur therein on Saturday the 12 Inst., a measure which I consider indispensible in order to convince the Settlement, and especially those who have persevered in resistance to a Colonial Regulation, that they cannot infringe or oppose with impunity, or with success, the Laws of the Territory. I have therefore to request that you will convene a full Bench of Magistrates for Tuesday next (the first open day on which, on account of the General Muster, the Magistrates can be assembled), and that all persons, who were summoned before them on Saturday the 12th Inst. to answer for non-compliance with the police regulations, be again summoned for that day, there to have their cases heard; on which occasion it will of course be necessary that you propound to the Magistrates the opinion, which you have now expressed to me, as to the full validity of the Colonial Regulations; and, proceeding upon that principle, that the persons, against whom Breach of them shall be proved, may under your guidance, as Chairman, and in concurrence with the already declared opinions of the Magistrates, be dealt with according to Law.

I have, &c.,

WM. SORELL.

INSTRUCTIONS for Mr. David Smith, Commander of His Majesty's Colonial Brig Elizabeth Henrietta.

Sir,

1. Immediately on your receipt of these Instructions you are to proceed to Sea in the Vessel under your command, with the Troops, Free Settlers, Female Convicts, and Stores on board of her, for the two Settlements in Van Diemen's Land, making the best of your way in the first instance to Port Dalrymple. On your arrival there, you are to anchor the Vessel in safe anchorage as near and contiguous to George-Town as practicable, and report your arrival to the Commandant, receiving his instructions relative to the landing of the Free Passengers, Female Convicts and Stores intended for that Settlement, landing the whole of them at George-Town as soon as you have received his commands on this Subject. You are on no account to go up to Launceston with the Vessel under your Command, as the Navigation thither might endanger her safety.

2. As soon as you have landed your Passengers and Stores at George-Town, and received the Orders and Dispatches of the Commandant, you are to sail immediately to the Derwent with...
SORELL TO WATKINS.

the Passengers, Female Convicts, and Stores destined for that Port, reporting your arrival at Hobart Town to His Honor the Lt. Governor and receiving his orders for disembarking the Passengers and Stores for that Station.

3. As soon as you have done so, and taken in sufficient Wood and Water for the Voyage back, and received the orders and Dispatches of the Lt. Governor, you are to set sail from the Derwent and make the best of your way back to Port Jackson.

Govt. House, Sydney, 26th Sept., 1818. L. MACQUARIE.

LIEUT.-GOVERNOR SORELL TO CAPTAIN WATKINS.

Sir, 8th October, 1818.

I now take the first opportunity which offers to reply to your letter of the 25 Ult., the receipt of which, with the accompanying papers, I acknowledged by the last Messenger.

Major Cimetiere had transmitted for my perusal, under date the 12 Ult., Copies of the Correspondence which had passed to that period, which he notified his intention of forwarding to the Commanding officer of the 48 Regt. by the first vessel proceeding to Port Jackson, in order to its being laid before His Excellency the Governor and Commander of the Forces, with a demand for a General Court Martial. It appeared to me that, in that stage of the matter, no advantage could arise from any Expression of my Sentiments; and, from the peculiar nature of the Correspondence and the points upon which it turned, I conceived that (in bringing it under the consideration of the highest authority) it ought to go direct to the Commanding Officer of the Regiment in the first instance. In accordance with that impression, I abstained from expressing to Major Cimetiere any opinion, or any feeling beyond my extreme regret that Circumstances of so unhappy a kind should exist. But having at the same time stated to Major Cimetiere that I should submit to His Excellency a Copy of the Letter, which he addressed to me on the subject, it is my intention also to forward copy of yours; the Copies of Correspondence, however, I do not think under these Circumstances can with propriety pass through me; I therefore return them and recommend you to adopt the same course, with Major Cimetiere, in transmitting those Documents direct to Lt. Colonel Erskine for the consideration of the Governor in Chief and Commander of the Forces.

With reference to the Complaint stated in your Letter of having been continued in arrest, without any specification of the offence alleged against you, my own impression is that, as no further steps could be taken until the orders of the Governor and Commander of the Forces be rec’d, an officer can have no ground
1818.
8 Oct.
Claim of W. N. Watkins to specification of charges.

Impropriety of taking depositions by soldiers.

19 Oct.
Possession of allotment to be given to G. Guest.

Compensation for house to be paid by G. Guest.

of complaint upon being in arrest at large; and no claim to a specification of the charges until it shall be known that it is determined to bring them to Trial; having judged it proper, however, to take the Depy. Judge Advocate's opinion upon this point, I now enclose an Extract Copy of his official reply for your information.

There is only one point further upon which in the present state of the discussion I feel imperatively called upon to declare my opinion; I allude to the Depositions made by a Serjeant and Private Soldier respecting the assertions of Lynch. I consider it highly objectionable and unmilitary to allow Soldiers to make affidavits in cases of discussion particularly between officers who command them. Nothing can, in my mind, be more dangerous to subordination; and I have no hesitation in avowing my conviction that no Non-Commissioned officer or Soldier should be allowed to make Depositions (except in cases where personal right or property require them) unless demanded for judicial proceedings under the sanction of his Commander.

I conceive that Major Cimetiere was perfectly right in expressing his opinion on this Head to the Magistrate, who (I doubt not inadvertently) took the affidavits.

I have only to add that it would have afforded me sincere satisfaction if the present case had admitted a prospect of my interposition being any way beneficial, and that, if such a hope had existed, I should not have hesitated declaring my sentiments fully on the whole subject.

W. Sorell.

LIEUTENANT ROBINSON TO MESSRS. KEMP AND GATEHOUSE.

Gent’n, 19 October, 1818.

The Lt. Governor understanding that the House, which was built by S. Gunn upon an allotment in Bridge Street, the property of Mr. G. Guest, which allotment is ordered to be restored to him by the Governor in Chief, has passed into your hands, I am directed to acquaint you that, under His Excellency's Instructions, the provost Marshall will be directed to put Mr. Guest into possession of the Ground* in question on Saturday 24 instant.

In the mean time, as the Governor has signified his Expectation (which has been intimated to Mr. Guest) that he ought to pay a part compensation for the House now standing on the allotment in question, it remains open to yourselves and to Mr. Guest that such an arrangement may be carried into effect as is most equitable to all parties, and most consistent with the Governor in Chief's views on the subject.

* Note 238.
ROBINSON TO KEMP AND GATEHOUSE.

An allotment for Building elsewhere in the Town is allowed in indemnification for the allotment to be restored to Mr. Guest, which you will of course be entitled to as the Successor of S. Gunn.

H. E. ROBINSON, Secy.

LIEUTENANT ROBINSON TO MR. G. GUEST.

Sir, [n.d.]

I am directed by the Lieuten't Governor to inform you that His Excellency the Governor in Chief having been pleased to direct that you should be re-instated in possession of the allotment of Ground in Bridge Street originally located to you, and on which a House was built by S. Gunn, has also signified that the House standing thereon should be valued and that you are bound, in justice to the holder, to pay him a fair proportion of the value of the House in question.

I am, &c,

H. E. ROBINSON, Secy.

LIEUTENANT ROBINSON TO MESSRS. KEMP AND GATEHOUSE.

Gent., 20th October, 1818.

I am directed to acquaint you, in reply to your Letter of compensation this date, that The Lt. Governor communicated yesterday to Mr. Guest the decision of His Excellency the Governor in Chief respecting the allotment in Bridge Street, and recommended him to act in immediate conformity thereto. It is proper, however, to explain that His Excellency by no means signifies that Mr. Guest should pay for “the House” which has been built on his allotment; His Excellency considers Mr. Guest bound only to pay “a fair proportion” which I expressed in my Letter of yesterday in the words “a part compensation” for it; and the Lt. Governor can no further interfere than to make known the Governor in Chief’s sentiments and to recommend to the parties an adjustment founded thereupon.

Adverting to the last paragraph of your Letter, I am directed to observe that, as the allotment in question is Crown ground, as otherwise alienated by any sufficient authority than as it was located to Mr. Guest; and as due legal notice of his Title was given by him or his representative to S. Gunn, and all the successive holders of the Tenement, It is evident that they built and improved it at their own risk subject always to a resumption of the Ground by the Crown, in order to its restitution to the original Grantee.

I am, &c.,

H. E. ROBINSON, Sec.
1818.
20 Oct.

LIEUTENANT ROBINSON TO MR. RICHARD BARKER.

20th Oct., 1818.

LIEUT. ROBINSON is directed by the Lt. Governor to reply to such part of a Note received from Mr. Barker of date 9th Oct., as is deemed to require an answer.

Mr. Barker having stated that he had in all instances complied with the regulations respecting the removal of Stock from District to District, the Chief Constable and Inspector of Stock at New Norfolk has been called upon to furnish a Return from his Muster Book of the Stock, of which he had received notice to have been brought into the District to Mr. Barker's land. That return is enclosed and Mr. Barker will be so good as to return it to this office.

LIEUT.-GOVERNOR SOREL TO MR. G. GUEST.

23 Oct. 23rd October, 1818.

The Lt. Governor has received Mr. Guest's Letter of this date, and in reply will concisely go through the different circumstances respecting his claim, which have passed through the Lt. Governor's hands, in consequence of His Excellency the Governor in Chief's order relative thereto.

Some Months ago his Excellency was pleased to refer to the Lt. Governor a Memorial from Mr. Guest for compensation for losses sustained by him in Houses which he had hired to Government, with instructions to enquire into and report upon the claim. The Lt. Governor accordingly referred to several persons, as Mr. Guest was aware at the Time, and the result was laid before His Excellency; in consequence of which he directed certain Money, Land and Cattle to be issued to Mr. Guest in compensation, and also that the remaining parts of the Town Allotments, on which Mr. Guest's Houses had stood, should be restored to him.

The Deputy Surveyor of Lands having left the Settlement on duty, before these orders arrived, the Lt. Governor had only to refer to his former Letters on the subject and to make such enquiry otherwise as he could respecting the Ground to be restored to Mr. Guest; in the progress of which Enquiry, S. Gunn having exhibited the Deputy Surveyor's written order for building on the Allotment claimed by Mr. Guest, The Lt. Governor deemed it his indispensable duty to make known the fact to the Governor in Chief, and to await His Excellency's further orders before he took any Measures.

His Excellency has been pleased in reply to signify to the Lt. Governor that Mr. Guest should be reinstated in the allotments originally claimed and held by him; but that he should
pay a fair proportion of the value of the very good House which has been built by S. Gunn and Successors and still stands thereon. Upon receipt of these orders, their purport was communicated to the parties concerned; viz. Messrs. Kemp and Gatehouse, the holders of the House, and Mr. Guest; and the Lt. Governor recommended them forthwith to agree to an adjustment founded on His Excellency’s Letter, declaring that he should order the Provost Marshall to put Mr. Guest in possession of the allotment on the 24th. In the intermediate time, Mr. Alcock, who officiates with respect to the Town business connected with the D’y Surveyor’s depart’t in that officer’s absence, was directed to ascertain the limits of the ground remaining of Mr. Guest’s Allotments, telling him, S. Gunn, and Mr. Gatehouse to be present. The result of this proceeding, the only one which was open to the Lt. Governor in the absence of the Depy. Surveyor, was a conviction that he could not proceed to put Mr. Guest into possession of the ground in question without a risk, amounting almost to certainty of doing injustice to one party or the other.

In Mr. Evans’s Letter to the Lt. Governor dated 11 Feb., 1818, the following paragraph appears “Campbell Street has taken up the chief part of the ground; there is yet some vacant through which the channel of the Creek is cut; the remaining small piece I am informed I have included into an allotment ordered to be marked off for Sam’l Gunn, on which is a good House.”

From this official report, the Lt. Governor had been clearly under the impression that Mr. Guest’s remaining ground was comprised in that measured to Gunn. But when Mr. Alcock proceeded to ascertain the limits, preparatory to the provost Marshall acting, it was found that Mr. Guest claimed part of the adjoining allotment on which Mr. Anson had built a large House, together with the other ground which had been purchased from different persons by Messrs. Kemp and Gatehouse and added to Gunn’s allotment. When this complicated dispute appeared without any means of ascertaining the limits, the Lt. Governor saw no possibility of proceeding to the fulfillment of the Governor’s intentions respecting Mr. Guest, until the Depy. Surveyor should be present; for in this case the official report and Statement of that officer, the only one by which the Lt. Governor could be guided, are directly at variance with Mr. Guest’s present extent of claim.

It became utterly impossible therefore for the Lt. Governor to re-instate Mr. Guest in Land without its limits and his right could be determined beyond controversy; and, as Mr. Guest refused to accede to that part of His Excellency’s Intentions which enjoined a fair compensation to the holders of the House,
it has only remained for the Lt. Governor to lay the matter once more before His Excellency for his final commands; and, in the interval, the probable return of the Depy. Surveyor may supply the necessary information, with respect to the limits of the ground intended by His Excellency to be restored to Mr. Guest.

Pending this reference, the Lt. Governor has clearly stated to Mr. Gatehouse, in Mr. Guest’s presence, that his rights are in no way affected by the delay and that the ground cannot be alienated.

**LIEUT.-GOVERNOR SORELL TO MAJOR BELL.**

Sir, 24th October, 1818.

His Excellency the Governor in Chief having been pleased to approve of my entering into a Contract for building a Wall round the County Gaol, and the Tender, given in for undertaking that work by Mr. T. W. Birch, having been approved and accepted, I have now to convey to you full authority to conclude, execute and sign an agreement on the part of Government with Mr. Birch, which agreement bears date this day and to which I have affixed my signature of approval.

It having also been determined to take up the Brig Sophia, of which Mr. Birch is owner, for the Government service, to bring a Cargo of Huon pine from Macquarie Harbour, I have now to authorise you to execute and sign on the part of Government the agreement for this object, to which my signature of approval is attached.

Both agreements accompany this.

I have, &c.,

Wm. Sorell.

**LIEUT.-GOVERNOR SORELL TO MR. THOMAS FLORENCE.**

Sir, 24th October, 1818.

As you have accepted the proposal for taking a passage to Macquarie Harbour in the Brig Sophia, proceeding thither in the service of Government, with a view to surveying that port and its shores, and making such observations as circumstances may allow, as well for the information of Government as for your own, I recommend particularly to your attention the following prominent points of the undertaking:

1. To lay down and verify the Latitude and Longitude, more particularly the form of the entrance of Macquarie Harbour.

2. To ascertain and lay down the Breadth and length of the Channel or passage, which communicates from the Basin to the
Ocean, noting such remarks as to obstacles or facilities for Vessels as may occur to your own observation or may be ascertained from Capt. Kelly; and 3rd to lay down the Bearing and Distances of the points of the Harbour, together with the entrance of the Gordon River, and its course, as far as you may be able to pursue it, remarking the description of country through which it passes. In order to enable you to accomplish these objects, a Government Boat is embarked in the Sophia for your use properly equipped with Six Men accustomed to the duty, who will be entirely under your control and at your disposal for proceeding to such points of the Harbour as may be required in the Survey during the stay of the Brig there, and generally to obey your orders in all things.

4. To examine the different kinds of Trees growing, wherever you may land, and to bring specimens of the Wood.

5. In examining the shores of the Port to note particularly where they are marshy and where good for landing; where fresh Water is to be found and how far it may be considered permanent or dependent on seasons; a run is stated to exist not far within the entrance of the Harbour, the ground adjoining to which, as well as to any other runs or springs which you may find, should be examined with regard to its capacity and eligibility for forming a Government Establishment and Settlement, remarking whether Land for grazing Cattle or Sheep is contiguous or conveniently to be reached; and whether the soil is favorable for any Cultivation.

6. In these researches, it will be a principal object to note the chief points where the Huon pine Tree grows, and where the situation affords the greatest facility for procuring and putting it on board vessels as well as for establishing Sawyers.

7. As you will probably meet with Tribes of the native people about Macquarie Harbour, I have particularly to impress upon you the necessity of conciliating them. Capt. Kelly, who has often had communication with them on the shores of that port, represents them as mild and inoffensive and shewing no inclination to hostility; there is every reason to hope therefore that, should Europeans endeavour to conciliate them in the early stage of intercourse and to act with mildness and forbearance, and, when an opening offers, with kindness and encouragement, the Natives on that side may remain friendly, a point of the highest importance to the views now entertained with respect to a Settlement. An impression once favorably made upon an ignorant race will not be easily weakened, while it is evident, from the hostile feeling of the natives on this part of the Island, that ill-treatment of that sort of people cannot for a very long
1818.
24 Oct.
Instructions to
T. Florence
for survey of
Macquarie
harbour.

I have directed the Actg. D.A.C. Genl. to consign to Capt. Kelly some clothing intended as presents for the Natives, should opportunity offer for communication with them, which is the only article that I am aware would be acceptable to them. I should be very glad if you would observe what they seem most to desire, or what appears most likely to be useful to them. I need scarcely add that on no account should any of them, grown up persons or children, be detained for the shortest time, and, even should they resort to hostilities, I trust you will avoid extremity so long as it be not necessary for the security of yourself or the Men with you.

It will perhaps be convenient for the sake of distinctness to mark by name some few principal points so that you may be the more easily enabled to make notes of your survey and remarks, in order to your preparing a report of the whole, which you will of course furnish to me on, or as soon as it can be made up, after your arrival.

Major Bell Actg. Engineer having rec'd a List of such articles as you have thought necessary to request, they will be prepared in time, and four stand of Arms with some Ammunition will be furnished for the Boat party.

I am, &c.
WM. SORELL.

6th Nov., 1818.

The Lt. Governor has to acknowledge the receipt of Mr. Randall's Letter of this date.

The Grounds, upon which the Lt. Governor felt it his duty to insist upon Mr. Randall's return to Port Jackson, were so clearly stated, both upon his landing on the 4th Inst., in presence of the Depy. Judge Advocate that it appears unnecessary here to repeat them.

The Lt. Governor did not doubt Mr. Randall's statement of his having taken the preliminary steps for obtaining his Clearance and authority to remove from Port Jackson. Had such doubt existed, it would not have been put to Mr. Randall's option to remain at large upon his promise to appear when called upon to embark. But these steps however essential were only in Mr. Randall's case preparatory. There remained to be obtained the Governor's sanction, the only authority by which he could lawfully pass the Heads of Port Jackson.

* Note 239.
The Lt. Governor has already acquainted Mr. Randall that he considers a person holding a conditional pardon, who absents himself from the Settlement of his known domicile and residence without authority, and without the regular Clearance proceeds to Sea, as having infringed the condition of his Colonial pardon. But, were Mr. Randall wholly a free agent and exempt from any restriction as to his abode, he must know that no person arriving here without license or authority has a right of residence and that a permission to remain, or an order to depart, is in such cases in the discretion of the person in command.

The Lt. Governor will request the Depy. Judge Advocate to receive Sureties for Mr. Randall’s appearance to embark when required; and it will be distinctly understood that he will consider himself subject to such order at any moment after the Government Brīg Eliz’th Henrietta comes into Port.

LIEUT.-GOVERNOR SORELL TO MR. J. BEAMONT.
(Letter marked "Confidential.")

Sir,

7 November, 1818.

The Ship Portsea, Nicholls Master, having been ordered to quit the Harbour of Port Jackson by His Excellency the Governor in Chief, without being allowed to trade, and there being reason to suppose that she may attempt to put into this Port, I have hereby to convey to you my Instructions and authority that, so soon as you shall board a Vessel and find it to be the Portsea, you do require the Master forthwith to proceed to Sea, prohibiting him from entering this port and desiring the pilot, if the Wind permits, to carry her clear of the Heads, and not to bring her to anchor in any of the adjoining Waters, except stress of Weather renders it unavoidable. And you will not quit the ship Portsea till you have seen her clear of the river, when, having strictly prohibited the Master from attempting to enter the port or any of the outlets, you will quit her, withdrawing the Pilot.

As the Ship Portsea has so lately sailed from Port Jackson, it is very improbable that she can make any pretence of needing the Hospitality of the Port; should she do so and the grounds stated appear sufficiently strong to require a report to me, you will come on shore, directing the Pilot to bring her to anchor in the Stream, or to keep her off and on according to circumstances until my orders can be received.

I have, &c.,

WM. SORELL.
Mr. A. F. Kemp to Earl Bathurst.

Hobart Town, 11 November, 1818.

My Lord,

It is with the Utmost Concern I am under the necessity of addressing your Lordship on the immoral Conduct* of Lieutenant Governor Sorell; I am perfectly aware, My Lord, that His Majesty's Ministers were not acquainted at the time of his Appointment to the Government of this Island of the situation he is placed in with regard to his Adultery with Mrs. Kent, who is now living with him in Government House!

If Vice itself can be excused, there is yet a certain display of it, a certain outrage to decency and violation of public decorum, which for the benefit of Society should never be forgiven.

It is not that Lieutenant Governor Sorell keeps Mrs. Kent privately, but he constantly attends her abroad. It is not the private Indulgence of which I complain, but the public Insult.

As a Married Man and having a Family of Six Children to provide for, it is certainly lamentable to see the Highest Authority in the Island living in a public state of Concubinage; the evil example to the Rising Generation must be too apparent to your Lordship for me to expatiate upon, and I believe I can with great truth assert that all the respectable Married Inhabitants of this Island cherish a fond hope that your Lordship will advocate the cause of Morality in this flourishing Colony.

It has been studiously asserted here, My Lord, by Lieutenant Governor Sorell's friends that his private Character has nothing to do with his Public One; the absurdity of this demoralised opinion I am confident will have no attention in your Honorable Mind; for the disadvantages an Infant Colony receives from the example of the Highest Authority living in a state of Adultery is too evident for an impartial mind to hesitate about.

As it has been industriously circulated that I am instigated by personal pique against the Lieutenant Governor in making this representation to your Lordship, I beg to assure you nothing, but a sense of duty I owe to my Family and being likely to remain here as a Merchant a considerable time, has induced me to trouble your Lordship upon so important a subject.

The Civil and Military Officers holding Commissions of the Peace has created much dissension of late as on Summary Trials of the Merchants etc. etc. they are called to decide upon; If the Conduct of these Justices of Peace are not in unison with the opinion of the Governor, Your Lordship is aware the Governor can make their situation very unpleasant; therefore, if the Governor wishes to persecute an Individual, he is armed with the power. A Merchant was imprisoned a few days ago by the

* Note 128.
Magistrates for not making a Return of his Wife and Family to the Police Office, altho' he asserted it escaped his Memory.

Having trespassed on your valuable time, a great deal too long,

I beg, &c.,

ANTHY. FENN KEMP, Merchant.

LIEUT.-GOVERNOR SORELL TO THE PROVOST-MARSHAL.

12 November, 1818.

The Lieut. Governor herewith transmits to the Provost Marshall Charges against Mr. Tims, which it is his intention to submit to His Excellency the Governor in Chief upon his conduct, by the first opportunity, Copy of which also will be forwarded to the Hon. The Judge of the Supreme Court.

LIEUT.-GOVERNOR SORELL TO MR. T. A. LASCELLES.

13 November, 1818.

The Lt. Governor presents his compts. to Mr. Lascelles, and has to acknowledge the receipt of his Letter of Yesterday.

If affording to Mr. Lascelles the facility which he mentions depended upon the Lt. G. without direct and immediate reference to the claims and Interests of others, it would not be objected to; But Mr. Lascelles is aware that the decision in such cases must be governed by general principles, which, tho' in some instances and at some periods they may admit of modification, in others cannot be relaxed without giving just ground of complaint. At present several persons in the Settlement have Wheat on hand, the aggregate quantity in all probability materially exceeding the existing demand, and with no prospect of an early Market; they of course look to H.M. Store, which, having been closed some time ago upon the required supply being obtained, if opened for a considerable quantity to one Individual exclusively, a sense of injustice would certainly arise on the part of the Holders of Wheat, who had that commodity to dispose of. Under this impression, the Lt. Governor does not conceive it possible for him to accede to Mr. Lascelles's application; but, as the absence of the officer in charge of the Commissariat precludes immediate reference upon points which are essential in considering the subject, the Lt. Governor will reply definitively to Mr. Lascelles as soon as he has seen Mr. Archer.

LIEUT.-GOVERNOR SORELL TO JUDGE FIELD.

Sir, 

Hobart Town, 14th Nov.

I do myself the honor of transmitting to you Copies of Documents, relative to the Conduct of Mr. Martin Tims, Prov.

* Note 240.
Marshall of Van D. Land, and of charges* against that officer founded thereupon, which I have felt it my duty to lay before His Excellency the Governor in Chief.

In the cognizance which I have deemed it necessary to take of Mr. Tims's conduct, I have considered him as a public officer responsible to me for the discharge of his duties in a correct and becoming manner, both as they are connected with his own demeanor and as they relate to persons holding a certain rank in the Settlement. It will occur to you, I trust, upon a perusal of these Papers, that Mr. Tims has in no way been interfered with, or impeded in the execution of his duties under The Supreme Court in whatever manner he thought proper, and according to whatever construction he chose to adopt.

The Dy. Judge Advocate and the Commis'r of the Supreme Court concurred fully in my view of Mr. Tims's Conduct and spared no pains to explain to him the correct line of his duty; I have only to add that I abstained from suspending Mr. Tims on the Charges, which I considered fully to warrant that measure, in order to avoid any possibility of impediment or delay arising to the duties with which he is entrusted by the transfer of Papers. I left Mr. Tims, therefore, to the full and free exercise of his functions and to the responsibility thereto belonging.

I have, &c.,
WM. Sorell.

Mr. A. F. Kemp to Earl Bathurst.
Hobart Town, Van Diemen's Land,
15 November, 1818.

The Appointment of William Sorell, Esqre., to the Government of this Island is attended with such serious injury to the Morals of the rising Generation of this Infant Colony, and, being a Married Man with Six Children, has imposed upon me the painful task of addressing your Lordship on the subject.

My Lord, it is only necessary for me to refer you to the Times Newspaper of the 7th July, 1817, for an account of the Trial of Kent v. Sorell for Crim. Con., and, after you have perused it, I am persuaded to hope it will occur to your honorable Mind that Mr. Sorell is not a fit or proper person to administer the Government of this Island.

The dreadful example of the Highest Authority living in a state of Concubinage with Mrs. Kent at Government House, and publicly paraded about the Garrison in an equipage bought at Government Expense is so insulting to Public Decency that I am confident cannot be forgiven.

* Note 240. † Note 241.
SORELL TO ABBOTT.

The disadvantages of Public Incontinence and the Injuries an Infant Colony receives from it with the general and necessary dissolution of Manners that it introduces is too evident to your Lordship for an humble Individual like myself to expatiate upon.

It is not that Lieut' Governor Sorell keeps Mrs. Kent privately, but he constantly attends her abroad and introduces her to the Military as Mrs. Sorell. It is not the private indulgence of which I complain, but the Public Insult.

It has been studiously asserted here, My Lord, by Lieutenant Governor Sorell’s friends, who are actuated from Mercenary Motives, that his Private Character has nothing to do with his Public One! Mr. Humphrey the Police Magistrate publicly asserted a few Months ago, that the Lieut' Governor “did not care a fig for his private Character”; this Assertion from a Magistrate, who is bound to preserve the bonos mores of the Colony much astonished me! and, as I was A Magistrate at that time, I could not but feel indignant at such a demoralised expression.

The Civil and Military Officers holding Commissions of the Peace has created much dissension of late as on Summary Trials of Merchants etc. etc. they are called to decide upon. If the Conduct of those Justices of Peace are not in Unison with the opinion of the Governor, Your Lordship is aware the Governor has it in his power to make their situation very unpleasant; therefore if the Governor wishes to persecute an Individual he is Armed with the power under the cloak of Justice.

My Lord for wishing to preserve the bonos Mores of this Colony and reprobating Vice, Governor Sorell was pleased to dismiss me as a Magistrate; indeed I am free to acknowledge I could not act conscientiously under him.

Relying my Lord on your supporting Virtue and Morality amongst us,

I have, &c.,

ANTHONY FENN KEMP, Merchant.

LIEUT.-GOVERNOR SORELL TO DEP. JUDGE-ADVOCATE ABBOTT.

Sir, 28 Nov., 1818.

There being reason to conclude that the good order and cleanliness of the County Gaol would be considerably assisted and ensured by the frequent Inspection of a Magistrate, I conceive that this important duty should be performed by the Sitting Magistrate for the Week, and that his Inspection should be made once or twice in such period, A report being made by him
to The Lt. Govr. every Monday Morning, when the Weekly Magis-
tericial duty ceases, of the state of the Gaol with any observa-
tions or suggestions, which he may think it advisable to attach
thereto.

In these Inspections, the cleanliness of the Gaol within, the
Rooms, Stairs, Windows and door ways, as well as in all the
Yards, will be a principal object; the regularity of issue and
cooking of provisions, and of washing, will fall duly under the
Magistrate's observation as will the conduct of the Gaoler, Under
Gaoler, and Constables on duty. I have to beg of you to com-
municate to the Magistrates at the impending full Sessions this
arrangement, so that it may commence on Monday the 7th Instt.

I have also to request your attention to a Circumstance, which
occasionally happens, that of Free persons confined on Criminal
Charges claiming to be victualled.

As this Claim can only exist, where there is a positive inability
in the party to provide for himself, I beg the favor of you to
establish some arrangement for the Gaoler, upon such an appli-
cation being made, carrying it before yourself or some other
Magist'te, whose Certificate should be attached to the victualling
order before it is brought to me.

I am, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MR. T. ARCHER.

30 Nov.

Proposed sale
of sugar to
officers.

30th Nov., 1818.

Sir,

Adverting to the considerable purchase of Sugar, which
was made for Government immediately at the period that the
issue of that Article, as part of the Ration, ceased, but before
the order for its discontinuance was rec'd here, and which left a
very heavy supply in H.M. Store, for which the demand is in-
adequate, I have considered it a favorable opportunity for afford-
ing an accomodation to the public officers, at the same time that
the charge thereof is relieved, by authorising an issue of sugar
not exceeding Two Tons, the whole quantity in Store appearing
by the last return to be 9 Tons, to each of those officers as may
be desirous of paying for it at a price comprising a small advance
upon that paid by the Govern't to cover any loss by landing, etc.

The proportion to each I shall affix, requesting you will in the
mean time state to me the price which was paid by Govt, for the
Sugar now in Store, and that which you consider it proper, with
a due regard to the public Interest, to fix upon the quantity pro-
posed to be issued.

I am, &c.,
WM. SORELL.
LIEUT.-GOVERNOR SORELL TO MR. T. ARCHER.

Sir, 2 Dec, 1818.

Having determined to act upon the intention, expressed in my Letter of the 30th Ulto., respecting an issue of Sugar to each of the public officers, in conformity to the arrangement thereupon suggested by you, I have now to authorise the same as follows,* affixed at the price of Sixpence per pound, named by you as a saving price to Govern't, the sum to be paid by each officer, and credited in your Accounts to the public.

I am, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MR. J. BEAMONT.

Sir, 7th December, 1818.

Having conferred with The Depy. Judge Advocate upon a Memorial to be perusal of the Log Book of the Ship Portsea with a view of investigating the Grounds upon which the Master of that Vessel has rested the necessity of bearing up for this Port, after having proceeded to Sea under a prohibition to enter on the 13th of last Month, I deem it expedient to desire that the whole of the damages and the present state of the ship may be set forth in a Memorial to be addressed to me by the Master, in which will be specified the repairs required and the probable time which he estimates will be occupied in completing them, as well as a certified estimate of the probable Cost; you will therefore take the necessary steps for this Document being furnished; upon rec'pt of which a Survey by professional persons will take place for my full information and guidance. I am, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MR. J. BEAMONT.

Sir, 8th December, 1818.

Having given due consideration to the Memorial of Mr. John Nicholls of the Ship Portsea, and connecting the Statements therein, respecting the damages which have compelled her return to this Port, with the Log Book of that Vessel before examined, I have now to acquaint you, for the Information of Capt. Nicholls, that the Circumstances, upon which he Grounds the necessity of repairing the Ship in this port, must be verified by a Survey to consist of not less than Three competent persons who have themselves been Masters of Ships; a special report to

* Lt. Governor 4; D.J. Adv. 2; Actg. Engineer 2; 4 Magistrates 4; 4 Mily. Officers 4; Naval Officer 1; Surgeon 1; Dy. Surveyor 1; Lt. Govr.'s Clerk (none being drawn as Secretary) 1; 20.
be made by them in which the damages received and the repairs required must be estimated and stated, both as to the Time they will require and the Expense they will incur; and the Certificate which is to be annexed to the Report must be made in the same special Terms as is customary in official Surveys, viz. declaring the Survey to have been made with such care and equity that the Members are willing to make oath thereof if required to do so.

Upon receipt of such report, I shall give you Instructions as to the further proceedings, which will be open to Capt. Nicholls. Having authorised you to receive the Spirits of the Portsea into the Bonded Store for the purpose of security during that ship's stay in the port, you will explain clearly to the Master that the order to land the spirits does not in the least degree imply a permission to sell them.

I am, &c.,
WM. SORELL.

Spirits ex ship Portsea to be bonded.

1818.
8 Dec.
Survey to be held on ship Portsea.

9 Dec.
Report of survey on ship Portsea.

9 Dec.
Expenditure on repairs approved.

12 Dec.
Request of T. Kent for land grant.

LIEUT.-GOVERNOR SORELL TO MR. J. BEAMONT.

9th December, 1818.

I have to acknowledge the receipt of the Report of the Survey on the Ship Portsea, with the enclosed estimate of Expenses, upon the repairs and supplies necessary to enable her to prosecute her Voyage.

That part of the estimate, which concerns the repairs, remains without any question, upon the report of the Members of Survey; but the estimate of supplies and Expenses appears to me extremely high. To the extent of £320, the Amount of repairs estimated, you will therefore convey my assent upon the Survey; but the remaining part of the Estimate, being entirely distinct and unconnected with that subject, must be matter of further consideration and such limitation as may be deemed suited to the Case.

I am, &c.,
WM. SORELL.

LIEUTENANT ROBINSON TO MR. T. KENT.*

12th December, 1818.

I am directed by The Lt. Governor to acquaint you that, when you formerly applied to him respecting the Buildings which you had erected near Herdsman's Cove, Mr. Hood informed you that The Lt. Govr. did not object to recommend to His Excellency the Governor in Chief a grant of Thirty Acres, so as to give a right of property to the Buildings in question. As the Lt. Governor received no subsequent application, he concluded that none farther was intended, and, as the ground alluded to is

* Note 92.
conceived to be within the Rev. Knopwood's boundary, no steps whatever could under any Circumstances be taken in the absence of the Depy. Surveyor.

I am, &c.,

H. E. ROBINSON, Sec.

LIEUTENANT ROBINSON to MR. RICHARD BARKER.

Sir, Hobart Town, 16th Dec., 1818.

I am directed to acknowledge and reply to your letter of this date. The Lt. Governor, in the absence of the Dy. Surveyor, cannot learn the precise circumstances under which the land located to you was fixed; but, with regard to Wm. Scattergood, he holds this year precisely the same Ticket of Occupation that he did the last, without any complaint or discussion, and consequently is authorised to graze to the same extent and no further. On his part it is averred that you have moved your limits, that his Flock never was on your location, and that from such change arises the dispute. However this may be, it is not, in the Lt. Governor's power to know the precise line of division until Mr. Evans arrives; and, as the impounding of Scattergood's sheep must necessarily become a question before the Lt. Governor's Court, The Lt. Governor leaves the matter to the decision of that Tribunal, to the extent connected with that action; and, as soon as the Dy. Surveyor returns, his first act shall be to proceed to New Norfolk and mark the lines of your ground in a manner to preclude all possibility of future misunderstanding.

I am, &c.,

H. E. ROBINSON.

LIEUTENANT ROBINSON to SURGEON LUTTRELL.

Sir, 16th Dec., 1818.

I am directed by the Lt. Governor to desire, in order to Regulations re insure a regularity with respect to the sick in the Gaol Gang, that the following system may be adopted.

Such Men of the Gaol Gang, as are found unfit to work in the morning, to be kept in, and the Surgeon to visit the Gaol daily, between Nine and Ten, there to see the sick, when the Gaoler will be present and will mark off such of the Gaol Gang as are exempt from work. No man in that Gang is in future to be taken to the Hospital until after Inspection by a surgeon at the Gaol, except in case of sudden emergency from sickness or accident; nor is any man to be exempt until so inspected, except during the Hours before Breakfast; and the Inspection is to be made daily, during the Breakfast Hour, viz. from 9 to 10.

The Gaoler will then be enabled to mark in his report the Men exempt each day.

I am, &c.,

H. E. ROBINSON.
Lieut.-Governor Sorell to Mr. J. Beamont.

Sir, 23rd Dec., 1818.

His Excellency the Governor in Chief having been pleased to declare, by General order* bearing date the 20th day of last Month, and published in the Sydney Gazette of the same day, that the prohibition to landing Goods and Merchandise, etc., from on board Convict Transport Ships, which His Excellency, under Instructions from H.M. Secretary of State for the Col. Depart’t, had some time since issued, should be suspended as to its operation, until a representation on the subject could reach H.M. Government: I am to desire that the restrictive regulation in question, in pursuance of the Governor in Chief’s Gen’l order above cited, may be deemed in operation in this part, until His Excell’y’s further Instructions be received, and that you will act in conformity to the last paragraph of the said order, which authorises the Naval Officer “to admit to entry as heretofore such Articles of Merchandise from Convict Transport Ships as shall be duly offered for entry at his office.”

I am, &c,

WM. Sorell.

Lieut.-Governor Sorell to Mr. R. W. Loane.

28th Dec., 1818.

The Lt. Governor has now to acknowledge and reply to Mr. Loane’s last letter of Saturday and his note of this morning.

When Mr. Loane applied to the Lt. Governor on Saturday morning for a pass for two Crown prisoners to traverse the Country and examine the Stock yards in search of Cattle, continuing their progress to Port Dalrymple, the Lt. Governor informed him that, conformably to the Regulations, such passes could not be given; that, if Mr. Loane desired to send his Crown servants to any specified District on his business, the signature rested with the Magistrate of police, as far as the Macquarie River; that, if Mr. Loane wished to send the Men to Port Dalrymple, the pass would be signed by the Lt. Gover’r.

It seems extraordinary that Mr. Loane should apply to the Supt. of Police for a pass for two Crown servants to traverse the Settlement after the Lt. Governor had explained that no such roaming passes were allowed. So far from a refusal to grant such a pass being “unprecedented,” the exact reverse would be the fact; for, as no such pass is now given, the granting one now would be “unprecedented.”

If Mr. Loane has occasion to employ people to traverse the Country to inspect the different Stock yards and search for Cattle stated to be astray, free people only can have the latitude

* Note 242.
required for such an occupation; The Lt. Governor cannot recog­nise the Crown prisoners being set at large, beyond all Cognizance of Magistrates or District Constables for that purpose; The Regulations* forbid it; Those Regulations were not framed without ample reason, and they have never yet been complained of.

The Lt. Governor therefore again informs Mr. Loane that passes to Port Dalrymple cannot be extended beyond seven days; and, with respect to passes within the Settlement, the District must be specified for which they are wanted, when they are applied for to the Superint't of Police.

LIEUT.-GOVERNOR SORELL TO CAPTAIN WATKINS AND ENSIGN McALISTER.

Gentlemen, 29th Dec., 1818.

I have received from Major Cimetiere, Commandant of Port Dalrymple, Copy of a letter† addressed to him by James Cox, Esq., J.P., relative to Letters between him and Ensign McAlister, and to an interview with you on the 23rd Inst.

From Mr. Cox's Letter, it appears that, on that day, a Complaint came before him as a Magistrate, on the part of Ensign McAlister, against one French, which was referred to a Bench; that soon after Ensign McAlister addressed a Letter to Mr. Cox, requiring him to testify some expressions, which French was said to have uttered; that he declined entering upon the subject and that you in consequence demanded an interview, the purport of which, as copied from Mr. Cox's Letter, is detailed in the enclosed paper.

It is shewn by this statement that you conceived yourselves entitled to exact from a Magistrate, for your private information, an affirmation of matter which occurred before him, in his official capacity, and that, upon his declining to comply, you felt yourselves at liberty to reproach and to insult him.

Upon what principle you found your claim, I cannot possibly judge; but I must state to you very explicitly that I consider your conduct upon this occasion towards a Magistrate to be so unwarrantable as to render it imperative duty upon me, as Lt. Governor, to make a strong and immediate representation thereupon to the Governor in Chief and Commander of the Forces.

As an Individual Officer who had laid a Complaint before a Magistrate, Ensign McAlister had not a shadow of right to claim from him, out of Court, an account of words which had there passed, when no trial took place. As a courtesy only, it could be asked; and, if the request were declined, you had no ground whatever for urging the demand, or to reproach Mr. Cox for his

* Note 243. † Note 244.
1818.
20 Dec.
Censure of
L. McAlister
for conduct in
dispute with
J. Cox.

Criticism and
censure of
W. N. Watkins.

refusal; with regard to which, he was not only fully authorised, but, in my opinion, perfectly right in declining to be made a party in extracting from a matter, which had commanded his Magisterial Cognizance, Materials to found fresh personal discussion with the Commandant, in which he must have unnecessarily involved himself.

The Circumstances and Correspondence, which had before occurred between Major Cimetiere and both officers, being strictly Military, and being now before the Governor in Chief and Commander of the Forces and the Commanding officer of the 48 Regt., I shall only here observe, in reference to those transactions, that an officer in arrest ought to consider himself entirely precluded from entering into any disputes or discussion, such as Capt. Watkins has now twice lately taken a part in. It is highly improper for an officer so circumstanced to interfere in any matter not strictly relevant to himself and his own case; and I am constrained to add that, if Capt. Watkins should persevere in that course of proceeding so as to compel any fresh representations prior to orders arriving from Head Quarters, it will become my duty, with a view to preserve the good order of the Settlement and the respect due to the public Functionaries, to instruct Major Cimetiere to take effectual Measures for preventing the continuance of a System now tending equally to affect Civil order, as it had before struck at Military Subordination.

I am, &c.,
WM. Sorell.

1819.
3 Jan.
Repairs to
barrack by
W. N. Watkins.

Lieut.-Governor Sorell to Captain Watkins.

Sir,

Government House, 2nd Jany., 1819.

I have to acknowledge the receipt of your letter of the 27 Ulto. with a statement of expence, which you have incurred in repairing the Quarter occupied by yourself and Ensign McAlister.

I should not feel authorised to admit a charge of that nature against the public under any circumstances, without reference to the Commandant, which in the present instance is the more indispensable in consequence of its being a part of his Instructions to limit to the utmost repairs to the Govt. Buildings at Launceston; and, because of the tenor of some recent correspondence, it is proper for me to be informed of the nature and manner of the application, which you state to have been to Major Cimetiere.

I shall accordingly communicate the purport of your letter to him, and, upon receipt of his reply, shall be enabled to decide upon the application.

I am, &c.,
WM. Sorell.
SORELL TO WATKINS.

LIEUTENANT ROBINSON TO MR. MARTIN TIMS. 1819.

Sir, 4th January, 1819.
I am directed by the Lt. Governor to acquaint you that your suspension, as already in orders,* is not at all to interfere with your completion of all processes and business, which had been previously in your Hands from the Lt. Governor's Court, of which due notification will be made by The Deputy Judge Advocate to the Lt. Governor. I am, &c.,
H. E. ROBINSON.

LIEUTENANT ROBINSON TO CAPTAIN WETHERALL. 1819.

Sir, 6th January, 1819. 6 Jan.
I am directed by His Honor The Lt. Governor to notify that the landing of the prisoners, provisions, etc., from the Ship "Lord Melville having been accomplished and the necessary Receipts and Certificates from the Departments having been furnished, you are to consider this your notice of discharge.
I am, &c.,
H. E. ROBINSON.

LIEUT.-GOVERNOR SORELL TO CAPTAIN WATKINS. 1819.

Sir, 10th January, 1819. 10 Jan.
Your Letter of the 2nd arrived here Yesterday. The Chief parts of it referring to transactions, which occurred prior to your arrival in V. D. Land, and to opinions upon questions of association in this country, wholly unconnected with the subject of my Letter of the 29th, I shall not at all touch upon them. The material feature, and the only one indeed in the letters received from Ensign McAlister and yourself, requiring a reply from me, is the denial of having employed reproachful or insulting language to Mr. Cox on the occasion complained of. Having no means of reconciling statements so contradictory, I shall communicate your denial to Major Cimetiere for Mr. Cox's information; but I have to observe, with reference to my letter of the 29th Ult., that the Sentiments therein expressed upon this question can be affected only in degree by the separation of insulting language from the demand made to Mr. Cox to testify for your words said to have been spoken before him, as a Magistrate. Whatever may have been the manner in which it was made, the peremptory repetition of a demand of that nature by two officers, after the Magistrate had declined compliance by Letter, was unwarranted, nor would it be possible, if Magistrates were subject to such demands, to find those who would undertake the office.

* Note 141.
Respecting officers under arrest, it is, as you observe, quite proper for an officer so situated to reply in his own defence to any fresh complaint or accusation. I accordingly expected a reply from you to my Letter of the 29th Ult. upon that Head; but the opinion, which I therein expressed as to the restriction imposed upon officers in arrest from interposing personally or by Letter in the disputes or discussions not strictly connected with his own case, can neither be changed or modified. Such restriction most particularly applies to interposing in discussions between a Commanding officer and other officers, or public Functionaries; and upon this principle you accompanying Ensign McAlister to enforce a demand upon a Magistrate for an affirmation or testimonial of Words spoken by a person in Court was contrary to the rules of Service; and the Interposition being applied to a Magistrate, upon a matter which came before him in his official Character and was in no way connected with his personal conduct or demeanour, such a proceeding had in my opinion a tendency to disturb the order of the Settlement.

So long as the dissentions, which have arisen at Port Dalrymple, were confined within the professional pale, I abstained from all interference, and from any expression of opinions, conceiving it best on all Accounts that the matter should go before the Governor in Chief and Commander of the Forces through the Commanding officer of the 48th Regt. His Excellency will of course apply such remedies as he may consider suitable to the successive representations. Against any attempt, however, to make the Magistrates or Civil Functionaries parties, directly or indirectly, in these dissentions, when they themselves desire to avoid being involved in them, I shall in every instance decidedly oppose myself.

The Governor and Commander of the Forces has notified to me that he had not deemed it expedient to order a General Court Martial upon the charge stated against you by Major Cimetiere, and that he had directed you to be released from arrest, signifying his disapproval of your conduct on the occasion.

I am, &c,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MESSRS. T. KENT AND J. FERGUSON.

13th January, 1819.

The Lieut. Governor has received a letter of this date, addressed to him by Messrs. Thos. Kent and Joshua Fergusson, claiming
protection in effecting the seizure of the ship Lord Melville now under dispatch for sea, after delivering Convicts to this settle-
ment, on the ground of having violated the orders and restrictions of H.M. Govt., and of having carried on an illicit Trade in this port.

With respect to the former ground of seizure, the Lt. Govr. apprehends it does not belong to any Individuals to take cognizance of the Breaches of the Regulations of Government. The violation of a Charter party, when it exists, it rests with H.M. Govt. to notice or to punish; and, with regard to illicit Trade in this Port, unless Messrs. Kent and Fergusson are prepared to prove acts of smuggling on the part of the Master or other persons belonging to the ship Lord Melville, no such charge can be founded after His Excellency the Governor in Chief’s Government and General order* of the 21st Nov. last.

The Lieut’l Governor can therefore give no protection to Messrs. Kent and Fergusson in the measure submitted.

---

LIEUTENANT ROBINSON TO MESSRS. T. KENT AND J. FERGUSSON.

Sirs, 15th January, 1819.

I am directed by The Lt. Governor to acquaint you, in answer to your Letter of this date, that his opinion and decision upon the application made to him respecting the seizure of the Ship Lord Melville, in your Letter of the 13 Inst., having been signified in his answer of the same date, no further Corre­spondence will be entertained thereupon.

With respect to the charge of Smuggling in this Port, now proposed to be adduced by you against the Master or other persons belonging to the Lord Melville, The Lt. Govr. considers that it was your duty to have brought it forward, while the Ship was in the port, instead of offering to do so above 24 Hours after she had been dispatched and had quitted it to proceed upon her voyage. The Lt. Governor now desires that the Documents, on which the charge is founded, may be laid before him in order to their being duly examined and to such measures being adopted thereupon as Circumstances may appear to require.

I am, &c.,
H. E. ROBINSON.

---

LIEUTENANT ROBINSON TO MR. R. W. LOANE.

20th January, 1819.

The Governor in Chief having been pleased to refer to the Lieut. Governor a Letter addressed to His Excellency by Mr. Loane,

* Note 242.
1819.  
20 Jan.  
Papers to be transmitted to L. Macquarie.

23 Jan.  
Refusal to reopen discussions.

Subpoenas for officers.

dated 13th Decem., accompanied by a copy of his Excellency's reply thereto (which The Lt. Governor concludes Mr. Loane has received) and the said Letter and the statement therein advanced being referred for His Honor's decision, The Lt. Governor has caused Mr. Loane's Letter to be copied paragraph by paragraph; and the Letter so answered and all the papers will be laid before His Excellency. By Command, etc., etc.,

H. E. ROBINSON.

LIEUT.-GOVERNOR SORELL TO CAPTAIN WATKINS.

Sir, 23rd Jany., 1819.

I have to acknowledge the receipt of your Letters of 10 and 19 Inst.

The Governor and Commander of the Forces having notified to me his Military decision upon the matters brought before him by Major Cimetiere and yourself, it would be quite improper for me to entertain any discussion on the subject, the more, as I had abstained entirely from any interference or declaration of opinions thereupon, when the reports and reference were notified to me by both Parties.

With respect to officers, who might be subpoenaed as Witnesses in any cause brought into the Court, I can only reply generally that no impediment of their attendance would be occasioned by me.

I am, &c.;

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.

25th January, 1819.

The Lt. Governor's Comp'ts to Mr. Surg'n Luttrell, considering it very desirable and necessary for the number of Persons who, as out-patients, come under the charge of the Assist. Surgeon, that a portion of the Medicines on hand should be placed under his immediate control, The Lt. Governor directs that one Moiety of the Medicines, returned by Mr. Luttrell, in a proper Chest (which may be drawn from the Store) shall be put in Mr. Ass't Surgeon Hamilton's charge, for which he will be accountable. Mr. Hamilton will attend to-morrow at 12 o'Clock for this purpose.

The Lt. Governor, considering the preservation and propagation of the Vaccine Matter* of great importance to the Community, requests Mr. Surgeon Luttrell will report what Steps he has taken for that object; Whether he has endeavoured to inculcate the advantage of Vaccine Inoculation as urgently recommended by

* Note 118.
the highest Medical authorities at home, and by the Chief Gover-
nor of this Territory, and how far it has been extended by him
amongst the Children in the Settlement.
Govt. House.

LIEUT.-GOVERNOR SORELL TO LIEUTENANT LEROUX.

Sir, 29th Jan., 1819.

I have been favored with your Letter of the 23rd Inst., and Refusal of
have in reply to acquaint you that it is quite impossible for me
afford to any public officer a facility such as you desire by
supplying Meat to H.M. Store. Independent of the door which
would be opened by such a proceeding, it is objectionable upon
principle.

I do not know on what grounds you formed your estimate of the
value of the Coroner's appointment; but certainly it is much
over-rated at £120 per Annum, even if the Coroner's ration be
reckoned in. I consider the Govt. Men as worth at the most £25
per Annum each, for no Govt. Man ought to be called upon to
pay more than 10s. or equivalent thereto, per week, leaving him
his ration. I take the opportunity to make this remark, because
I know that more is frequently exacted at Port Dalrymple; were,
however, the Men to declare inability, it could be enforced.

I remain, &c,
WM. SORELL.

P.S., 8th Feb.—Pressure of business occasioned this Letter to
be omitted at the last Messenger's departure.

GOVERNOR MACQUARIE TO MR. RICHARD DRY.

Sir, Govt. House, Sydney, 3d Febly., 1819.

I have to acknowledge the receipt of your Letter of date
14th November last, and I regret that the Government should be
deprived of the Services of such an useful and so honest a Man
as you have always proved yourself to be. At the same time I
am highly gratified to find that you are so independent in your
circumstances; as, I consider the possession of Seven Thousand
Sheep and between three and four Hundred Head of Horned
Cattle a very large Fortune.

In order to enable you to keep up such large Flocks and Herds,
as well as in remuneration for your past Services, I shall give
you a grant of 500 Acres of Land, in addition to what you have
already got, and allow yourself and your Family, together with
three Government Men to be victualled from the King's Stores
for Twelve Months. Herewith you will receive an open Letter
addressed to Lt. Govr. Sorell* authorising him to direct the said

Note 245.
Grant of Land to be located for you, and to be furnished with the annexed Indulgencies.

I do not think it likely it will be in my power to bestow any Government appointment on you during my administration of this Colony.

L. Macquarie.

Lieutenant Robinson to Mr. R. W. Loane.

Sir, 8th February, 1819.

I am directed to reply to your letter of this date and to state that, The Lt. Governor being prohibited by Instructions from Head Quarters "to clear out the Derwent Schooner further for Port Jackson," it is not in his power to make any deviation therefrom; and, if he felt himself at liberty to exercise any discretion on the subject after such orders, the Circumstance of another Vessel being at this moment under dispatch for that port would leave no ground whatever for his taking upon him to disobey them.

The Naval officer was instructed to make a clear notification upon this head to the Master of the Derwent, both on his arrival and since; and he was fully apprised of the prohibitory order when he left Port Jackson, it being borne on the face of his clearance.

H. E. Robinson, Secy.

Mr. T. Richardson to Earl Bathurst.

York Place, Camden Town, 16th February, 1819.

As an experienced agriculturist, I beg leave to trouble you with this letter to inform your Lordship that I have a great desire to emigrate to the Island of Vandiemen's Land; should it be your Lordship's pleasure to allow me to do so, and to grant me a certain portion of land in that Island, I presume I should be able to make very considerable improvements in agriculture in the breed of cattle and growth of Wooll.

And having for many years had a considerable plantation of Hops on my own Estate in the county of Sussex, kept up and managed in the highest state of perfection by my own particular attention, should your Lordship be pleased to consider that the growth of hops would be of great utility on the Island, I trust I should be able to raise a plantation of that valuable Article in a short time, and with Submission to your Lordship I beg leave to request the honor of an audience with you on the Subject above stated.

I have, &c.,

Thos. Richardson.
The Humble Memorial of Henry St. John Younge Assistant Surgeon, on the Civil Medical Establishment of New South Wales.

To The Right Honorable The Earl Bathurst, His Majesty's Principal Secretary of State For the Colonies, etc., etc., etc.

Most Humbly and Respectfully sheweth,

That your Memorialist was appointed by Commission, of date Jany. 1st, 1813, which appointment he obtained thro' the respectability of his connexions, being the nephew of Mrs. Lloyd, of Kemsing, near Seven Oaks, Kent, a lady of very considerable landed property, and being known to most respectable families in that neighbourhood, and more especially to the Revd. Dr. Humphries, the venerable rector of Deal in Kent, the seat of Earl Camden; that in his professional capacity he was strongly recommended by the gentlemen under whom he studied, the Physicians and Surgeons of the Middlesex Hospital, by Mr. Carpuæ, professor of Anatomy; that he passed the Royal College of Surgeons, as a surgeon, altho' he does not immediately possess the Diploma, certain fees being requisite; and that these recommendations received additional Honor by the Patronage of your Lordship.

That your Memorialist was appointed First Assistant Surgeon at Hobart Town, Van Diemen's Land, in October, 1814; when on the decease of Surgeon Hopley, which took place in August of the ensuing year, he found himself superseded by Acting Assistant Surgeon Ed'd Luttrill, appointed by his Excelly. Governor Macquarie from Head Quarters, but without any reason being assigned for it (at least to the knowledge of your Memorialist); and that, shortly after the arrival of Mr. Luttrill, your Memorialist was placed under an arrest by Lieut't Governor Davey on charges of a nature preposterously absurd (a copy of which is annexed), and abruptly ordered to Head Quarters for trial, exposed to those losses inevitably attendant on so sudden a removal with a wife and three children.

That your Memorialist, after remaining for fifteen months under this arrest, Colonel Davey not appearing in support of his charges, your Memorialist was released from it by Governor Macquarie, and ordered to resume his Medical Duties at the Derwent, but without any remuneration for his injured feelings.

That your Memorialist is not emboldened enough to presume to make any other comment on the line of conduct His Excellency was pleased to adopt on the appointment of Mr. Luttrill, as Surgeon, than by thus submitting his humble case to the
wisdom and distinguished liberality of the Earl Bathurst; and, in so doing, your Memorialist feels that he has discharged a duty which he owed to the Commission he has the Honor to hold, to Your Lordship and to himself.

Your Memorialist has the Honor to Subscribe himself, your Lordship's most Devoted, most obedient, and most Humble Servant,

H. ST. JOHN YOUNGE.

[Enclosure No. 1.]

Copy of

Charges, Exhibited by Lieutenant Governor Davey against Colonial Assistant Surgeon Younge.

First.—For making use of contemptuous and disrespectful words, tending to the hurt and dishonor of Lieut't Governor Davey.

Second.—For refusing to come to Government House on duty when sent for by the Lieut't Governor.

T. DAVEY, Lieut't Governor.

Prosecutor:—His Excellency The Governor in Chief of New South Wales.

[Enclosure No. 2.]

Copy of

EXTRACT from Government and General Orders, Dated, Head Quarters, Sydney, September 30th, 1817.

ASSISTANT SURGEON HENRY ST. JOHN YOUNGE is released from his arrest, and directed to return to his duty at Hobart Town, Van Diemen's Land, by the first opportunity that offers for that settlement.

H. C. ANTILL, Major of Brigade.

By Command of His Excellency the Governor.

PORT REGULATIONS FOR VAN DIEMEN'S LAND.

Government House, Hobart Town, Van Diemen's Land,

3rd April, 1819.

His Excellency the Governor in Chief having been pleased to order and direct, by Proclamation prefixed to the Port Regulations,* bearing Date Government House, Sydney, 6th February, 1819, that the said Port Regulations shall extend to and be in Force in all the Ports and Harbours within the Territory and its Dependencies, as far as local Circumstances will admit: all Owners and Masters of Ships and Vessels, entering the Ports of Van Diemen's Land, will take Notice thereof and govern themselves accordingly: And, for the due Regulation of the landing of Boats with Persons or with Merchandize, within the Harbours

* Note 246.
PORT REGULATIONS.

of the Derwent and Port Dalrymple, the following additional Articles are to be considered as a local Regulation, to be observed by all Masters and Commanders of Vessels in the said Ports.

Additional Articles of local Port Regulation for the Port and Harbour of

The Derwent.

I.

No Persons are to land in any Part of Sullivan's Cove, but at the Government and Colonial Wharfs on the Pier, except from the Government or other Boats belonging to the King's Ships or Vessels, or by and under the special permission and Authority of the Lieutenant Governor, on Pain of Prosecution for the Misdemeanour in that Respect, and Forfeiture of the Boats in such and every Case.

II.

All Goods, Packages, and Commodities whatever, brought and discharged from any Ship or Vessel in the Harbour, shall be landed at the Government (the Stone) Wharf; all Colonial Produce, at the Colonial (the Wooden) Wharf, and at no other Places whatever, or the same shall be liable to be seized and taken as smuggled, and to Forfeiture by Order of the Magistrates in that Respect.

III.

All Boats, from which any Persons shall be found or detected to land, or have been landed without the Lieutenant Governor's Permission, on Macquarie Point, or on the Shore extending to the Point, usually called Hangan's Point, on that Side, or between Mulgrave Battery and Sandy Bay Creek on the other, shall be liable to Seizure and Forfeiture to the Crown; and such Person or Persons shall be liable to be prosecuted for the Misdemeanour in that Respect so done and committed.

Port, Dalrymple.

I.

No Persons are to land in any Part of York Cove, George Town, except at the Beach in front of the Military Guard House, adjoining His Majesty's Storehouses; and from Vessels lying at Launceston at the Beach below Mr. Reibey's Storehouses, excepting only from Government Boats, or Boats belonging to the King's Ships or Vessels, or by and under the special Permission or Authority of the Commandant.

II.

All Goods, Packages, and Commodities whatever, brought or discharged from any Ship or vessel in the Harbour of Port Dalrymple, shall be landed, if at George Town, at the Beach in front of the Military Guard House as before, and at Launceston at the Beach below Mr. Reibey's Store-houses, and at no other Place whatever, or the same shall be considered liable to be seized as smuggled, and to Forfeiture by Order of the Magistrates in that Respect.

III.

All Boats, from which any Person shall be found or detected to land, or have been landed without the Commandant's Permission, shall be liable to be seized, and the Owner of said Boat or Boats prosecuted before a Bench of Magistrates for Breach of Orders.

By Command of His Honor the Lieutenant Governor,

HENRY EDWARD ROBINSON, Secretary.
HISTORICAL RECORDS OF AUSTRALIA.

LIEUT.-GOVERNOR SORELL TO ACTG. DEP. ASSIST. COM.-GENL. ARCHER.*

14th June, 1819.

Sir,

His Excellency the Governor in Chief has been pleased to approve of the measures which I adopted upon the representation of the Inhabitants and Merchants of these settlements, with respect to the operation of the new System of Commiss. Accounts, ordered by His Excellency’s Govt. and Genl. order† of date Feby. 8; and to direct me to authorise a continuance of the existing System of transferrable Store receipts, until, by the receipt of new Instructions and supplies of Commt. Notes from the head of the Departt., arrangements can be carried into effect here to obviate the evils contemplated.

Upon receipt of such new Instructions, you will immediately report to me; and in the mean time you will continue to conduct your Accounts under the existing orders. I am &c.

WM. SORELL.

[A similar letter was written to D.A. Cy. Gl. Walker, Port Dalrymple, with the addition of instructions to report “through the Commandant.”]

LIEUT.-GOVERNOR SORELL TO ACTG. DEP. ASSIST. COM.-GENL. ARCHER.*

14th June, 1819.

Sir,

It appearing from the return of the Crown servants, victualled to Lt. Col. Davey by order of the Governor in Chief, that there is a deficiency of three in the total number allowed, I have to desire that the Three Crown Servants, whose Names are inclosed, who were assigned to Lt. Col. Davey from the Hibernia, do commence drawing rations on Saturday 19 Inst., each for 18 Mos., subtracting from each the period for which one of the three Government servants struck off, had been actually victualled.

I have also to acquaint you that Five Crown Servants are ordered to Lt. Col. Davey by His Excellency with a Grant of 1,000 Acres. They will be assigned from the 19 Inst., and their Names will be furnished to you, to be victualled for 18 Months.

His Excellency having ordered 6 Cows from the Govt. Herds to Col. Davey on a credit of 3 Years, you will be pleased to receive the usual Bonds, and to make the necessary notification to the Supt. of Govt. Stock.

I am, &c.

WM. SORELL.

* Copied from original letter-book in Mitchell library, Sydney. 
† Note 247.
ROBINSON TO HEYWOOD.

LIEUT.-GOVERNOR SORELL TO ACTG. DEP. ASSIST. COM.-GENL. ARCHER.*

Sir, 14th June, 1819.

In pursuance of Instructions received from His Excellency the Governor in Chief, you will be pleased to victual Mr. P. G. Hogan, Mrs. Hogan, 2 Children and 2 Govt. Men from H.M. Store for 12 Mos., dating the victualling of such part of the Family as were put upon the Store under my order from the period thereof.

I am, &c.,

WM. SORELL.

LIEUTENANT ROBINSON TO MR. P. G. HOGAN.*

Sir, 14th June, 1819.

I am directed by the Lt. Governor to inform you that, having reported to His Excellency the Governor in Chief the application made by Mrs. Hogan to place you and family on the Store, upon the ground of an assurance given by His Excellency to that effect, His Honor has received orders that yourself, Mrs. Hogan, 2 Children and 2 Govt. Men should be victualled for 12 Months, the period to bear date from the last order.

If you have 2 Govt. Servants, whom you wish to have victualled, you will return their Names for that purpose; or, if you desire to have Two Govt. Servants assigned on the Store for 12 Mos., the same will be done on your application to the Lt. Governor.

I am, &c.,

H. E. ROBINSON.

LIEUTENANT ROBINSON TO MR. HENRY HEYWOOD.*

15 June, 1819.

Lt. Robinson is directed by the Lt. Governor to cause a Notification to be made to Mr. H. Heywood, and, as Letters from him, as Secretary to the Lt. Governor, to Mr. Heywood have been already in two Instances treated with contemptuous Silence, Lt. Robinson is commanded to make this Notification through the Chief Constable, who will attest its delivery.

His Excellency the Govr. in Chief's commands have been received with respect to the refusal, already notified provisionally to Mr. Heywood on the part of the Lt. Govr., to his becoming a permanent Resident in this Settlement; upon which His Excellency has been pleased to declare that no person can be admitted as a permanent Resident in New So. Wales or its Dependencies, except under the direct Sanction of His Majesty's principal Secretary of State for the Colonies, or of the Governor in Chief of the Territory; and His Excellency having refused His sanction to Mr. Heywood's being admitted as a permanent Resident,

* Copied from original letter-book in Mitchell library, Sydney.

SER. III. VOL. II—2 Y
and having confirmed the Lt. Governor’s requisition and Command for Mr. Heywood’s departure, and having authorised the Lt. Governor to provide a passage for him in the first Whaler or other Ship proceeding to England, Mr. Heywood receives this timely notice of the same, and of the Lt. Governor’s determination to enforce the Command for his departure from this Settlement, whenever such opportunity of passage shall offer.

LIEUT.-GOVERNOR SORELL TO MR. JOHN APEX, 22nd June, 1819.

The Lieut. Governor thinks it necessary to apprize Capt. Apsey that, while he remains stationed for whaling in the Outlets of the Derwent, the utmost vigilance will be necessary on board the Martha to secure her against any attempt at seizure by Convicts.

The small Vessels and Boats, which are necessarily employed upon the River in conveying Grain, etc., are of course to be guarded against, as they might be taken from their Owners for such purpose; and, as there are some Men in this Settlement who have been detected in Plots of the kind, and who are known to be always looking for an opportunity to realize them, the Lt. Governor desires to impress upon Capt. Apsey that, unless he has a strong armed Nightly Watch, he cannot be considered as taking the proper and necessary steps for the security of the Ship in his Charge.

LIEUT.-GOVERNOR SORELL TO MR. D. McCARTY, 25th June, 1819.

The Lt. Governor has to acknowledge the receipt of Mr. McCarty’s Letter of this day, reporting the Road formed by him from Hobart Town to New Norfolk, under proposals† to Government, to be completed.

The Lt. Governor will take the first opportunity of the Country being a little dryer to come up to New Norfolk by land; but he thinks it will be advisable to appoint without any delay, a Committee of officers to survey and report upon the Road, with a view to a suitable report being laid before His Excellency the Governor in Chief. For this purpose the following Officers will be appointed.

Mr. G. W. Evans, Depy. Surveyor.

And they will proceed to execute their Commission on an early day next Week; of which Mr. McCarty shall receive due notice.

* Copied from original letter-book in Mitchell library, Sydney.  † Note 248.
ROBINSON TO REID.

The following are the points on which, as forming the basis of the Undertaking on the part of Mr. McCarty to form the road in question, the Committee will be instructed to report.

1. Whether the line of Road is formed from Hobart Town to Australs 24 feet Wide, and from the last to New Norfolk 16 ft. Wide.
2. Whether it is cleared of all Timber and Stumps.
3. Whether adequate Bridges are made wherever required.
4. Whether sufficient Drains are made to carry off Water from the Road.

LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.*

29th June, 1819.

The Lt. Governor has to request that Mr. Luttrell will, in any case where he considers it necessary that a prisoner in the Gaol Gang should be in single Irons, give a written Certificate to the Gaoler to that effect. Several of the prisoners having been taken out to work in single Irons, a practice which is ordered to be discontinued, the Surgeon's Certificate will be necessary to indemnify the Gaoler for removing any Man's Irons, as the Keeping such Man from Labor will follow.

The Lt. Governor, understanding that several prisoners in the Gaol are sick, requests that Mr. Luttrell will report should any of them be in a state to require removal; and, should any of them be in want of necessaries, he will also report it.

An issue of Bedding and Slop Clothing for the exclusive use of the Gaol having been made a few days ago, the Lt. Governor concludes there can be no deficiency in these respects.

LIEUTENANT ROBINSON TO MR. CHARLES REID.*

Sir,

10 July, 1819.

I am directed by the Lt. Governor to return the copy of a Note, transmitted in your Letter of 3rd Inst., stated to bear Mr. Corny. Walker's Signature, which appears to be an acknowledgement for paying £6 to a person engaged to make a Sheep-yard for him, on its being completed. The Specification of private Work being so clearly stated, the Lt. Governor would have conceived it impossible for such a construction to have been attempted as your Letter implies; and as he finds from Mr. Corny. Gl. Walker, that he tendered the payment of the £6 to you (as bearer of the Note) as long ago as February last, he sees no ground of Complaint,† or Charge whatever; and he considers your allegations wholly unfounded. I have, &c.,

H. E. ROBINSON.

* Copied from original letter-book in Mitchell library, Sydney.  † Note 249.
10th July, 1819.

Lieut.-Governor Sorell to Mr. Thomas Walker.*

Sir,

10th July, 1819.

I have to acknowledge the receipt (through the Commandant) of your Letter of July 1st, detailing particulars respecting a Note of hand bearing your name which a Mr. Reid held, and transmitting Depositions respecting that person's conduct thereupon. I had previously received a Letter from Mr. Reid with a Copy of the Note in question, complaining of non-payment, to which my Secretary was instructed to reply.

With regard to the manner in which Mr. Reid has aspersed your character in relation to this Note, as represented in your Letter and the accompanying papers, I regret that it is wholly out of my power to afford you any redress, or to do anything to facilitate it, Mr. Reid being in that respect quite out of my Jurisdiction and being subject only to such legal proceedings as the case may admit of.

I am, &c.,

WM. SORELL.

12th July, 1819.

Defects in road constructed to New Norfolk.

Lieutenant Robinson to Mr. D. McCarty.*

Sir,

12th July, 1819.

I am directed by the Lt. Governor to transmit a Copy of the Report made by the Board of Officers appointed to survey the Road, formed, under your proposals† to Government, from Hobart Town to New Norfolk, in which the Deficiencies under the four several Heads, on which the Board were instructed to report (as explained to you by the Lt. Governor's Letter which notified the Survey), are specified.

From this report it appears that the Bridges, with the exception of that over the 1st River, are deemed sufficient, except as to having a heavier substance of Gravel or earth put on; that the road is, with regard to Trenches and drains to carry off water, generally deficient throughout; that the width is in some parts under that agreed upon, and that the Stumps generally are left in.

The Lt. Governor considers that, under these Circumstances, it will be best for you to originate such further proposals, as you may judge best to offer, for the Completion of the work when the Season opens, with a view of their accompanying the report to His Excy. the Governor in Chief. I am, &c.,

H. E. ROBINSON.

17th July, 1819.

Lieutenant Robinson to Mr. A. Fisk.*

Sir,

17th July, 1819.

I am directed by the Lt. Governor to acknowledge the receipt of your Memorial, stating that the Supt. of the Government

* Copied from original letter-book in Mitchell Library, Sydney. † Note 248.
Mill has been in the habit of grinding Corn for various persons, which, being contrary to regulation, the Lt. Governor referred for investigation to Mr. Commy. Archer, who has reported the denial of the Supt. to the charge, and that he asserts himself not to have ground Corn for any private persons, except in one or two Instances ordered by the Lt. Governor last Summer, when there was a scarcity of Water at your Mill.

The Lt. Governor has given the most positive orders that the Regulations and restrictions respecting the Govt. Mill be strictly adhered to, and, should a breach of them in any case be authenticated, the Superintt. will be dismissed from his office.

I am, &c,

H. E. Robinson.

19 July.

1819.

Alleged use of government mill for private persons.

The humble Memorial of William Stewart, Master Mariner and late Owner and Master of the Colonial Merchant Sloop Fly of Sydney, New South Wales,

To the Right Honorable Earl Bathurst, His Majesty's Principal Secretary of State for the Colonies, etc., etc., etc.

Most Respectfully Sheweth,

That your Lordship's Memorialist had the Honor to Serve His Majesty in His Majesty's Navy a term of four years, from the year 1793 to 1797, the first two years in the Capacity of Master's Mate, the latter as Master; and that your Memorialist in this period had the honor to Serve with His Majesty's Forces in the Severe and trying duty of the reduction of the Several French West India Islands, in the Expedition under the command of General Sir Charles Grey and Admiral Sir John Jervis.

That your Lordship's Memorialist arrived in these Colonies in June, 1801, Chief Mate of a Ship from the port of Calcutta, with a view to mercantile speculation, and bringing with him a property to the amount of not less than Fifteen hundred pounds.

That, in April, 1802, Memorialist first Embarked as Master and Joint Owner of a Vessel, belonging to Port Jackson, and continued afterwards as such in that and other Several Vessels from that time up to the year 1810 or 1811, First as Joint Owner with John Palmer, Esquire, then at the head of the Commissariat Department in this Colony, and afterwards with Robert Campbell, Esquire, Merchant of Sydney, and subsequently with several other Individuals.

That your Lordship's Memorialist, on the 8th of May, 1815, arrived at the Settlement of Port Dalrymple, Van Dieman's Land (Lieutenant Alexander Campbell, of His Majesty's 48th
Regiment, being then Acting Commandant of that Settlement) in the Colonial Merchant Sloop Fly, with a cargo of Salt, Sealskins, etc., and of which Sloop and Cargo, Memorialist was both Master and Owner.

That your Lordship's Memorialist was, on the 18th of the Same Month (his men having Some days previously been most illegally and unwarrantable discharged from his Vessel by, and himself having personally experienced much cruel and tyrannical treatment from Lieutenant Alexander Campbell, the Said acting Commandant) under a plea the most groundless frivolous and malicious (legal and good Bail having at the Same time been refused) taken out of his Vessel and sent to Jail; and on the 20th of the Same month, on the before-mentioned most groundless, frivolous and malicious pretence, fully committed to take his trial before a Court Martial (The Island being then under Martial Law) at Hobart Town.

That your Lordship's Memorialist, on the 13th June following, as a step preliminary to his trial, appeared before a full Bench of the Magistrates at Hobart Town, composed as follows:—Lieutenant Governor Davey, A. W. H. Humphries Esquire, and the Reverend Robert Knopwood, by whom, after a careful examination, the Said charges preferred by Lieutenant Alexander Campbell, the then Acting Commandant of Port Dalrymple, in conjunction with Thomas Archer, Esq., the Magistrate of that place, were dismissed and pronounced to be "of a most groundless, malicious and spiteful tendency, not intended for any purposes of Justice, but calculated to oppress and injure the Said William Stewart, etc.," as will appear by the Certificate to that Effect of Lieut. Govr. Davey annexed.

That a Month or thereabouts Subsequent to Memorialist's compulsory departure to Hobart Town, and, during Memorialist's long but unavoidable detention in that place, his Vessel having previously broken from her anchors, with the whole of her cargo, Stores, etc., on board, upset, and Sunk; that occurrence so most fatal to Memorialist being entirely and Solely attributable to the most wanton and illegal tyranny and cruelty of Lieutenant Alexander Campbell, the Said Acting Commandant of Port Dalrymple; in having, in the first instance, as before stated, discharged the men from his (Memorialist's) Vessel; and in afterwards taking Memorialist himself from his Vessel under the before mentioned most groundless frivolous and Malicious pretence.

That Memorialist, after having Subsequently to his return to Port Dalrymple, Sustained still further outrages and wrongs
MEMORIAL OF STEWART.

from the tyrannical conduct of the Said Lieutenant Alexander Campbell, proceeded by the first opportunity to Sydney, whither he arrived on the 9th of September, 1815.

That, on September 15th, your Lordship's Memorialist presented a Memorial to His Excellency the Governor in Chief and Captain General of the Forces of these Colonies, in which Memorialist stated to His Excellency the nature of the insults and Serious injuries, which he had Sustained in consequence of the conduct of the Said Lieutenant Campbell; and prayed His Excellency's interference and redress. That Memorialist was induced to Solicit this Method of Endeavouring to obtain redress and indemnification of his losses and his wrongs from the following considerations, viz.:

1st. That, had he wished to prosecute Lieutenant Campbell, the Court, in which his action should have been brought, was not then open, and it was uncertain when this (The Supreme Court which did not open for nearly two years afterwards) would sit, a circumstance which Memorialist considered of the last importance in a matter as he deemed purely of Evidence.

2ndly. That, had that Court been actually Sitting, Memorialist, already reduced to utter ruin from the before-mentioned conduct of Lieutenant Campbell, was actually unprovided with funds for prosecuting a cause, involving the almost incalculable expence of Subpoenying Evidence a distance of 600 miles from the Settlement of Port Dalrymple, the place in which the acts of which he complained had been committed, to Sydney, where the Courts are held.

3rdly. The pecuniary circumstances of the said Lieutenant Campbell; that Officer not having, Memorialist had good reason to believe, any funds beyond his pay; and

4thly. An opinion that Memorialist entertained, namely, that as the injuries and losses, of which the Memorialist complained, had been solely the act of an Officer under the Crown, and as these acts had moreover been entirely committed though in abuse, yet in Virtue of the Powers with which that Officer had been entrusted, that (independantly of any other mode of proceeding, being from causes already stated absolutely impracticable) his only correct and proper channel of obtaining redress was by an immediate appeal to His Excellency, the Governor in Chief of these Colonies, as being the head of both its civil and Military Departments.

That Memorialist from the abovementioned time (with the exception of two and a half years, during which he had the misfortune to be under the displeasure of His Excellency in consequence of having affixed his name in addition to many

* Note 250.
1819.

19 July.

Memorial of
W. Stewart
soliciting
compensation
for losses caused
by acts of
A. Campbell.

others to a Petition* to the Honorable the Commons House of
Parliament) up to the date of last Memorial or Letter, has
never ceased to address His Excellency on the Stated circum­
stances of Complaint against the Said Lieutenant Alexander
Campbell, under the anxious hope,

1st of obtaining an investigation into and redress of his
complaint against Lieut. Campbell, and

2ndly, an indemnification of such losses, as Memorialist had
immediately Sustained, and was subsequently involved in, by
the most wanton and grossly illegal and tyrannical conduct of
that Officer.

That your Lordship’s Memorialist has been actuated, under cir­
cumstances of the most cruel family distress, in his persever­
ance in these repeated applications to His Excellency the
Governor in Chief of these Colonies by a consideration of the
terms, in which His Excellency’s reply to his (Memorialist’s)
First Memorial was couched.

“That the Governor cannot take upon himself to afford Mr.
Stewart any redress now for the injuries herein complained of
they not being Supported by any Evidence,” and whence the
inference occurred to Memorialist that His Excellency’s only
motive of delay in attending to Memorialist’s complaint was a
desire to be more fully satisfied of its correctness, as also from
a degree of displeasure, which His Excellency appeared to enter­
tain towards Memorialist in consequence of Memorialist having
affixed his name to the Said Petition* to the Commons House of
Parliament.

Both circumstances which, on his consideration as well of the
incontrovertible correctness of his complaint in the one in­
stance, as in the other of his absolute want of intention to give
offence, Memorialist naturally concluded that time would grad­
ually and at length entirely remove.

That, on the 29th August, 1817, your Lordship’s Memorialist,
anxious fully to Satisfy His Excellency of the correctness of his
complaint, and desirous, as far as in him lays, to comply with
the Suggestion contained in His Excellency’s Note, ventured
under the most vital but unavoidable disadvantages to bring on
in the Supreme Court of the Colonies an action against the Said
Lieutenant Alexander Campbell for an assault.

That the Verdict was in this instance, however, for only nom­
inal damages, a circumstance resulting Solely, in the opinion
of Memorialist, from the following facts:—

1st. The great length of time (Two years during which the
Supreme Court had continued Shut), which had elapsed before
Memorialist was enabled to bring his action.

* Note 251.
2ndly. The great distance of Sydney from Port Dalrymple, The former place that where the Court is held, the latter that where the Act complained of had been committed, both circumstances of the most vital importance in matters of Evidence, and the 2nd precluding Memorialist, reduced as he then was to the utmost distress, from citing any respectable evidence, indeed any Evidence in his behalf other than Such as at that time happened to be on the Spot.

3rdly. The gross perjury of some of the witnesses on that occasion, Soldiers of Lieutenant Campbell's own Company (of which he was Senior Officer in Command) produced by Lieutenant Campbell in his own behalf; and on which fact Memorialist lodged with the Judge Advocate of these Colonies an immediate complaint; and

4thly. The plea urged by Lieutenant Campbell, namely, that Van Dieman's Land was, at the time of the Act complained of being committed, under Martial Law and which plea was in part received.

That your Lordship's Memorialist, under a deep Sense of the Most Serious and alarming nature of the Said Conduct of Lieutenant Alexander Campbell both as to himself, as well as to every individual in these Colonies, aware that that Officer would ere long leave these Colonies with his Regiment, without the most faint hope of having his complaints against that Officer noticed on the Spot, and further, in full reliance on the well known humanity of His Royal Highness the Commander in Chief, was induced though with much reluctance to venture on the delicate and decisive step of lodging a Statement of his complaint against that Officer before His Royal Highness.

That your Lordship's Memorialist on the 15th Feby., 1819, waited on His Excellency Governor Macquarie by His Excellency's desire, when The Governor, having informed Memorialist that he had it in command from His Royal Highness The Commander in Chief to cause an immediate investigation into Memorialist's Complaint against the Said Lieut't Alexr. Campbell, and having thereon observed that as Lieutenant Campbell was now beyond his Command Such investigation had become impracticable, decidedly and for the first time distinctly Stated to Memorialist that he would not permit Government to be held responsible for the acts of any individual under Government, and that he therefore could not grant to Memorialist any indemnity of his losses, but that, however, he had no objection So far to assist Memorialist, as to order his vessel to be lifted at Government expence.
That your Lordship's Memorialist, on the 10th June, 1819, again and for the last time addressed His Excellency, being then at length, as stated in his communication to His Excellency enabled and therefore desirous to avail himself of His Excellency's above mentioned offer. To this Communication Memorialist received the reply, containing in the first instance His Excellency's refusal of what His Excellency had before offered, and 2dly a request that His Excellency might not be importuned and so frequently interrupted with Memorialist's Correspondence.

That your Lordship's Memorialist is now at length compelled to submit to your Lordship's Consideration a Statement of his almost unparalleled and most cruel case from under the following circumstances, viz.:—

1st. That His Excellency the Governor of these Colonies has decidedly refused to memorialist all interference or redress, and 2ndly that the Acts, of which Memorialist had complained, were not the acts merely of an Individual holding an Office under the Crown, but of that Individual in exercise of the Powers entrusted to him by virtue of Such office; and your Lordship's Memorialist most humbly entreats that your Lordship may be pleased to order an investigation into the extent and an indemnification of the said injuries and losses of which Memorialist complains, namely in the first instance that of his vessel, cargo, etc., and secondly that of Memorialist's time, a period of upwards of Four years, during which Memorialist has been without employ, partly in consequence of the ruin in which your Memorialist was involved by the Said acts of the Said Lieutenant Campbell, and which precluded him from the possibility of leaving his family; but more particularly from the unavoidable necessity which Memorialist felt of his remaining or being not far from Sydney, during nearly all that very long term, while anxiously employed in repeated applications to, and in, as it has Since cruelly proved, a fruitless expectation of redress from the Governor of these Colonies.

And Memorialist as in duty bound will ever pray, With profound deference and respect your Lordship's Memorialist has the honor to Subscribe himself, &c.,

WILLM. STEWART.

Sydney, New So. Wales, 19th July, 1819.

[Enclosure No. 1.]

NARRATIVE of William Stewart, Master Mariner, New South Wales, May, 1814.

WILLIAM STEWART, Owner and Master of the Fly, arrived at Port Dalrymple, Van Dieman's land, from Kangaroo Island with a Cargo

* Colonial Sloop of 20 Tons burthen.
MEMORIAL OF STEWART.

of Seal and Kangaroo Skins and Salt on the 8th of May, 1814, and, having come to anchor near the confluence of the Two Rivers, at a place named the Cataract, he immediately proceeded to report his arrival to the acting Commandant, Lieutenant Alexander Campbell of His Majesty's 46th Regiment, from whom he obtained permission to barter his salt for grain and animal food.* Two or three days afterwards, Lieutenant Campbell personally ordered Mr. Stewart to move his vessel to a part of the river, which he deemed more secure from the attempts of the Bush rangers; with which order Mr. Stewart readily promised his earliest possible compliance. Mr. Stewart, being obliged to return on board in the Evening and not being able after repeated hailing to waken his people, was compelled to swim off, although the night was dark and the weather very cold.

On the following day, he became, in consequence, so unwell, as to be confined to his bed. Two days subsequently, Mr. Stewart being still confined to his bed, a Serjeant and two privates, Accompanied by the Chief and two petty Constables, hailed the Vessel, and informed Mr. Stewart the Commandant desired to see him immediately.

Mr. Stewart, still very ill, repaired instantly on shore and was conducted by the above party to the Commandant, between Whom and Mr. Stewart the following conversation ensued on the Occasion.

Commandant: "Why did you not Move Your Vessel according to my orders." Mr. Stewart: "Independently of my being very unwell and confined to my bed, the wind has not yet permitted."

Commandant: "I'll give you a good flogging. I'll learn you to obey my orders. Do you see the red flag flying there; I'll seize you to a gun." Mr. Stewart: "I am in a state of bad health and unable to bear it."

Commandant: "Serjeant, take this man to the Surgeon's and say, I desire that he may be examined as to his fitness to bear punishment, and bring him back to me with a written report."

Mr. Stewart was now taken by the same Soldiers and Constables to the Surgeons at a distance of about three quarters of a Mile, where he was examined, and then led back to the Commandant, with a written report, on receiving which the Commandant said,

"Mr. Stewart, you are unable in the opinion of the Surgeon to bear a punishment, or I would give you a severe one. Go, Sir, on board Your Vessel and have her instantly removed to where I before desired you, and, should I catch you on Shore, I'll put you in Irons and feed You on bread and water."

The Commandant now dismissed the Soldiers, and gave directions to the Chief Constable that his Men should see Mr. Stewart on board his Vessel, and, should he presume to come on Shore, to take him up and report it to him.

Next day, Mr. Stewart moved his Vessel to the place, which had been appointed by the Commandant, and, on the following Morning,

* The whole Island of Van Dieman's Land had at this time been proclaimed by Lieut' Governor Davey, in consequence of the Murders, depredations, and enormities of a number of prisoners who had absconded to the Woods, under Martial Law.

† As soon as Martial Law had been proclaimed at Port Dalrymple, a red flag was nailed to the flag Staff and continued until the repeal of the same.

‡ Serjeant Annandale, 46th Regiment, cut of in the Brig Trial.

§ Mr. John Smith, Assistant Surgeon.

‖ It had been blowing fresh from the N.W. several days, and the removal of the Vessel before was in consequence impracticable.

¶ In the opinion of Mr. Stewart this station is far from being either so safe an anchorage as the former or so secure from the depredations of bushrangers or other robbers. The Vessel was lost here a few days afterwards.
the two Men who belonged to the Vessel (one of whom was under Articles) informed him that they had the permission of the Commandant to leave the Vessel, and they immediately quit the port.

Mr. Stewart now return'd on board, where he remained under the before-mentioned restrictions of confinement to his Vessel, and consequently unable to dispose of his cargo or to attend to the other Objects of his business for five or six days.

During this period the Chief Constable* hailed him from the beach and informed him that he had a warrant to search his Vesselt; Mr. Stewart put off and brought him on board in his boat. The Chief Constable, after some short conversation, informed Mr. Stewart that he had come to search for some spades, the property of the Crown, and which he himself had lent to one Fitzwilliam,t a Lime burner.

Mr. Stewart informed the Chief Constable, that there was a spade laying close to him on the deck, which belonged to the people who had left the Vessel; that their clothes and other articles were on board and also another spade, belonging to the same persons, and of which things, as the Men had run from the Vessel, he could not consent to their removal without a written order from the Commandant.

At the instance of the Chief Constable, Mr. Stewart went on shore to a Magistrate, who immediately committed him to jail, bail having been peremptorily refused to be taken when offered, although Mr. Stewart pressed on the consideration of the Magistrate the perilous condition of his Vessel and the certain ruin, in which he would be involved, should his property be left in so unprotected a state.

On the following morning, Mr. Stewart was taken from the jail before a bench of Magistrates§ on a charge of having spades, the property of the Crown, on board his Vessel, when some witnesses were examined in his presence, whom he was not permitted to interrogate, the Commandant at this time reiterating his threat of seizing him to a gun and punishing him, whether the Surgeon deemed it proper or not, if he persisted in his attempts to cross examine those Witnesses.|| Mr. Stewart was now again ordered to jail fully committed to take his trial before a Court Martial, which was then assembled at Hobart Town.

On this occasion, as in the former instance, bail was peremptorily refused.

Mr. Stewart now immediately wrote to the Commandant, stating, among other things, the perilous state in which his Vessel was left, no one being on board to take charge, and inclosing a list of Witnesses whom it would be indispensable to subpoena in defence on his

* Thomas Massey.
† At this time, Mr. Stewart had no person on board but his son, a boy of 10 years old. The Vessel besides was leaky and himself much indisposed.
‡ A Notorious Character, who since his arrival in these Colonies has been three or four times tried and convicted before a Court of Criminal Jurisdiction and sent to the Coal River, where he now is under Sentence for 14 years.
§ Consisting of Lieut. Campbell the Acting Commandant, who was not a Magistrate and Mr. Thomas Archer, with whom Mr. Stewart had formerly a personal disagreement.
|| Consisting of the two Men (one of whom was an Emancipated Convict) who had deserted the Vessel, and the before-mentioned notorious John Fitzwilliam.
MEMORIAL OF STEWART.

trial. To this letter Mr. Stewart received no answer, and the Corporal, who delivered it, was, as he stated, most grossly abused; on the same day he addressed a second letter, which he sent by a Constable. This letter, however, not only remained unnoticed, but the Commandant threatened to flog the bearer of it, or any other person, who should convey either letter or Message from him in future.

On the same day, having* permission to go, under Charge of a constable on board his Vessel, and Meeting the Commandant on his return towards the Jail, he delivered a letter of a similar tenor to those just mentioned. The Commandant read the letter on the spot and, after much abuse of Mr. Stewart and the Constable, he desired the latter to take that Vagabond away, and concluded by Observing that he (Stewart) would be off in the Morning, and that he would soon be no trouble to any person.

On the Morning following (Stewart) was permitted to Visit his Vessel, previously to his proceeding to Hobart Town; on this Occasion he left at the house of Mr. Archer t a letter of the same tenor as that which had been delivered to the Commandant.

Mr. Stewart left Port Dalrymple on the 22d May and arrived at Hobart Town in the Morning of the 29th following. In this journey, he was accompanied by a Constable, the two men to whom the spades belonged, and the beforementioned Fitzwilliam, unprovided with any other arms than an old useless pistol and destitute of Ammunition.

Two days previously to their arrival at Hobart Town, in the afternoon while resting at the hut of Mr. Thomas Pitt,§ a Settler at the Green Water holes, where they intended to pass the night, the party was attacked by two armed bush rangers|| and robbed, and, tho' sustaining no personal injury, were so much alarmed to be induced as soon as the bush rangers were gone to proceed on their journey in the Night a distance of ten or twelve miles further.

On His Arrival at Hobart Town, Mr. Stewart was committed to the common Jail, but the same afternoon was permitted by the acting Provost Marshal to go into Private Lodgings under the restriction of not proceeding beyond the immediate Neighbourhood; in a day or two this Indulgence was however discontinued.

In the course of three or four days Mr. Stewart was admitted to bail by the sitting Magistrate, at the instance of Lieutenant Governor Davey.

On the 13th of June (a fortnight after His arrival at Hobart Town) he was brought before a full bench of Magistrates, at which the Lieutenant Governor presided, when, after a careful examination of the Charges preferred by the Acting Commandant and the Magistrate at Port Dalrymple, with the Evidence in their support, Mr. Stewart was fully acquitted, and the charges found, in the opinion of the Lieut. Govr. and the bench, to be of a groundless, Malicious, and spiteful tendency, not intended for any purposes of Justice, but calculated to oppress and injure the said William, etc., as will appear by the certificate

* This permission to provide himself with a few Clothes was given by the Commandant personally at the time of his Commitment, and was not to exceed a quarter of an hour. Messrs. Smith and Archer were present at this interview.
† Magistrate before mentioned.
‡ Distance 125 miles.
§ Now Chief Constable at Hobart Town.
|| Colonial designation of Convicts, who have absconded to the Woods or as the Country in a state of nature is termed generally "the bush."
ON the Morning of the 24th July, William Stewart proceeded from Hobart Town on his return to Port Dalrymple (which place he did not reach until the 3d of the next Month) alone, on foot, without arms and carrying on his person a considerable Luggage in provisions, etc., and which was indispensable on a journey of so great a length in that country and at that Season of the Year.

Within two or three miles of Port Dalrymple, while proceeding to that place, Stewart met Lieut. Campbell, the before mentioned acting Commandant, in company with Assistant Surgeon Smith, to whom he accordingly reported himself, when Lieut. Campbell informed him that his Vessel some time since having upset, had sunk in the river.

Mr. Stewart, on leaving the Commandant, immediately proceeded towards the spot where his Vessel had lain. Here he found his little Boy, from whom he learned, as also from other persons afterwards, the particulars; that his Vessel had broke from her Moorings during a fresh of the river about five or Six weeks previous, and had upset with the whole of her Cargo, Stores, etc., etc., on board.

On the 4th August, Mr. Stewart reduced to the utmost distress from the loss of his Vessel and all his property, in a Strange place and at a distance from his friends, his men discharged by the Commandant, and without assistance of any kind, gave notice by written advertisement, of his intention to proceed to Sydney on the Elizabeth Cutter, § at that time shortly about to sail.

On the 7th or thereabouts, Stewart, walking in the Streets of Launceston followed by a Greyhound, was stopped by one John Elias, a private in His Majesty's 46th Regiment and servant to Lieut. Alexander Campbell, the beforesaid Acting Commandant, by whom the Dog was forcibly taken from (Stewart) agreeably to the order, as the said John Elias stated, of the said Lieutenant Campbell, his Master and Commanding Officer.

Mr. Stewart, on this occasion, immediately applied || to Lieut. Campbell, stating that the dog was his property, and requesting he might be returned, which request was not attended to.

That, on the 11th of August, the Cutter being ready to sail, and her clearance having been signed by the Commandant, Mr. Hardwick informed Stewart that his Name was not in the clearance, and stated,

* The journey to Port Dalrymple during the most part of this time was impracticable, the roads being very bad and the rivers necessary to cross impassable. Mr. Stewart was besides extremely desirous to take advantage of any departure from Hobart Town to Port Dalrymple as a protection from the bushrangers, as well as the Natives, and was induced to postpone his departure a few days on this Account.

† Under circumstances of much suffering and distress, Exhausted by a Journey of upwards of 120 miles, and during the course of which he had been obliged to pass six nights in the open air, exposed to almost incessant rains and the otherwise inclement weather of that Season, independent of having had to swim two deep and rapid Streams, and across which to carry, by passing and repassing each several times, his heavy baggage. In this Journey he was pursued several Miles by a Number of Natives.

‡ Consisting of Seven tons of Salt (Value £50 a Ton) about 300 Seal and Kangaroo Skins with all her Stores, Mr. Stewart's clothes, bedding, Nautical instruments, Books, Charts, etc.

§ 35 Tons burthen (Mr. Chas. Hardwick, Master) the property of Richd. Jones, Esqr., Sydney.

|| In presence of the beforesaid Mr. Charles Hardwick, Master of the Elizabeth Cutter.
as the cause of this circumstance, that one of his (Stewart's) men had lodged against him (Stewart) a detainer,* for ten guineas for wages; (Stewart) immediately on receiving this Intimation waited on the Commandant and stated to him! The absolute injustice and invalidity of the man's claim, and, at the same time, added that he was then without money, and was as well as his Child in the utmost distress.

This explanation and remonstrance being, however, without effect Stewart procured an acceptance from Mr. Jas. Coxt† for the amount, which being paid into the hands of the Commandant he (Stewart) was allowed to have his clearance, and to proceed accordingly.

On the 12th of August, 1815 (Stewart) left Port Dalrymple in the Elizabeth and arrived in Sydney the 9th of September.§

Monday, the 18th of September (Stewart) addressed a memorial to His Excellency Lachlan Macquarie, Esqr., Governor in Chief, etc., etc., etc., of these Colonies, on the subject of the Oppressions, losses and various injuries, which he had sustained from Lieut. Campbell, the before-mentioned acting Commandant at Port Dalrymple, as detailed in the preceding Narrative, and of which No. 1 is a copy, as also of His Excellency's reply thereto.

As His Excellency in his reply had referred (Stewart) to the Civil Courts for redress, Stewart on Monday, the 25th of the same Month, addressed to His Excellency another Memorial (No. 2) of nearly the same tenor as the former, and observing among other things that the Courts|| were then shut, and hence praying that His Excellency would be pleased to order him (Stewart) assistance to raise and repair his Vessel, and to have an estimate taken of the value of his Cargo and other effects, which he (Stewart) had lost, as well as such other injuries as he had sustained in consequence of the Conduct of Lieut. Campbell, the before-mentioned acting Commandant of Port Dalrymple.

On the 28th of December following, not having received any written or decisive answer to his last memorial, Stewart addressed to His Excellency a Letter containing some additional matter of Grievance; and which he had omitted to state in either of his previous Memorials, and of which No. 3 is a Copy, as also of His Excellency's reply to it and to Memorial No. 2.

On the 10th June, 1816, Lieut. Campbell with his servant John Elias, having then lately arrived in Sydney from Van Dieman's Land, Mr. Stewart preferred a Complaint against the said John Elias on a charge of having stolen from him a Grey-hound, as before Mentioned, before D'Arcy Wentworth, Esqr., Principal Superintendent of Police

* The lodging of detainers is a Colonial provision for the recovery of debts from persons leaving these Colonies. In the act of lodging a detainer, all that is necessary is to state the amount of any claim and desire that a person, against whom it is laid, may not be permitted to clear out until such claim be settled. The fee for a detainer at the Judge Advocate's Office, Sydney, is five shillings; at Launceston the office of making out detainers was performed and its fees received by the Chief Constable.

† That, in the first place, the amount mentioned by the man was not due in any way. Secondly that had it been actually due, in consequence of the loss of the Vessel, agreeably to the law expressly in that case provided, his claim was no longer valid; he the Claimant never having been discharged, but on the contrary having run from his employer.

|| A Settler now a Magistrate at Port Dalrymple.

§ During this passage, not only the weather was very severe but Mr. Stewart himself in a State of bad health, and as well as his child without either sufficient Clothing bed or bedding.

‖ At this time both the Supreme and the governor's court were shut, and the Supreme Court, in which it would have been proper for Mr. Stewart to bring his action, did not open for nearly two years afterwards.
and a Magistrate for the Territory; when the said John Elias having acknowledged that he had taken the Dog by the Orders of His Master and Commanding Officer, and Mr. Wentworth having stated that he did not feel himself Warranted, on reference to the Act on Dog Stealing, to proceed farther in the business without the Assistance of another Magistrate possessed of equal powers with himself, Mr. Stewart addressed to His Excellency a memorial on this subject, through the medium of His Excellency's Secretary Mr. Campbell, and of which No. 4 is a Copy, and of His Excellency's answer as communicated to him through His Excellency's Secretary of which No. 5 is a Copy.

On the 7th of this Month, Stewart added his Name, in addition to many others, to a Petition* addressed and which was then being forwarded to the Honorable Commons House of Parliament.

Mr. Stewart, February 16th, 1816, had received a promise from His Excellency in writing of a grant of Land and other usual indulgences as a Free Settler, and which promise he was informed, by a Letter from His Excellency's Secretary bearing date 18th November 1816 (No. 6), His Excellency had retracted in consequence of his having signed the said petition.

From this time, Stewart could obtain no answer from His Excellency to any communication, either Verbal or written up to 15th February, 1819. And the above fact is only mentioned as being Explanatory of this otherwise unaccountable silence.

On the 16th December, 1816, Stewart, finding that all communication with His Excellency was now closed addressed a letter to Colonel Molle, commanding His Majesty's 46th Regiment, containing a Complaint on the conduct of Lieut. Campbell (No. 7) as being derogatory to His Character as an Officer and a gentleman, soliciting that Colonel Molle would grant a Court Martial for the investigation of the same, Mr. Stewart at the same time enclosed a Copy of his Memorial (No. 1) to His Excellency on the same subject, of 18th September, 1815. To this application Mr. Stewart having received no answer, on the 23d of same month he addressed a second letter (No. 8) to Colonel Molle on the same subject, and stating further "that should he find his just complaints and applications continue unnoticed he should feel obliged to lay the whole proceedings before His Royal Highness, the Commander in Chief"; to which he received the answer No. 9.

On the 31st of the same month, Stewart addressed another Letter (No. 10) to Colonel Molle in reply to the Colonel's answer of the 23d, and soliciting that the Colonel would take such steps, as were necessary to bring Lieutenant Campbell before a Military Tribunal on charges as above specified. To this Stewart received the answer (No. 11) of January 1st, 1817, stating "that Mr. Stewart was at liberty to transmit any complaint that he might have against Lieutenant Alexander Campbell to His Royal Highness the Commander in Chief, but that, as such complaint would be referred to the Officer in Command here, the regular channel would be through His Excellency the Governor and Commander of the Forces in New South Wales."

January 6th, 1817, Stewart addressed a Memorial (No. 19) to His Excellency Governor Macquarie, accompanying a Copy of the correspondence between Colonel Molle and himself, and intreating His Excellency to order an investigation on the charges which he (Stewart) was prepared to prefer against Lieutenant Campbell for Tyranny, Oppression, and Corruption in the discharge of his duties as temporary Commandant of the Settlement at Port Dalrymple and begging

* Note 251.
that, should it not be His Excellency's pleasure to order such investigation, that His Excellency would forward to His Royal Highness the Commander in Chief a Memorial which was prepared to be transmitted accordingly; to the above Stewart received no answer.

Febry. 3 Stewart addressed another Memorial (No. 13) to nearly the same Effect, praying His Excellency's serious consideration to afford him such relief as to His Excellency might seem most for the grievous losses and injuries he had sustained and being reduced to the last extremity, etc.; to this Memorial Stewart received no answer.

* 15th September, 1817, Stewart preferred charges against Major John McKenzie of His Majesty's 46th Regiment and also against the said Lieutenant Alexander Campbell (No. 14), but which were unnoticed.

† On the 4th of May, 1818, Stewart again addressed to His Excellency a Memorial (No. 15) stating that his case had now agreeably to his desire, a very long time since, been brought before a Court of Civil Judicature; That the complaint preferred had been proved before the said Court.

And that, altho' a verdict of only nominal damages had been awarded, that circumstance was fairly referable to His inability, through his distance from the place where the injuries complained of had been sustained, to adduce before the Court proper and sufficient evidence to the full Establishment of the whole of his Complaint then exhibited, and to the additional circumstance that Lieut. Campbell had pleaded in extenuation of his conduct, the existence of Martial Law; and that he therefore begged His Excellency would be pleased to take into consideration his case, and grant to him such assistance and relief, as the injuries and losses which he had sustained, by the conduct of the said Lieut. Campbell, might appear to entitle him to, etc., he (Stewart) being then in the utmost distress, and having a large family dependant on him for Support. The certificate of Lieutenant Governor Davey, which has been before mentioned, accompanied this Memorial (No. 15).

On the 10th August, 1818, on His Excellency's return from an excursion to Hunter's River, Stewart addressed a Letter to His Excellency (No. 16) through the Major of Brigade; who was good enough to forward it, soliciting among other things that His Excellency would be pleased to take into consideration the prayer of his (Stewart's) Memorial of the 4th of May last, and to which Lieutenant Governor Davey's Certificate as before mentioned was attached. To this letter as usual no answer was returned.

In November, the same Year, at the General Muster of the inhabitants, Stewart, during a Conversation with His Excellency, remarked that he had forwarded a Memorial and a letter at different times to His Excellency, and which he thought had never reached him, as he had received no answer, when His Excellency was pleased to observe that he had received both, and would send for him in a very short time.

* Stewart in this instance was enabled to get his letter forwarded to the Major of Brigade through influence with the Brigade Major's Orderly for the day, Stewart's Townsman.

† Stewart had several times endeavoured from the time of his preferring his charges against Major McKenzie and Lieut. Campbell to send written communications to His Excellency; in each of which he was repulsed, His Excellency's Servants informing him that they had instructions to receive from him no communications. In this instance, he succeeded in forwarding his Memorial by having it addressed in another hand than his own (by His Excellency's Coachman).

† Captain H. C. Antill, H.M. 73d Regt. and Major of Brigade.
1819.
19 July.
Statement of grievances by W. Stewart.

On the 15th February, 1819, Stewart received a written communication from His Excellency stating that His Excellency desired to see him, a copy of which proceeding with a Minute of the interview, which happened in consequence of it, appear (No. 17) in the annexed documents.

On the 5th of April, Stewart having now again obtained access to His Excellency, addressed a Memorial to His Excellency, repeating the particulars of his former Complaints, and again urging (a verdict, as before stated, having been given in his favor) his claims to His Excellency's consideration. To this Memorial, the Governor replied that he could not comply considering the same as unreasonable, and Government no way liable to grant, a decision having been ("by his own confession herein) given against him by the Supreme Court," and that the Governor had given Mr. Stewart the same answer verbally, and must therefore desire not to be troubled any more on this subject (No. 18).

On the 10th of June, Mr. Stewart again addressed a letter to state to His Excellency that, having at length obtained what he deemed would be means sufficient to fit out his Vessel, he should be happy now to avail himself of His Excellency's offer of the 17th February (No. 19) of lifting Memorialist's Vessel at Government expense, etc. To which communication Stewart received the answer from His Excellency of the same number in reply.

WILLM. STEWART.
Sydney, New So. Wales, 17th July, 1819.

[Sub-enclosures.]

[The memorials and some papers have been omitted, being merely a repetition of the statement.]

In answer to Stewart's Memorial to Govr. Macquarie (No. 1) of Sept. 18th, 1815.

Answer. Sydney, 18th Sepr., 1815.

THE Governor cannot take upon himself to afford Mr. Stewart any redress now for the injuries herein complained of, they not being supported by any Evidence. But, as Lieut. Campbell, of whose cruel treatment he complains of, will shortly be ordered up to Head Quarters from Port Dalrymple, Mr. Stewart will then have an opportunity of seeking redress at Civil Law before the Courts at Sydney.

L.M.

In answer to Memorial to Govr. Macquarie (No. 2) of Sept. 25th, 1815.

Answer. Sydney, 28th Dece., 1815.

THE Governor is sorry he cannot grant the request made by Mr. Stewart in this Memorial, it being necessary that the injuries he complains of should first be proved before a Court of Civil Judicature.

L.M.

* The error, of which His Excellency is here guilty, is entirely unaccountable. Mr. Stewart's assertion having been not only absolutely the reverse of what His Excellency has here made him to Express, but he (Stewart) having, after Mentioning that a Verdict of damages had been given in his (Stewart's) favor, and stating that circumstance as one of his inducements for then "addressing His Excellency," detailed to His Excellency the reasons why those damages were merely nominal as will appear (in No. 18) and to which this communication of His Excellency of the Same date is in reply.
MEMORIAL OF STEWART.

Answer to Stewart's Memorial to Governor Macquarie (No. 4) of June 10th, 1816.

Sir, Secretary's Office, 19th June, 1816.

I have this day submitted to the consideration of His Excellency the Governor the Memorial you put into my hands for that purpose on the 10th Instant.

The circumstance, complained of in that Memorial, namely your having been deprived of a Dog some Months ago at Port Dalrymple by Lieut. Campbell of the 46th Regt., then in the temporary Command of that Settlement, is not a subject of sufficient importance to demand any extraordinary interference on the part of His Excellency especially as you have in Your Memorial admitted that Mr. Campbell will justify the Measure under the General order of Lt. Govr. Davey.

If you feel injured in any degree by the being deprived of the Dog, the Courts of Justice are open to you for recovering such damages as may be in Justice owing to you for such injury.

I am, &c.,

JNO. THOS. CAMPBELL, Secy.

[No. 5] SECRETARY CAMPBELL TO MR. W. STEWART.

Sir, Secretary's Office, 16th Febry., 1816.

I have it in command to inform you that His Excellency the Governor will have no objection to assigning you the Portion of Land, which he promised you as a Settler, agreeably to the wish expressed in your Letter of the 14th Instant to me in the New District, now known by the Name of the Five Islands; but His Excellency will not locate any part of that District until such time as an accurate Survey and Report of the whole of it shall be made to him by the Surveyor General and such other persons as may be Commissioned to that effect.

This Survey and Report will not in all probability be made in less than three Months, and may possibly Occupy a considerably longer time.

I am, &c.,

JNO. THOS. CAMPBELL, Secy.

[No. 6] SECRETARY CAMPBELL TO MR. W. STEWART.

Sir, Secretary's Office, 18th Novr., 1816.

Having submitted Your Memorial dated the 4th Instant to His Excellency the Governor, I have it in Command to make you the following reply, Namely,

Your Conduct, in having signed a Petition* lately sent from this Country by a few despicable, factious and Malignant Individuals, and well known to contain the most false, libellous, and seditious matter, is an instance of such unprincipled depravity that His Excellency can never think you deserving of any Indulgence Whatever from this Government.

I am, &c.,

JNO. THOS. CAMPBELL, Secy.

[No. 9] In answer to Stewart's letter to Colonel Molle (Nos. 7 and 8) of 16th and 23rd Decr., 1816.

Sydney, 23d Dechr., 1816.

Colonel Molle, in reply to Mr. Stewart's communications, has to state that in Consequence of the complaint against Lieut. Campbell having been submitted a Twelve month back to His Excellency the Governor and an answer being given thereto referring Mr. Stewart to prosecute

* Note 251.
Lieutenant Campbell before the Civil Court, it is impossible for Colonel Molle to admit of any Charge being prefer'd against Lt. Campbell before a Military Tribunal.

[No. 11] LIEUT.-COLONEL MOLLE TO MR. W. STEWART.

Sir,

Sydney, 1st Jan'y., 1817.

In reply to your Letter of the 31st Ulto., I have to state that it is perfectly in Your Option to transmit any Complaint you may have against Lieutenant Alexr. Campbell of the 46th Regt. to His Royal Highness the Commander in Chief, but that, as such Complaint would be referred to the Officer in Command here, the regular Channel would be through His Excellency the Governor as Commander of the Forces in New South Wales.

I am, &c.,

G. MOLLE.

[No. 15] LIEUT.-GOVERNOR DAVEY'S CERTIFICATE.

Hobart Town, Van Dieman's Land, 19th July, 1815.

These are to certify that, on an investigation before a full Bench of Magistrates, at which I presided, on examination of the Charges of a Criminal Nature, under which Mr. William Stewart was sent here as a prisoner from Port Dalrymple, of which he was acquitted, they appearing to be of a groundless, malicious and spiteful tendency, not intended for any purposes of justice, but calculated to oppress and injure the said William Stewart, and I, as well as Mr. Judge Advocate Abbott, recommended the said William Stewart to proceed to Head Quarters with all possible dispatch for redress for the Injuries he has received. I also offered to order the said Wm. Stewart a passage in the Emu on her arrival and advised him not to return to Launceston, as he might be treated in the same manner he before had been.

T. DAVEY, Lt. Govr.

[No. 17] INTERVIEW WITH GOVERNOR MACQUARIE.

Minute of the Governor wishes to speak to Mr. Stewart to-day between 12 and 1 o'clock at Government House.


The Govr. On the 17th February, 1819, waited on His Excellency the Governor, who shewed me a Letter addressed to Him from the Horse Guards by order of His Royal Highness, the Commander in Chief, desiring an enquiry to be made on my Complaint against Lieutenant Alexander Campbell of His Majesty's 46th Regiment, which I had forwarded by H.M. Brig Kangaroo in April, 1817, and for His Excellency to transmit to His Royal Highness the proceedings thereon, the Complaint being enclosed with the Letter to His Excellency. His Excellency was pleased to say he was well aware of the ill treatment I had received, and was sorry for it, but could not be answerable for the act of Lieutenant Campbell or any other bad Man under the Crown, as they all must be answerable for their own Conduct; neither could He (His Excellency) make me any remuneration Whatever for my losses, which he knew were many, and was extremely sorry for me, or yet cause any enquiry to be made, as Lieutenant Campbell was without the reach of His (the Governor's) Command. I informed His Excellency that Lieutenant Campbell was not out of the reach of His Excellency's Command, when I presented my different Memorials to
SORELL TO EVANS.

His Excellency, or Yet the different Charges of a Criminal Nature, where I could have proved Lieutenant Campbell as bad a subject as was ever on Van Dieman's Land, and could still do it, were I permitted to do so. His Excellency replied he could not interfere as it was now too late at this present Juncture; this is the first interview I could obtain from His Excellency, since my signing the petition to the House of Commons in June, 1816.

WILLM. STEWART.

In answer to Stewart's Memorial to Macquarie (No. 18) of April 5th, 1819.

Answr. Sydney, 5th April, 1819.

The Governor cannot comply with Mr. Stewart's request, as contained in this Memorial, as he considers the same unreasonable, and government No way liable to grant, a Decision having been (by his own confession herein) given against him by the Supreme Court. The Govr. Gave Mr. Stewart the same answer Verbally lately, and must therefore desire not to be troubled any more on this subject.

L.M.

In answer to Stewart's letter to Macquarie (No. 19) of June 10th, 1819.

Answer.

Mr. Stewart may have a passage in the first government vessel going to Port Dalrymple, but no expences can be incurred by Govt. in raising his vessel at this distant period.

Sydney, 10th June, 1819. L.M.

The Governor must beg once for all not to be importuned and so frequently interrupted with Mr. Stewart's correspondence.

Sydney, 10th June, 1819. L.M.

Sydney, New South Wales, 17th July, 1819.

LIEUT.-GOVERNOR SORELL TO ACTG. DEP. ASSIST. COM.-GENL.

Sir, 21 July, 1819.

I have to acknowledge the receipt of your letter of this date, stating the deficiency in several articles in H.M. Store, which has been discovered by the Storekeeper, and which is concluded to have arisen from the Robberies of the Store recently brought to light; and, desiring that a Board of Survey may be appointed for the purpose of enquiring into and ascertaining the same, I shall accordingly direct a Board of Survey to assemble at H.M. Magazine on Wednesday at 10 o'clock to perform this duty.

I am, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO DEPUTY SURVEYOR EVANS.*

Sir, 29 July, 1819.

Referring to the Instructions rec'd. from His Excellency the Governor in Chief, relative to a location of 1,000 Acres of Land to Lt. Col. Davey, and to the Correspondence which

* Copied from original letter-book in Mitchell library, Sydney.
1819.
29 July.

Location of land for T. Davey at New town.

occurred thereupon, particularly to your Letter to me of 19th June last, explaining the quantity and situation of the Crown Lands adjoining Priest's and Preston's Farm, on which Lt. Col. Davey had expressed his desire to receive his location, I now annex for your information Copy of a Letter from me to Lt. Col. Davey, dated 19 June last, by which you will perceive that I had acquiesced in a portion of the location being measured on this side of New Town stream.

I have now in pursuance thereof to authorize you to measure Two Hundred Acres of Land adjoining Preston's and Priest's Farm, as desired by Lt. Col. Davey, in part of 1,000 Acres ordered by the Gov. in Chf., and the remaining 800 Acres on the other Side of the New Town Rivulet, should such be Lt. Col. Davey's desire, the Crown Lands on this side not being susceptible of further alienation.

I am, &c.,

WM. SORELL.

P.S.—You will be pleased to report to me the location made, in order to my reporting to His Excellency.

LIEUT.-GOVERNOR SORELL TO MR. T. ARCHER.*

Loss by theft in public stores.

Sir,
29th July, 1819.

I transmit a Copy of the Report made by a Board of Survey, which was held yesterday by my order, to ascertain the deficiency in certain Articles in His Majesty's Magazine, which the Storekeeper had reported to you to have been discovered, since the robberies of the Store that have been brought to light upon the recent Trials and convictions; also Copies of two papers, containing the specification made by the Board of the Stores and provisions, which were found wanting.

The Board of Survey having stated their opinion that the deficiency in question has arisen from the Depredations recently proved to have been effected, the papers now transmitted will I presume form necessary documents to accompany the Accounts of your Department.

I am, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.*

30 July, 1819.

THE Lt. Governor requests Mr. Surgeon Luttrell will send in a certified Report of the Deficiency found in the Medicine Chest lately purchased, for Government, as reported by him.

The Lt. Governor having recd. an application from Mr. Surgeon Mountgarrett for a supply of Medicines for Port Dalrymple, and Mr. Luttrell having stated that he can afford such as are most needed from the New Chest, the Lt. Governor authorizes

* Copied from original letter-book in Mitchell library, Sydney.
him to make such an issue of Medicines to Mr. Mountgarrett as may be adequate for present wants at Launceston and George Town, furnishing the Lt. Govr. with a return thereof.

LIEUT.-GOVERNOR SORELL TO MR. T. ARCHER.*
Sir, 30 July, 1819.

His Excellency the Govr. in Chief having been pleased to direct that Six Cows should be issued to Lt. Col. Davey as an indulgence annexed to a location of 1,000 Acres of Land, ordered to him, I have to desire that you will cause the Cows to be issued by the Supt. of Herds in the usual mode.

I am, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO DEPUTY SURVEYOR EVANS.*
Sir, 4th August, 1819.

I have to acknowledge the receipt of your Letter of yesterday specifying the tract on which Lt. Col. Davey has selected a location of 500 Acres of Land, in part of 1,000 ordered to be measured to him by superior authority; and I am thereupon to acquaint you that you are authorised to measure 500 Acres to Coll. Davey, as described in your Letter, “surrounding Priest's Farm, bounded on the N.E. by Dacres' Farm, and on the N.W. Bank of the New Town Rivulet.”

In measuring this Land, as the small location, heretofore and for some years, though without regular authority (or indeed any from me), occupied by Reardon and Banks, is to be included, it will be necessary that you attend to the remuneration for any building or actual improvements effected by them on the land in question, as reported by you to be promised by Lt. Col. Davey upon his location being marked off.

I am, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.*
4th Aug., 1819.

The Lt. Governor has to acknowledge the Receipt of a Letter from Mr. Surgn. Luttrell of yesterday's date, received in the evening, in which he desires to retract the Statement advanced in his prior Letter of yesterday, addressed to the Lt. Governor's Secy., respecting the health and cleanliness of the Gaol as affording an excuse for his not duly visiting a Sick Prisoner therein confined.

The Lt. Governor has since received the reports of the Magistrates and Medical Officers, who, according to their Instructions (as communicated to Mr. Luttrell by the Lt. Governor's Secy.)

* Copied from original letter-book in Mitchell library, Sydney.
inspected the Gaol yesterday in order to ascertain the validity of the Statements made by him; and the Reports of both pronounce Mr. Luttrell's statement to have been wholly without foundation.

If the matter now in question were only that Mr. Surgn. Luttrell had made certain Statements, declared unfounded on investigation by the Magistrates and Medical Officers present, and acknowledged to be unfounded by himself, as a justification for not having performed his duty in visiting the Sick, the Lt. Governor would be satisfied, in consideration of Mr. Luttrell's time of Life, to leave it as it stands, upon the direct contradiction of the Magistrates and Medical Officers, and Mr. Luttrell's own recantation. But other Considerations render it an imperative duty upon the Lt. Governor to mark more forcibly his sense of the style of Letter addressed by Mr. Luttrell to his Secy.

The Lt. Governor is well assured that, in making a false report of the State of the Gaol and prisoners therein at this time, though the defence of his own conduct from the imputation of neglect might have been a part object, Mr. Luttrell's more immediate motive was that of exhibiting an insolent and unbecoming reply, in combination with or in continuation of the insolence and insubordination of which other Instances have occurred here, and which the Lt. Governor will put down, whenever they come before him, or in whatever quarter they appear.

The Lt. Governor has now to signify to Mr. Luttrell his Command to attend at Govt. House to-morrow, at 12 o'Clock, when he shall hear read in presence of the Dy. Judge Adv. and the Magistrates of the Settlet. their report and that of the Medical Officers above alluded to, and his own Letter of recantation of his Statements, and when the Lt. Governor will state his Sentiments upon the whole case.

LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.*

5th August, 1819.

The Lt. Governor has to acquaint Mr. Surgeon Luttrell that the larger and more commodious House belonging to P. Miller in Liverpool Street, having been some time since tendered to Government as an Hospital at the same rent as is now paid for the Buildings so employed, the Lt. Governor caused it yesterday to be inspected by the Actg. Engineer and Asst. Surgeon Hamilton; and, in consequence of their favorable report of the accommodation, the Lt. Governor has caused the House to be hired from Monday, 15th Instt.

There being some Work required to complete one of the Rooms for occupation the Lt. Governor will postpone inspecting the

* Copied from original letter-book in Mitchell library, Sydney.
ROBINSON TO LUTTRELL.

House till it is reported ready, when he will fix a day to see it with the Medical Officers. Mr. Luttrell will, however, see it in the meantime and will fix his arrangements for removing the Hospital on the 15th.

The Lt. Governor requests Mr. Luttrell will furnish him, as soon as it can be made up, with a return of all the Bedding, Bedsteads, furniture and Utensils, in Charge of the Superintendant of the Hospital, with a Specification of deficiencies. And Mr. Luttrell will also report prior to the removal of the Hospital whether the present Superintendant and Wardsmen are adequate to their duties.

Should Mr. Luttrell, after inspecting the House in question, have any remarks to offer as to the arrangements for the Hospital, he will of course communicate them to the Lt. Governor.

LIEUT.-GOVERNOR SORELL TO MR. T. ARCHER.*

Sir,

5th August, 1819.

Having taken into consideration your Letter of the 5th, inclosing one addressed to you by G. W. Brown, employed as an additional Clerk in the Commiss. Office, and being aware that while on the one hand his Services, from increase of business, must be indispensable, on the other it is necessary to enable him to maintain himself, I shall instruct the Treasr. of the Police Fund to bear G. W. Brown on the List of Salaries at 1s. 6d. p. day, commencing from July 1st.

I am, &c.,

WM. SORELL.

LIEUTENANT ROBINSON TO SURGEON LUTTRELL.*

Sir,

Secretary's Office, 5th August, 1819.

I am directed by the Lieut't Governor to acknow. the receipt of and to reply to your Letter of the 2nd Instant.

It appears, on a reference to the Governor in Chief's communications of Decr., 1815, and January, 1816, that three Government Men were ordered to be Victualled you from the King's Stores for One Year, and it also appears, from the Storekeeper's Note herewith inclosed, That a Man named Hall has been victualled as your Servant from the 28th of September, 1816, to the present time, completing on the 28th of September next a period of 3 Years, which includes all the Indulgences ordered you, of which the Lieutenant Governor is at present aware; but, if you are able to throw any additional light on the subject, as soon as you shall have explained the same, His Honor will be ready to attend to it.

I am, &c.,

H. E. ROBINSON.

* Copied from original letter-book in Mitchell library, Sydney.
1819.
7 Aug.
Live stock to be returned by T. Davey.

1819.
9 Aug.
Live stock to be returned by T. Davey.

HISTORICAL RECORDS OF AUSTRALIA.

LIEUT.-GOVERNOR SORELL TO LIEUT.-COLONEL DAVEY.*

Sir, 7th August, 1819.

Having directed the Superintendt. of Govt. Stock, upon receipt of his last return to 30 June, to apply to you on the subject of Six Bullocks and a Bull, Government Cattle, which remained in your possession upon relinquishing the Government of the Settlement; and not having fully comprehended the reply which he made thereupon, I feel it my duty to advert to an application addressed to you by me in May, 1817, and to the part of your Letter in reply thereto, under date 26 May, 1817, as follows:

"I am induced to request that you will be pleased to indulge me with a continuance of the Six Bullocks I now hold of Government," etc. The Cattle in question having remained in your possession during the Two years and a quarter which have since elapsed, I have directed the Supt. of Stock to apply for their being returned to Government, not having reed. any authority from the Governor in Chief for their disposal.

I am, &c,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO LIEUT.-COLONEL DAVEY.*

Sir, 9th August, 1819.

In my Letter of the 7th Instt., I did not advert generally to Cattle received by you from the Govt. Herd, and I therefore beg to decline troubling you for a Return of them, as quite unnecessary with reference to those particular Cattle, which were the object of application.

Upon my succeeding to the Government, the Supt. of Stock returned Six Bullocks and a Bull as lent to you and remaining in your possession; which led to my application for them and to your reply, dated 26 May, 1817, of which I transmitted a Copy in my Letter of the 7th.

No Instructions having reached me from His Excy. the Gov. in Chf. with respect to the alienation of the Cattle therein alluded to, and which, in consequence of the request made in your Letter of 26 May, 1817, were continued in your possession, I have desired the Supt. of Stock to apply for their return to Government.

I am, &c,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MAJOR BELL.*

Sir, 9th August, 1819.

There being a considerable Number of Convicts, under Sentence to the Coal River† and under other Circumstances,

* Copied from original letter-book in Mitchell library, Sydney. † Note 37.
proceeding to Sydney per the Government Brig Prince Leopold, a
Guard of a Serjeant and Six Privates will be indispensable for
the Security of the Prisoners and of the Vessel.
The Prisoners will be embarked on Wednesday, on which day
the Guard will be required, at such hour as shall be hereafter
fixed.
I am, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL to

Sir, 9th August.
I transmit a List of Evidence, prisoners and passengers to be victualled by the Crown on the passage to Port Jackson, on board H.M. Coll. Brig Prince Leopold.
The whole will be embarked on Wednesday afternoon, to commence Provisions on Thursday; on which day the Prince Leopold will sail, should Weather or other unforeseen obstacle not interfere.
I am, &c.,
WM. SORELL.
P.S.—The Provisions to be estimated at four Weeks.

LIEUT.-GOVERNOR SORELL to LIEUT.-COLONEL DAVEY.*

Sir, 10th August, 1819.
The notification of His Excellency the Governor in Chief's Sanction for the alienation of the Six Bullocks and Bull, which were the Subject of application to you in May, 1817, and again at this time, has now first reached me in your Letter of this date.
It remains only that, in consequence of that communication, I obtain His Excellency's official authority for the issue of the Cattle in question to be passed to the Supt. of Herds, which I will accordingly now apply for.
I am, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL to CAPTAIN WATKINS.*

Sir, 16th August, 1819.
The recent Correspondence between Major Cimetiere and yourself, which he had stated his intention of submitting to higher authority, having been addressed to the Commanding Officer of the 48 Regt., I must necessarily decline becoming the medium of transmitting the Representations, which you have sent to me in the present state of the matter. I, therefore, return the Two Letters and am, Sir, etc.,

WM. SORELL.

* Copied from original letter-book in Mitchell library, Sydney.
LIEUT.-GOVERNOR SORELL TO MAJOR BELL.*

Sir, 16th August, 1819.

No arrangement for completing the Bridges and other deficiencies on the Road to New Norfolk (as reported by the officers who surveyed it) having resulted from subsequent communications with Mr. McCarty, and several representations having reached me of the dangerous and almost impassable state of the Bridges, I have to request that you will take an early opportunity of inspecting them, and will report to me whether they have become materially worse and more insecure since the Survey, as in such case I shall take Measures for their immediate repair by a Government Gang.

I shall direct the Dy. Surveyor of Lands, and also the Commissy., should his other duties permit, to accompany you.

I have, &c.,
WM. SORELL.

LIEUTENANT ROBINSON TO SURGEON LUTTRELL.*

Sir, 16th August, 1819.

The Lt. Governor requests Mr. Surgeon Luttrell will lay it down as a Rule, now that the Hospital affords ample Room for the Patients, that no In-Patient is allowed to eat, sleep, or remain out of Hospital, or to absent himself without the Surgeon or Superintendt.'s Knowledge for the shortest period.

The Lt. Governor considers it of great importance that all Crown Prisoners, who are at all seriously injured or indisposed, should be made In-Patients, as insuring the purposes of restraint so essential to their speedy cure, and as preventing them from improperly employing themselves, when exempt from Government labor.

The Lt. Governor requests Mr. Luttrell will select some Man about the Hospital as Door or Gate-keeper, to whom any little extra allowance that may be deemed most beneficial will be made, to take charge of the Gate, allowing no persons to go in or out, except under proper authority and sanction.

The Lt. Governor has directed Straw to be supplied for the Beds; and it will be issued in future periodically, as often as may be deemed necessary.

I have, &c.,
H. E. ROBINSON.

P.S.—Should Mr. Surgeon Luttrell be unable to attend Tomorrow, he will pass this order to Asst. Surgn. Hamilton, in order to the arrangements being made at once; and they should be publicly notified to the Superintendant, Male and Female Attendants, and all patients.

I have, &c.,
H. E. ROBINSON.

* Copied from original letter-book in Mitchell library, Sydney.
SORELL TO DAVEY.

GOVERNOR MACQUARIE TO LIEUT.-COLONEL DAVEY.

Sir,

Government House, Sydney, 17th Augt., 1819.

I have to acknowledge the receipt of your Letters dated the 6th and 16th of June last, with their accompanying Documents, and am sorry you should have thought it necessary to address me on the subject of those Letters, as, from the Correspondence which appears to have passed between yourself and Lt. Govr. Sorell, I do not find that any room whatever was afforded you for Complaint, the Lieut. Govr. having offered to fulfil every part of those Indulgencies which were last allowed you by Government.

I must consequently entirely approve in every instance, of Lt. Govr. Sorell's conduct throughout this business, and therefore herewith return you the Papers and Correspondence you sent me, referring you again to the Lt. Govr. to fulfil any part of the Indulgencies last promised you remaining still unadjusted.

I have, &c,

L. MACQUARIE.

LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.*

18 August, 1819.

The Lt. Governor has to acknowledge the receipt of Mr. Surgeon Luttrell's Letter of this date; and upon the explanation therein given respecting Hall, whose Situation the Lt. Governor knew nothing of, the Crown Servant "Johnson," who was applied for by Mr. Luttrell, will be assigned to him on the Store on account of his Indulgences.

LIEUT.-GOVERNOR SORELL TO DEP. ASSIST. COM.-GENL. WALKER.*

Sir, 21 Aug., 1819.

Referring to my Letter of 25 May directing the Consolidation of Store Receipts then outstanding, I have now to convey to you authority for the further Consolidation of all outstanding Store Receipts to the 24 Inst.

I am, &c,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO LIEUT.-COLONEL DAVEY.*

Sir, 1st September, 1819.

I have to acknowledge the receipt of your Letter of the 30 Augst., desiring to take Two Hundred Acres of Land at the place opposite the Farm named Old Brown's; and I have given the necessary instructions to the Depy. Surveyor of Lands.

I am, &c,

WM. SORELL.

* Copied from original letter-book in Mitchell library, Sydney.
Creditors of P. G. Hogan to petition the treasury.

Transmission of packet.

Lieut.-Governor Sorell to Lieut.-Colonel Davey.*

Sir, 13 Sept., 1819.

I transmit herewith a Packet, which I received, as noted on the Label, from His Excellency the Govr. in Chief.

I am, &c.,

Wm. Sorell.

Transmission of letter.

Live stock to be returned by T. Davey.

Lieut.-Governor Sorell to Lieut.-Colonel Davey.*

Sir, 15th Sept., 1819.

I transmit herewith a Letter addressed to you by His Excellency the Govr. in Chief, received yesterday per ship Adml. Cockburn.

Having, in conformity to the intention notified to you in my Letter of date 10th Ult., applied to His Excy. for the regular and necessary authority to the Supt. of Govt. Herds for the alienation of the Six Bullocks and Bull (Govt. Cattle), which you stated to have been included in the Indulgences settled and granted by His Excy., I have in reply received a Communication to the effect that the Cattle in question are to be returned to the Govt. Herd.

The intimation conveyed in the enclosed Letter of the Govr. in Chief's decision, and his Commands to me, therefore require that the Six Bullocks and Bull, which remained in your possession after my Succession to the Lieut. Government, should be returned to the Supt. of Herds, who will accordingly be instructed to receive them.

With respect to the Six Cows ordered to be issued as part of the Indulgences annexed to the location of 1,000 Acres of Land,

still unmeasured, I some time since gave the necessary authority to Mr. Comy. Archer and to the Supt. of Herds, for their issue.

I am, &c.,

WM. SORELL.

LIEUTENANT ROBINSON TO MR. R. W. LOANE.*

Sir,

Secretary's Office, 17th September, 1819.

In reply to your application of this day, I am directed to acquaint you that the Prisoner, Patrick Murphy, Cooper, has been noted by the acting Engineer for Government Employment, and that Wm. Howley, Gardener, will also be required for the same purpose; but the two Butchers, Connor and Miller, will be assigned to your Service, as well as any other two Men whom you may select, and that are not wanted for the use of Government, upon their being landed To-morrow.

I am, &c.,

H. E. ROBINSON, Secy.

LIEUT.-GOVERNOR SORELL TO DEP. JUDGE-ADVOCATE ABBOTT.*

Sir,

24 Sept., 1819.

The applications for Licenses for selling Wines and Spirits during the Year, commencing on the 29 Inst., accompany this Letter.

The number of applications for Hobart Town are Thirteen, which may perhaps be deemed fully sufficient; but all of them proceeding from Persons, who held Licenses last Year, or who occupy Houses to which Licenses for the same period had been allowed, I did not wish to reject them summarily.

If however the Bench of Magistrates shall be of opinion that Thirteen Public Houses are too many, I request you will be pleased to apprize me, as I am desirous that the Number of Licenses in the Town should be regulated by their general opinion.

I am not aware that any of the Houses of last year were under Complaint or Charge, but the Bench will have an opportunity of ascertaining whether any Imputation exists against them. And should Grounds be found to render it unadvisable in the opinions of the Magistrate to grant a new Licence, I beg you will be pleased to note them on the application or Memorial and return it to me.

I have, &c.,

WM. SORELL.

* Copied from original letter-book in Mitchell library, Sydney.
LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.*

LIEUT.-GOVERNOR SORELL TO MR. R. W. LOANE.*

LIEUT.-GOVERNOR SORELL TO MR. A. F. KEMP.*

*Copied from original letter-book in Mitchell library, Sydney.
SORELL TO LOANE.

LIEUT.-GOVERNOR SORELL TO ———*

Sir,

9 Octr., 1819.

I have to acknowledge the Receipt of your Letter of this date, stating that you had received Major Bell's approval of the Spirits proposed to be purchased for Government; and that you had, in consequence, authorised Mr. Read of this place to supply to H.M. Store Sixteen Hund'd Gallons at the price of Seven Shillings and Sixpence per Gallon; and I have to acquaint you in reply that I entirely approve of the purchase in question.

I have, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MR. R. W. LOANE.*

12 Octr., 1819.

The Lt. Governor has to request Mr. Loane to refer to Communications, made by him last year on the Subject of the decision given† by His Excellency the Governor in Chief upon Mr. Loane's claim to a location of Fifty Acres at Hangan's Point.

The Substance of His Excellency's decision was that, no Grant or Lease of the location in question having been ever granted, no one could have legal Title thereto; nor can any Register of such Title exist; that, His Excellency having always intended that the Tract of Ground along the River from Hobart Town to New Town should be retained for Govt., the only Two locations which had been allowed therein by the late Lt. Govr. Collins (who had no power to grant or lease Crown Land) must remain unalienated; and that those, who might have given a valuable consideration for land so circumstanced, would receive a Grant elsewhere in compensation. Upon this principle, Mr. Gunning, who had succeeded to the other location of Fifty Acres, originally located to Saml. Gunn, received an indemnity in Land; and Mr. Loane, as the Successor to the location made to Hangan, was informed upwards of Twelve Months ago, that Land in compensation would be allowed to him.

The Lt. Governor now again acquaints Mr. Loane that neither Grant, Lease, or any legal Title to the location in question having ever been given, it is unalienated Crown Land; but, as it was originally occupied by Hangan under the authority of Lt. Govr. Collins and subsequently transferred, it rests with Mr. Loane, in whom that claim as Successor to Mr. Hopley is vested, to apply for a compensation in Land, which, to an equitable extent, the Lt. Govr. is ready at any time to lay before the supreme authority.

* Copied from original letter-book in Mitchell library, Sydney. † Note 252.
1819.
16 Oct.

Approval of purchase of spirits.

LIEUT.-GOVERNOR SORELL TO DEP. ASSIST. COM.-GENL. HULL.*

Sir,

16 Octr., 1819.

I have to acknowledge the receipt of your Letter of yesterday's Date, stating that the Master of the David Shaw had tendered a Supply of Jamaica Rum of twelve Hund'd Gall's for H.M. Magazine at the same price as was fixed upon that lately contracted for with Captn. Read; and, with a view to enabling you to forward the necessary quantity to Port Dal. (to which Station I conceive One Thousand Galls. should be sent by the earliest opportunity), I conceive that the purchase proposed will be very proper; and I approve of the purchase of a quantity not exceeding Twelve Hundred Gallons on the Terms proposed.

I have, &c.,

WM. SORELL.

19 Oct.

Servant of T. Davey to be mustered.

LIEUTENANT ROBINSON TO MR. T. W. BIRCH.*

Sir, Secretary's Office, 19th October, 1819.

The Lieut't Governor having heard nothing from Col'l Davey on the subject of the Prisoner, H. Townsend, He has duly to observe that he must be mustered as the Servant of Col'l Davey, to whom he was originally assigned.

I am, &c.,

H. E. ROBINSON, Secy.

LIEUTENANT ROBINSON TO MR. JORDAN.*

Sir, Hobart Town, 19 Octr., 1819.

I am directed by the Lieut't Governor to acquaint you that the undernamed persons,† arrived per the David Shaw, have his permission to land at this Settlement, and you are authorized to disembark them accordingly.

I am, &c.,

H. E. ROBINSON, Secy.

21 Oct.

Alleged detention of ship Martha.

LIEUT.-GOVERNOR SORELL TO MR. R. W. LOANE.*

21 Octor., 1819.

The Lt. Governor has to acknowledge Mr. Loane's letter of this date received between 5 and 6 o'Clock.

On reference to the Naval Officer, it appears that the Accounts of the Martha were adjusted this Morning, and that the Vessel's Charges were to be settled To-morrow; and the Harbour Master has since reported that she had no Provisions on board and that the Master of the Martha, in answer to an Enquiry as to her readiness to go to Sea in the Morning, had informed him they were to be shipped To-morrow.

† Mr. Nathan Elliott; Mr. Thos. Stone; Mrs. Ann Stone; Mr. Josh. Rivers.
Under these Circumstances, the Lt. Govr. is at a loss to see any
Ground for Complaint, as to the Martha being detained. The
Naval Officer is ready to clear her out when she is ready to go
to Sea.

LIEUT.-GOVERNOR SORELL TO MR. R. W. LOANE.*
21 Octr., 1819.
The Lt. Governor has to acknowledge the receipt of Mr. Loane's
Letter of this date.
The Master of the Martha did certainly say to Captn. Kelly, in
presence of several persons, that he had to ship Provisions this
Morning, indicating that he could not be ready at a very early
Hour; Captn. Kelly at the same time apprised him that "He held
in his hand the Port Clearance signed, and should be ready to
take the Vessel out at whatever time she should be ready."
The Lt. Governor cannot suppose it to be expected that the
Naval Officer should be always in his Office; indeed some of his
Duties necessarily require his attendance at other places. The
Master of every Vessel, who wants to clear out, should conclude
Shipping and landing, and give Notice at the Naval Office, so as
to allow one clear day for making up and settling the Vessel's
Accounts, prior to the Port Clearance being prepared, so as to be
brought for the Lt. Governor's Signature within Office Hours.
With respect to the mode of settling these Charges, the Lt.
Governor can only observe that the Naval Officer has to collect
certain Duties and Fees, established by the Supreme Authority,
by the orders of which they are to be paid in Money.
The Lt. Governor requests Mr. Loane will specify the par-
ticular Charges made by the Naval Officer, which he considers as
excessive; as far as the Lt. Governor is aware, they are governed
throughout by the Regulations of the Territory, as stated in
the Almanack† of Port Jackson.

LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.*
30 Octr., 1819.
The Lt. Governor has directed the Supt. of the Hospital to
acquaint Mr. Surgn. Luttrell (with the List of Men in Hospital
for Extras) that, owing to the considerable Expense, which is
occasioned by the present System and enlarged Numbers, It is
necessary to limit the Issue of Extras to Men whose Complaints
render them essential, and who can require only a reduced Ration
of Meat.
In well regulated Hospitals, the System of dieting is arranged
so that an increase of one Species of nourishment is covered by

* Copied from original letter-book in Mitchell library, Sydney.
† Note 253.
a reduction of others; it is obvious that a full Ration of Meat and Bread, such as is allotted to a Working Man in health, cannot be required for Men in Sickness; and upon this principle, until a Genl. System can be attained, the Hospital must at present be conducted.

LIEUT.-GOVERNOR SORELL TO MR. R. W. LOANE,*

1 Nov., 1819.

The Lt. Governor has to acknowledge Mr. Loane’s Letter of this date. 

He can certainly have no objection to any Ships being laden with Spars from the Colony; and, upon specific Notification of the Vessel proposed, Authority would be given for the purpose.

But, as the Lt. Governor conceives Mr. Loane would have to employ people from hence to cut the Spars, it would be necessary to have a clear understanding that free people only could be allowed, the Regulations prohibiting Crown Prisoners from going beyond the Head of the River except by special Permission.

LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.*

1 Nov., 1819.

The Lt. Governor requests Mr. Surgeon Luttrell will send in, on the 1st of each Month, a return of the expenditure of Wine to the Sick, during the Month preceding. He will now send in such Return for the Month October.

In all future requisitions for Soap, the Quantity for each Patient on the Monthly average of the Sick is to be stated at half a pound each.

The Lt. Governor takes this opportunity of apprising Mr. Luttrell that he some time since made application to the Govr. in Chief for the Regulations established in the Genl. Hospital at Sydney in order to their being adopted here.

LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.*

3 Novem., 1819.

The Lt. Governor has to acquaint Mr. Surgeon Luttrell that he has directed printed forms of Ration Returns, similar to those in use at Port Jackson, to be furnished to him, to be used for H.M. Colon’l Hospital at this place.

It being fixed that Friday is to be the discharging day from the Hospital for all persons victualled from the Store, Mr. Luttrell will have a Return prepared on each Friday, signed by himself, to be delivered to the Commissy. by Noon on that day.

* Copied from original letter-book in Mitchell library, Sydney.
Such patients, as may appear to Mr. Luttrell to require Tea and Sugar, must be stated at a Half Ration, until a more comprehensive System of dieting can be adopted; and those for Tea and Sugar will be stated at the bottom of the Return.

LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.*

4 Nov., 1819.

The Lt. Governor has to acknowledge the receipt of Mr. Surgn. Luttrell's Letter of this date; and, as it appears that the Native People, who have been furnished with Medical aid and shelter and food at Mr. Fisk's Mill, are nearly recovered, at least sufficiently so to need no longer to be kept there, the Lt. Governor requests Mr. Luttrell will make arrangements for the discontinuance of that Establishment at the end of next Week; and he will report the same to the Lt. Governor.

LIEUT.-GOVERNOR SORELL TO REVD. JOHN YOUL.*

18 Novem., 1819.

I had yesterday Morn'g the pleasure of receiving your Letter, announcing the safe arrival of yourself and family at Port Dalrymple; and I beg leave very sincerely to congratulate you thereupon, and to assure you of my high satisfaction at the beneficial prospect, which your Ministry affords to the Settlement.

I trust that you will find the residence, allotted for you at present, convenient and suitable; and I have requested the Commandant to afford any assistance, which you may wish, for the comfortable establishment of yourself and family.

I am rather pressed by business being just returned from the Muster and having a Vessel under dispatch for Sydney; but I shall be happy at all times to hear from you on any subject, connected with your own important duties and the welfare of the People amongst whom you are placed. I remain, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MR. R. W. LOANE.*

18 Nov., 1819.

The Lt. Governor has to acknowledge the receipt of Mr. Loane's Complaint Letter, dated 13 Inst., yesterday.

At the beginning of that Letter, Mr. Loane states that, on applying for His License of occupation on Saturday, he found no person in the office but "an Officiating Clerk." Mr. Loane
however knows that Mr. Wells is the regular established Clerk in the Lt. Governor's Office, and that he has been so from the Commencement of his Command.

Perhaps Mr. Loane might think it more fit for the Lt. Governor or his Secretary to have been in attendance to deliver his License (for he has been in the habit of claiming attention to business at all Hours of the day) than to have been employed on the Genl. Muster; but really, independent of having other public Duties to perform and having been scarcely absent from his Office for a Morning during the last eighteen Months, the Lt. Governor did not feel called upon to attend, or to leave his Secretary for the purpose, when otherwise required.

Of the Complaints to which Mr. Loane alludes, the Lt. Governor has never heard; but one thing is clear that, if Complaints of Mr. Wells' conduct in the Office exist, they cannot apply, as Mr. Loane says, to acts done in the Lt. Governor's absence, because he is always present and open to reference.

The Lt. Governor never practises himself, or permits in any one employed under him, slight or incivility; on the other hand, he will require a strict observance of decorum and respect in his Office from all persons transacting business there.

The Lt. Governor thought it necessary to say thus much on the general Matter of Mr. Loane's Letter, as referable to his Office. He now proceeds to the Complaint against Mr. Wells as his Clerk in the case stated by Mr. Loane.

The Statement of Mr. Loane is that Mr. Wells treated him with insolence and indignity; he does not specify the particulars nor the language used by himself. The Lt. Governor therefore incloses a Statement (taken it appears at the time), which he received from Mr. Wells on his return to Town, and which illness prevented his attending to, as well as to Mr. Loane's Letter, yesterday. The Lt. Governor requests Mr. Loane will return it and inform him if it be correct, and, upon receipt of his reply, the Lt. Governor will be enabled to form his Judgment on the case, and to do what may appear proper thereupon.

LIEUT.-GOVERNOR SORELL TO DEP. ASSIST. COM.-GENL. HULL.*

19 Nov.

Dr. Sir,

I am this Moment favored with your Letter of this date. As you have distinctly charged the Boat's Crew, who arrived at the Moorings of the Government Boats in charge of my Camp Equipage on the night of the 16 Inst., with robbing your House, and as you have in equally distinct Terms stated the Men therein

* Copied from original letter-book in Mitchell library Sydney.
employed to be of the worst Character and Conduct; implications which, if resting on good foundation, throw a pointed reflexion on me for permitting them to be so employed, I cannot possibly concur in any relaxation of the full Enquiry, which I have requested the Magistrates to make into the Conduct of those Men, both collectively and Individually.

I cannot conceive any just objection, which should exist on the part of any person who has made Statements on this Subject to you (who from your recent arrival can have no personal knowledge of the people), to bring forward the grounds of their charges; for, if this System were to be persevered in, if the Men employed on duty in the Govt. Boats, or the prisoner Constables at their posts, are open to be accused of Robbery and of any Species of crime without Investigation, then indeed it would be justly supposed that I am indifferent to the distinction between their behaving well or ill, and that I allow Crimes to be committed with impunity to the Perpetrators, and with indifference as to myself.

Such Imputations I conceive to be already thrown out by your Letters and by the whole Proceedings; and I therefore leave the Magistrates to act under the Instructions, which I yesterday addressed to them, to cause a full and complete investigation to be made into the Conduct of the whole Boat's Crew, both as to special and general Conduct or Charge, so that they may report whether or not these Men are fit or unfit to be employed in that Situation.

I remain, &c.,
WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MR. BARKER.*

22 Nov., 1819.

The Lt. Governor has to acknowledge Mr. Barker's Memorial under date 11 Instt., received on his return from the Muster on the 16, and which pressure of business has obliged him to delay replying to.

The Lt. Governor is not aware of any instance in which allowance has been made for deficiency or leakage on bonded Spirits, unless it was ascertained prior to the removal of the Cask from H.M. Bonded Store into the Owner's possession. The invariable practice is that the deficiency if any should be determined in presence of the Owner or his representative, and the Officer in charge of the Store, as the only mode of precluding the incessant disputes which would arise, if a different System were admitted. Where that is neglected, the loss must fall upon the Proprietor.

* Copied from original letter-book in Mitchell library, Sydney.
Lieut.-Governor Sorell to Mr. J. Gordon.*

22 Novem., 1819.

Sir,

His Excellency the Govr. in Chief has notified to me that he has received a proposal from John McArthur, Esqr., to sell to Government 300 Merino Ram Lambs, for the purpose of affording Means of improving the breed of Sheep in Van Diemen's Land, to be disposed of to the owners of Flocks in both Settlements.

I am therefore desirous of having the proposal made known to the principal proprietors with as little delay as possible; and I commit to you the conveying of it to the Sheepowners of Pittwater.

It will be proper, I conceive, that persons, who own Flocks in which the Number of Ewes exceed 200, should be apprized of the proposal. No price is fixed, but it will no doubt be moderate; and I see no present impediment to its being so arranged that the payment shall be made from the first produce supplied to H.M. Store by the purchaser, the period not exceeding 6 Months. As the Lambs are to be purchased by Government, they will of course be sent down and issued here at some fixed price, and the purchaser will be no way concerned in hazard on the passage.

I request your immediate attention to this very important matter, and that you will take a List, with the Signature of, and number of Lambs desired by each person; and I shall be glad if you can make it convenient to let me see you at Government House with it on Thursday or Friday next in order that I may write to His Excellency by the Ship Bombay, which proceeds on Saturday.

I remain, &c.,

Wm. Sorell.

[A letter to the same effect was written to Mr. D. McCarty, New Norfolk.]

Lieut.-Governor Sorell to Mr. R. W. Loane.*

22nd Nov., 1819.

The Lt. Governor has to acquaint Mr. Loane, that His Excellency the Govr. in Chief has notified to him a proposal which he had received from John McArthur, Esq., to sell to Government about 300 Merino Ram Lambs, for disposal at a reasonable price to the proprietors of Sheep in Van Diemen's Land, with a view to the improvement of Wool.

The Lt. Governor notifies the same to Mr. Loane, as an Owner of Sheep in this Settlement; and, in the event of his wishing to become a purchaser of any Lambs, he will state it in writing to the Lt. Governor's Secy., on or before Friday next, when the Lt. Governor means to write to His Excy. on the Subject.

* Copied from original letter-book in Mitchell library, Sydney.
† Note 254.
SORELL TO DAVEY.

LIEUT.-GOVERNOR SORELL TO LIEUT.-COLONEL DAVEY.*

Sir,

23d Nov., 1819.

His Excellency the Govr. in Chief having called upon me for a Return (nominally) of all Convicts received into the Settlements in Van D. Land, direct from England or Ireland from 1 Jan., 1812, to the end of last Year, I have to request you will inform me what Ships, having Convicts on board, arrived during the period of your administration.

I am only aware of the Indefatigable, the Indents of which I have, and which affords all the information required as to that Vessel. Should any other Importation of Prisoners direct from home have taken place, I possess no documents respecting them.

I am, &c,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO MR. J. GORDON.*

Sir,

24th November, 1819.

Having been called upon to furnish to His Excy. the Govr. in Chief "a List of all persons holding official Situations of whatever rank or degree, who are paid either by Parliamentary Estimate or from Colonial Funds, distinguishing on which chargeable, and also the Salaries paid to each of them between the 1 January, 1813, and the 31 Decr., 1817," and it appearing that no documents† are in the office of the Naval Officer and Treasr. of Police Fund further back than the period of Mr. Drummond's holding that Office, I am to request you will furnish me with any particulars in your possession, connected with the return required, relating to Salaries paid from the Police Fund during your Charge.

I am, &c,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO LIEUT.-COLONEL DAVEY.*

Sir,

24th Novem., 1819.

Having been called upon for a Return of the Officers' Names, borne upon the Parliamentary Estimate in Van Diemen's Land from 1 Jany., 1813, and not having any documents† prior to my own administration, I have to request you will furnish me with a List of the Officers in question during the period of your Command.

The date of your appointment as Lt. Governor and the Names and periods of service of the several Surgeons and assistt. Surgeons are principal points of Information.

A Return being also called for of all Officers and persons, who have received Salaries from the Police Fund during the same

* Copied from original letter-book in Mitchell library, Sydney. † Note 160.
period, vizt. 1 Jan'y., 1813, I request you will furnish any documents on that subject, which refer to the time in which you held the Office of Lt. Governor.

I have applied to Mr. Gordon as Actg. Treasurer of the Fund prior to Mr. Drummond for such Returns as he can supply.

As it is necessary for me to be enabled to reply to the requisition for these Returns, by the Ship Bombay, which sails on Sunday for Sydney, I have to request your early reply.

I am, &c.,
WM. SORRELL.

LIEUTENANT ROBINSON TO MR. R. W. LOANE.*

24th November, 1819.

LIEUTENANT ROBINSON is directed to request that Mr. Loane will inform him whether he has received a Letter from The Lieut' Governor, Dated the 22nd Inst't, to which no Reply has been returned.

LIEUT.-GOVERNOR SORRELL TO DEP. ASSIST. COM.-GENL. HULL.*

Dr. Sir,

26 Nov., 1819.

I return the Muster Books, and, as time does not admit of their being completed to go by the Bombay, I must resign the hope of forwarding them all; but, if the Muster of Stock and Land is ready, I will send it.

With regard to Salaries paid by you to Civil Officers, a certified List will answer my purpose; but, with respect to the information which I have been accustomed to receive from the Officer in Charge of the Commissariat, it will be necessary to have a clear understanding. I now enclose a Set of Monthly Papers as furnished by Mr. Archer, and before him by Mr. Broughton; the Vouchers for Meat and Wheat have also been always laid before me; and you will have the goodness to state in what points your departmental Instructions authorise a change; I have no instructions, or intimation of any, from any Quarter; and therefore I look to the same information as to the Expenditure, in purchases, payments and Issues, as well as in the apportionment of Meat and Wheat to the Settlers, as I have received from the Commencement of my Command.

It will be proper therefore to ascertain what, if any, difference of Instructions may exist, unknown to me; and it will then be easy to judge what reference may become necessary on the Subject.

I am, &c.,
WM. SORRELL.

* Copied from original letter-book in Mitchell library, Sydney.
LIEUT.-GOVERNOR SORELL TO MAJOR BELL.*

Sir, 30 Nov., 1819.

I have to acknowledge the receipt of your Letter of this date stating that Lt. Robinson had reported to you his having received a subpoena to attend a General Court Martial, ordered to be convened at Sydney, and his intention of obeying the same by the first favorable opportunity.

It appearing by a Notification made to me by the Depy. Judge Advocate that Lt. Leroux is also summoned for the same Court Martial, its assembly of course depends on the presence of both Officers. I have therefore recommended to Lieut. Robinson to take measures for obtaining his passage, should no earlier opportunity from hence direct offer than may be open to Lt. Leroux from Pt. Dal., by the same Vessel, so that the object, chiefly important, of the two Officers arriving together may be attained.

I have, &c.,

WM. SORELL.

LIEUTENANT ROBINSON TO MR. R. W. LOANE.*

Sir, 30th November, 1819.

The Ticket of occupation will be delivered to your Clerk Ticket of on payment of 7s. 6d. to Mr. Wells, the Clerk in the Lieut't Governor's Office, that sum being the accustomed fee as will appear upon a reference to the Sydney Almanack.

I am, &c.,

H. E. ROBINSON, Secy.

LIEUTENANT ROBINSON TO MR. R. W. LOANE.*

Sir, 30th November, 1819.

The annual License for the Crown Land, on which your Cattle Graze, having been prepared at this Office, I request to be informed whether it is your intention to send for it, as otherwise you will be supposed to have relinquished your claim to the Crown Land in question, and it will be considered as disposable to any other person holding Stock.

I am, &c.,

H. E. ROBINSON, Secy.

LIEUTENANT ROBINSON TO MR. R. W. LOANE.*

Sir, 2nd December, 1819.

I have to acknowledge the Receipt of your Letter of this date, desiring to have a Copy of the reply, transmitted by the Lieut't Governor to a Mem'l, which you had submitted to His Excellency the Gov. in Chief, dated 10th July last.

I have to inform you in reply that the Lieut't Governor's Answer and the Documents connected with it are open to your

* Copied from original letter-book in Mitchell library, Sydney. † Note 253.
perusal. His Excellency in his Letter to the Lieut. Governor, which you may also peruse, does not speak of any Copy being furnished to you, but signifies that The Reply and Documents are to be shewn to you should you wish to know the Grounds, on which the Governor in Chief's decision is framed.

The Lieut. Governor, however, is perfectly willing that you should have Copies of the Papers, whenever the business of his Office permits. In the mean time, I am instructed to request that you will call at the Office to-morrow at 11 o'Clock, when I shall be prepared to give to your perusal the Reply and Documents, according to the Governor in Chief's desire.

I am, &c.,

H. E. Robinson, Secy.

LIEUTENANT ROBINSON TO MR. R. W. LOANE.*

Sir,

3rd December, 1819.

I have to acquaint you that the very great pressure of Business at this Office would make it extremely inconvenient for your Clerk to write here at present; but I will apprise you of a Day in the ensuing Week when he will be permitted to take copies of such of the Papers, as cannot be procured elsewhere. Several of the Documents being Extracts from the Records of the Magistrates may be obtained on application to the Clerks in their several Departments, and Notes of reference may be taken here to enable your Clerk to do so.

I am, &c.,

H. E. Robinson, Secy.

LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.*

7th Decem., 1819.

The Lt. Governor has to acquaint Mr. Luttrell that, on visiting the Hospital yesterday, the Supt. reported to Assistt. Surgeon Hamilton in his presence a great deficiency in bedding.

The Lt. Governor has to little purpose enjoined Mr. Luttrell to make application for any Supplies required for the Hospital, expressing his desire to furnish any assistance and to supply any demand that could be reasonably made for the improvement of the Hospital. The Lt. Governor must now again desire Mr. Luttrell to send in a Return of the actual Stores of all kind on hand and in use in the Hospital, with an Estimate of Deficiencies, including also Utensils of all kinds.

The Lt. Governor has to desire Mr. Luttrell will report as to the breaking up of the Establishment for the Native People, on which repeated orders have been sent, without being acknowledged or obeyed.

* Copied from original letter-book in Mitchell library, Sydney.
SORELL TO LUTTRELL.

Lieut.-Governor Sorell to Mr. J. Gordon.*

Sir,

7 Dec., 1819.

I fully expected that you would have given me an opportunity of communicating with you, before you left Town, respecting the Return required from the Police Fund in my Letter of 24 Ulto.

Upon examining the Documents which you have furnished, I find them quite useless as to making up the Return which is required. I therefore request you will come to Town some day this Week, in order that a clear understanding may take place, and that the necessary information may be furnished, or a distinct reply in writing be given that it cannot; for that only will enable me to do what is required.

I am, &c.,

Wm. Sorell.

P.S.—The Return required is of all Officers and others paid Salaries from the Police Fund from 1 Jany., 1813, to 31 Dec., 1818, in Annual Accounts. Of course, I look to you for a Clear Account during the time you were Treasurer of the Fund, or a reply that you cannot furnish it.

___

Lieut.-Governor Sorell to Lieut.-Colonel Davey.*

Sir,

7 Decem., 1819.

I transmit Duplicate of a Letter, which I addressed to you under date 24 Novr. last, and to which I have not been favored with any acknowledgement or reply.

I am unfurnished with the Documents necessary to enable me to give the Return called for of all officers and others, who received Salaries from the Police Fund from 1 Jany., 1813, having at present no correct information for any period prior to Mr. Drummond's commencing Office, which, by a Warrant transferred to the present Treasurer, appears, as to payment of Salaries, to have been from 1 Jany., 1815, except a Voucher for One Quarter, vizt. from 1st Octo., to 31 Decem., 1814.

I therefore wait your reply, whether Vouchers for payment of Salaries, during such part of the years 1813 and 1814 as fell within your Command, can be supplied by you.

I am, &c.,

Wm. Sorell.

___

Lieut.-Governor Sorell to Surgeon Luttrell.*

7 Decr., 1819.

The Lt. Governor in reply to Mr. Luttrell's Letter of this date has only to request that in all cases, where the wants of the

* Copied from original letter-book in Mitchell library, Sydney.
HISTORICAL RECORDS OF AUSTRALIA.

1819.
7 Dec.
Requisitions for hospital supplies.

Bedding and straw for hospital.

Hospital and the comfort of the Sick are concerned, he will address any demand direct to the Lt. Governor; the departure from which system has in the present case been the occasion of a want of bedding in the Hospital, for which there was not the least reason.

The Lt. Governor has this day ordered twelve more Suits of bedding to be issued to the Superintend't of the Hospital's charge, and will To-morrow give orders for Straw. The Lt. Governor understood that an arrangement was made for a regular Supply of the last Article some time ago.

The Lt. Governor, finding from Mr. Luttrell's Report that the Native People are in good health, excepting the Cutaneous disorder to which they are more or less liable, will desire that they may be conveyed into the Country, so that the hire of the place occupied by them may cease on Saturday next.

Govt. House.

10 Dec.
Documents to be copied by clerk of R. W. Loane.

LIEUTENANT ROBINSON TO MR. R. W. LOANE.*

Sir,

In reply to your Letter of to-day I have to acquaint you that your Clerk will be required to attend here to-morrow morning for the purpose of copying other Documents, connected with the Memorial. When the Copies shall have been duly attested, I shall forward them to you possibly in the course of to-morrow.

I am, &c,

H. E. ROBINSON, Secy.

11 Dec.
Transmission of documents.

LIEUTENANT ROBINSON TO MR. R. W. LOANE.*

Sir,

I enclose herewith Copy of The Lieut't Governor's reply to the Memorial, addressed by you to His Excellency The Governor in Chief, together with such of the Documents referred to therein, as could only be obtained at this Office. You will also find the other papers of reference in their regular series, so as to enable you to procure Copies of the same on application to the proper Officer without further Relation to this Office.

I am, &c,

H. E. ROBINSON, Secy.

LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.*

The Lt. Governor has to acknowledge the receipt of Mr. Luttrell's Letter of this date, and in reply requests he will state the

* Copied from original letter-book in Mitchell library, Sydney.
Number of Patients, which he estimates the Hospital to be capable of containing; the Number of Invalids, who are at present in Hospital, and for whom Mr. Luttrell conceives it indispensable to provide accommodation; and the Lt. Governor will then determine on Mr. Luttrell's proposal respecting the Hire of Mr. Fisk's Room for the latter.

LIEUT.-GOVERNOR SORELL TO DEP. ASSIST. COM.-GENL. HULL.*

Sir, 20 Decem., 1819.

I have to acknowledge the receipt of your Letter of yesterday's date, respecting the exchange, which I had verbally notified my intention of ordering, of Horned Cattle from the Government Herd for Horses for the public Service.

This being the mode in use at Port Jackson for procuring Horses, as they have become necessary in place of Oxen, and having been specially sanctioned in this Instance by the Governor in Chief, I should not entertain, except on the ground of economy, any view of alteration; but, as you suggest that a payment direct in Money for the Horses would be "to the advantage of the Public," I shall await your Communication of the Ground on which that opinion rests, and shall give it every consideration. I confess that at present I see the matter in a very different light.

Government holding in these Colonies Herds of Horned Cattle, of which the use and the value are much deteriorated, and requiring Horses for their Service in lieu of Oxen, it has been deemed expedient to exchange the one for the other in a proportion to produce Meat, equivalent at the Store price to the price at which the Horses are purchased.

I cannot concur in the opinion that anything of mystery attaches to an Exchange between a Species of Stock, which Govrnt. does not want, or of which it has a Superfluity, and a kind of which it has need, the merits of the transaction resting, like all others, on its fairness and justness as to Terms. And, with respect to its being a part of the agreement that the Meat produced by the Horned Cattle so exchanged should be received for the Supply of H.M. Store, it seems to amount to this, that, a certain supply of Meat being required for the regular Service, Persons, who dispose of Horses to Govrnt. in exchange for Oxen, are permitted to supply to the extent of the Horses' price.

In my view therefore, the Method heretofore in use is advantageous to the Public, inasmuch as, by a just exchange of what

* Copied from original letter-book in Mitchell library, Sydney.
is not wanted, for what is, any direct expense is obviated. But I request you will furnish me with any observations on the subject, which occur in support of your Suggestion, prior to my coming to a final decision.

I am, &c.,
WM. SORELL.

LIEUTENANT ROBINSON to MR. JOHN RAINE.*

Sir,

28th December, 1819.

An application having been made to the Lieut’l Governor by Mr. John Blackwell for a licence to authorize the solemnization of Marriage between himself and Mary Flintham, when he stated to have come out in your Service, I am directed to request you will state whether any impediment is known to you or exists on your part to the Female in question being permitted to remain in this Settlement.

I request to have an early reply, and am, &c.,

H. E. ROBINSON, Secy.

LIEUT.-GOVERNOR SORELL to DEP. ASSIST. COM.-GENL. HULL.*

Sir,

29 Decemr., 1819.

Mr. Fryett having some Months ago agreed to supply 8 Steers for Governt. Service, which were not afterwards required, and the same having been supplied to H.M. Store, the price of Animal Food having in the interim been reduced one penny per pound, I consider him fully entitled to receive an equivalent for the difference between what the Meat produced, when furnished, and what it would have borne at the previous period at which he would have supplied it, amounting as per annexed Account to £18 2s. 6d. And, adopting your suggestion to indemnify him by Cattle from the Governt. Herd, I request you will cause two Head to be issued to Mr. Fryett, of weight equal to cover the deficiency.

I remain, &c.,
WM. SORELL.

LIEUTENANT ROBINSON to MR. STEWART.*

29th December, 1819.

Lieutenant Robinson has to acknowledge the receipt of Mr. Stewart’s Letter and to acquaint him in reply that arrangements had already been made by the Lieut’l Governor for the appointment of the first Applicant to the situation of Wharfinger, when

* Copied from original letter-book in Mitchell library, Sydney.
Mr. Stewart’s Memorial was received, as will appear from the accompanying Answer of The Lieut’t Governor, which by mistake had been mislaid, or it should have been sooner forwarded.

LIEUT.-GOVERNOR SORELL TO DEP. ASSIST. COM.-GENL. HULL.*

Sir, 30th Decern., 1819.

I was favored on the 28th with your Letter of the 27th, in reply to mine of the 20th, on the Subject of exchanging Government Horned Cattle for Horses to the number required for Govt. Service. And I delayed expressing my final opinion on the subject, until I had referred to the Order which placed the Herds under the charge of the Commissariat Office, being doubtful at the moment whether it had emanated from H.M. Government, or whether it was a Colonial Regulation; and I found it to be the latter.

The alienation or exchange of the Govt. Herds resting in the hands of the Supreme Authority, I should not conceive that Measures of that kind are connected with the Accounts of your Department; but they are purely Colonial on the Responsibility of the Governor in Chief to H.M. Government. And as the System of exchanging horned Cattle for Horses has been continued in the parent Colony, I do not see reason for disusing it here under His Excellency’s authority.

With reference to the question of expense, it is obvious that no consumption is created or increased, but that the Meat, supplied from the Cattle exchanged, is part of the regular Supply which must be purchased for the Current Service. Nor is any expense incurred by bringing in Govt. Cattle; the Oxen in the Public Works here, when worn down by Draft, being sent up to the Grazing Ground to be exchanged for others in better Condition. This Exchange takes place probably once in a Month or Six Weeks; and no more Men than are usually employed would be required to drive double the Number or to any Amount that could be wanted for the Exchange; the Cattle destined for which can be put into the Domain adjoining the Town for the proper Selection under your direction.

If the practice of exchanging one Species of Cattle for another had been disused, I should have defrayed the Expense of the Horses, now wanted, from the Colonial Fund.

In reply to your Suggestion respecting the Slaughter of the Govt. Herds, I can only say I have no power to entertain it. If the want of Meat at Port Jackson should urge this Measure, it will rest with the Chief Authority to order it; but no want existing here to require the present agitation of the question on

* Copied from original letter-book in Mitchell library, Sydney.
my part; the Examination now in progress from H.M. Govt. into
the Colonial System, in which the Govt. Herds will of course be
included, seems to render it premature.

So soon as the Horses required are procured, I will apprize
you in order to the other steps being taken.

I remain, &c.,

WM. SORELL.

LIEUT.-GOVERNOR SORELL TO SURGEON LUTTRELL.*

31 Decem., 1819.

The Lt. Governor has to acknowledge the receipt of Mr. Surgeon
Luttrell’s Letter of 23d Inst., stating the capability of the Hos­
pital as to containing Patients; and, with a view to its healthi­
ness and order, the Lt. Governor authorises Mr. Luttrell to con­
tinue the place before hired by Govt. at Mr. Fisk’s for the
Invalids at 10s. p. Week.

It is to be understood, however, that the Invalids must do
without any attendance; and Mr. Luttrell will direct such
arrangements as he judges best, for their issue of provisions,
bedding, etc., and for their regular dieting, cleanliness, etc., con­
sidering the establishment as an appendage of the Hospital; And
stating once a Week, viz. on Saturday, the Names of the In­
valids on the Sick Report.

* Copied from original letter-book in Mitchell library, Sydney.
COMMENTARY.
COMMENTARY
ON
OFFICIAL PAPERS
RELATING TO
TASMANIA,
JULY, 1812—DECEMBER, 1819.

Note 1, page 1.
Under Secretary Goulburn to Lieut.-Governor Davey.
This is the first despatch written from the department for war and the colonies to a lieut.-governor or commandant at Hobart town, which has been traced. The settlement had been founded in the year 1804, more than eight years previously, and there is no explanation available for the omission to acknowledge the receipt of despatches from the colony or to transmit further instructions and advice to lieut.-governor Collins and his successors in the command.

Note 2, page 2.
My Instructions.
Governor Macquarie's instructions to major Andrew Geils will be found on page 467 et seq., volume I of this series. The reference to the payment of salaries was included in the twenty-ninth paragraph.

Note 3, pages 2 and 437.
The Police Fund.
In his instructions to captain John Murray (see paragraphs 30-32, pages 448-449, volume I of this series), dated 15th June, 1810, Governor Macquarie had ordered the establishment of the "Police Fund of Hobart Town." He had created a similar fund at Sydney soon after his arrival in the colony. Prior to the year 1810, it had been the practice to appropriate the whole of the duties and other fees, collected at the ports in the territory of New South Wales, to the Female Orphan School and Gaol fund, which had been established by Governor King. Governor Macquarie abolished this system, and appropriated three-fourths of the duties and other fees to his new fund, "The Police Fund," and one-fourth to the "Orphan Fund," each fund being under the management of separate trustees.

At Hobart town, there was no orphan fund, and all taxes collected were paid to the police fund. From this fund, all salaries, which were not included in the parliamentary estimates, and items of local expenditure for public works, etc., were paid.
Leonard Fosbrook was appointed deputy commissary in the first establishment under lieut.-governor Collins. He arrived at Hobart town in June, 1804, with the second detachment from Port Phillip under lieutenant William Sladden. Lieutenant Duncan Campbell, of the 73rd regiment, was the naval officer, who had been appointed to the Derwent by Governor Macquarie. Both Fosbrook and Campbell had acted as treasurers of the police fund.

Mr. Fosbrook and Lieut. Campbell.

These letters mean the inspector of public works. During the administration of Governor Macquarie, this office at Hobart town was held by an officer of the detachment of the regiment, which was quartered at the Derwent.

Apart from judicial functions, the bench of magistrates at Hobart town was frequently employed as a committee of inquiry into questions of public importance (e.g., values of commodities, rates of wages) and into disputes between individuals. After perusing the proceedings, the lieut.-governor or commandant approved, disapproved or modified any recommendation made by the bench, or referred all the papers to the decision of the governor-in-chief at Sydney.

The conditions of service of the royal marines, which formed the guard in the establishment of lieut.-governor Collins, were that they should have the option of being discharged, if they desired it, when they returned to England after they had been relieved, or that they should be discharged in the colony upon the relief and be permitted to become settlers. Of the forty-six non-commissioned officers and privates, who landed at Hobart town in the year 1804, twenty-eight elected to be discharged in the colony and become settlers, and fourteen returned to England in the ship Isabella (see page 547).
The Naval Officer.

The naval officer combined the offices of a modern collector of customs and of a harbour-master. He collected all duties and shipping dues; he gave masters of ships the port orders and received their bonds; he enforced all orders relating to shipping; and he kept the register of entries and clearances.

The three Soldiers and the two Convicts.

On the 29th of December, 1812, Peter Gory, Thomas Connor, and Joseph Pooney (soldiers), and, on the 12th of January following, John McCabe and John Townshend (convicts) were tried and found guilty of the robbery of the house of William Parish at Hobart town. McCabe, Townshend and Gory were executed on the 21st of January at Sydney.

Mr. Allan.—Boothman.—Maum.

Prior to the year 1812, the commissariat department was administered as a branch of the civil establishment of New South Wales: the officer in charge was immediately responsible to the governor for the time being; the salaries of the officers were included in the civil estimates for the colony, voted annually by parliament. This system proved unsatisfactory, and, in the year 1812, the lords commissioners of the treasury decided to make the colonial department a branch of the army commissariat in England, which was a sub-department of the treasury: the officers then no longer belonged to the colonial civil establishment, and the officer in charge was immediately responsible to the commissary-general in England. A new staff was necessary, and David Allan, accompanied by three deputies, arrived at Sydney on the 11th of June, 1813, as deputy commissary-general.

John Broadhurst Boothman was storekeeper at Hobart town at a salary of £70 per annum.

William Maum was transported from Ireland for alleged complicity in the Irish rebellion of 1798. He arrived at Sydney on the 11th of January, 1800. It is probable that he was identical with William Maughan,Mahon or Mahon, who was involved in the conspiracy amongst the Irish convicts in N.S.W. in September, 1800 (see pages 638 and 651, volume II, series I). He was transported to Norfolk island in 1805. He was the author of some serious charges against Governor King (see note 52, volume V, series I).

Commission.—Instructions.

The commission to lieut.-governor Davey was practically a repetition of that to lieut.-governor Collins in the year 1803 (see page 4, volume I of this series).

Although Thomas Davey held a commission as lieut.-governor from the King, Governor Macquarie gave him instructions, which were similar to those which he gave to Andrew Gelis as commandant (see page 467 et seq., volume I of this series). Macquarie expressly retained in his own hands all powers of preferment, e.g., the making of grants and leases of crown lands, and grants of government cattle. Davey was prohibited also from initiating
public works or entering into contracts without first obtaining Macquarie's approval. The right to draw bills on the English treasury was also withheld from Davey, although this power had been held by the lieut.-governors and commandants at Hobart town and Port Dalrymple prior to the year 1810.

Note 13, page 14.
My Letter of Instructions.
This letter will be found on page 458 et seq., volume I of this series.

Note 14, pages 14 and 62.
Schedule.
A copy of this schedule is not available. It was probably the same as that given to Andrew Geils (see page 474, volume I of this series).

Note 15, page 16.
The late Depy. Surveyor of Lands.
The reference was to George Prideaux Harris, who died on the 16th of October, 1810 (see note 28, volume I of this series).

Note 16, page 17.
Instructions from His Majesty's Ministers.
These instructions were contained in a despatch from the earl of Liverpool, dated 26th July, 1811 (see page 363, volume VII, series I).

Note 17, page 17.
The rest of the detachment, Fourteen in number.
A return of these men will be found on page 547.

Note 18, pages 19, 50, and 313.
Mr. John Beamont.
John Beamont arrived at Sydney as a free immigrant with lieut.-governor Davey in the ship Minstrel on the 25th of October, 1812.

Note 19, pages 22 and 23.
General orders.
When the 73rd regiment arrived in the colony, the families of the soldiers, numbering two hundred and thirty women and two hundred and seventy children, were victualled at the expense of government. In the year 1812, Governor Macquarie received instructions that the numbers to be victualled were limited to twelve per company.

Note 20, page 23.
A small Fee.
By a government order, dated 12th October, 1811, Governor Macquarie established all fees and charges to be levied in the public offices. Amongst these, the fees to the principal clerk in the secretary's office were "on free and conditional pardons, each 5s. 6d.; on certificates and tickets of leave, each 2s. 8d. Note.—Sixpence on the free and conditional pardons and twopence on certificates and tickets of leave are to be paid to the government printer as a remuneration for the paper and printing."
Note 21, page 24.

Messrs. Knopwood, Fosbrook, Humphry, Loane, Bowden and Kent.

Revd. Robert Knopwood was the chaplain to the settlement, and at a later date was falsely charged with connivance in robberies by bushrangers.

Leonard Fosbrook was in charge of the commissariat, and, in 1814, was court martialed and dismissed for fraud.

A. W. H. Humphry had been mineralogist on the staff of lieut.-governor Collins, and was a magistrate at Hobart town.

R. W. Loane was a merchant and settler, and was supposed to be interested in the smuggling of spirits.

Matthew Bowden was first assistant surgeon on the first establishment, and succeeded to the rank of surgeon on the death of William I'Anson.

Thomas Kent was a merchant and speculator at Hobart town (see note 92).

Note 22, page 24.

Mr. Saml. Bate, nominally Dy. Judge Advocate.

When the establishment under lieut.-governor Collins was formed in 1803, Benjamin Barbauld was appointed deputy judge-advocate. Barbauld refused to sail for the colony, and Samuel Bate was appointed to succeed him by commission, dated 15th January, 1804. Bate continued to hold the office until the year 1814; his salary was voted annually by parliament; but, owing to the omission of the English government to grant letters patent for courts in the colony, his appointment was inoperative and his office a sinecure.

Note 23, pages 26 and 41.

The District of "Norfolk Plains."

The district of Norfolk plains was discovered in the month of February, 1806. Thomas Laycock, on the first overland journey from north to south, camped near the site of the modern town of Longford on the 3rd of February, 1807. The excellence of the land was recognised at once. When he visited Port Dalrymple in the year 1811, Governor Macquarie named the district Norfolk plains, and, in June, 1812, he gave James Meehan instructions to survey farms in the district in anticipation of the arrival of settlers from Norfolk island. These farms were occupied during the following year, and cultivation in one of the most fertile districts in Tasmania was commenced.

Note 24, pages 26 and 31.

Mr. Meehan.

A note on James Meehan will be found numbered 107 in volume I of this series. At this period, Governor Macquarie used his influence in favour of Meehan when Macquarie adopted a policy for the encouragement of the emancipists. In Meehan's case, Macquarie made no error of judgment as Meehan was an excellent surveyor.

Note 25, page 27.

Secry. Windham's Dispatch.

This despatch was dated 30th December, 1806 (see page 70 et seq., volume VI, series I).

Note 26, page 31.

A Letter.

A copy of this letter is not available.
COMMENTARY.

Note 27, pages 31, 52, 62, 72, 149, 444, and 645.

Their Contract.—An indemnification.

On the 6th of November, 1810, Governor Macquarie entered into a contract with Garnham Blaxcell, Alexander Riley and D'Arcy Wentworth for the erection of a general hospital at Sydney (see page 401 et seq., volume VII, series I). By this agreement, the contractors were granted the exclusive privilege of importing forty-five thousand gallons of spirits into New South Wales and Tasmania during a period of three years, and thereby obtained a monopoly of the spirit trade. The results of the fulfilment of this contract are detailed in note 120, volume VII, and notes 66 and 151, volume VIII in series I.

Note 28, pages 34, 52, 69, and 260.

My Regulations.

A copy of these regulations will be found on page 782 et seq., volume VII, series I.

Note 29, page 55.

Mrs. Jemott to receive Lands in her own right.

During his lengthy administration (1810-1821), Governor Macquarie refused grants of land to women unless he received special instructions from the secretary of state. In January, 1821, he informed J. T. Bigge, who held the commission for inquiry into the state of the colony, that he had received no instructions for or against the practice of making land grants to single women, but had declined to do so "on the ground that such persons are incapable of cultivating Land, and thereby not adding to the resources of the Colony." (See also page 348 et seq., volume XII, series I.)

Note 30, page 36.

I agreed to give Mrs. Geils a Grant of Land.

The particulars of this land grant were detailed by Governor Macquarie in a despatch, dated 1st June, 1812 (see pages 476 and 477, volume I of this series).

Note 31, pages 37 and 42.

General orders.

A copy of the orders, dated 1st September, 1813, is not available. The orders, dated 28th August, 1813, were as follows:—

"His Excellency the Governor and Commander in Chief is pleased to approve and hereby orders to be carried into Effect the following Appointments in the Commissariat Department:—

"Deputy Assistant Commissary General Hogan is appointed to the Charge of the Department at Hobart Town;

"Mr. Edward Hobson to the Charge of the Department at Parramatta; and

"Mr. Thomas Archer to the Charge of the Department at Port Dalrymple.

"The Officers and Persons at present in Charge at the above Stations are ordered and directed to deliver over their respective Charges immediately on the Arrival of the above named Officers at their Destination, together with all Papers, Books, and other Documents, connected therewith.

"Deputy Assistant Commissary General Hogan and Mr. Thomas Archer, Clerk in the Commissariat Department, will hold themselves in Readiness to proceed to their respective Stations on Van Diemen's Land by the earliest Opportunity that may offer."
Commentary.

Note 32, page 39.

The Piratical seizure of the Unity, Colonial Schooner.

The schooner Unity was seized by seven convicts at Hobart town during the night of the 24th of April, 1813. The particulars of the seizure were detailed by her owner, W. H. Mansel, in a memorial soliciting compensation from the government (see page 184, volume VIII, series I).

Note 33, page 39.

Old Warriner.

Samuel Warriner had been clerk to lieut.-governor Collins and his successors in the administration.

Note 34, page 41.

Some charges.

The papers relating to the charges against, and the subsequent court martial and sentence on Leonard Fosbrook will be found on page 466 et seq., volume VII, and page 235 et seq., volume VIII, series I.

Note 35, page 42.

The one they addressed to me.

A copy of this memorial is not available.

Note 36, page 45.

Richard Johnson.—George Watts.

On the 18th of November, 1813, Richard Johnson, of Hobart town, was tried at Sydney on a charge of fraud, but was acquitted for want of evidence.

On the 28th of September, 1813, George Watts, William Clark, William Field and Thomas Garland were tried at Sydney for stealing from the house of John Ingle three promissory notes to the value of £4 10s., £6 10s., and £7 17s. 6d. respectively. Watts was found guilty and sentenced to transportation for seven years. The others were acquitted.

Note 37, pages 45, 274, 294, 319, and 730.

Coal River.—Newcastle.

At this period, two rivers, each known as the Coal river, are frequently mentioned. One, still known as the Coal river, is situated in Tasmania, and flows into Pitt water. The other, now known as the Hunter river, is situated in New South Wales. Near the latter river, coal was mined at an early date, and the mines were used as a place for secondary transportation of convicts from Port Jackson and Tasmania.

Note 38, page 45.

Fosbrook's Point.

On this point, Leonard Fosbrook had received a grant of fourteen acres from Governor King by deed, dated 1st January, 1806. This land now forms part of the government domain. During his visit to Hobart town in November and December, 1811, Governor Macquarie selected the point as the site for the government house and named the point after himself.
Note 39, pages 46 and 126.

The Courts established here by Patent.—Civil Court.

The courts, to which Governor Macquarie referred, were the courts of civil and criminal jurisdiction established under letters patent, dated 2nd April, 1787 (see volume I, series IV). These courts held jurisdiction throughout the territory of New South Wales, which, at this period, included the island of Tasmania. The court of civil jurisdiction was superseded and new courts were established by the second charter of justice, which was brought to the colony by Jeffery Hart Bent in July, 1814.

The "civil court" was the lieutenant-governor's court established under this second charter of justice (see note 47).

Note 40, page 47.

The establishment of such Courts with you has been long since recommended.

Governor Macquarie recommended the establishment of law courts in Tasmania in despatches, dated 18th October, 1811, and 17th November, 1812 (see pages 396 and 584, volume VII, series I).

Note 41, page 54.

The Settlement of the Derwent.

To a copy of this despatch, preserved in the record office, London, lieut.-governor Davey added the following note:—"A Copy of this Public Letter, the Governor in Chief dares not lay it before His Majesty's Ministers. Major Geils of the 73rd Regiment was a child of the Governor's own adoption. T. Davey."

Note 42, pages 55, 117, 448, 461, 464, and 568.

Peter Mills.—George Williams.

Peter Mills was appointed deputy surveyor and harbour-master at Port Dalrymple in July, 1807. He held the office of deputy surveyor at a salary of 5s. per diem until the 30th of June, 1812, when Governor Macquarie granted him permission to become a free settler. He had received a grant of one hundred acres on the South Esk river by deed, dated 9th May, 1809.

George Williams was appointed deputy commissary at Port Dalrymple in the year 1812 at a salary of 5s. per diem after the death of J. J. Sutton. In February, 1812, Governor Macquarie ordered him a location of two hundred acres of land.

Both these officials became embarrassed financially, and, to escape their creditors, joined the bushrangers.

Note 43, pages 56, 66, and 556.

Genl. Order.—My late Proclamation.

The general order was as follows:

"Head Quarters, Sydney, 21st May, 1814.

"Jacob Mountgarrett, Esq., is removed from his Office of Magistrate at the Settlement of Port Dalrymple in Van Diemen's Land, His Excellency the Governor and Commander in Chief having no further Occasion for his Services in that Capacity.

"His Excellency the Governor has been pleased to appoint Thomas Archer, Esq., to be a Justice of Peace and Magistrate at the Settlement of Port Dalrymple in Van Diemen's Land, and he is to be obeyed and respected as such accordingly."

A copy of the proclamation will be found on pages 264 and 265, volume VIII, series I."
The masculinity of the population was one of the problems of government in Tasmania, as well as New South Wales, in the early days of settlement, and was the cause of much vice. In July, 1804, the proportion in Tasmania was as high as 917 males to 100 females, and in November, 1816, it had improved only to 365 males to 100 females.

George Williams Evans was appointed deputy surveyor at Hobart town by Governor Macquarie after the death of George Prideaux Harris in 1810. In November, 1813—January, 1814, he discovered the Macquarie river and Bathurst plains in New South Wales. In April and May, 1815, Governor Macquarie made a tour of inspection to the newly discovered country, and Evans was ordered to await him at Bathurst (see notes 38 and 125, volume VIII, series I).

This was George square. The orders were dated 1st December, 1811 (see note 225 and pages 512 and 513, volume I of this series).

Earl Bathurst notified the preparation of a new charter of justice and the appointment of Edward Abbott as deputy judge-advocate for Tasmania to Governor Macquarie in a despatch, dated 3rd February, 1814 (see page 124 et seq., volume VIII, series I). The new charter was brought to the colony by Jeffery Hart Bent, who arrived at Sydney in July, 1814, and the charter was promulgated at Sydney on the 12th of August following.

By this charter, the clauses relating to the court of civil jurisdiction and civil procedure in the letters patent, dated 2nd April, 1787, were revoked. Three new civil courts were established, viz., the supreme court, the governor's court, and the lieutenant-governor's court. The jurisdiction of the governor's court was confined to the present state of New South Wales.

The jurisdiction of the lieutenant-governor's court was limited to the island of Tasmania. The court was constituted by the deputy judge-advocate, appointed by commission from England, and by two fit and proper persons who were residents in the island, appointed by the lieut.-governor. The court was fully constituted if one of those appointed by the lieut.-governor was absent. The court was convened by the issue of a precept by the lieut.-governor, in which two residents were summoned by name to act as members.

The court was empowered to take cognizance of all pleas of land and all personal pleas whatever, when the subject-matter or thing in demand did not exceed the sum of £50 in value, excepting pleas from persons resident in New South Wales. There was no appeal from the decision of the court.
Under the new charter, all criminal causes and civil causes involving more than £50 in value were tried at Sydney by the court of criminal jurisdiction and by the new supreme court of civil jurisdiction respectively (see note 34, volume VIII, series I, and also volume I, series IV).

Mr. Abbott.—Mr. Bate.

Edward Abbott, before his appointment as deputy judge-advocate at Hobart town, had considerable colonial experience. On the 18th of March, 1785, he obtained a commission as lieutenant in the 34th (Cumberland) regiment of foot. When the New South Wales corps was formed for service in the colony, he was appointed a lieutenant in that corps on the 17th of October, 1789. He sailed from England in the second fleet, and arrived at Port Jackson in the transport Scarborough on the 28th of June, 1790. In March, 1791, he was detailed for duty at Norfolk island, where he remained over three years. On his return to Sydney, he was given the detached command at the Hawkesbury, and, on the 11th of November, 1795, was promoted to the rank of captain. In 1796, he became unfit for duty through ill-health, and, in September of that year, he was invalided to England on the ship Britannia. He returned to Port Jackson on the 3rd of November, 1799. In 1801, he acted as engineer and artillery officer at Sydney, and constructed some defences for the port. In the same year, he was principal in the prosecution of James Marshall, a naval lieutenant, for assault, a case which caused considerable stir in the settlement (see page 187 et seq., volume III, series I). In February, 1802, he was again detailed for duty at Norfolk island. In the following year, he commanded the detachment quartered at Parramatta. At the end of 1804, he returned to headquarters, but was again on duty at Parramatta during the years 1806 and 1807. He became a party to the disputes prior to the arrest of Governor Bligh, and, on the 11th of January, 1808, he was transferred to headquarters from Parramatta to assist the opposition to Bligh. The day after the deposition of Bligh, major Johnston appointed Abbott judge-advocate, but he declined to act. On the 25th of April, 1808, he was promoted to the rank of major. Abbott sailed for England in 1810, when the New South Wales corps was relieved by the 73rd regiment. After the court martial on major Johnston in England for the arrest of Governor Bligh, Abbott resigned the army. He was appointed deputy judge-advocate for Tasmania by commission dated 8th February, 1814 (see page 267, volume VIII, series I), and arrived at Hobart town to take up his new duties in H.M. brig Emu on the 12th of February, 1815.

Samuel Bate had been appointed deputy judge-advocate vice Benjamin Barbauld by commission dated 15th January, 1804 (see note 22).

The Culprits, Turner and Foley.

On the 29th of June, 1814, Turner was tried at Sydney for the murder of his wife on the 24th of January at Port Dalrymple. He was convicted, and was executed on the 12th of July.

On the 2nd of July, 1814, Bartholomew Foley was tried and convicted at Sydney for sheep-stealing at Launceston.

Bartholomew Foley was executed at Sydney on the 14th of July, 1814.
The name Hobart was used by lieutenant Bowen in 1803 for his settlement at Risdon cove (see note 38, volume I of this series). When the settlement at Sullivan cove was formed in 1804, lieut.-governor Collins named it Hobart town. In the abbreviation of the name, lieut.-governor Davey attempted unknowingly to anticipate the act of the Tasmanian parliament, passed in the year 1881.

Orders lately received from Home.

These orders were contained in the nineteenth paragraph of Earl Bathurst's despatch, dated 3rd February, 1814 (see page 129, volume VIII, series I).

This proclamation.

By his commission, the captain-general and governor-in-chief of New South Wales was granted full powers to execute martial law (see page 186, volume VII, series I). Lieut.-governor Davey, by his commission, was granted no specific powers, but was made subject to the orders and instructions of the governor-in-chief; by his instructions from Governor Macquarie, his powers were strictly limited and did not include the power of executing martial law (see pages 694 and 730 et seq., volume VII, series I). Davey claimed the power under the articles of war (see note 63). The daring outrages of the bushrangers rendered necessary some drastic step, and the proclamation of martial law improved the situation. Although the proclamation by Davey was illegal, Governor Macquarie connived in the illegality, as Macquarie was aware of the proclamation in May, but did not give orders for its revocation until the 18th of September following (see page 126).

Summary.

The original of this summary is registered as "no date, 1815." It is probable, however, that a large part of it referred to letters written in the year 1816, as most of the subject-matter was answered by Governor Macquarie in a despatch, dated 12th December, 1816 (see page 167 et seq.).

This paper.

A note on this despatch stated that "this paper" referred to John Ingle (see note 192).

My orders and regulations.

These orders were dated 1st December, 1811 (see pages 512 and 513, volume I of this series).

The consideration and animadversion of His Majesty's Ministers.

Governor Macquarie reported the proclamation of martial law by lieut.-governor Davey in the sixth paragraph of his despatch to Earl Bathurst,
COMMENTARY.

dated 24th June, 1815 (see page 555, volume VIII, series I). Earl Bathurst in his reply made no reference to the execution of martial law, but announced Davey's removal from office for his "immorality and profligacy," which Macquarie had reported.

Note 58, page 115.

Also page 126.

No right to make such Contracts.

In the ninth paragraph (see page 732, volume VII, series I) of his instructions, Governor Macquarie had forbidden lieut.-governor Davey from entering into "any Contracts for the Supply of Cattle, Grain, Provisions or Stores from any distant place or foreign Market," without obtaining Macquarie's approval. Davey probably did not think that Port Dalrymple was included in this prohibition.

Note 59, page 116.

His more recent discoveries.

The reference was to the expedition of G. W. Evans from Bathurst in May and June, 1815, during which the Lachlan river, N.S.W., was discovered.

Note 60, page 118.

I intend removing the Settlement ... from Launceston to George Town.

During his visit to Port Dalrymple in December, 1811, Governor Macquarie decided to remove the headquarters of the northern command from Launceston to a new settlement to be named George town, which he ordered to be built at Outer cove, to be named York cove (see page 713, volume I of this series). The removal was not accomplished until May, 1819 (see page 515).

Note 61, page 119.

Proceedings of a General Court Martial.

This court martial was held under the martial law proclaimed by lieut.-governor Davey on the 25th of April, 1815.

Note 62, page 131.

The depositions.

These depositions will be found on pages 75-108.

Note 63, pages 110 and 131.

The 4th Article of the 24th Section.

Lieut.-governor Davey had a previous precedent for the proclamation of martial law. In March, 1790, H.M.S. Sirius was wrecked at Norfolk island. Robert Ross, the lieut.-governor of the island, thereupon proclaimed martial law with the unanimous advice of all the commissioned officers of the naval and marine forces on the island. Ross immediately reported his action to Governor Phillip, expressing a doubt as to possessing sufficient authority, but trusting "for such indemnification as the case may require." There were no law courts on the island, and robberies and other crimes could be punished only by the infliction of corporal punishments by magistrates, if military law was not established. Governor Phillip approved the action of Ross, and authorised the continuance of martial law.
**Note 64, page 131.**

**Governor Macquarie's Proclamation.**

This proclamation will be found on pages 264 and 265, volume VIII, series I. The proclamation was dated 14th May, 1814, and, by its provisions, all bushrangers were offered a pardon for all offences "save and except the crime of wilful murder," provided they returned to their lawful occupations on or before the 1st of December following. This extraordinary provision was tantamount to a proclamation of immunity from punishment for all crimes except wilful murder, committed in Tasmania during a period of six and a half months. The bushrangers quickly realised their position and openly boasted of their immunity from punishment. It was undoubtedly a serious error of judgment by Governor Macquarie.

**Note 65, page 135.**

**My Instructions.**

These instructions will be found in the paragraph numbered 11 of Governor Macquarie's general instructions to James Stewart as commandant (see pages 458 and 459).

**Note 66, page 138.**

Also pages 414 and 419.

**Surgeon Luttrell.**

Edward Luttrell had been a surgeon in private practice in the county of Kent, England, before he obtained Lord Hobart's permission in 1803 to proceed to New South Wales as a settler. He arrived at Port Jackson in June, 1804, and received a grant of 600 acres. In June, 1805, he was appointed acting assistant colonial surgeon on the establishment doing duty at Parramatta and Sydney. In the beginning of the year 1807, he resigned his appointment and joined H.M.S. Porpoise as surgeon, serving in that ship until November, 1808. In February, 1809, he was reappointed an assistant surgeon on the colonial establishment by lieut.-governor Paterson. Governor Macquarie reported adversely on him in 1813, and described him as "sordid and unfeeling." In January, 1816, Macquarie appointed him to duty at Hobart town; but, in reporting the appointment to Earl Bathurst, he recommended his removal from the medical establishment. It was not until five years later that he was retired on half pay. His descendants lay claim to the earldom of Cork through him.

**Note 67, pages 139 and 571.**

**The usual Clauses and Conditions.**

These clauses will be found on page 626, volume VII, series I. By them, the grantee was prohibited from alienating the land for a period of five years, and was compelled to clear and cultivate a certain area within the same period.

**Note 68, pages 118, 139, and 157.**

**The several renewed Grants of Land.**

Governor Macquarie made three hundred and fifty-seven grants of land, the deeds for which were dated 20th September, 1813, but were not registered in the secretary's office at Sydney until the 31st of July, 1816. All these grants were exempted from the clauses relating to "selling, alienating, transferring, clearing and cultivating." Many of these grants were in settlement of the claims of settlers from Norfolk island, and many were re-grants of lands previously granted but wrongfully described in the deed of grant.
Note 69, page 144.

The late Colonial Surgeon.

William Hopley died on the 24th of August, 1815, at Hobart town. He had arrived in the colony as second assistant surgeon on the first establishment under lieut.-governor Collins, and had succeeded to the rank of surgeon by the deaths of his seniors, William T'Anson and Matthew Bowden, in the years 1810 and 1814 respectively.

Note 70, page 145.

A Township.

At this date, the word township was used with two different meanings. Under the old meaning, it corresponded to the modern term "shire," including 20,000 or 30,000 acres, and usually containing one or more collections of houses known as "towns." At the same time, the modern meaning was obtaining a vogue, and the term was synonymous with the modern use of the word town. Governor Macquarie used the word with this second meaning. On the 28th of June, 1821, he visited the district, approved the site of the modern town, and named it Sorell.

Note 71, page 146.

The Letter.—The most positive order.

The letter will be found on page 130. The order was contained in Governor Macquarie's despatch, dated 18th September, 1815 (see page 126).

Note 72, page 147.

As was done in the time of the late Lieutenant Governor Collins.

Prior to the arrival of Governor Macquarie to assume the administration of New South Wales in 1810, the lieut.-governors at Hobart town and Port Dalrymple held the power to draw bills on the lords of the treasury in England. Most of these bills were drawn to consolidate and make payment for store receipts, which had been granted for provisions, etc., supplied to the public stores. These bills were the principal means available for making remittances to England and payment for imported goods. Even after lieut.-governor Paterson had left Port Dalrymple, the commandant, John Brabyn, was empowered to draw such bills and was instructed to do so in a stereotyped form (see pages 704 and 705, volume I of this series). Governor Macquarie withdrew this power from the commandants and lieut.-governor (see paragraph 15 of his instructions to G. A. Gordon at Port Dalrymple, dated 26th January, 1810, and paragraph 9 of his instructions to John Murray at Hobart town, dated 15th June, 1810, pages 709 and 444, volume I of this series).

Note 73, page 147.

Some thousands have been received at Port Jackson.

During the years 1810-1815, both inclusive, five thousand four hundred and forty-four convicts were transported from Great Britain to New South Wales. A large number of these were absorbed by Governor Macquarie in the erection of public buildings, and for so doing he was severely censured by the secretary of state and J. T. Bigge, the commissioner of inquiry into the state of the colonies.
COMMENTARY.

Note 74, pages 154, 196, 308, 319, and 423.

The intended New Church.

This church was erected at the corner of Murray and Macquarie streets, and was named St. David's in memory of lieut.-governor David Collins. The foundation-stone was laid on the 19th of February, 1817. At 11 o'clock in the morning of that day, the Revd. Robert Knopwood and the civil and military officers met at government house. The lodge of freemasons and the troops in garrison under arms were in waiting, and at noon a procession was formed and marched to the site of the intended building. The chaplain delivered an address, which was followed by a masonic oration by a freemason, and lieut.-governor Davey laid the stone in the presence of Mrs. and Miss Davey and numerous spectators. After the present cathedral of St. David's at Hobart was erected, this church was demolished.

Note 75, page 165.

A Letter.

A copy of this letter is not available. Earl Bathurst stated his reasons for the removal of lieut.-governor Davey in a despatch to Governor Macquarie, dated 18th April, 1816 (see page 113, volume IX, series I).

Note 76, page 166.

I did so.

Governor Macquarie's reports on the conduct and administration of lieut.-governor Davey were contained in a "private and confidential" despatch, dated 22nd March, 1815, and in a public despatch, dated 24th June, 1815 (see page 458 et seq. and page 553 et seq., volume VIII, series I).

Note 77, pages 166, 174, and 176.

Earl Bathurst having authorized me . . . to give you a suitable Grant of Land.

The instructions to make a grant of land to lieut.-governor Davey were contained in the same despatch, in which his removal was notified, dated 18th April, 1816 (see pages 113 and 114, volume IX, series I).

Note 78, pages 172 and 173.

The charge . . . against Asst. Surgeon Henry St. John Younge.

In connection with these charges (see page 702), assistant surgeon Younge made the following apology to lieut.-governor Davey:—

"Sir, " Sydney, 10th Dec., 1816.

"Reflecting seriously and maturely on the nature and tendency of my recent correspondence with you and the highly insubordinate and disrespectful style thereof, I have now to express my sincere contrition and sorrow for the same, and earnestly entreat you will be so good as to accept this as a sufficient apology and atonement for my past misconduct, promising in future to pay to your high station every deference and respectful attention as well as obedience to your Orders.

"I have, &c.,

"H. Younge."

Note 79, page 174.

The Capture of the Emu.

The brig Emu was purchased for the colonial service. She was captured by the American privateer Holkar on the 30th of November, 1812. The particulars of her capture are detailed in note 222.
COMMENTARY.

Note 80, page 175.
In the same light.

To a copy of this letter preserved in the record office, London, lieut.-governor Davey added the following note:

"The three Thousand Acres, which the Governor alludes to, he gave in common to the following Officers on their first landing. It was not given as a compensation for loss of property.


Note 81, pages 178, 242, 262, and 269.
A Genl. Court Martial.

The papers in connection with the court martial on P. G. Hogan will be found on page 550 et seq., volume IX, series I, and on page 624 et seq. in this volume.

Note 82, page 183.
Commission.—Instructions.

Notwithstanding the evident necessity for reforms in the administration at Hobart town, the commission of lieut.-governor Sorell was a replica of the commissions given to lieut.-governor Collins in 1803 and to lieut.-governor Davey in 1811. The instructions, given by Governor Macquarie to Sorell, were likewise a repetition of those given to Davey in 1813, with the omission of paragraphs five and seventeen in Davey's instructions, which related to the appointment of Andrew Geils to the command at Port Dalrymple and to the observance of the port regulations (see page 730 et seq., volume VII, series I). The following memorandum by Governor Macquarie on Sorell's instructions is extant:


1st. Does he understand his Instructions?
2d. Has he perused my Memorandums?
3d. Coll. Davey's character?
4th. Bad Characters at Derwent?
5th. Do. Do. At Port Dalrymple?
6th. Major Stewart's unfitness?
7th. Works at George-Town?
8th. Jelousy of those residing at Launceston of removing to George-Town?
9th. Bush Rangers?
10th. Comy. Broughton?

"L. MACQUARIE."

Note 83, page 191.
The Power of locating lands and granting Town Leases.

The practice adopted for making land grants and leases during the first decade of Tasmanian history has been detailed in note 244, volume I of this series. Specimens of a grant by lieut.-governor Collins and a lease by lieutenant Lord will be found on pages 502 and 507 in that volume.

Note 84, page 192.
A Schedule.—A Letter.

Copies of these two papers are not available. A schedule of names, given by Governor Macquarie in May and June, 1821, will be found on page 94,
volume III in this series. In his instructions to James Meehan, dated 25th June, 1812 (see page 519, volume I of this series), Governor Macquarie ordered the erection of “finger boards” to indicate the names given in the year 1811, and several names are mentioned in these instructions.

Note 85, pages 194.

A letter from Howe.

A copy of this letter is not available. A letter from M. Howe and other bushrangers to lieut.-governor Davey will be found on page 643. The fact of correspondence being held between the administrator of the government and men living in open defiance of law and order affords a strange commentary on the state of society at this period.

Note 86, page 195.
Also page 238.

Some persons.

The implication of the Revd. Robert Knopwood with the bushrangers, which was alleged by Michael Howe, was never proved or disproved, owing to the absence of all evidence, and a committee of inquiry pronounced him innocent of the charge (see page 276).

Note 87, pages 197 and 566.
Also pages 315, 375, 383, and 503.

Mr. Wylde and Mr. Field.—Judge Advocate Bent.

John Wylde was the deputy judge-advocate and Barron Field the judge of the supreme court under the second charter of justice in New South Wales. The former held precedence over the latter. Notes on their lives will be found numbered 78 and 79 in volume IX, series I.

Ellis Bent was appointed deputy judge-advocate in May, 1809, to supersede Richard Atkins.

Note 88, pages 198 and 200.

A case of Assault.

Dennis McCarty arrived at Sydney on the 1st of June, 1817, in the brig Elizabeth Henrietta to stand his trial for an assault on M. J. Whitaker. The case was settled, and, in the issue of the Sydney Gazette dated 28th June, 1817, the following advertisement appeared:

“Notice.—Whereas the undersigned Dennis M'Carty did, on the 23d of April last at Hobart Town in a paroxysm of passion, influenced by misrepresentation but without any real just provocation, most violently assault Matthew James Whitaker, Esq., and with a stick did knock him down, though the said Mr. Whitaker had neither stick or other weapon to defend himself with. Now I do hereby unfeignedly declare I am truly sorry for my gross misconduct, and do humbly beg Mr. Whitaker's pardon for my outrageous conduct, and entreat him to put a stop to all further prosecution against me.

“Dated this 24th day of June, 1817.

“Witness:—Wm. Freeman.”

D. McCARTY.

Note 89, page 201.

A skirmish.

G. A. Mahon's report on the skirmish with the bushrangers will be found on pages 473 and 474.
Note 90, pages 202 and 269.
Also pages 203 and 281.

My charges.—Charges against Asst. Surgeon Younge.

When the charges against Charles Jeffreys were received in England, it was found that there were legal impediments against bringing him to trial by court martial. The lords commissioners of the admiralty, nevertheless, were prepared "to remove him from the list of lieutenants of the navy"; but the secretary of state did not press for his punishment, because Jeffreys was instrumental in claiming successfully for the creditors the effects of Garnham Blaxcell (see note 93), who died a bankrupt on the voyage of the brig Kangaroo.

The charges against H. St. J. Younge will be found on page 702.

Note 91, pages 234, 253, 259, 279, 321, and 363.

Mr. Birch's Brig.—Macquarie Harbour.

Thomas William Birch was a merchant at Hobart town, and had arrived in the colony as medical officer on the whaler Dubuc in May, 1808. The brig of 120 tons burthen was named the Sophia. In January, 1813, Birch had received permission to complete and launch a vessel, which he had on the stocks at Hobart town; this was the schooner Henrietta Packet of 60 tons.

The generally accepted statement (see note 115) is that Macquarie harbour was discovered and named by James Kelly on the 28th of December, 1815, during his voyage in a whale-boat when he successfully circumnavigated Tasmania.

Note 92, page 236.
Also pages 260 and 690.

These Gentlemen's discoveries.

William Collins and Thomas Kent were deeply interested in the whaling industry. Collins had arrived in 1804, and had established the first bay whaling station in 1806 (see page 539, volume I of this series). In March, 1808, Kent had received Viscount Castlereagh's permission to settle in Tasmania. He was a friend of Mr. Enderby in England, a merchant who was largely interested in the whaling industry.

It is probable that the "discoveries" referred to the preparation of an extract from the bark of the black wattle, which was detailed by Thomas Kent in his evidence before the commission of inquiry (see volume III of this series).

Note 93, pages 237 and 242.

A Mr. Blaxcell.

Garnham Blaxcell had been one of the contractors (see note 27) for the erection of the general hospital at Sydney. For some years, his financial instability had been recognised. When he absconded from Sydney in April, 1817, his liabilities were stated to be £6,373, and his assets £5,255. He died during the voyage of the brig Kangaroo to England (see also note 101, volume IX, series I).

Note 94, page 243.
Also pages 255, 269, 272, 293, and 298.

Certain charges.

These charges, and the papers detailing the exoneration of William Broughton from all criminal accusations, will be found on page 765 et seq., volume IX, series I.
COMMENTARY.

Note 95, page 249.

Your Excellency's Memorandum.—The prescribed period.

The reference was to the fourth paragraph of the memorandum of instructions, dated 25th March, 1817 (see page 193).

Note 96, pages 250, 314, and 556.

Mr. Archer.

Thomas Archer was appointed to the commissariat department in 1811 by the earl of Liverpool. He arrived at Sydney in January, 1812, and Governor Macquarie appointed him a deputy commissary. When the department was reorganised in 1813 under the commissary-general in England, the name of Archer was omitted from the list of officers prepared in England. David Allan, the new deputy commissary-general, then appointed him a junior clerk on the staff. In September, 1813, he was appointed clerk in charge of the commissariat at Fort Dalrymple, which was the commencement of his Tasmanian career.

Note 97, pages 252, 268, and 314.

Their own time.

The hours, during which a convict was compelled to labour, were fixed from time to time by government and general orders. Apart from these specified hours, a convict was permitted to labour for his own profit, if he so wished. By this method, he was enabled to obtain the means to provide himself with lodging and to purchase comforts for himself, which were not provided by government. The government itself paid the convicts for overtime labour (see page 532).

Note 98, pages 257, 557, and 646.

Income Tax.

All salaries on the colonial establishment, which were voted annually by parliament, were subject to a deduction of ten per cent. for income tax. The lowest salary was £50 per annum for a superintendent, and in consequence such an official was paid £11 5s. a quarter. This tax was due to the Napoleonic wars.

Note 99, pages 259 and 316.

Also pages 234, 276, 296, and 372.

Your Press.—The Hobart Town Gazette.

A printing press was brought from England by lieut.-governor Collins, and was used for printing general orders on the 20th of February, 1804.

The first issue of the Hobart Town Gazette and Southern Reporter was published on Saturday, 1st June, 1816. It appeared weekly, the first two numbers being broadsides and the following numbers two pages. It was published under official supervision, and all matter was submitted for approval or correction by the lieut.-governor two days before printing, and a proof sheet was submitted on the morning of the day of publication. The publisher was Andrew Bent, who had acted as printer since the year 1812. Bent received a salary of £30 per annum, rations for himself, and the services of one government man; and, in return, he printed free of charge all government notices and the forms required for all departments except the commissariat. For advertisements by private persons, he received five shillings for twelve lines and threepence for each line over twelve. Much of the type in use had been brought to Hobart town by lieut.-governor Collins.
COMMENTARY.

Note 100, page 259.
I have written.
Governor Macquarie referred to his despatch, numbered 25 and dated 5th June, 1817 (see page 429, volume IX, series I).

Note 101, page 263.
Also pages 257, 269, and 276.
The reply.
Copies of the papers, re the charges against the Revd. Robert Knopwood, are not available.

Note 102, page 263.
Mr. Abbott's strange Claim to command.
Edward Abbott held the office of deputy judge-advocate for the settlements in Tasmania by commission, dated 8th February, 1814. Prior to receiving this commission, he had retired from the army, in which he had obtained the rank of major in the New South Wales corps. By the instructions issued to the lieut.-governors and commandants at Hobart town, the succession to the administration, in the event of the death or absence of the appointed officer, devolved on the senior military officer on duty in Tasmania. In the first part of the nineteenth century, judicial officers were excluded from succession to the administration. When an executive council was constituted for the colony of Tasmania, it was enacted that the senior executive councillor should succeed to the administration on the death or absence of the lieut.-governor, provided that the said senior executive councillor was not the chief justice. It is interesting to note that this was the converse of the modern practice, whereby a chief justice assumes the administration in the absence of a governor.

Note 103, page 265.
My proclamation.
The proclamation was as follows:

"5th July, 1817.

Whereas the armed banditti, who have for a considerable time infested the interior of this Island, did on the 10th ultimo make an attack upon the store at George Town, which being left unprotected they plundered, taking away two boats, in which they were afterwards cast ashore at the entrance of Port Dalrymple: And whereas the principal leader in the outrages, which have been committed by this band of robbers, is Peter Geary, a deserter from His Majesty's 73rd regt., charged also with murder and various other offences; And whereas the under named offenders have been concerned with the said Peter Geary in most of these enormities, the following rewards will be paid to any person or persons, who shall apprehend these offenders or any of them:—

"Peter Geary, One hundred guineas; Peter Septon, John Jones, Richard Collyer, Eighty guineas each; Thomas Coine, Brown or Brune, a Frenchman, Fifty guineas each.

"And whereas George Watts a prisoner, who absented himself from the Coal River previous to the expiration of his sentence, and who stands charged with various robberies and crimes, is now at large; It is hereby declared that a reward of 80 guineas will be paid to any person or persons, who shall apprehend the said George Watts.

"And all Magistrates, and Commanders of Military Stations and Parties, and all Constables, and others of His Majesty's Subjects are enjoined to use their utmost efforts to apprehend the Criminals abovenamed."
Note 104, page 266.

From the Colonial Chaplain.

The returns from the chaplain consisted of detailed returns of public baptisms, specifying the name of the child, father's and mother's names, and date; of marriages, specifying the names, description, date of marriage, where married, and whether by banns or license; and of burials, specifying the name, date and age. These returns are preserved in the public record office, London.

Note 105, pages 267 and 270.

A petition from Michael Howe.

There is no record available of the transmission of this petition to England.

Note 106, page 267.

Whitehead's Farm.—The Govt. Barn.—Dr. Hood.

Whitehead's farm consisted of a grant of one hundred and five acres. The government barn was erected on the farm, which had been established by lieut. governor Collins. Samuel Hood was the assistant surgeon on duty with the detachment of the 46th regiment quartered at Hobart town. Owing to the disability of Edward Luttrell, the colonial surgeon, Hood assisted in the civil medical duties.

Note 107, page 272.

The letter . . . Certificate.

Copies of these papers are not available. References to the payment of the duties by Edward Lord will be found on pages 177, 237, and 608.

Note 108, page 276.

An atrocious Murder.

On the 30th of September, 1817, Samuel Smith, Thomas Smith, and Edward Harwood, convicts, and Thomas James, a private in the 46th regiment, were tried at Sydney for the murder of the chief constable, John Randall, at George town on the 3rd of July. S. Smith, who was coxswain at George town, was charged as principal, and T. Smith, Harwood and James as abettors. Randall had received a blow on the head, and his body was thrown into the water with stones attached. S. Smith was convicted and sentenced to death; the other prisoners were acquitted.

Note 109, page 282.

Compelled to go to Sydney to prosecute.

The omission of the British government to establish law courts in Tasmania was the indirect cause of the prevalence of crime during the early years of settlement. Prior to the visit of judge-advocate Wylde on circuit in the year 1821, all criminal trials for offences committed in Tasmania were held in Sydney. Settlers were averse to prosecute offenders or to appear as witnesses owing to the heavy loss, incurred by the actual expenses of a visit to Sydney and by the absence from their farms. Criminals thereby acquired a degree of immunity. It was not until the end of the year 1817 that Governor Macquarie, on the advice of judge-advocate Wylde, made a regulation, whereby "gentlemen evidences" from Tasmania were allowed 7s. per diem and persons of inferior rank 5s. per diem for their expenses.
The particulars of the murders of these two men were detailed at the
inquests on their bodies (see page 94 et seq., and pages 122 and 123).

A copy of James Stewart's letter is not available. Lieut.-governor Sorell's
report was dated 23rd June, 1817 (see page 249 et seq.).

In the original order-book of lieut.-governor Sorell, no order bearing this
date is recorded.

The report related to the expedition of monsieur de Freycinet in the
French corvette L'Uranie. In a despatch, dated 17th January, 1817, Earl
Bathurst instructed Governor Macquarie to grant every assistance to the
expedition. De Freycinet arrived at Port Jackson on the 19th of November,
1819, and sailed on his return to France on the 26th of December following.

In his evidence in 1820 before the commission of inquiry into the state
of the colony (see volume III of this series), T. W. Birch stated that he
discovered Port Davey in the schooner Henrietta Packet in the year 1816;
that he was accompanied by James Kelly; and that Kelly proceeded along
the coast in a boat from Port Davey and discovered Macquarie harbour.
Birch also stated that, as a reward for this discovery, he was granted by
Governor Macquarie the exclusive privilege of obtaining Huon pine from
Macquarie harbour for a period of one year. Kelly also gave evidence before
the commission of inquiry, but made no reference to any discoveries by
himself.

A manuscript is preserved in the library of the royal society of Tasmania,
which is undoubtedly in the handwriting of James Kelly and written some
time after the year 1821. In this manuscript, Kelly described a voyage in
a whale-boat around Tasmania, and stated that he entered Port Davey on
the 17th of December and discovered Macquarie harbour on the 28th of
December, 1815. The manuscript begins with the account of the departure
from Hobart town on the 12th of December, and terminates with the return
to that town on the 30th of January following.

A manuscript in the Mitchell library, Sydney, contains a brief journal of
the same voyage, but commences with the departure from Hobart town on
COMMENTARY.

the 16th of December, and terminates with the return on the 24th of January. This manuscript is not in the handwriting of James Kelly, but is signed by him.

In a letter dated 11th April, 1816, preserved in the record office, London, T. W. Birch transmitted an account of this voyage, which records the departure from Hobart town on the 16th of December and the discoveries of Port Davey and Macquarie harbour on the 22nd and 26th of December, 1815.

It is impossible to explain satisfactorily the discrepancies in these accounts.

Note 116, page 291.
Also page 295.

The Port Jackson Almanach.

This almanac was printed and published at Sydney. The first issue appeared for the year 1806. In the following year no issue was printed owing to the scarcity of paper. Subsequently it appeared annually, and was printed by George Howe or his successor, Robert Howe. Apart from the calendar, it contained items of general information.

The duty on timber levied at Port Jackson was one shilling “for each solid foot” of cedar or other timber, landed at Sydney, whether for local use or for re-shipment.

Note 117, pages 300 and 303.
Also pages 314 and 317.

General Orders.

The general orders, dated 5th February, 1818, were as follows:

“ In Reference to His Royal Highness the Prince Regent’s Warrant, bearing Date the 12th of July, 1816, and published in the Government and General Orders here on the 28th of last Month, for establishing a more regular System in the issue of Rations of Provisions on foreign Stations, it is therein directed that no more than Six Women, wives of Non-commissioned Officers and Soldiers, for every One Hundred Men a Corps or Detachment may consist of, shall be allowed to draw Provisions from the King’s Stores; and it is therefore to be clearly understood that Provisions shall not be drawn by any Corps or Detachment, serving in this Territory or its Dependancies, for a greater number of Women, agreeably to the Scale of Ration prescribed in the said Warrant.

“ The Commander of the Forces has also received the most positive Instructions from His Royal Highness the Commander in Chief and the Right Honorable the Lords Commissioners of His Majesty’s Treasury for discontinuing the Allowance of Rations to the Wives and Families of Commissioned Officers, whether Civil or Military, from the Date of the Receipt of the Warrant herein adverted to.

“ It is, therefore, to be clearly understood that no Rations are to be drawn from the King’s Stores for the Wives and Families of Commissioned Officers, whether Civil or Military, at any Station in this Territory or its Dependancies after the 24th of the present Month of February.”

Note 118, pages 301, 313, and 698.

Vaccine Matter.

The vaccine virus had been introduced successfully by John McMillan, surgeon of H.M.S. Buffalo, in November, 1805 (see page 346, volume I of this series). It had been introduced into New South Wales in 1804 (see note 227, volume IV, series I).
A copy of the memorial is not available. Robert Campbell had arrived at Sydney in June, 1798, and shortly afterwards had established a branch of his firm, Messrs. Campbell and Co., of Calcutta. He was a general merchant and shipping agent.

Governor Macquarie had a passion for erecting public buildings, many of which were out of proportion to the necessities of the period, or in anticipation of the formation and expected growth of a town. To accomplish these works, large numbers of convicts were maintained in the government gangs, who might otherwise have been assigned to settlers. For this practice, Macquarie was censured severely by the colonial department.

Gilbert Cimitiere joined the army as a lieutenant in the 48th regiment on the 15th of June, 1796. He was promoted to the rank of captain on the 28th of August, 1804, and of major in the same regiment on the 2nd of January, 1817. He was granted the rank of major in the army on the 20th of June, 1811, and of lieut.-colonel on the 12th of August, 1819. He participated in the Peninsula war, and received the medal for Albuhera.

Additional instructions were also given by Governor Macquarie to major Cimitiere, who tendered a copy of them to Mr. Commissioner Bigge (see volume III of this series).

The editors of both the Sydney Gazette and N.S.W. Advertiser (first published at Sydney, 5th March, 1803) and the Hobart Town Gazette and Southern Reporter (first published at Hobart town, 1st June, 1816) were subject to an official censorship. Before any article was inserted in the paper, the proof was submitted and approved by the governor or his secretary in the former, or by the lieut.-governor in the latter paper.

James Kelly was born at Parramatta, N.S.W., on the 24th of December, 1791. At an early age, he was employed on small colonial craft, and, when he obtained command of a vessel, was engaged in the seal and whale fisheries. In the year 1816, or at the end of the year 1815, he discovered Macquarie harbour (see note 115). After acting as master of the brig Sophia, owned by T. W. Birch, Governor Macquarie authorised his appointment as harbourmaster and joint pilot for the Derwent in May, 1819. At a later date, he acquired several small trading vessels. He died on the 20th of April, 1859.
COMMENTARY.

he began his policy of open criticism of the government, which became pronounced in the dissensions in the colony during the administration of Sorell's successor, lieut.-governor Arthur.

Note 126, page 333.

The intended Ferry.

This ferry was afterwards known as Austin's ferry, and formed part of the overland route to Launceston until the causeway and bridge at Bridgewater were constructed. In the year 1821, the locality was named Roseneath by Governor Macquarie after the duke of Argyll's seat in Scotland.

Note 127, pages 331 and 333.

Mr. Redfern.—Sir John Jamieson's.

William Redfern was the second assistant surgeon on the medical establishment in New South Wales. He had been transported for life for a minor participation in the mutiny in the fleet at the Nore, when acting as a surgeon's mate. He was pardoned in the colony, and appointed to the medical staff by lieut.-colonel Foveaux. He was one of the prominent protégés of Governor Macquarie in the latter's policy for the reinstatement of emancipists to their former status in society.

Sir John Jamison was the son of Thomas Jamison, formerly principal surgeon at Sydney. He entered the British navy as a surgeon. When serving with the fleet in the Baltic sea, he was created a knight of the order of Gustavus Vasa by Charles XIII, king of Sweden, for services during an outbreak of cholera and dysentery in the Swedish army. On the death of his father in 1811, he inherited a grant of one thousand acres on the Nepean river, N.S.W. He arrived at Sydney in July, 1814, and afterwards became one of the leading colonists.

Note 128, page 338.

Also pages 633 and 684.

Mrs. Sorell.

By the removal of Thomas Davey from office as lieut.-governor, and by the appointment of William Sorell and his continuance in office for a period of seven years, Earl Bathurst adopted most contradictory policies, which are difficult to explain. Governor Macquarie reported the "immorality and profligacy" of Thomas Davey, and in reply Earl Bathurst (see page 113, volume IX, series I) announced the removal of Thomas Davey, stating that "the Effect of a bad Example in a Commanding Officer has a direct tendency to defeat the Object for which the Colony was formed." Notwithstanding the enunciation of this policy when a man was reported guilty, William Sorell was continued in office for nearly seven years after he was proved guilty in a court of justice. There appear, however, to have been some mitigating circumstances which are unexplained (see page 83, volume III, in this series). The following is a report of the suit against William Sorell, extracted from the London Times of the 7th July, 1817:

"Court of King's Bench, 5th July, 1817.

"Kent Esqr. v. Sorell Esqr.

"This was an inquisition to assess damages in an Action brought against the Defendant for Criminal conversation with the Plaintiff's Wife, and in which the Defendant had Suffered Judgement to go by Default.

"Mr. Brougham, leading Counsel for the Plaintiff, stated the case to the Jury."
"Two letters from Colonel Sorell was produced in Court, one directed to Sir Hy. Torrens, and the other to Colonel Shaw. And Sir William Dunbar, Major McDonald, Captn. Rainforsd, Mrs. Colliar, and several others were brought forward as Witnesses; during the Trial Mr. Brougham dwelt much on the character of the Parties, and the atrocity of the Crime committed.

"The Under Sheriff Summed up the Evidence, and commented on every part of it in an able and impartial manner; after which the Jury retired for a few minutes, and returned with a Verdict for the Plaintiff.

"Damages, Three Thousand Pounds."

"LIEUT.-COLONEL SORELL TO SIR H. TORRENS.

"My dear Torrens, " Cape of Good Hope, 6th March, 1811.

"The bearer Lieut. Kent, of the 21st Light Dragoons, is a particular Friend of mine; and, should he happen to pay his respects to you (though he is not likely to give you any important trouble), I beg most earnestly to recommend him to your attention and good offices. He goes home with his Family in the Boadicea with Lord Neville, with Six months leave of absence; as I propose to get home in a very short time and rely upon a passage in a Frigate, which may be expected to Sail in a few weeks, I shall not occupy more of your time at present but remain "Yours truly,

"WM. SORELL."

"LIEUT.-COLONEL SORELL TO COLONEL SHAW.

"Colonel Shaw, " 2nd March, 1811.

"The favor, my dear Shaw, which I have to ask you relates to a Female, who, in every point of family and personal qualities, is entitled to consideration and esteem, and between whom and myself an attachment has taken place not to be effaced. You will remember Mrs. Kent of the 21st Light Dragoons, whom you knew, and frequently Saw at the General's with Mrs. Austins. I am sure I can acquit myself of any intentional intrusion upon Domestic connections; but where there is no affection between Man and Wife, the opportunity of doing kind Offices for a Female frequently produces attachment. I cannot here detail circumstances of peculiar delicacy, which compelled me in this ease, in which every feeling of my heart and mind is involved, to have recourse to the aid of a friend. All shall be told you hereafter. I can only Say on paper that K. has got leave to go home, and Sails with his Family in two days, in the Boadicea Frigate, Captain Lord Neville, who gives them a passage. I cannot get a passage now, though I have made an effort; but I have got leave of absence and shall come by next ship. Now, my dear Shaw, such is the case, that she may be so Situated as to require the Support of a Friend in the interval between her arrival and mine, so far as to procure for her an asvlum with a Female, in which she could remain quiet in perfect retirement till I arrive; let me beg this assistance from your Friendship; she has this letter with her, and will only forward it in case necessity requires; and it will then be accompanied by a note from herself to say where She is at the moment. You will only appear in private to assist her in retiring to a Suitable Asylum for the short time I have mentioned; and I must earnestly entreat that you will give your protection the moment this reaches you. I apply to you as a friend who, I am Sure, will feel and enter into the delicacy of Such a Situation, and the anxiety I must experience on this Subject; but I console myself in the confidence I feel in your Kindness. They will probably arrive in England by the 10th of May. This letter goes in their Ship, and I hope to be in England by the end of June at latest. If necessity requires her to forward this, I beg you to leave
a letter for me at Coutts, with a direction to be left till called for; and I shall go there to ask the moment I am in Town. God bless you, and let me rely on your friendly Aid and Secrecy.  

"Yours, &c.,"  

"WM. SORELL."

Note 129, page 339.  
Also page 343.  
Copy.—Copy.

Copies of these two letters will be found on page 476 et seq., and page 478 et seq.

Note 130, page 342.  
His final Act in arresting Ensign Mahon.

The first report on the arrest of G. A. Mahon was contained in the fifteenth paragraph of lieut.-governor Sorell's despatch, dated 23rd May, 1818 (see page 322).

Note 131, page 343.  
A Court for cognizance of debts under Forty Shillings.

For some years, the bench of magistrates at Sydney adjudicated in disputes over petty debts. John Wylde, the deputy judge-advocate who arrived at Sydney in October, 1816, held the opinion that this practice was illegal under the charter of justice. This jurisdiction of the magistrates, therefore, was discontinued, and was never extended to Tasmania, and the petty debts jurisdiction remained in the lieut.-governor's court.

Note 132, page 345.  
A Letter.

A copy of this letter will be found on page 657.

Note 133, page 347.  
The Police Fund Accounts.

The quarterly accounts of the police funds at Sydney and Hobart town were published in the respective Gazettes after approval by Governor Macquarie. Comprehensive instructions for the management of the police fund were issued in general orders at Sydney, dated 27th July, 1816.

Note 134, pages 350 and 351.  
The Government Order.

The following are copies of these orders:—  

"18th July, 1818.  

"His Excellency the Governor is pleased to dispence with the Services of Anthony Fenn Kemp, Esq., as a Magistrate in Van Diemen's Land, and his magisterial Functions cease accordingly from the present Date."

"5th September, 1818.  

"His Honor William Sorell, Esquire, Lieutenant Governor of Van Diemen's Land, having reported to His Excellency the Governor in Chief that he had, on the 10th Ultimo, suspended Assistant Surgeon Henry St. George Younge of the Medical Department in that Dependency from his Functions as an Assistant Surgeon in Consequence of Neglect of Duty, Disobedience of Orders, and disrespectful, insubordinate Conduct, towards him, the said
Lieutenant Governor; and His Honor having transmitted to His Excellency the Documents whereon the said Suspension was founded, which fully substantiate the above Charges, His Excellency is pleased to approve and confirm the said Suspension of Assistant Surgeon Younge, and he is accordingly suspended from his official Duty, Rank and Pay from the said 10th Day of August last, until the Pleasure of His Royal Highness the Prince Regent shall be made known thereon."

Note 135, pages 354, 356, and 654.

The Revd. Mr. Cowper.

The Reverend Samuel Marsden, principal chaplain at Sydney, when he visited England in 1808, induced William Cowper and Robert Cartwright to serve in the colony. On their arrival, Cowper was appointed first assistant chaplain on the colonial establishment.

Note 136, page 361.

A Letter.

A copy of this letter will be found on page 678.

Note 137, page 363.

Mr. Florence . . . is gone round . . . to examine its Shores.

Lieut.-governor Sorell's instructions to Thomas Florence for the examination of Macquarie harbour will be found on page 680 et seq.

Note 138, page 365.

I expressed to both my regret.

Lieut.-governor Sorell's letters to Gilbert Cimitiere and W. N. Watkins were dated 17th September and 8th October, 1818, respectively (see pages 484 and 675).

Note 139, page 367.

Copy of Earl Bathurst's Letter.

This despatch was dated 12th December, 1817 (see pages 557 and 558, volume IX, series I).

Note 140, pages 371 and 374.

Expedition of Discovery.

This was the expedition, led by John Oxley in New South Wales during the months of June-November, 1818. Oxley started from the Wellington valley, followed the Macquarie river as far as the marshes, turned east to the coast, discovered Port Macquarie, and terminated his journey at Newcastle (see note 168, volume IX, series I, and also volume I, series V).

Note 141, pages 372 and 381.

Also page 695.

My Govt. and Genl. Order.

The following is a copy of this order:

"19th December, 1818.

"The various Documents lately transmitted to His Excellency the Governor by His Honor the Lieutenant Governor of Van Diemen's Land, and His
COMMENTARY.

Honor's personal Report in Regard to the Unfitness of Mr. Martin Tims for the Exercise of the Duties of his Office of Provost Marshal of Van Diemen's Land, an Unfitness arising as well from Incapacity as gross and highly reprehensible Neglect of Duty, rendering it necessary for the Public Service that the Duties of that Situation should be entrusted to a more efficient Person; His Excellency is hereon pleased to order and direct that Mr. Martin Tims, Provost Marshal for the Dependency of Van Diemen's Land, be, and he is hereby suspended from the Office and Duties of Provost Marshal, and likewise from the Salary and Allowances attached to said Office, until the Pleasure of His Royal Highness the Prince Regent shall be made known thereon."

Note 142, page 374.

_A Copy._

A copy of these orders will be found on page 782 _et seq._, volume VII, series I.

Note 143, pages 375 and 379.

_His Circuit._—_The sitting._

These were the first sessions of a superior court in Tasmania. Barron Field (see note 79, volume IX, series I), accompanied by Mrs. Field, arrived at Hobart town on the 2nd of January, 1819, and landed under a salute of thirteen guns. The sittings of the supreme court of civil jurisdiction were delayed by the non-arrival of the solicitors until more than a fortnight later. The most important case tried was a suit between R. W. Loane and A. W. H. Humphrey for breach of agreement as stock agent, extending over a period of three years. The case lasted two days, fifty witnesses were examined, and damages to the amount of £270 were awarded.

Note 144, pages 376, 378, and 381.

_A Govt. and Genl. order._

A copy of this order will be found on pages 22 and 23, volume X, series I.

Note 145, page 379.

_Lieut. King._

Phillip Parker King was the son of Philip Gidley King, the third governor of New South Wales. He was born on the 13th of December, 1791, at Norfolk island. In November, 1807, he entered the navy on the frigate Diana, and, on the 18th of May, 1808, he attained the rank of midshipman. For six years he served in the bay of Biscay, the North sea, and the Mediterranean. On the 28th of February, 1814, Sir Edward Pellew promoted him to a lieutenancy on the Trident of 64 guns, which acted as guard ship at Malta. In the beginning of the year 1817, he was sent from England to explore "that part of the Coast of New Holland, which was not surveyed or examined by the late Captain Flinders." An account of his explorations was published in 1827 under the title _Narrative of a Survey of N.W. and W. Coasts of Australia, 1818-1822._

Note 146, page 381.

_Govt. and Genl. order._

A copy of this order will be found on page 433, volume X, series I.
The prevalence of rumours at Hobart town in February, 1819, about the retirement of Governor Macquarie and the appointment of Sir Thomas Brisbane as his successor, is remarkable. Macquarie tendered his resignation in a despatch, dated 1st December, 1817 (see page 501, volume IX, series I), after his administration had been adversely criticised by Earl Bathurst. The resignation was not accepted until the 15th of July, 1820 (see page 315, volume X, series I). On the 5th of October, 1820, Sir Thomas Brisbane wrote to Earl Bathurst from Cork applying for the appointment, but application on his behalf had been made previously by the Duke of Wellington and Sir Joseph Banks. On the 3rd of November following, Earl Bathurst notified Brisbane of his appointment. The rumours current at Hobart town in February, 1819, must have been current in London four or five months earlier, and the correspondence of these rumours with subsequent events indicates that the change of governors was under consideration nearly two years before orders were given to effect the change.

Two copies of the history of Michael Howe's career.

This history was entitled "MICHAEL HOWE.—THE LAST AND WORST OF THE BUSHRANGERS or VAN DIEMEN'S LAND.—Narrative of the chief Atrocities, committed by this great Murderer and his Associates during a Period of six Years in Van Diemen's Land, from authentic sources of information.—Hobart Town, printed by Andrew. Bent." An editorial note, dated December, 1818, stated, "as it forms the first pamphlet from a very confined Press, the Editor claims for it the indulgent consideration of his Readers." It was a small octavo pamphlet, and was reviewed as a literary curiosity in the Edinburgh Review in the year 1820.

Messrs. Gunning and Lascelles.

George Weston Gunning arrived at Hobart town as a lieutenant in the 73rd regiment. After acting as inspector of public works, in June, 1814; he resigned and settled in the colony (see page 563). Thomas Allan Lascelles arrived at Hobart town as an ensign in the 73rd regiment, and was appointed secretary to lieut.-governor Davey. After the relief of his regiment, he resigned from the army and became a settler. Gunning received a grant of 1,300 acres in the district of Ulva, and Lascelles of 800 acres in the district of Sussex.

Grants of Land.

Governor Macquarie made three grants of land to lieut.-governor Sorell by deeds, dated 19th February, 1819. These grants were exempt from the usual restrictive clauses (see note 67). The lands granted were two thousand two hundred acres at Double bay on the river Derwent in the district of York; ninety acres at Sandy bay, adjoining the grant to the Revd. Robert Knopwood; and seven hundred and ten acres commencing at the crossing place on the Coal river in the district of Ulva.

By deeds, dated 22nd June, 1821, Governor Macquarie made Sorell two additional grants, one for two thousand two hundred acres in the Macquarie
district, and one for one thousand acres on the Coal river in the district of Cambridge, adjoining the former grant of seven hundred and ten acres.

By deeds, dated 13th October, 1821, Governor Macquarie made two more grants to Sorell of five hundred acres on the Macquarie river in the district of Bathurst, and of five hundred acres on the Western river.

Note 151, pages 392, 396, 400, 406, and 417.

Deputy Commissary Genl. Drennan's new System.

Frederick Drennan arrived at Sydney in January, 1819, to relieve David Allan in the charge of the commissariat. After his arrival, Drennan abolished the old system of payment for supplies to the commissariat department by “store receipts,” and introduced a system of payment by notes issued by himself, payable on demand. Governor Macquarie wrote a full account of the merits and demerits of the two systems in a despatch to the commissioners of the treasury, dated 24th March, 1819 (see page 102 et seq., volume X, series I). The results of Drennan's system of payment in Tasmania were detailed in memorials from residents to lieut.-governor Sorell and Governor Macquarie (see pages 167-9, volume X, series I).

Note 152, page 392.
Also page 423.

Settlers who have received Grants of Land have a right to Govt. Men.

The practice adopted in New South Wales for assigning convicts to settlers was to allow each settler one convict servant on first receiving a grant of land, even if the grant did not exceed thirty acres, but no additional servants on receiving an additional grant. In the year 1821, Governor Macquarie established a fixed scale for grants and indulgences to settlers (see page 572, volume X, series I).

Note 153, page 406.

The Commandant of Port Dalrymple has removed his Quarters to George Town.

Governor Macquarie, during his visit to Port Dalrymple in December, 1811, had devoted four days to a search for a site for a town in preference to the site of Launceston, and had selected Outer cove as the site for new headquarters, to be known as George town. In June, 1812, he expected the removal to be accomplished in “six or eight months”: but it was not effected until seven years later, the delay being due partly to dissensions amongst the officials at Port Dalrymple, and partly to instructions from the secretary of state to diminish the expenditure by a gradual removal.

Note 154, page 398.
Also pages 407, 417, and 548.

Governor Macquarie to Lieut.-Colonel Davey.

Governor Macquarie granted three thousand acres of land to lieut.-governor Davey by deed, dated 20th September, 1813. This grant was situated on the west side of the Coal river in the districts of Caledon and Ulva, Tas., and was named Carrington plains.

After the lengthy correspondence which is printed in this volume, Macquarie granted Davey two thousand acres in the district of Illawarra, N.S.W., by deed, dated 9th January, 1821. This grant was situated between the sea coast and the Illawarra lake.
COMMENTARY.

Note 155, page 410.

A Copy of Earl Bathurst's Letter.

This despatch was dated 24th July, 1818 (see page 822, volume IX, series I).

Note 156, page 421.

The Charges.

Copies of the specific charges made against lieut.-governor Sorell are not available. When a circuit of the supreme court was held by Barron Field at Hobart town in January, 1819, lieut.-governor Sorell was accused of attempting to influence the court in its decisions. J. T. Bigge, during his inquiry into the condition of the colony in 1820, examined several witnesses on this point, but each witness testified in favour of Sorell.

Note 157, page 422.

An opinion.

A copy of this opinion is not available. R. W. Loane arrived in Sydney on the 22nd of August, 1818. In the issue of the *Sydney Gazette* dated the 19th of September following, it was reported that, at the first sittings of the criminal court on the 15th of September, R. W. Loane moved that the recognizances, taken in his case in Van Diemen's land, should be discharged; the motion was granted by judge-advocate Wylde, and the recognizances were discharged.

Note 158, page 423.

A New System.

In general orders, dated 21st August, 1819, it was announced that D. Wentworth, the principal surgeon, had submitted a new system for the dieting of patients in the hospitals. The proposal was approved by Governor Macquarie, who ordered it to take effect from the 24th of September following. The system was not detailed in general orders.

The diets proposed were:—

"Full diet: One pint of tea and eight ounces of bread, morning and evening; eight ounces of animal food and eight ounces vegetables for dinner.

"Half diet: One pint of tea and four ounces of bread, morning and evening; four ounces of animal food and four ounces of vegetables for dinner.

"Low diet: One pint of tea and four ounces of bread, morning and evening; gruel or rice for dinner, besides such other comforts as the surgeon may think proper to order."

Note 159, page 426.

A Scotch Sentence.

When the interpretation of Scottish sentences was referred to the home office, under secretary Beckett stated "that, in all those Cases where the following Words have been notified against the Names of any of the Prisoners, tried in Scotland, vizt. 'For Life,' 'The Contractor to have his or her Services for .. Years,' it implies that the Prisoner is bound to Serve the Contractor and his Assigns for the term of Years therein expressed; at the Expiration of which Term, such Prisoners are no longer liable to Servitude,
but it does not relieve them further, The Sentence of Transportation from the United Kingdom (for whatever terms that may be) still remaining in full force." Under the terms of contracts for the transportation of convicts to the Australian colonies, the contractors, who were usually the owners of the ships, were assigned the services of the convicts transported, and agreed to re-assign these services for a nominal consideration to the governor or lieut.-governor at the port of disembarkation.

Note 160, pages 429, 478, and 587.
Also page 745.

*I can find no document.—Never having received any from my predecessor.—An empty Office without a single Book or Document.*

These statements by the lieut.-governor at Hobart town, by the commandant at Port Dalrymple, and by the officer in charge of the commissariat, indicate that no care was taken of the official records belonging to the early days of settlement in Tasmania, and are explanatory of the paucity of records now extant. *See also note 216, volume I of this series.* In his evidence before the commission of inquiry *(see volume III of this series)*, lieut.-governor Davey stated that he sent most of the official records of his administration to the earl of Harrowby in England.

Note 161, page 430.

*The Col’l Hospital.*

This foundation was laid on the site of the present general hospital in Liverpool street, Hobart.

Note 162, page 435.

*Major Andw. Geils.*

Andrew Geils had succeeded John Murray as commandant at Hobart town on the 20th of February, 1812. His military career has been detailed in note 226, volume I of this series.

Note 163, page 436.

*The 33d and 34th articles of the Port Regulations.*

These articles will be found on pages 662 and 663, volume VII, series I.

Note 164, page 438.

*Captain Ritchie.—Your command of Port Dalrymple has been so short.*

John Ritchie had succeeded G. A. Gordon as commandant at Port Dalrymple in September, 1812. His military career is detailed in note 362, volume I of this series. Major Andrew Geils returned to Sydney, sailing from the Derwent in the brig *Active* on the 14th of January, 1814, and Ritchie acted as commandant at Port Dalrymple until relieved by John McKenzie.

Note 165, page 438.

*My General and Government Orders.*

These orders were as follows:—

"30th January, 1813.

Lieutenant Governor Davey will be pleased to hold himself in Readiness to embark on board the Ship Frederick, now under Dispatch for the Derwent,
as soon as that Ship is reported ready for his Reception, in order to assume
the Command of the Settlements on Van Diemen's Land in Virtue of his
Commission from His Majesty as Lieutenant Governor of the said Settlements.

"On Lieutenant Governor Davey's Arrival at the Derwent, Major Geils the
present Commandant will deliver him over the Charge of that Settlement
with all the Public Records and Documents connected therewith.

"As soon as Major Geils has settled and liquidated all his Public Accounts
at the Derwent up to the Day of his delivering over Charge thereof to
Lieutenant Governor Davey, he will proceed by the overland Route to assume
the Command of the Settlement of Port Dalrymple, of which he is hereby
appointed Commandant till further Orders, subject however to the Control
of Lieutenant Governor Davey, from whom he will receive Instructions for
his Guidance.

"Captain Ritchie, the present Commandant of Port Dalrymple, will deliver
over the Charge of that Settlement to Major Geils on his Arrival there,
remaining himself in the Command of the Company of the 73d Regiment,
stationed at that Settlement.

"Major Geils's present Salary as Commandant of the Derwent will cease
from the Date of Lieutenant Governor Davey's Arrival there; and his Salary
of Ten Shillings per Day as Commandant of Port Dalrymple will only com­
ence from the Date of his receiving Charge of that Settlement from Cap­
tain Ritchie."

Note 166, page 439.

My Commission.
The commission of lieut.-governor Davey will be found on page 13.

Note 167, page 442.

Captain John Mackenzie.

John McKenzie joined the 46th regiment as a captain on the 23rd of July,
1804. He was promoted to the rank of major on the 17th of February, 1814.

Note 168, page 442.

My Government and General Orders.

These orders were as follows:—

"His Excellency the Governor and Commander of the Forces has been
pleased to appoint Captain John Mackenzie of the 46th Regiment to be Mili­
tary Commandant and Civil Magistrate of the Settlement of Port Dalrymple
in Van Diemen's Land, subject to such Orders and Instructions for his
Guidance as he shall receive from Time to Time from Lieutenant Colonel
Davey, Lieutenant Governor of Van Diemen's Land.

"Captain Mackenzie will assume the Command of the Settlement of Port
Dalrymple on the Day of his Landing with his Company at Launceston; and
from which Day also his Salary as Commandant will commence.

"Captain Ritchie, of the 73d Regiment, at present Commandant of Port
Dalrymple, will deliver over Charge of that Settlement to Captain Mac­
kenzie immediately on his Arrival there, and will proceed as soon after as
possible with the Company of the 73d Regiment, now at Port Dalrymple, by
the overland Route to the Derwent in Order to be embarked there for
Ceylon."
COMMENTARY.

Note 169, pages 447 and 458.

Instructions received from Home.—Recent authority.

In a despatch to the earl of Liverpool, dated 17th November, 1812, Governor Macquarie recommended the removal of the headquarters at Port Dalrymple from Launceston to a site he had selected at Outer cove to be known as George town. In replying to this despatch, under date 3rd February, 1814, Earl Bathurst did not fully realise the proposed change, for he stated, “His Royal Highness entirely approves . . . the Removal of George Town at Port Dalrymple from its present Situation to York cove” (see page 125, volume VIII, series I). These were the “instructions” and “recent authority” to which Governor Macquarie referred.

Note 170, pages 448 and 455.

Enclosures.—Depositions.

The originals of these documents are endorsed “Papers rec’d from Major McKenzie, Com’t at Port Dalrymple,” respecting Peter Mills, but the covering despatch is not available. The papers are printed in this position, as the deposition of Thomas Hinton implicates Jacob Mountgarrett and the proceedings on pages 451 and 452 implicate John Smith, and these may be the depositions to which reference is made on page 455.

Note 171, pages 455 and 456.

Brevet Major James Stewart.

James Stewart joined the 46th regiment as a captain on the 12th of April, 1807. He was granted the rank in the army of captain on the 23rd of May, 1810; of major on the 1st of January, 1812; and of lieut.-colonel on the 19th of July, 1821.

Note 172, pages 461 and 476.

Also pages 462, 465, 467, 469, and 478.

Major McKenzie to Governor Macquarie.—Major Stewart to Governor Macquarie.

As the address indicates, these letters were written to and from John McKenzie and James Stewart as late commandants at Port Dalrymple, but refer directly to their commands at that settlement.

Note 173, page 461.

Also pages 467, 556, and 581.

Dr. Mountgarrett.

Jacob Mountgarrett was accused, in a deposition by Thomas Hinton, a bushranger (see page 448 et seq.), of giving assistance to bushrangers.

Note 174, pages 461 and 468.

Mr. Crossley.—Mr. Eager.

George Crossley had been transported to New South Wales in the year 1799 under a sentence of seven years for forgery. Edward Eager had been transported from Ireland for perjury. Each of these men practised at Sydney as an attorney, and took a prominent part in the agitation for the restoration of full civil rights to emancipists.
At this period, D'Arcy Wentworth held the offices of principal surgeon, superintendent of police, and president of the bench of magistrates at Sydney. In the latter capacity, he conducted the preliminary inquiries into criminal charges.

Also pages 467 and 580.

John Smith was assistant surgeon at Port Dalrymple. He was accused of assisting Peter Mills to escape from the guard-house at Launceston, where he was confined for bushranging (see page 448 et seq.).

One of Governor Macquarie's idiosyncrasies was an inordinate desire to perpetuate his name on public buildings and in geographical nomenclature. This failing was pampered by officials, who served under him. In the states of New South Wales and Tasmania, the inscription on buildings, "L. Macquarie, Esq., Governor," is well known. The following are a few examples of the use of his christian name or surname in geographical nomenclature:—in the state of New South Wales, Lachlan river; Lachlan swamps (Sydney); Macquarie street (Sydney); Macquarie river; Macquarie marshes; Macquarie cataract; Macquarie rivulet; Macquarie range; Lake Macquarie; Port Macquarie; Macquarie plains; Macquarie tower; in the state of Tasmania, Macquarie street (Hobart); Macquarie river; Macquarie harbour; Macquarie plains.

This statement was filed by Governor Macquarie and is now preserved in the office of the chief secretary, Hobart.

These papers were the records of the proceedings of the bench of magistrates (see pages 326, 340, 477, 478, and 487).

The criticism by lieut.-governor Sorell of the statement by James Stewart in reply to the charges will be found on page 339 et seq.
10 a.m. to 3 p.m., except on holidays. Apart from attending to cor­respond­ence, his duties were to sign all tickets of leave and clearances of vessels; to muster the crews and passengers of all ships; and to attest government and general orders and colonial appointments.

Note 182, page 497.

Instructions.—An order.—An order.

The instructions relating to the bench of magistrates were contained in the sixth paragraph of the general instructions (see pages 457 and 474).

The orders were as follows:—

"Launceston, 15th April, 1818.

Major Stewart, late Commandant of this Settlement, having published an Order under date the 6th Ultimo, containing direct infringements upon the legal authority and functions of the Magistrates, and having suppressed a Government and General Order, subsequently transmitted by His Honor the Lieut'Governor for the regulation of their proceedings, it is hereby declared that the order, issued by Major Stewart above alluded to dated the 6th Ulto., is rescinded, and that it is null and of no effect in this Settlement. And the Chief Constable and all others, named in the order of the 6th March, will not fail to take due notice of this order and to conduct themselves accordingly."

"Hobart Town, 10 March, 1818.

"The following Regulations with respect to the proceedings of the Magis­trates at Port Dalrymple are established.

"Crown Servants brought forward on minor charges at the daily sitting of the Court may be sentenced to receive corporal punishment to the extent of Twenty five Lashes, if before a Single Magistrate, and of Fifty lashes, if two Magistrates be present and concur in the punishment; The award in either case and the order for infliction, signed by the Magistrate or Magis­trates present, to be sufficient Warrant to the Chief Constable and all con­cerned for its infliction.

"All corporal punishment, which may be awarded by the Bench exceeding Fifty lashes, to be referred by the Commandant to the Lieut'Governor for decision.

"His Honor the Lieutenant Governor, referring to an order, issued by the Commandant of Port Dalrymple, dated 6th Inst., conceives it his duty to state that he entirely disapproves of the implication, therein attached to the recent award and infliction of punishment in the case of Edward Carrill, and to animadversions upon Civil Functionaries and Civil proceedings in an Order Book strictly and essentially Military. He considers that punishment, both in its award and its infliction, to be strictly just and legal, the two Magis­trates present having concurred in it, and there being no superior authority on the spot to interpose."

Note 183, page 498.

Corporal Punishment should not be awarded . . . beyond 500 Lashes.

In the early days of the colonies, corporal punishments were inflicted with great severity, sometimes illegally, and frequently for trivial offences. Examples may be quoted. In October, 1800, the magistrates at Sydney recom­mended the following punishments for Irish convicts charged with con­s piracy:—five sentenced to receive 1,000 lashes, four 500 lashes, and seven 200 lashes. In March, 1804, one convict was punished at the discretion of the magistrates at Sydney "for concealing the rebellious proceedings of the insurgents," and received 284 lashes. In November, 1820, a convict was sen­tenced at Parramatta to receive 25 lashes every morning until he surrendered
some stolen property. In October, 1822, a convict was sentenced at Hobart town to receive 25 lashes for shaking his head in court in disapproval of a sentence.

Note 184, pages 375, 471, and 501.

The Man Dual.—A private request.

In his policy for the conciliation of the natives, Governor Macquarie endeavoured to place them on the same civil footing as the white population. In the year 1814, he established a native institution at Parramatta for their education and training. He made grants of land to natives, with indulgences of victualling for six months, clothing and tools. In May, 1816, he issued a proclamation prohibiting the carrying of offensive weapons by any native in a town, and offering passports to all natives who desired the protection of the British government. He convened an annual congress of natives at Parramatta in the month of December. As he granted them civil rights, he made them subject to the criminal law. In July, 1816, he outlawed ten natives by name and offered a reward of ten pounds sterling for the capture or destruction of any one of them; and in the same month he approved of the transportation of Dual to Tasmania.

Note 185, pages 503 and 504.

A Letter.

A copy of this letter will be found on page 693.

Note 186, page 505.

The enclosed Letter.

A copy of this letter will be found on page 695.

Note 188, page 530.

The Enquiry.

By a commission, dated 5th January, 1819, John Thomas Bigge was appointed to visit the Territory of New South Wales, and to inquire into all the Laws, Regulations and Usages of the Settlements in the said Territory and its Dependencies; and into every other Matter or Thing in any way connected with the Administration of the Civil Government, the Superintendence and Reform of the Convicts, the State of the Judicial, Civil and Ecclesiastical Establishments, Revenues, Trade and internal Resources thereof; and to report thereon. He arrived at Sydney on the 26th of September, 1819. He visited Tasmania in February-May, 1820 (see volume III of this series).
COMMENTARY.

Note 190, page 539.

Those for the former.

By a ticket of leave, a convict was granted exemption from public labour, and liberty to work for himself. The holder of a ticket of leave was no longer victualled at the expense of government, but was compelled to attend the musters on Sunday and attend at church with other convicts. He was kept thereby under the observation of the superintendents of convicts. A ticket of leave was granted for a specified district or settlement, and could be revoked at any time at the pleasure of the governor or lieut.-governor.

Note 191, pages 549, 572, and 608.

The thirty third article of the Port Regulations.

A copy of the port regulations will be found on page 656 et seq., volume VII, series I. The thirty-third article was deleted after the 19th of June, 1813.

Note 192, page 551.

John Ingle.

John Ingle had arrived at Hobart town with lieut.-governor Collins in 1804. After occupying minor official positions in the settlement, Governor Macquarie ordered him a location of five hundred acres in December, 1811.

Note 193, pages 552 and 557.

Some charges.

The particulars of the charges made by Francis Shipman will be found on page 467 et seq., volume VII, series I. Shipman had been a storekeeper in the commissariat department. He was tried and executed in England.

Note 194, page 560.

A general Chart.

A chart was prepared by G. W. Evans and submitted to Governor Macquarie, who, with a lead pencil, divided it into districts irrespective of any natural features or boundaries, and gave a name to each of the districts.

Note 195, page 563.

My Dispatch under this day's date.

This despatch will be found on page 60 et seq. The reference was to the nineteenth paragraph (see page 67).

Note 196, pages 566, 574, and 645.

Certificate.—Illness.

Lieut.-governor Davey was unfortunate during the period of his government. In addition to the accidents mentioned in the certificates, another is noted in the following letter:

"LIEUT.-COLONEL DAVEY TO GOVERNOR MACQUARIE.

"Ship Pilot, Sydney Cove, 24th Oct., 1817, 1 P.M.

"Sir,

"For your Excellency's information, I have to report my arrival at this station, and that I am incapable of walking without the Assistance of my
servant, from a dislocation of the Ankle bone and other severe bruises. I have brought with me the necessary evidence in support of the prosecution on the trial of Mr. H. St. John Younge, Assist. Surgn. of Hobart Town.

"I am, &c.,

"T. DAVEY."

A comparison of the certificates by William Hopley and Samuel Lightfoot indicates that some error was made by the writers or transcribers of the original certificates given to lieut.-governor Davey. The certificate by Samuel Lightfoot is inaccurate, as the date of the accident was stated to be the 3rd of February, 1813, and lieut.-governor Davey did not arrive at Hobart town until the 20th of the same month.

Note 197, page 566.

Earl Bathurst's Letter.

A copy of this letter will be found on page 269, volume VIII, series I.

Note 198, page 567.

The plundering the house of Dennis McCarthy.

Depositions detailing the particulars of the robbery of the house of Dennis McCarthy by bushrangers will be found on page 80 et seq.

Note 199, page 568.

Dennis McCarthy is now confined.

In the beginning of the year 1814, Dennis McCarthy or McCarty was superintendent of stock at Hobart town. Lieut.-governor Davey had suggested his prosecution, but the deputy judge-advocate advised against any action (see page 56).

Note 200, page 568.

The evidence of Thomas Hinton.

The deposition by Thomas Hinton will be found on page 448 et seq.

Note 201, pages 568 and 576.

Your late proclamation.

This proclamation will be found on pages 264 and 265, volume VIII, series I.

Note 205, page 579.

A Lease of the same made by Edward Lord.

A copy of this lease will be found on page 507, volume I of this series.

Note 206, page 580.

My Memorial.

John McKenzie's criticism of the memorial of John Smith was made in a letter dated 31st January, 1816 (see page 465).

Note 207, page 585.

Judge Advocate Garling.

When the second charter of justice was granted to the colonies, the secretary of state appointed two solicitors at a salary of £300 per annum each.
One of these was Frederick Garling, who arrived at Sydney in August, 1815. In the month of November following, the deputy judge-advocate, Ellis Bent, died, and, on the 12th of December, Governor Macquarie appointed Garling to the vacant office. He was superseded by the arrival of John Wylde in October, 1816. Earl Bathurst had appointed Wylde and recalled Bent, before he was aware of the latter's death.

Note 208, page 591.


William Broughton arrived at Port Jackson with the first fleet in 1788. He was appointed storekeeper at Parramatta on the 20th of February, 1789. He remained at this post until the 12th of December, 1800, when he was appointed acting deputy commissary at Norfolk island. On the 12th of February, 1805, he was discharged on the reduction of the civil establishment at the island. On his return to New South Wales, he was employed in the commissariat department. On the 6th of November, 1809, Robert Fitz was suspended by lieut.-governor Paterson, and Broughton, as senior deputy succeeded as acting commissary. After his arrival, Governor Macquarie confirmed Broughton in this appointment. When the commissariat department was reorganised as a branch of the army commissariat in 1813, Broughton was appointed dep. assist. commissary general on the new establishment on the 25th of June.

Note 209, page 600.

Govt. and Genl. Orders.

A copy of these orders will be found on page 471, volume VIII, series I.

Note 210, page 600.

The prescribed Duty on all Oils exported.

The duties were regulated by government and general orders, dated 26th June, 1813 (see page 749, volume VII, series I). The duty on each tun of sperm oil, containing two hundred and fifty-two gallons, was £2 10s., and on each tun of black whale or other oil, £2.

Note 211, pages 605 and 610.

The late Proclamation.

By a proclamation, dated 10th, November, 1800, Governor King had ordered that English coins should pass current at an enhanced value in the colony; thus a shilling passed for one shilling and eightpence, a copper coin of 1 oz. for twopence, of ½ oz. for one penny, and of ¼ oz. for a halfpenny. This increase was authorised to keep specie of small values in the colony. On the 7th of December, 1816, Governor Macquarie issued a proclamation, by which he ordered that all penny pieces, bearing date anterior to the year 1800, should be received at the commissariat at a value of one and a half pennies until the 1st of January, 1817, and after that date at their face value.

Note 212, page 606.

A certain Portion of Land ordered by me to be located.

Governor Macquarie referred to this location in his despatch to lieut.-governor Davey, dated 12th December, 1816 (see paragraph 7, page 168).
COMMENTARY.

Note 213. Page 609.

_A Draft._

A copy of this draft will be found on page 179.

Note 214, page 609.

_I have by this conveyance written._—_I have written._

The reference was to the 6th and 4th paragraphs of the despatch dated 7th March, 1817 (see page 177).

Note 215, page 611.

_List of names by Governor Macquarie._

This list was probably given by Governor Macquarie to lieut.-governor Sorell on the latter's departure from Sydney to assume the government at Hobart town (see the 4th and 5th queries in note 82), with similar intent and warning as the names mentioned in the second paragraph of his private memorandum to lieut.-governor Davey on a similar occasion (see pages 23 and 24).

Note 216, page 613.

_The measures adopted to compel her departure._

Lieut.-governor Sorell submitted a full report on the visit of C. Jeffreys to the Derwent in May, 1817, in his despatch dated 16th May, 1817 (see page 203 et seq.).

Note 217, page 614.

_Promissory Notes . . . bearing the King's Arms._

A copy of one of these notes will be found on page 627.

Note 218, page 615.

_I ought to request a Court Martial._

This request was made in response to the charges made by Edward Lord against William Broughton (see pages 243, 293, 298, and 316).

Note 219, page 619.

_Chamber._

A copy of these charges will be found on page 765, volume IX, series I.

Note 220, page 620.

_The Medical Officers . . . are not amenable to Martial Law._

The legal opinion given by deputy judge-advocate Wylde at the court martial on D'Arcy Wentworth will be found on page 555 et seq., volume IX, series I.

Note 221, page 620.

_To take the same up for me._

The practice adopted in making land grants was as follows:—The intending settler was given a location order, specifying the area of the proposed grant. He then selected the land, and, provided there were no prior claims to the area selected, he was allowed to enter into immediate occupation.
As soon after as possible, the deputy surveyor surveyed the land, and prepared a description of it. This description was transmitted to Sydney to the secretary to the governor, or colonial secretary, as he was afterwards called, and incorporated in the deed of grant. These deeds remained in the secretary's office until the fees were paid and the grants "taken up." On all grants, fees were due to the governor, the secretary, the surveyor, the auditor and the registrar, and were established under the general instructions to the governor (see page 197, volume VII, series I).

Note 222, pages 622 and 649.
Also pages 634 and 637.

Memorial to Lord Bathurst.—That Vessel was taken.
A summary of this memorial will be found on page 651.
The brig Emu, purchased for the colonial service, sailed from England in company with the brig James Hay, from which she parted company in the bay of Biscay. On the 30th of November, 1812, she was captured by the American privateer Holkar, which mounted eighteen long nine-pounder guns and carried a crew of one hundred and thirty-seven. The Emu mounted ten guns only and carried a crew of twenty-two. The crew of the Emu refused to fight, and lieutenant Bissett, her commander, was deserted by all but one gunner and one landsman. In consequence, Bissett surrendered after sinking his papers and despatches. On the 17th of January, 1813, he, with the female convicts, was landed by the enemy on the island of St. Vincent.

Note 223, page 623.

The commands of Earl Bathurst in reply to a reference.
The "reference" was contained in a despatch dated 3rd April, 1817, and "commands" from Earl Bathurst to give T. Davey one thousand acres in addition to the five thousand acres already allotted were received in a despatch dated 24th July, 1818 (see pages 339 and 822, volume IX, series I).

Note 224, page 627.

Receipt for Consolidation.
All receipts issued by the commissariat department for provisions and sundries supplied to the public stores were consolidated in bills drawn on the English treasury. These bills formed the only means available of making remittances outside the colonies.
In this specimen of a note, the arms are not a reproduction of the original but the modern arms now in use.

Note 225, page 629.

A remark on my conduct when rowing guard.
Depositions relating to this episode will be found on pages 214 and 215 et seq.

Note 226, page 631.

An entire and most satisfactory acquittal.
John Drummond was acquitted for want of evidence (see page 294). The particulars of the case were reported by Governor Macquarie in a despatch to Earl Bathurst, dated 12th December, 1817 (see pages 558 and 559, volume IX, series I).
Note 227, page 634.

Governor Macquarie's Letters to Lord Bathurst.
Governor Macquarie's report on the declaration of martial law by lieutenant-governor Davey was contained in a despatch dated 24th June, 1815 (see pages 555 and 556, volume VIII, series I).

Note 228, page 635.

The names of the prisoners.
Thomas Davey was in error in quoting D'Arcy Wentworth as a prisoner. Wentworth had been tried three times at the Old Bailey sessions for highway robbery, but was acquitted on each occasion. He arrived at Port Jackson on the transport Neptune on the 28th of June, 1790, and was employed first as a superintendent of convicts at Norfolk island, and afterwards as an assistant to the surgeon.

Note 229, page 636.

His Excellency Governor Macquarie to Lieutenant-Governor Davey.
Governor Macquarie criticised the purchase of hay in the fourth paragraph of his despatch dated 7th March, 1817 (see page 177).

Note 230, page 638.

No. 5.—Charges.
"No. 5" was a copy of the letter dated 28th December, 1816 (see page 174). Colonel Molle notified Governor Macquarie of his intention to prefer criminal charges against D'Arcy Wentworth in a letter dated 24th June, 1817 (see page 458, volume IX, series I).

Note 231, page 639.

Government and General Orders.
These orders were issued by lieutenant-governor Davey to prevent the issue of notes by P. G. Hogan, of which an example will be found on page 627.

Note 232, pages 642 and 643.

The 9th and 10th Paragraphs.—Unofficer like conduct.
These paragraphs will be found on page 169. The charges made by Governor Macquarie against Andrew Geils will be found on page 53.

Note 233, page 644.

Those depositions.
These depositions will be found on pages 75 to 108 and on pages 590 and 603.

Note 234, pages 656 and 657.

Land at or near Illawarra.
It is impossible to explain Governor Macquarie's refusal in the year 1818 of a grant of land to T. Davey at Illawarra, and of his apparent desire to restrict the grant to lands in the island of Tasmania. Earl Bathurst, in a despatch dated 18th April, 1816, had ordered a grant of land for Davey "in the neighbourhood of Port Jackson," and this despatch was in Macquarie's possession. Governor Macquarie had eventually to withdraw his refusal, and
COMMENTARY.

He granted Davey two thousand acres in the Illawarra district of New South Wales by a deed dated 9th January, 1821. This land was situated between the sea coast and Illawarra lake.

Note 235, page 659.

A Letter.

This letter was dated 23rd February, 1818 (see page 304). Judge-advocate Wylde's opinion on the charges made by E. Lord will be found on pages 765 and 766, volume IX, series I.

Note 236, page 661.

My General Court Martial.

The sentence of the court martial on P. G. Hogan will be found on pages 552 and 553, volume IX, series I.

Note 237, page 665.

The present House.

In August, 1819, the hospital was transferred to a house leased from P. Miller in Liverpool street (see pages 728 and 729), and at the end of the year it was decided to establish an hospital for convalescents (see pages 751 and 754).

Note 238, page 676.

To put Mr. Guest into possession of the Ground.

Unforeseen difficulties occurred in giving George Guest possession of the land claimed (see pages 336, 360, and 361).

Note 239, page 682.

These last experienced in the first formation of the Settlement.

The reference was to the unfortunate affray with the natives at Risdon cove in May, 1804 (see pages 242 and 243, volume I in this series). Subsequent evidence tended to prove that the natives visited the cove on that occasion with peaceful intentions; that the settlers and soldiers in the settlement became panic-stricken; and that the shooting of the natives on that day caused the feeling of revenge, which led to many isolated murders of settlers, and culminated in the "black war" and the subsequent extinction of the race of Tasmanian aborigines.

Note 240, pages 685 and 686.

Copy of Charges.

A copy of these charges will be found on page 37 et seq., volume X, series I.

Note 241, page 686.

An account of the Trial.

This account will be found in note 128.

Note 242, pages 692 and 697.

General order.

A copy of these orders will be found on pages 22 and 23, volume X, series I.
COMMENTARY.

Note 243, page 693.

The Regulations.
The method of control of convicts passing from one district to another was detailed by A. W. H. Humphrey in his evidence before the commission of inquiry (see volume III of this series).

Note 244, page 693.

Copy of a letter.
This letter was transmitted by major Cimitiere on the 24th of December (see reply by W. Sorell, page 503).

Note 245, page 699.

A copy of this letter will be found on page 382.

Note 246, page 702.

The Port Regulations.
These regulations will be found on page 71 et seq., volume X, series I.

Note 247, page 704.

Govt. and Genl. order.
A copy of this order will be found on page 438, volume X, series I.

Note 248, pages 706 and 708.

Proposals.
The details of the agreement with Dennis McCarty will be found on page 333.

Note 249, page 707.

No ground of complaint.
The particulars of the claim made by Charles Reid will be found on pages 413 and 520.

Note 250, page 711.

The Court.
When the first sittings of the supreme court of civil jurisdiction under the new charter were held in May, 1815, application was made by three emancipists for permission to practise as attorneys in the court. The judge, Jeffery Hart Bent, refused to grant the applications, and a bitter controversy ensued between Bent and Governor Macquarie. The court was adjourned, and Bent refused to reopen it until the point in dispute, viz., the admission of emancipists to practice, was referred to England for decision (see page 479 et seq., volume VIII, series I).

Note 251, pages 712, 720, and 723.

A Petition.
This was a petition, charging Governor Macquarie with several acts of maladministration (see page 732 et seq., volume IX, series I). Governor Macquarie, in a spirit of retaliation, withdrew all land grants and indulgences from the signatories to the petition.
COMMENTARY.

Note 252, page 737.

The decision given.

The decision was given by Governor Macquarie in a despatch dated 24th September, 1818.

Note 253, pages 739 and 747.

As stated in the Almanack.

All fees payable at government offices, all shipping dues, and all duties were published annually in the almanac issued at Sydney. The shipping dues were as follows:—

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entry for a ship with articles for sale and in Government service</td>
<td>0</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>Ditto ditto and not in Government service</td>
<td>1</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>Ditto with no articles ditto ditto</td>
<td>0</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>Ditto for all foreign vessels</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Permission to wood and water, for every vessel not exceeding</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>100 tons per register</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>For every vessel upwards of 100 and not exceeding 200 tons</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>For every vessel upwards of 200 and not exceeding 300 ditto</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>For every vessel upwards of 300 and not exceeding 400 ditto</td>
<td>5</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>For every vessel upwards of 400 and not exceeding 500 ditto</td>
<td>6</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>For every vessel upwards of 500 ditto</td>
<td>2</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Ditto trade</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Dues of each bond</td>
<td>0</td>
<td>10</td>
<td>6</td>
</tr>
<tr>
<td>Ditto of port clearance</td>
<td>0</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Ditto ditto to the Naval Officer's Clerk</td>
<td>0</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>Ditto to Naval Officer's Clerk for each permit to land spirits or</td>
<td>0</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>wine per cask</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note 254, page 744.

A proposal.

Governor Macquarie agreed to purchase from John Macarthur, of Camden, N.S.W., three hundred merino ram lambs at five guineas per head, to be paid for in land to be valued at seven shillings and sixpence per acre, or in money, at the discretion of Earl Bathurst. Bathurst authorised payment in land, and Macarthur received a grant of four thousand three hundred and sixty-eight acres at the Cowpastures, N.S.W., by a deed dated 27th May, 1823. The sheep were sent to Hobart town on the ship Eliza, which sailed from Port Jackson on the 21st of March, 1820 (see volume III of this series).
## SYNOPSIS OF DESPATCHES.

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Dated</th>
<th>Despatch endorsed</th>
<th>Transmitted per—</th>
<th>See page</th>
<th>Acknowledged by—</th>
<th>Date of acknowledgment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goulburn, Under Secretary</td>
<td>Davey, Lieut. Governor</td>
<td>1812</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Geis, Major Andrew</td>
<td>Macquarie, Governor</td>
<td>1812</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>1812</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>1812</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Geis, Major Andrew</td>
<td>1812</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>1812</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>1812</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Campbell, Colonial Secretary</td>
<td>Davey, Lieut. Governor</td>
<td>1812</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Geis, Major Andrew</td>
<td>1812</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>1812</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>1812</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McArthur, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>1812</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>1812</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>1812</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.

| Do                        | do                          | 1813         |                   |                   |          |                  |                        |
| Do                        | do                          | 1813         |                   |                   |          |                  |                        |

1813.
<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Date</th>
<th>Despatch endorsed</th>
<th>Transmitted per-</th>
<th>See page</th>
<th>Acknowledged by</th>
<th>Date of acknowledgment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Macquarie, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>1814</td>
<td></td>
<td></td>
<td>55</td>
<td>Macquarie, Governor</td>
<td>1814</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>24 May</td>
<td></td>
<td></td>
<td>57</td>
<td>Do</td>
<td>18 May</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>25 May</td>
<td></td>
<td></td>
<td>58</td>
<td>Do</td>
<td>25 May</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>27 May</td>
<td></td>
<td></td>
<td>59</td>
<td>Do</td>
<td>27 May</td>
</tr>
<tr>
<td>Bathurst, Earl</td>
<td>Macquarie, Governor</td>
<td>3 June</td>
<td></td>
<td></td>
<td>60</td>
<td>Schooner Derwent</td>
<td>18 Aug</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>11 July</td>
<td></td>
<td></td>
<td>61</td>
<td>Do</td>
<td>11 Aug</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>13 July</td>
<td></td>
<td></td>
<td>62</td>
<td>Do</td>
<td>13 Aug</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>5 Aug</td>
<td></td>
<td></td>
<td>63</td>
<td>Do</td>
<td>5 Aug</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>1 Aug</td>
<td></td>
<td></td>
<td>64</td>
<td>Do</td>
<td>1 Aug</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>2 May</td>
<td></td>
<td></td>
<td>65</td>
<td>Do</td>
<td>2 May</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>23 Sept</td>
<td></td>
<td></td>
<td>66</td>
<td>Do</td>
<td>23 Sept</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>24 Sept</td>
<td></td>
<td></td>
<td>67</td>
<td>Do</td>
<td>24 Sept</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>18 Aug</td>
<td></td>
<td></td>
<td>68</td>
<td>Schooner Henrietta Packet</td>
<td>18 Aug</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>21 Sept</td>
<td></td>
<td></td>
<td>69</td>
<td>Do</td>
<td>21 Sept</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>22 Sept</td>
<td></td>
<td></td>
<td>70</td>
<td>Do</td>
<td>22 Sept</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>25 Jan</td>
<td></td>
<td></td>
<td>71</td>
<td>Do</td>
<td>25 Jan</td>
</tr>
<tr>
<td>Davey, Lieut. Governor</td>
<td>Macquarie, Governor</td>
<td>5 March</td>
<td></td>
<td></td>
<td>72</td>
<td>Ship Sydney Packet</td>
<td>1815</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>11 March</td>
<td></td>
<td></td>
<td>73</td>
<td>Do</td>
<td>11 May</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>13 March</td>
<td></td>
<td></td>
<td>74</td>
<td>Do</td>
<td>13 May</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>13 March</td>
<td></td>
<td></td>
<td>75</td>
<td>Schooner Henrietta Packet</td>
<td>1815</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>9 April</td>
<td></td>
<td></td>
<td>76</td>
<td>Do</td>
<td>9 May</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 April</td>
<td></td>
<td></td>
<td>77</td>
<td>Do</td>
<td>30 May</td>
</tr>
<tr>
<td>Davey, Lieut. Governor</td>
<td>Macquarie, Governor</td>
<td>3 May</td>
<td></td>
<td></td>
<td>78</td>
<td>Ship Cochin</td>
<td>1815</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>25 May</td>
<td></td>
<td></td>
<td>79</td>
<td>Do</td>
<td>25 May</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>9 July</td>
<td></td>
<td></td>
<td>80</td>
<td>Do</td>
<td>9 July</td>
</tr>
<tr>
<td>Bathurst, Earl</td>
<td>Macquarie, Governor</td>
<td>16 July</td>
<td></td>
<td></td>
<td>81</td>
<td>Do</td>
<td>16 Sept</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>31 Aug</td>
<td></td>
<td></td>
<td>82</td>
<td>Do</td>
<td>31 Aug</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>16 Sept</td>
<td></td>
<td></td>
<td>83</td>
<td>Do</td>
<td>16 Sept</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>18 Sept</td>
<td></td>
<td></td>
<td>84</td>
<td>Do</td>
<td>18 Sept</td>
</tr>
<tr>
<td>Davey, Lieut. Governor</td>
<td>Macquarie, Governor</td>
<td>21 Sept</td>
<td></td>
<td></td>
<td>85</td>
<td>Ship Jefferson</td>
<td>1816</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Sept</td>
<td></td>
<td></td>
<td>86</td>
<td>Do</td>
<td>30 Sept</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>6 Oct</td>
<td></td>
<td></td>
<td>87</td>
<td>Do</td>
<td>6 Oct</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Oct</td>
<td></td>
<td></td>
<td>88</td>
<td>Do</td>
<td>30 Oct</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>13 Nov</td>
<td></td>
<td></td>
<td>89</td>
<td>Do</td>
<td>13 Nov</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>1816</td>
<td></td>
<td></td>
<td>90</td>
<td>Do</td>
<td>1816</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>27 Jan</td>
<td></td>
<td></td>
<td>91</td>
<td>Do</td>
<td>27 Jan</td>
</tr>
<tr>
<td>From</td>
<td>To</td>
<td>Dated</td>
<td>Despatch endorsed</td>
<td>Transmitted per—</td>
<td>See page</td>
<td>Acknowledged by—</td>
<td>Date of acknowledgment</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>--------------------------------</td>
<td>--------</td>
<td>-------------------</td>
<td>-------------------</td>
<td>----------</td>
<td>-------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Davey, Lieut. Governor</td>
<td>Macquarie, Governor</td>
<td>1816</td>
<td>do</td>
<td>Brig Guide</td>
<td>140</td>
<td>Macquarie, Governor</td>
<td>12 April</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>9 Feb</td>
<td>do</td>
<td>do</td>
<td>140</td>
<td>do</td>
<td>31 July</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>13 Feb</td>
<td>do</td>
<td>do</td>
<td>140</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Davey, Lieut. Governor</td>
<td>Macquarie, Governor</td>
<td>20 Feb</td>
<td>do</td>
<td>do</td>
<td>140</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>21 Feb</td>
<td>do</td>
<td>do</td>
<td>140</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>22 Feb</td>
<td>do</td>
<td>do</td>
<td>140</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>24 Feb</td>
<td>do</td>
<td>do</td>
<td>140</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>12 April</td>
<td>do</td>
<td>do</td>
<td>140</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Davey, Lieut. Governor</td>
<td>Bathurst, Earl</td>
<td>13 April</td>
<td>do</td>
<td>do</td>
<td>140</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Goulburn, Under Secretary</td>
<td>Ship Sydney</td>
<td>21 May</td>
<td>do</td>
<td>do</td>
<td>140</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Davey, Lieut. Governor</td>
<td>Macquarie, Governor</td>
<td>5 July</td>
<td>do</td>
<td>do</td>
<td>150</td>
<td>Do</td>
<td>31 July</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>31 July</td>
<td>do</td>
<td>do</td>
<td>150</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Davey, Lieut. Governor</td>
<td>Macquarie, Governor</td>
<td>6 Aug</td>
<td>do</td>
<td>do</td>
<td>150</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>30 Sept</td>
<td>do</td>
<td>do</td>
<td>150</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Davey, Lieut. Governor</td>
<td>Macquarie, Governor</td>
<td>18 Oct</td>
<td>do</td>
<td>do</td>
<td>150</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>24 Oct</td>
<td>do</td>
<td>do</td>
<td>150</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>24 Oct</td>
<td>do</td>
<td>do</td>
<td>150</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>27 Nov</td>
<td>do</td>
<td>do</td>
<td>165</td>
<td>Do</td>
<td>12 Dec</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>13 Dec</td>
<td>do</td>
<td>do</td>
<td>165</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Davey, Lieut. Governor</td>
<td>Macquarie, Governor</td>
<td>25 Dec</td>
<td>do</td>
<td>do</td>
<td>172</td>
<td>Macquarie, Governor</td>
<td>31 July</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>1817</td>
<td>do</td>
<td>do</td>
<td>174</td>
<td>Do</td>
<td>31 July</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Davey, Lieut. Governor</td>
<td>7 March</td>
<td>do</td>
<td>do</td>
<td>175</td>
<td>Macquarie, Governor</td>
<td>7 March</td>
</tr>
<tr>
<td>Davey, Lieut. Governor</td>
<td>Ship Sydney</td>
<td>3 May</td>
<td>do</td>
<td>do</td>
<td>176</td>
<td>Do</td>
<td>7 March</td>
</tr>
<tr>
<td>Sorell, Lieut. Governor</td>
<td>Macquarie, Governor</td>
<td>3 May</td>
<td>do</td>
<td>do</td>
<td>176</td>
<td>Macquarie, Governor</td>
<td>7 March</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>3 May</td>
<td>do</td>
<td>do</td>
<td>176</td>
<td>Do</td>
<td>7 March</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>3 May</td>
<td>do</td>
<td>do</td>
<td>176</td>
<td>Macquarie, Governor</td>
<td>7 March</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>3 May</td>
<td>do</td>
<td>do</td>
<td>176</td>
<td>Do</td>
<td>7 March</td>
</tr>
<tr>
<td>Do</td>
<td>Goulburn, Under Secretary</td>
<td>5 May</td>
<td>do</td>
<td>do</td>
<td>201</td>
<td>Do</td>
<td>7 March</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>11 May</td>
<td>do</td>
<td>do</td>
<td>190</td>
<td>Macquarie, Governor</td>
<td>24 May</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>16 May</td>
<td>do</td>
<td>do</td>
<td>190</td>
<td>Do</td>
<td>24 May</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>No. 1</td>
<td>16 May</td>
<td>do</td>
<td>do</td>
<td>200</td>
<td>Do</td>
<td>24 May</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>16 May</td>
<td>do</td>
<td>do</td>
<td>200</td>
<td>Do</td>
<td>24 May</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>16 May</td>
<td>do</td>
<td>do</td>
<td>200</td>
<td>Do</td>
<td>24 May</td>
</tr>
<tr>
<td>From</td>
<td>To</td>
<td>Dated</td>
<td>Dispatch endorsed</td>
<td>Transmitted per</td>
<td>See page</td>
<td>Acknowledged by</td>
<td>Date of acknowledgment</td>
</tr>
<tr>
<td>-----------------------</td>
<td>---------------------------</td>
<td>-----------</td>
<td>-------------------</td>
<td>-----------------</td>
<td>----------</td>
<td>----------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Sorell, Lieut. Governor</td>
<td>Macquarie, Governor</td>
<td>16 May</td>
<td>No. 3</td>
<td>Brig Elizabeth Henrietta</td>
<td>232</td>
<td>Macquarie, Governor</td>
<td>26 June</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>16 May</td>
<td>No. 4</td>
<td>do</td>
<td>232</td>
<td>do</td>
<td>26 June</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>16 May</td>
<td>No. 5</td>
<td>do</td>
<td>232</td>
<td>do</td>
<td>26 June</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>16 May</td>
<td>Private</td>
<td>do</td>
<td>232</td>
<td>do</td>
<td>26 June</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>17 May</td>
<td>No. 6</td>
<td>do</td>
<td>232</td>
<td>do</td>
<td>26 June</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>17 May</td>
<td>No. 7</td>
<td>do</td>
<td>232</td>
<td>do</td>
<td>26 June</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>17 May</td>
<td>No. 8</td>
<td>do</td>
<td>232</td>
<td>do</td>
<td>26 June</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Sorell, Lieut. Governor</td>
<td>24 May</td>
<td>Private</td>
<td>Schooner John Palmer</td>
<td>240</td>
<td>Sorell, Lieut. Governor</td>
<td>25 June</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>24 May</td>
<td>Private No. 1</td>
<td>do</td>
<td>240</td>
<td>do</td>
<td>24 June</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>20 May</td>
<td>No. 1</td>
<td>do</td>
<td>240</td>
<td>do</td>
<td>24 June</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>26 May</td>
<td>No. 2</td>
<td>do</td>
<td>240</td>
<td>do</td>
<td>24 June</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>23 June</td>
<td>Private No. 2</td>
<td>do</td>
<td>240</td>
<td>do</td>
<td>24 June</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>21 June</td>
<td>Private</td>
<td>do</td>
<td>253</td>
<td>do</td>
<td>21 July</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>23 June</td>
<td>Private</td>
<td>do</td>
<td>253</td>
<td>do</td>
<td>21 July</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Sorell, Lieut. Governor</td>
<td>24 July</td>
<td>Private</td>
<td>Schmir. Henrietta Packet</td>
<td>258</td>
<td>Macquarie, Governor</td>
<td>24 July</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 June</td>
<td>No. 10</td>
<td>Brig Jupiter</td>
<td>267</td>
<td>do</td>
<td>24 July</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 June</td>
<td>Private</td>
<td>do</td>
<td>267</td>
<td>do</td>
<td>24 July</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>14 July</td>
<td>Private</td>
<td>do</td>
<td>267</td>
<td>do</td>
<td>24 July</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>15 July</td>
<td>Private</td>
<td>do</td>
<td>267</td>
<td>do</td>
<td>24 July</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Aug.</td>
<td>do</td>
<td>do</td>
<td>270</td>
<td>Macquarie, Governor</td>
<td>10 Jan.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Aug.</td>
<td>do</td>
<td>do</td>
<td>271</td>
<td>do</td>
<td>10 Jan.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Aug.</td>
<td>do</td>
<td>do</td>
<td>272</td>
<td>do</td>
<td>10 Jan.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>8 Sept.</td>
<td>do</td>
<td>do</td>
<td>274</td>
<td>do</td>
<td>10 Jan.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>8 Sept.</td>
<td>do</td>
<td>do</td>
<td>274</td>
<td>do</td>
<td>10 Jan.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>13 Sept.</td>
<td>do</td>
<td>do</td>
<td>274</td>
<td>do</td>
<td>10 Jan.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>13 Sept.</td>
<td>do</td>
<td>do</td>
<td>274</td>
<td>do</td>
<td>10 Jan.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>13 Sept.</td>
<td>do</td>
<td>do</td>
<td>274</td>
<td>do</td>
<td>10 Jan.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>13 Sept.</td>
<td>do</td>
<td>do</td>
<td>274</td>
<td>do</td>
<td>10 Jan.</td>
</tr>
</tbody>
</table>
SYNOPSIS

S B S

22 «
5o^
rH

"

o

,H

& rO xi .d '5 "^"- 'E "C 'u "C ^ >> >> >. c a Ic
<ua>cucDftftftftaftftdddd!-r-,.

: 25

£S£S22£S'~~,,—,,—',—,'~',~,4'—* "-H "-1 w H w s : a

: oj

N N N W H H H H H H H M M I M M

o

1

OF DESPATCHES.

§

OJ

>o

o
o
^ O O C r h O O O O O O O O j j r - s O ^ C
CD
CD"
CD CD" CD

c

^O
<

si

CD

i
CD
Pt
CD

g
Sd

E

£

; -t

Ms

:

^^5

"2

5

|o

"?

g

S

02 A

X

8
8
M

rHcoc»cs©M^tacQi>trOogsocit»t-—cs: B M X M C •71 un
71 7J 7-1 7-1 K
0S
Oc
OO
N
N CN ;W Ce:cCM:MOMOeOoOeO iO j
Or
M HC rO-M'eroHs7o-K1.7 m1

0

CD

; : ; : :

:

K

a
&H
CD
C
a
»-5

U

f3
S
S-

<P d
>. H3
0>

• c

3EH

S

A &:

P

bD

c
cc

CQ

%

ftp

So

3

p.

" P

-r;

5

O
X

J_

r~ -v~ i -

«

~? S~ —
a.

x

^

O ^
x -n

:-*"£
• 0 ^

_

I- t l - X

-H -* •+

ri TP ^t

CD

^ Sr. 0

O

d

:

- t ict i n

be
d
CD
SCD

^

i

J3
r.

J

5 bj &0 &

&

C0PHP302

CD

CD

P
5 c O 0 i
•fe-S^O- -

1

bC

=^

•?•§
-P O
X X

I
Xc

°£££

P3

p

s

"CD -C

•£"£ .,-.
CDXJUJ.SP O C
C3 ^WcchJ

0202

CD

s

^

0

§ c o o'E o o c o o o £
>

CD

c
X

?* t

L.*;

S -*3—

:-ft <*

: d"C
:^t P
J •' d tCD
c
-C
4)«
P
CD-g

E

•i

CD"

""" d

; 2
• ~

1

3

_c

J .§.=

4-

CD

! : CD : CD

~

CD CD

3

: c

CC

d

: 0

^

O
o
d

M

71 "?

O
P

c

: a

^"

•H- G; X

7-1 71 71

1

C

3" CD CD 3 °
x MCTJZZ

c

CD

1p

ri

7"

: 0

0

•J

"C v •-S3
i

P

7 ET CD CD
2 x x X

XJ

7 7-1 r- 7


•a

«

:

j

^3

: x S7 * S
:x~ X P X

71 7'

c
c
u

•8
OJ
o

: :"<

80!)

^, O C

c

• § 1 _c O

CD*S T;

c
.5

c
c

X

X

So

Z

-

c

• ^

2

!

d
T3W

br

.SP

X

ffi

•STJ
O OJ
4J> aj

no

r-i tM CO H < N « - * m
odd' c d c d d
fcjfcfc
fc'fcfc&fc

OJ E

R 8

S

m
d
Z

I>
d
2

c
Z

-fi-fi__
•c
OJ
d

fl

O

EH

CD CD CD CD a

X
d
2i

^

CD

^

1

3 i S i^'S'-S-S'S'S-S'Sillllll SP PP PP CP C-.
2°P

1 > CD

OC

O O O C D C O « M M C O C O M © O N a 3 « H M
H H H
fJJCNCNCTqTClCNICNICNICN
M 7 1 «

-

(
P

t~

o
fl

i-

S h

c
c
sa

<U
>

C
t-

CD C •
> -

O

CD

O?

£

> O

Cc

a

c

S

Tf- rr-H cy

^

P P p P P P P S P c D C D
•<-<|-<<|-<<|-<-<<jajM
•x 0 c c
rH 00 CO CO 1 -*
1—
rH 1—

rH r- 1—

*"

"

0

C j
t- c

C o - :CD

CD 1J

O

c
c.
s
.a

O CI
O-: 5
-

Co" 0

O
4iC
•43
C
+JC5 43
^2c O rZ
s o c o
c c o o o o o c - ,03c C O O
<u T 3 * C ^ s i ^ t v l f C ' C ' C CD CDTJ CD*^ • C - C T ; C D ~ w m a

+.

3

|

P'§

3

-

CQ

S

CCS

X

0

oi
X «*

•

CD

x c

?•

"d ^
•2 a

c

c c
oC

+j

c

0
CD "C "C

c C
X

0

0

c
c

.1
c
a

.g

.2
"c
c
0

1

.0

y

o5

f-

CD

5 c
CD

CD

•

:

-

^

5
x

,

2§
d ^

c

c

S 0

><

5

sec
JP(=

M8'^
P^_aj
"3 d

^

O
X

c 0 5 0
"C cjt

CD
O .

^
F
3

C

3 C —' t'

CD
E-

?

;

E

^3

§£SS
CO ^

"Z

|

d
CD .

• 0

S*H
- ^
g
O *
CD
O

—•

1
rj

>

7. d 5- c
•-<<

:

S o OJ- S C>P =-J
•E »J *C "^

:
c
5

0

CD

d

•

P >» : |L.

i.

• • • "5
' O
'
""
feCS
0
C
0 t_
c
C
CD
C CD
C
£
- O>
*-°> ^CD
¥
0
°
o^_
c
^ooo-^'cocooooo^-So^c
*H

O

CD i-

c
p

CJ

«
•

5-

:

1 71

>>

CO

C
p
a
t>
c

rH

t

c
c

5

s
-5

O H r l i C ^ CK
rH rH 7-1 71 7- 7-1

-

cc

P 0
d^


<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Dated</th>
<th>Despatch endorsed</th>
<th>Transmitted per—</th>
<th>See page</th>
<th>Acknowledged by—</th>
<th>Date of acknowledgment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Campbell, Colonial Secretary</td>
<td>Sorell, Lieut. Governor</td>
<td>1818</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>25 Sept.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Oct.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1819</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9 Oct.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1819</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4 Nov.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1819</td>
</tr>
<tr>
<td>Goulburn, Under Secretary</td>
<td>Sorell, Lieut. Governor</td>
<td>1819</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>19 Nov.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1819</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 Dec.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 Dec.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1819</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 Dec.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1819</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12 Dec.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1819</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Sorell, Lieut. Governor</td>
<td>1819</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>21 Dec.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 Jan.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8 Jan.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>30 Jan.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>31 Jan.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 Jan.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 Feb.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 March</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>26 March</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>20 March</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>30 March</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9 March</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6 April</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10 April</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>31 May</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10 May</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>18 May</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>30 May</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 May</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 May</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10 May</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td></td>
<td></td>
<td>15 May</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1820</td>
</tr>
<tr>
<td>From</td>
<td>To</td>
<td>Dated</td>
<td>Despatch endorsed</td>
<td>Transmitted per—</td>
<td>See page</td>
<td>Acknowledged by</td>
<td>Date of acknowledgment</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------------------------</td>
<td>--------</td>
<td>-------------------</td>
<td>------------------</td>
<td>----------</td>
<td>-----------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Macquarie, Governor</td>
<td>Sorell, Lieut. Governor</td>
<td>15 May</td>
<td>No. 4</td>
<td>Schooner Sindbad</td>
<td>307</td>
<td>Sorell, Lieut. Governor</td>
<td>1819</td>
</tr>
<tr>
<td>Sorell, Lieut. Governor</td>
<td>Macquarie, Governor</td>
<td>21 May</td>
<td>do</td>
<td>Ship Mary</td>
<td>308</td>
<td>Macquarie, Governor</td>
<td>17 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>22 May</td>
<td>do</td>
<td>do</td>
<td>400</td>
<td>do</td>
<td>17 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>22 May</td>
<td>do</td>
<td>do</td>
<td>401</td>
<td>do</td>
<td>17 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>31 May</td>
<td>do</td>
<td>Ship Surrey</td>
<td>402</td>
<td>do</td>
<td>17 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>31 May</td>
<td>do</td>
<td>do</td>
<td>403</td>
<td>do</td>
<td>17 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>Commissioners of Navy</td>
<td>3 June</td>
<td>No. 5</td>
<td>Ship Hibernia</td>
<td>404</td>
<td>do</td>
<td>17 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>Macquarie, Governor</td>
<td>3 June</td>
<td>No. 6</td>
<td>do</td>
<td>405</td>
<td>do</td>
<td>17 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>Ship Earing</td>
<td>19 June</td>
<td>No. 7</td>
<td>Brig Governor Macquarie</td>
<td>407</td>
<td>do</td>
<td>17 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>Brig Admiral Cockburn</td>
<td>17 July</td>
<td>No. 8</td>
<td>Brig Prince Leopold</td>
<td>412</td>
<td>do</td>
<td>17 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>Wylike, Judge Advocate</td>
<td>19 Aug.</td>
<td>do</td>
<td>Ship Admiral Cockburn</td>
<td>420</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>Macquarie, Governor</td>
<td>2 Oct.</td>
<td>No. 9</td>
<td>do</td>
<td>421</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>2 Oct.</td>
<td>do</td>
<td>do</td>
<td>422</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>426</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>427</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>428</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>429</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>430</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>431</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>432</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>433</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>434</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>435</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>436</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>437</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>438</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>439</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>440</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>441</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>442</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>443</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>444</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>446</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>447</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>448</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>449</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>450</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>451</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>452</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>453</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>454</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>455</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>456</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>457</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>458</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
<tr>
<td>Do</td>
<td>do</td>
<td>30 Nov.</td>
<td>do</td>
<td>do</td>
<td>459</td>
<td>do</td>
<td>12 Aug.</td>
</tr>
</tbody>
</table>
# SYNOPSIS OF CORRESPONDENCE

TO AND FROM THE COMMANDANTS AT PORT DALRYMPLE.

<table>
<thead>
<tr>
<th>Date</th>
<th>From</th>
<th>To</th>
<th>See page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1813.</td>
<td>Macquarie, Governor</td>
<td>Geils, Major A.</td>
<td>435</td>
</tr>
<tr>
<td>30 Jan.</td>
<td>Do</td>
<td>Ritchie, Captain J.</td>
<td>438</td>
</tr>
<tr>
<td>30 Jan.</td>
<td>Do</td>
<td>do</td>
<td>438</td>
</tr>
<tr>
<td>30 Jan.</td>
<td>Do</td>
<td>do</td>
<td>439</td>
</tr>
<tr>
<td>6 Feb.</td>
<td>Davey, Lieut. Governor</td>
<td>Geils, Major A.</td>
<td>439</td>
</tr>
<tr>
<td>5 March</td>
<td>Macquarie, Governor</td>
<td>McKenzie, Captain J.</td>
<td>442</td>
</tr>
<tr>
<td>21 May</td>
<td>Campbell, Colonial Secretary</td>
<td>do</td>
<td>445</td>
</tr>
<tr>
<td>18 Aug.</td>
<td>Macquarie, Governor</td>
<td>do</td>
<td>446</td>
</tr>
<tr>
<td>1814.</td>
<td>5 March</td>
<td>Macquarie, Governor</td>
<td>447</td>
</tr>
<tr>
<td>18 July</td>
<td>Do</td>
<td>Stewart, Major J.</td>
<td>462</td>
</tr>
<tr>
<td>18 Aug.</td>
<td>Do</td>
<td>do</td>
<td>465</td>
</tr>
<tr>
<td>1815.</td>
<td>20 Sept.</td>
<td>Stewart, Major J.</td>
<td>466</td>
</tr>
<tr>
<td>23 Dec.</td>
<td>Do</td>
<td>Stewart, Major J.</td>
<td>468</td>
</tr>
<tr>
<td>31 July</td>
<td>Do</td>
<td>Stewart, Major J.</td>
<td>470</td>
</tr>
<tr>
<td>30 Sept.</td>
<td>Do</td>
<td>do</td>
<td>473</td>
</tr>
<tr>
<td>1816.</td>
<td>24 March</td>
<td>Stewart, Major J.</td>
<td>473</td>
</tr>
<tr>
<td>21 March</td>
<td>Do</td>
<td>Cimitiere, Major G.</td>
<td>474</td>
</tr>
<tr>
<td>4 June</td>
<td>Macquarie, Governor</td>
<td>Stewart, Major J.</td>
<td>475</td>
</tr>
<tr>
<td>6 June</td>
<td>Macquarie, Governor</td>
<td>Stewart, Major J.</td>
<td>476</td>
</tr>
<tr>
<td>7 June</td>
<td>Stewart, Major J.</td>
<td>Stewart, Major J.</td>
<td>476</td>
</tr>
<tr>
<td>9 Aug.</td>
<td>Sorell, Lieut. Governor</td>
<td>Cimitiere, Major G.</td>
<td>479</td>
</tr>
<tr>
<td>20 Aug.</td>
<td>Do</td>
<td>do</td>
<td>480</td>
</tr>
<tr>
<td>21 Aug.</td>
<td>Do</td>
<td>do</td>
<td>481</td>
</tr>
<tr>
<td>22 Aug.</td>
<td>Robinson, Lieutenant</td>
<td>do</td>
<td>481</td>
</tr>
<tr>
<td>31 Aug.</td>
<td>Do</td>
<td>do</td>
<td>482</td>
</tr>
<tr>
<td>31 Aug.</td>
<td>Do</td>
<td>do</td>
<td>483</td>
</tr>
<tr>
<td>17 Sept.</td>
<td>Do</td>
<td>do</td>
<td>484</td>
</tr>
<tr>
<td>24 Sept.</td>
<td>Do</td>
<td>do</td>
<td>484</td>
</tr>
<tr>
<td>9 Oct.</td>
<td>Sorell, Lieut. Governor</td>
<td>do</td>
<td>485</td>
</tr>
<tr>
<td>17 Oct.</td>
<td>Do</td>
<td>do</td>
<td>487</td>
</tr>
<tr>
<td>22 Oct.</td>
<td>Do</td>
<td>do</td>
<td>488</td>
</tr>
<tr>
<td>24 Oct.</td>
<td>Do</td>
<td>do</td>
<td>489</td>
</tr>
<tr>
<td>24 Oct.</td>
<td>Do</td>
<td>do</td>
<td>490</td>
</tr>
<tr>
<td>25 Oct.</td>
<td>Do</td>
<td>do</td>
<td>491</td>
</tr>
<tr>
<td>5 Nov.</td>
<td>Do</td>
<td>do</td>
<td>492</td>
</tr>
<tr>
<td>8 Nov.</td>
<td>Do</td>
<td>do</td>
<td>493</td>
</tr>
<tr>
<td>8 Nov.</td>
<td>Do</td>
<td>do</td>
<td>493</td>
</tr>
<tr>
<td>14 Nov.</td>
<td>Do</td>
<td>do</td>
<td>494</td>
</tr>
<tr>
<td>20 Nov.</td>
<td>Do</td>
<td>do</td>
<td>495</td>
</tr>
<tr>
<td>21 Nov.</td>
<td>Do</td>
<td>do</td>
<td>496</td>
</tr>
<tr>
<td>22 Nov.</td>
<td>Do</td>
<td>do</td>
<td>497</td>
</tr>
<tr>
<td>24 Nov.</td>
<td>Do</td>
<td>do</td>
<td>497</td>
</tr>
<tr>
<td>25 Nov.</td>
<td>Do</td>
<td>do</td>
<td>498</td>
</tr>
<tr>
<td>25 Nov.</td>
<td>Do</td>
<td>do</td>
<td>498</td>
</tr>
<tr>
<td>Date</td>
<td>From</td>
<td>To</td>
<td>See page</td>
</tr>
<tr>
<td>------------</td>
<td>-------------------------------</td>
<td>------------------</td>
<td>----------</td>
</tr>
<tr>
<td>1818</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Dec</td>
<td>Sorell, Lieut. Governor</td>
<td>Cimitiere, Major G</td>
<td>499</td>
</tr>
<tr>
<td>21 Dec</td>
<td>Do</td>
<td>Do</td>
<td>501</td>
</tr>
<tr>
<td>22 Dec</td>
<td>Do</td>
<td>Do</td>
<td>501</td>
</tr>
<tr>
<td>23 Dec</td>
<td>Do</td>
<td>Do</td>
<td>503</td>
</tr>
<tr>
<td>29 Dec</td>
<td>Do</td>
<td>Do</td>
<td>503</td>
</tr>
<tr>
<td>1819</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Jan</td>
<td>Do</td>
<td>Do</td>
<td>503</td>
</tr>
<tr>
<td>10 Jan</td>
<td>Do</td>
<td>Do</td>
<td>504</td>
</tr>
<tr>
<td>16 Jan</td>
<td>Do</td>
<td>Do</td>
<td>505</td>
</tr>
<tr>
<td>26 Jan</td>
<td>Do</td>
<td>Do</td>
<td>506</td>
</tr>
<tr>
<td>30 Jan</td>
<td>Macquarie, Governor</td>
<td>Do</td>
<td>508</td>
</tr>
<tr>
<td>6 Feb</td>
<td>Sorell, Lieut. Governor</td>
<td>Do</td>
<td>509</td>
</tr>
<tr>
<td>6 Feb</td>
<td>Do</td>
<td>Do</td>
<td>510</td>
</tr>
<tr>
<td>9 Feb</td>
<td>Do</td>
<td>Do</td>
<td>510</td>
</tr>
<tr>
<td>15 Feb</td>
<td>Do</td>
<td>Do</td>
<td>511</td>
</tr>
<tr>
<td>15 Feb</td>
<td>Cimitiere, Major G</td>
<td>Macquarie, Governor</td>
<td>513</td>
</tr>
<tr>
<td>4 March</td>
<td>Macquarie, Governor</td>
<td>Cimitiere, Major G</td>
<td>513</td>
</tr>
<tr>
<td>5 April</td>
<td>Cimitiere, Major G</td>
<td>Macquarie, Governor</td>
<td>513</td>
</tr>
<tr>
<td>7 June</td>
<td>Sorell, Lieut. Governor</td>
<td>Do</td>
<td>516</td>
</tr>
<tr>
<td>24 June</td>
<td>Do</td>
<td>Do</td>
<td>516</td>
</tr>
<tr>
<td>24 June</td>
<td>Do</td>
<td>Do</td>
<td>517</td>
</tr>
<tr>
<td>24 June</td>
<td>Do</td>
<td>Do</td>
<td>518</td>
</tr>
<tr>
<td>24 June</td>
<td>Do</td>
<td>Do</td>
<td>520</td>
</tr>
<tr>
<td>24 June</td>
<td>Do</td>
<td>Do</td>
<td>520</td>
</tr>
<tr>
<td>3 July</td>
<td>Do</td>
<td>Do</td>
<td>521</td>
</tr>
<tr>
<td>3 July</td>
<td>Do</td>
<td>Do</td>
<td>521</td>
</tr>
<tr>
<td>10 July</td>
<td>Do</td>
<td>Do</td>
<td>522</td>
</tr>
<tr>
<td>31 July</td>
<td>Do</td>
<td>Do</td>
<td>523</td>
</tr>
<tr>
<td>5 Aug</td>
<td>Do</td>
<td>Do</td>
<td>523</td>
</tr>
<tr>
<td>7 Aug</td>
<td>Do</td>
<td>Do</td>
<td>524</td>
</tr>
<tr>
<td>16 Aug</td>
<td>Do</td>
<td>Do</td>
<td>524</td>
</tr>
<tr>
<td>18 Aug</td>
<td>Macquarie, Governor</td>
<td>Do</td>
<td>525</td>
</tr>
<tr>
<td>21 Aug</td>
<td>Sorell, Lieut. Governor</td>
<td>Do</td>
<td>525</td>
</tr>
<tr>
<td>31 Aug</td>
<td>Do</td>
<td>Do</td>
<td>526</td>
</tr>
<tr>
<td>31 Aug</td>
<td>Do</td>
<td>Do</td>
<td>527</td>
</tr>
<tr>
<td>2 Sept</td>
<td>Do</td>
<td>Do</td>
<td>528</td>
</tr>
<tr>
<td>13 Sept</td>
<td>Do</td>
<td>Do</td>
<td>529</td>
</tr>
<tr>
<td>17 Sept</td>
<td>Do</td>
<td>Do</td>
<td>530</td>
</tr>
<tr>
<td>28 Sept</td>
<td>Do</td>
<td>Do</td>
<td>531</td>
</tr>
<tr>
<td>2 Oct</td>
<td>Do</td>
<td>Do</td>
<td>532</td>
</tr>
<tr>
<td>8 Oct</td>
<td>Do</td>
<td>Do</td>
<td>533</td>
</tr>
<tr>
<td>8 Oct</td>
<td>Do</td>
<td>Do</td>
<td>533</td>
</tr>
<tr>
<td>9 Oct</td>
<td>Do</td>
<td>Do</td>
<td>533</td>
</tr>
<tr>
<td>12 Oct</td>
<td>Do</td>
<td>Do</td>
<td>534</td>
</tr>
<tr>
<td>16 Oct</td>
<td>Do</td>
<td>Do</td>
<td>534</td>
</tr>
<tr>
<td>19 Oct</td>
<td>Do</td>
<td>Do</td>
<td>535</td>
</tr>
<tr>
<td>24 Oct</td>
<td>Do</td>
<td>Do</td>
<td>535</td>
</tr>
<tr>
<td>28 Oct</td>
<td>Do</td>
<td>Do</td>
<td>536</td>
</tr>
<tr>
<td>9 Nov</td>
<td>Do</td>
<td>Do</td>
<td>537</td>
</tr>
<tr>
<td>9 Nov</td>
<td>Do</td>
<td>Do</td>
<td>537</td>
</tr>
<tr>
<td>24 Nov</td>
<td>Do</td>
<td>Do</td>
<td>538</td>
</tr>
<tr>
<td>24 Nov</td>
<td>Do</td>
<td>Do</td>
<td>539</td>
</tr>
<tr>
<td>29 Nov</td>
<td>Do</td>
<td>Do</td>
<td>539</td>
</tr>
<tr>
<td>2 Dec</td>
<td>Do</td>
<td>Do</td>
<td>540</td>
</tr>
<tr>
<td>3 Dec</td>
<td>Do</td>
<td>Do</td>
<td>541</td>
</tr>
<tr>
<td>3 Dec</td>
<td>Do</td>
<td>Do</td>
<td>542</td>
</tr>
<tr>
<td>4 Dec</td>
<td>Do</td>
<td>Do</td>
<td>543</td>
</tr>
<tr>
<td>7 Dec</td>
<td>Do</td>
<td>Do</td>
<td>543</td>
</tr>
<tr>
<td>7 Dec</td>
<td>Do</td>
<td>Do</td>
<td>543</td>
</tr>
<tr>
<td>10 Dec</td>
<td>Do</td>
<td>Do</td>
<td>544</td>
</tr>
<tr>
<td>15 Dec</td>
<td>Do</td>
<td>Do</td>
<td>544</td>
</tr>
<tr>
<td>17 Dec</td>
<td>Do</td>
<td>Do</td>
<td>544</td>
</tr>
<tr>
<td>18 Dec</td>
<td>Do</td>
<td>Do</td>
<td>544</td>
</tr>
<tr>
<td>22 Dec</td>
<td>Do</td>
<td>Do</td>
<td>544</td>
</tr>
</tbody>
</table>
### SYNOPSIS OF MISCELLANEOUS PAPERS.

<table>
<thead>
<tr>
<th>Date</th>
<th>Nature of Document</th>
<th>See page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1812</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 July</td>
<td>Correspondence relating to trade at Hobart Town</td>
<td>547</td>
</tr>
<tr>
<td>---</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Sept.</td>
<td>Memorial from marines</td>
<td>547</td>
</tr>
<tr>
<td>20 Oct.</td>
<td>List of marines returning to England</td>
<td>547</td>
</tr>
<tr>
<td>1813</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30 Jan.</td>
<td>Correspondence relating to trade at Hobart Town</td>
<td>548</td>
</tr>
<tr>
<td>30 Jan.</td>
<td>Memorial, Governor, to Meehan, J.</td>
<td>548</td>
</tr>
<tr>
<td>5 March.</td>
<td>Orders for indulgence for marines</td>
<td>549</td>
</tr>
<tr>
<td>6 March.</td>
<td>Issue of provisions and stores</td>
<td>549</td>
</tr>
<tr>
<td>15 June</td>
<td>Opening of ports to trade</td>
<td>549</td>
</tr>
<tr>
<td>24 Nov.</td>
<td>Return of inhabitants at Port Dalrymple</td>
<td>550</td>
</tr>
<tr>
<td>30 Dec.</td>
<td>Memorial of Ingle, John, to Davey, lieut. governor</td>
<td>551</td>
</tr>
<tr>
<td>1814</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Feb.</td>
<td>Correspondence relating to trade at Hobart Town</td>
<td>552</td>
</tr>
<tr>
<td>3 Feb.</td>
<td>Correspondence relating to trade at Hobart Town</td>
<td>552</td>
</tr>
<tr>
<td>28 Feb.</td>
<td>Court martial on Fosbrook, Leonard</td>
<td>553</td>
</tr>
<tr>
<td>21 May</td>
<td>Letter, Campbell, J. T., to Archer, T.</td>
<td>556</td>
</tr>
<tr>
<td>31 May</td>
<td>Memorial of Fosbrook, Leonard, to Herries, J. C.</td>
<td>557</td>
</tr>
<tr>
<td>24 May</td>
<td>Letter, Macquarie, Governor, to Jeffreys, C., A.</td>
<td>559</td>
</tr>
<tr>
<td>24 May</td>
<td>Instructions to Evans, G. W.</td>
<td>560</td>
</tr>
<tr>
<td>21 May</td>
<td>Commission for Tims, Martin, as provost marshal</td>
<td>561</td>
</tr>
<tr>
<td>18 Aug.</td>
<td>Letter, Macquarie, Governor, to Rose, D.</td>
<td>561</td>
</tr>
<tr>
<td>18 Aug.</td>
<td>Letter, Macquarie, Governor, to Gunning, G. W.</td>
<td>562</td>
</tr>
<tr>
<td>24 Dec.</td>
<td>List of bills drawn by Archer, T. for salaries at Port Dalrymple</td>
<td>563</td>
</tr>
<tr>
<td>1815</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Jan.</td>
<td>Medical certificate for accident to Davey, lieut. governor</td>
<td>566</td>
</tr>
<tr>
<td>17 Feb.</td>
<td>Letter, Drummond, J. to Macquarie, Governor</td>
<td>566</td>
</tr>
<tr>
<td>17 Feb.</td>
<td>Letter, Drummond, J. to Macquarie, Governor</td>
<td>566</td>
</tr>
<tr>
<td>25 Feb.</td>
<td>Return of salaries at Hobart Town</td>
<td>566</td>
</tr>
<tr>
<td>14 March.</td>
<td>Letter, Macquarie, Governor, to Gunning, G. W.</td>
<td>570</td>
</tr>
<tr>
<td>8 July.</td>
<td>Letter, Macquarie, Governor, to Drummond, J.</td>
<td>571</td>
</tr>
<tr>
<td>17 July.</td>
<td>Letter, Macquarie, Governor, to Gunning, G. W.</td>
<td>572</td>
</tr>
<tr>
<td>28 July.</td>
<td>Letter, Macquarie, Governor, to Lascelles, T. A.</td>
<td>574</td>
</tr>
<tr>
<td>14 Sept.</td>
<td>Petition of Paterson, W.</td>
<td>575</td>
</tr>
<tr>
<td>16 Sept.</td>
<td>Letter, Macquarie, Governor, to Gunning, G. W.</td>
<td>576</td>
</tr>
<tr>
<td>16 Sept.</td>
<td>Letter, Macquarie, Governor, to Lascelles, T. A.</td>
<td>576</td>
</tr>
<tr>
<td>17 Sept.</td>
<td>Medical certificate for accident to Davey, lieut. governor</td>
<td>576</td>
</tr>
<tr>
<td>22 Sept.</td>
<td>Letter, Stewart, W., to Campbell, J. T.</td>
<td>577</td>
</tr>
<tr>
<td>30 Sept.</td>
<td>Memorial of Humphrey, A. W. H.</td>
<td>578</td>
</tr>
<tr>
<td>9 Dec.</td>
<td>Agreement for lease of house by Humphrey, A. W. H.</td>
<td>578</td>
</tr>
<tr>
<td>1816</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22 Jan.</td>
<td>Letter, Meehan, J., to Macquarie, Governor</td>
<td>578</td>
</tr>
<tr>
<td>27 Jan.</td>
<td>Letter, Macquarie, Governor, to Drummond, J.</td>
<td>579</td>
</tr>
<tr>
<td>2 Feb.</td>
<td>Letter, Meehan, J., to Macquarie, Governor</td>
<td>580</td>
</tr>
<tr>
<td>6 Feb.</td>
<td>Letter, Meehan, J., to Macquarie, Governor</td>
<td>581</td>
</tr>
<tr>
<td>3 Feb.</td>
<td>Statement of sentence by Taylor, J.</td>
<td>584</td>
</tr>
<tr>
<td>3 April</td>
<td>Letter, Kemp, A. F., to Macquarie, Governor</td>
<td>585</td>
</tr>
<tr>
<td>6 April</td>
<td>Letter, Kemp, A. F., to Macquarie, Governor</td>
<td>585</td>
</tr>
<tr>
<td>12 April</td>
<td>Hogan, P. G.</td>
<td>586</td>
</tr>
<tr>
<td>13 April</td>
<td>Instructions to Jeffreys, C.</td>
<td>587</td>
</tr>
<tr>
<td>6 May</td>
<td>Letter, Humphrey, A. W. H., to Macquarie, Governor</td>
<td>588</td>
</tr>
<tr>
<td>21 May</td>
<td>Letter, Campbell, J. T.</td>
<td>588</td>
</tr>
<tr>
<td>16 July</td>
<td>Letter, Campbell, J. T.</td>
<td>588</td>
</tr>
<tr>
<td>1 Aug.</td>
<td>Instructions to Jeffreys, C.</td>
<td>587</td>
</tr>
<tr>
<td>9 Sept.</td>
<td>Depositions for robbery by bushrangers of farm of Davey, lieut. governor</td>
<td>590</td>
</tr>
<tr>
<td>30 Oct.</td>
<td>Letter, Broughton, W., to Macquarie, Governor</td>
<td>591</td>
</tr>
<tr>
<td>11 Oct.</td>
<td>Memoranda from letters Broughton, W., to Macquarie, Governor</td>
<td>591</td>
</tr>
<tr>
<td>9 Nov.</td>
<td>Return of inhabitants in county of Buckinghamshire</td>
<td>597</td>
</tr>
<tr>
<td>22 Nov.</td>
<td>Letter, Riley and Jones, to Campbell, J. T.</td>
<td>598</td>
</tr>
<tr>
<td>23 Nov.</td>
<td>O'Connor, J. R.</td>
<td>598</td>
</tr>
<tr>
<td>Date</td>
<td>Nature of Document</td>
<td>See page</td>
</tr>
<tr>
<td>------------</td>
<td>------------------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>27 Nov</td>
<td>Letter, Macquarie, Governor, to Broughton, W.</td>
<td>599</td>
</tr>
<tr>
<td>9 Dec</td>
<td>Return of muster of settlers, Drummond, J.</td>
<td>600</td>
</tr>
<tr>
<td>9 Dec</td>
<td>Inhabitants</td>
<td>602</td>
</tr>
<tr>
<td>13 Dec</td>
<td>Letter, Macquarie, Governor, to Broughton, W.</td>
<td>602</td>
</tr>
<tr>
<td>26 Dec</td>
<td>Deposition by bushrangers of farm of Davey, lieut. governor</td>
<td>626</td>
</tr>
<tr>
<td>Dec.-Jan.</td>
<td>Summary of letters from Broughton, W.</td>
<td>604</td>
</tr>
<tr>
<td>8 Jan</td>
<td>Letter, Gatehouse, G., to Macquarie, Governor</td>
<td>605</td>
</tr>
<tr>
<td>23 Feb</td>
<td>Report by Meehan, J., on behalf of Paterson, W.</td>
<td>606</td>
</tr>
<tr>
<td>27 Feb</td>
<td>Letter, Macquarie, Governor, to Abbott, E.</td>
<td>606</td>
</tr>
<tr>
<td>1 March</td>
<td>Memorandum of requisitions by Broughton, W.</td>
<td>607</td>
</tr>
<tr>
<td>1 March</td>
<td>Report on allotment purchased by Bate, S.</td>
<td>608</td>
</tr>
<tr>
<td>7 March</td>
<td>Letter, Macquarie, Governor, to Drummond, J.</td>
<td>608</td>
</tr>
<tr>
<td>9 March</td>
<td>Letter, Macquarie, Governor, to Broughton, W.</td>
<td>608</td>
</tr>
<tr>
<td>26 March</td>
<td>List of names by Macquarie, Governor</td>
<td>611</td>
</tr>
<tr>
<td>3 May</td>
<td>Letter, Broughton, W., to Macquarie, Governor</td>
<td>611</td>
</tr>
<tr>
<td>17 May</td>
<td></td>
<td>613</td>
</tr>
<tr>
<td>24 June</td>
<td>Memorial of Barclay, A.</td>
<td>615</td>
</tr>
<tr>
<td>3 July</td>
<td>Letter, Stewart, A., to Campbell, J. T.</td>
<td>616</td>
</tr>
<tr>
<td>8 July</td>
<td>Wydde, J., to Macquarie, Governor</td>
<td>617</td>
</tr>
<tr>
<td>9 July</td>
<td></td>
<td>618</td>
</tr>
<tr>
<td>10 July</td>
<td>Charges preferred against Hogan, P. G.</td>
<td>618</td>
</tr>
<tr>
<td>22 July</td>
<td>Letter, Piper, J., to Macquarie, Governor</td>
<td>618</td>
</tr>
<tr>
<td>23 July</td>
<td>Sorrell, lieut. governor, to Davey, T.</td>
<td>619</td>
</tr>
<tr>
<td>27 Oct.</td>
<td>Letter, Macquarie, Governor, to Drummond, J.</td>
<td>620</td>
</tr>
<tr>
<td>28 Oct.</td>
<td>Return of papers to be submitted by Allan, D.</td>
<td>620</td>
</tr>
<tr>
<td>4 Nov.</td>
<td>Letter, Lord, J., to O'Connor, J. R.</td>
<td>620</td>
</tr>
<tr>
<td>5 Nov.</td>
<td>Macquarie, Governor, to Davey, T.</td>
<td>621</td>
</tr>
<tr>
<td>5 Nov.</td>
<td>Mountgarrett, J., to Campbell, J. T.</td>
<td>622</td>
</tr>
<tr>
<td>6 Nov.</td>
<td>List of witnesses for court martial on Hogan, P. G.</td>
<td>623</td>
</tr>
<tr>
<td>6 Nov.</td>
<td>Questions proposed for examination of Allan, D.</td>
<td>624</td>
</tr>
<tr>
<td>13 Nov.</td>
<td>Letter, Macquarie, Governor, to Wydde, J.</td>
<td>625</td>
</tr>
<tr>
<td>17 Nov.</td>
<td>Davey, T., to Macquarie, Governor</td>
<td>625</td>
</tr>
<tr>
<td>24 Nov.</td>
<td>Memorial of Luttrell, E.</td>
<td>626</td>
</tr>
<tr>
<td>27 Nov.</td>
<td>Letter, Drummond, J., to Goulburn, H.</td>
<td>626</td>
</tr>
<tr>
<td>29 Nov.</td>
<td></td>
<td>629</td>
</tr>
<tr>
<td>6 Dec.</td>
<td>Mountgarrett, J., to Campbell, J. T.</td>
<td>631</td>
</tr>
<tr>
<td>6 Dec.</td>
<td>Wydde, J., to Macquarie, Governor</td>
<td>633</td>
</tr>
<tr>
<td>14 Dec.</td>
<td>Davey, T., to Bathurst, Earl</td>
<td>633</td>
</tr>
<tr>
<td>14 Dec.</td>
<td>To Harrowby, Earl of</td>
<td>634</td>
</tr>
<tr>
<td>16 Dec.</td>
<td>To Macquarie, Governor</td>
<td>646</td>
</tr>
<tr>
<td>20 Dec.</td>
<td>Memorial of Davey, T.</td>
<td>648</td>
</tr>
<tr>
<td>24 Dec.</td>
<td>List of bills drawn in payment of salaries</td>
<td>652</td>
</tr>
<tr>
<td>1818</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Jan.</td>
<td>Letter, Davey, T., to Macquarie, Governor</td>
<td>653</td>
</tr>
<tr>
<td>7 Jan.</td>
<td>Macquarie, Governor, to Davey, T.</td>
<td>653</td>
</tr>
<tr>
<td>20 Jan.</td>
<td>Knopwood, Revd. R., to Bathurst, Earl</td>
<td>653</td>
</tr>
<tr>
<td>2 Feb.</td>
<td>Davey, T., to Macquarie, Governor</td>
<td>656</td>
</tr>
<tr>
<td>7 Feb.</td>
<td>Macquarie, Governor, to Davey, T.</td>
<td>657</td>
</tr>
<tr>
<td>9 Feb.</td>
<td>Macquarie, Governor, to Davey, T.</td>
<td>657</td>
</tr>
<tr>
<td>11 Feb.</td>
<td>Macquarie, Governor, to Davey, T.</td>
<td>657</td>
</tr>
<tr>
<td>17 Feb.</td>
<td>Macquarie, Governor, to Davey, T.</td>
<td>658</td>
</tr>
<tr>
<td>27 Feb.</td>
<td>Macquarie, Governor, to Davey, T.</td>
<td>659</td>
</tr>
<tr>
<td>23 March</td>
<td>Wydde, J., to Macquarie, Governor</td>
<td>660</td>
</tr>
<tr>
<td>24 March</td>
<td>Wydde, J., to Macquarie, Governor</td>
<td>660</td>
</tr>
<tr>
<td>24 April</td>
<td>Dry, R., to Sorrell, lieut. governor</td>
<td>661</td>
</tr>
<tr>
<td>26 May</td>
<td>Macquarie, Governor, to Davey, T.</td>
<td>661</td>
</tr>
<tr>
<td>27 April</td>
<td>Hogan, P. G., to Campbell, J. T.</td>
<td>661</td>
</tr>
<tr>
<td>15 May</td>
<td>Davey, T., to Macquarie, Governor</td>
<td>662</td>
</tr>
<tr>
<td>20 May</td>
<td></td>
<td>662</td>
</tr>
<tr>
<td>30 May</td>
<td></td>
<td>662</td>
</tr>
<tr>
<td>24 June</td>
<td>List of bills drawn in payment of salaries</td>
<td>663</td>
</tr>
<tr>
<td>1 Aug.</td>
<td>Letter, Sorrell, lieut. governor, to Abbott, E.</td>
<td>664</td>
</tr>
<tr>
<td>20 Aug.</td>
<td></td>
<td>664</td>
</tr>
<tr>
<td>31 Aug.</td>
<td></td>
<td>665</td>
</tr>
<tr>
<td>8 Sept.</td>
<td>Robinson, H. E., to Kemp, A. F.</td>
<td>666</td>
</tr>
<tr>
<td>Date</td>
<td>Nature of Document</td>
<td>See page</td>
</tr>
<tr>
<td>------------</td>
<td>--------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>1818</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Sept.</td>
<td>Letter, Robinson, H. E., to Kemp, A. F.</td>
<td></td>
</tr>
<tr>
<td>10 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Sept.</td>
<td>Letter, Sorell, lieut. governor, to Abbott, E.</td>
<td></td>
</tr>
<tr>
<td>14 Sept.</td>
<td>Letter, Walker, T., to Macquarie, Governor</td>
<td></td>
</tr>
<tr>
<td>14 Sept.</td>
<td>Letter, Sorell, lieut. governor, to Abbott, E.</td>
<td></td>
</tr>
<tr>
<td>15 Sept.</td>
<td>Letter, Robinson, H. E., to Lord, E., and Blyth, W.</td>
<td></td>
</tr>
<tr>
<td>17 Sept.</td>
<td>Letter, Sorell, lieut. governor, to Abbott, E.</td>
<td></td>
</tr>
<tr>
<td>26 Sept.</td>
<td>Instructions to Smith, D.</td>
<td></td>
</tr>
<tr>
<td>8 Oct.</td>
<td>Letter, Sorell, lieut. governor, to Watkins, W. N.</td>
<td></td>
</tr>
<tr>
<td>9 Oct.</td>
<td>Letter, Guest, G., to Kemp, A. F., and Gatehouse, G.</td>
<td></td>
</tr>
<tr>
<td>20 Oct.</td>
<td>Letter, Sorell, lieut. governor, to Guest, G.</td>
<td></td>
</tr>
<tr>
<td>24 Oct.</td>
<td>Letter, Bell, T.</td>
<td></td>
</tr>
<tr>
<td>24 Oct.</td>
<td>Letter, Florence, T.</td>
<td></td>
</tr>
<tr>
<td>6 Nov.</td>
<td>Letter, Randall, J.</td>
<td></td>
</tr>
<tr>
<td>7 Nov.</td>
<td>Letter, Beamont, J.</td>
<td></td>
</tr>
<tr>
<td>11 Nov.</td>
<td>Letter, Kemp, A. F., to Bathurst, Earl</td>
<td></td>
</tr>
<tr>
<td>12 Nov.</td>
<td>Letter, Sorell, lieut. governor, to Tims, M.</td>
<td></td>
</tr>
<tr>
<td>13 Nov.</td>
<td>Letter, Lacelles, T. A.</td>
<td></td>
</tr>
<tr>
<td>14 Nov.</td>
<td>Letter, Field, R.</td>
<td></td>
</tr>
<tr>
<td>15 Nov.</td>
<td>Letter, Kemp, A. F., to Bathurst, Earl</td>
<td></td>
</tr>
<tr>
<td>28 Nov.</td>
<td>Letter, Sorell, lieut. governor, to Abbott, E.</td>
<td></td>
</tr>
<tr>
<td>30 Nov.</td>
<td>Letter, Archer, T.</td>
<td></td>
</tr>
<tr>
<td>2 Dec.</td>
<td>Letter, Beamont, J.</td>
<td></td>
</tr>
<tr>
<td>6 Dec.</td>
<td>Letter, Barker, R.</td>
<td></td>
</tr>
<tr>
<td>9 Dec.</td>
<td>Letter, Luttrell, E.</td>
<td></td>
</tr>
<tr>
<td>12 Dec.</td>
<td>Letter, Robinson, H. E., to Kent, T.</td>
<td></td>
</tr>
<tr>
<td>16 Dec.</td>
<td>Letter, Barker, R.</td>
<td></td>
</tr>
<tr>
<td>16 Dec.</td>
<td>Letter, Luttrell, E.</td>
<td></td>
</tr>
<tr>
<td>23 Dec.</td>
<td>Letter, Sorell, lieut. governor, to Beamont, J.</td>
<td></td>
</tr>
<tr>
<td>26 Dec.</td>
<td>Letter, Loane, R. W.</td>
<td></td>
</tr>
<tr>
<td>1819</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Jan.</td>
<td>Letter, Watkins, W. N.</td>
<td></td>
</tr>
<tr>
<td>4 Jan.</td>
<td>Letter, Robinson, H. E., to Tims, Martin</td>
<td></td>
</tr>
<tr>
<td>6 Jan.</td>
<td>Letter, Wetherill, T.</td>
<td></td>
</tr>
<tr>
<td>10 Jan.</td>
<td>Letter, Sorell, lieut. governor, to Watkins, W. N.</td>
<td></td>
</tr>
<tr>
<td>13 Jan.</td>
<td>Letter, Robinson, H. E., to Kent, T., and Ferguson, J.</td>
<td></td>
</tr>
<tr>
<td>15 Jan.</td>
<td>Letter, Loane, R. W.</td>
<td></td>
</tr>
<tr>
<td>20 Jan.</td>
<td>Letter, Sorell, lieut. governor, to Watkins, W. N.</td>
<td></td>
</tr>
<tr>
<td>25 Jan.</td>
<td>Letter, Luttrell, E.</td>
<td></td>
</tr>
<tr>
<td>29 Jan.</td>
<td>Letter, Leroux, W. G.</td>
<td></td>
</tr>
<tr>
<td>3 Feb.</td>
<td>Letter, Macquarie, Governor, to Dry, R.</td>
<td></td>
</tr>
<tr>
<td>8 Feb.</td>
<td>Letter, Robinson, H. E., to Loane, R. W.</td>
<td></td>
</tr>
<tr>
<td>16 Feb.</td>
<td>Letter, Richardson, T., to Bathurst, Earl</td>
<td></td>
</tr>
<tr>
<td>N.d.</td>
<td>Letter, Memorial of H. St. J. Younge</td>
<td></td>
</tr>
<tr>
<td>3 April</td>
<td>Letter, Port regulations</td>
<td></td>
</tr>
<tr>
<td>14 June</td>
<td>Letter, Sorell, lieut. governor, to Archer, T.</td>
<td></td>
</tr>
<tr>
<td>14 June</td>
<td>Letter, Robinson, H. E., to Hogan, P. G.</td>
<td></td>
</tr>
<tr>
<td>15 June</td>
<td>Letter, Heywood, H.</td>
<td></td>
</tr>
<tr>
<td>22 June</td>
<td>Letter, Sorell, lieut. governor, to Apsley, J.</td>
<td></td>
</tr>
<tr>
<td>25 June</td>
<td>Letter, McCarty, D.</td>
<td></td>
</tr>
<tr>
<td>26 June</td>
<td>Letter, Luttrell, E.</td>
<td></td>
</tr>
<tr>
<td>10 July</td>
<td>Letter, Robinson, H. E., to Reid, C.</td>
<td></td>
</tr>
<tr>
<td>10 July</td>
<td>Letter, Sorell, lieut. governor, to Walker, T.</td>
<td></td>
</tr>
<tr>
<td>13 July</td>
<td>Letter, Robinson, H. E., to McCarty, D.</td>
<td></td>
</tr>
<tr>
<td>17 July</td>
<td>Letter, Fisk, A.</td>
<td></td>
</tr>
<tr>
<td>19 July</td>
<td>Letter, Memorial of W. Stewart</td>
<td></td>
</tr>
<tr>
<td>21 July</td>
<td>Letter, Sorell, lieut. governor, to Archer, T.</td>
<td></td>
</tr>
<tr>
<td>29 July</td>
<td>Letter, Evans, G. W.</td>
<td></td>
</tr>
<tr>
<td>29 July</td>
<td>Letter, Archer, T.</td>
<td></td>
</tr>
</tbody>
</table>
## Synopsis of Miscellaneous Papers

<table>
<thead>
<tr>
<th>Date</th>
<th>Nature of Document</th>
<th>See page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1819</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30 July</td>
<td>Letter, Sorell, lieut. governor, to Luttrell, E.</td>
<td>730</td>
</tr>
<tr>
<td>4 Aug.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Aug.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Aug.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 Aug.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18 Aug.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 Aug.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23 Aug.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 Aug.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27 Aug.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29 Aug.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30 Sept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31 Oct.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30 Nov.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29 Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30 Dec.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Ser. III. Vol. II—3 F*
INDEX.

Abbott, Edward (dep. judge-advocate)
appointment of, 59, 66.
assigned servants for, 111, 605, 610.
bill drawn for salary of, 652, 663.
claim of, to command in absence of lieut.-
governor, 263.
commission for, as deputy judge-advocate,
553.
complaint of, against Tims, M., 142.
decision by, in case of Rice, H., v. Gavin,
R., 606.
deputy judge-advocate at court martial on
Burn, H., 119.
false rumour spread by, 607.
leave of absence for, 124.
letters to—
from Macquarie, L., 606.
from Sorell, W., 664, 668, 669, 673, 687,
735.
live stock for, 125.
opinion of, re jurisdiction of magistrates at
Port Dalrymple, 526.
passenger from England per brig Emu, 60.
refusal of—
to act under commission from judge of
supreme court, 197, 243.
to enforce colonial regulations, 663, 669,
670 et seq.
to open civil court on account of martial
law, 126.
residence provided for, 126.
return of, to Hobart town, 135.
salary for, 66.
validity of colonial regulations admitted by,
673, 674.
victualling allowances for, 599.

Able (Abel), William
settler at New Norfolk, 94, 99.

Aborigines
ill-treatment of, by crews of whale-boats,
576.
medical treatment of, to be discontinued,
741, 748, 750.
return to Sydney of blacktracker, 284.
robbery of cart of Beamont, J., by, 474.
transportation of, from Sydney to Port Dal-
rymple, 471.

Active, brig
despatch per, 43.

Adams, John
bribery of, attempted by Smith, J., 469.
Adams, John
See "Taylor, James."
Admiral Cockburn, ship
convicts per, 420, 423.
despatch per, 412, 419, 421, 422, 424, 429,
430.

Agriculture
prospects of harvest in 1814, 43.
result of harvest in 1816, 170.
return of, 74, 137, 601.
surplus wheat available, 141.

Alcock,—
allotments of Guest, G., marked out by, 361,
679.
apPOINTMENT OF, AS SUPERINTENDENT OF STREETS,
343, 354.
salary for, 354.

Alldrick,—
arrest of, as deserter, 304.
second mate of ship Chapman, 303.

Alert, brig
despatch per, 264, 266, 267.
purchase of sugar ex, 266.

Allan, David (dep. com.-genl.)
accounts and returns to be submitted by,
596, 697, 612, 620.
letter from, to Macquarie, L., 627.
letter to, from Hogan, P. G., 627.
papers transmitted by, 627.
questions for, at trial of Hogan, P. G., 624.
witness for trial of Hogan, P. G., 611, 612,
623, 624.

Allen,—
confinement of, at Hobart town, 540.

Allen, John
certificate of freedom for, 530.

Alligator, schooner
despatch per, 60.
spirits imported on, 52.

America
prohibition of trade by vessels from, 327.
Andrews, Robert (private, marines)
return of, to England, 547.

Anglim, Thomas
claim of, to certificate of freedom, 239, 243.

Ankers, Daniel
land claimed by, 109.
pardon withheld from, 7.

Anandale, Robert (sergt., 46th regt.)
arrest of Stewart, W., by, 715.
information given by, re escape of Mills, P., 451.

Anne, ship
arrival of, 291.
vessel imported in, in frame, 365.

Anson, —
claim of Guest, G., to land of, 679.

Antrobus, Alexander
claim of, to certificate of freedom; 381.

Apsley, John
letter to, from Sorell, W., 706.
precautions to be taken by, to prevent seizure of ship by convicts, 706.

Archibald, Thomas
antagonism of, with Stewart, J., 250, 252, 285, 286.
appointment of—
as magistrate, 58, 296, 445, 556.
to charge of commissariat at Port Dalrymple, 41.
bill drawn by, for salary of Smith, J., 343, 344, 355.
character of, 252.
committal for trial of Stewart, W., by, 710.
deposition by, re statements of Kemp, A. F., 331.
instructions to, 334.
kitchen at Launceston to be erected by, 335, 334.
leave of absence proposed for, 392.
letter to—
from Campbell, J. T., 556.
from Sorell, W., 688, 689, 704, 705, 725, 726, 727, 729.
orders for, to remain at the Derwent, 355.
request of, for house rent, 311.
services of, 428, 424.
survey by, of road to New Norfolk, 706, 708.
transfer of, to Port Dalrymple, 420, 423, 534.

Ayer's ferry
inquiry re charges for, 664.

Ayers (Ayres), Nathaniel
deposition re capture by, and escape from, of three bushrangers, 56 et seq.

Arden, John
claim of, to certificate of freedom, 348.

Arden, ship
illegal departure of, from Hobart town, 63.
smuggling of spirits from, 63.

Armstrong, John
ticket of leave for, 499.

Ashton, George
constable, 91.

Ashton, William (lance-corporal, 46th regt.)
discharge of, 349, 350.
proposal for exchange of, on relief, 280, 312, 324.

Austin, Francis (William)
deposition re capture by, and escape from, of three bushrangers, 56 et seq.

Austin's ferry
inquiry re charges for, 664.

Ayres (Ayers), Nathaniel
deposition by, re burning of wheat stacks by bushrangers at Pitt water, 91.
report on allotment purchased and sold by, 579.

Bagshaw, William
petition of, for mitigation of sentence, 306.
witness for trial of Broughton, W., 299.

Bailey, Thomas
application by, for writ of habeas corpus, 568.
imprisonment of, at Sydney, 568.

Banks, —
compensation to be given to, by Davey, T., 727.

Barclay, Andrew
appointment of, as magistrate, 276, 296.
land grant for, 616.
memorial from, soliciting extension of land grant, 615.
proposal for appointment of, as magistrate, 265.
prosecution of Stewart, J., proposed by, 478.

Baring, ship
arrival of, 405.
convicts per, 405.
despatch per, 405.
INDEX.

Barker, —
claim of, for leakage in bonded spirits, 743.
letter to, from Sorell, W., 743.

Barker, Richard
dispute of, with Scattergood, W., re boundaries of land, 691.
letter to, from Robinson, H. E., 678, 691.
permission for, to obtain divided land grant, 171.
travelling stock belonging to, 678.

Barnard, —
application from, to erect saw-mill on west coast, 334.
refusal of permission for, to erect saw-mill, 352.

Barnard, G. W.
land grant and indulgences for, 495.

Barnes, —
allotment held by, in Hobart town, 346, 353.

Barnes, John
setter at New Norfolk, 94, 98.

Bate, Samuel (dep. judge-advocate)
address by, to Davey, T., re martial law, 133.
agreement for lease of house by, 578.
allotment purchased by, at Hobart town, 608.
dismissal of, 67.
payment of salary of, 565.
prohibition by Macquarie, L., of employment of, 24.

Bathurst, Earl
letter from—
to Davey, T., 59.
to Sorell, W., 337.
letter to—
from Davey, T., 111, 128, 130, 146, 575, 633, 645.
from Kemp, A. F., 684, 656.
from Knopwood, Revd. R., 633.
from Richardson, T., 700.
from Sorell, Mrs. H., 333.
from Sorell, W., 376.
memorial to—
from Davey, T., 648, 651.
from Humphrey, A. W. H., 576.
from Mountgarret, J., 588.
from Stewart, W., 709.
from Younge, H. St. J., 701.

Beachey, Mary
free passage granted to, 173.

Beagent, Ellis
association of, with Howe, M., 320.
attempt of, to escape in brig Clarion, 320.
character of, 327.
deporation of, to Sydney, 320, 327.
participation of—
in piracy of launch, 319, 320.
in seizure of launch, 327.
robbery of house of McCarty, D., by, 80 et seq.
servant of Abbott, E., 319.

Beagent, James
bushranging by, 448 et seq.
deposition by, re refusal of Mills, P., to escape by boat, 452, 453.
statement by Mills, P., re, 453, 454.

Beamont, John
address by, to Davey, T., re martial law, 133.
appointment of—
as naval officer, 294.
as provost-marshal, 383.
as treasurer of police fund, 302, 313.
disapproval by Macquarie, L.—
of appointment of, as magistrate, 50.
of land located for, 35.
land grant and indulgences for, 19.
letter to, from Sorell, W., 683, 689, 690, 692.
robbery of cart of, by natives, 474.
threats made by bushrangers against, 163.

Beams, Thomas
ticket of occupation for, 496.

Bean, William (sergeant, marines)
return of, to England, 547.

Belbin (Belbyn), James
claim of, unpaid by Hogan, P. G., 626, 734.
letter to, from Sorell, W., 734.

Bell, Thomas (bt.-major, 48th regt.)
appointment of, as magistrate, 334, 352.
arrival of, 338.
letter to, from Sorell, W., 650, 730, 732, 747.
proposed relief of Stewart, J., by, 293.
survey by, of road to New Norfolk, 706, 708, 732.

Bellingham, John (private, marines)
return of, to England, 547.
INDEX.

Bench of magistrates

at Port Dalrymple, 435, 443, 457, 497, 498, 526.
complaints to be investigated by, 38.
conviction by, of Carey, W., for assault, 526.
criticism of proceedings of, at Hobart town, 4, 8, 9, 567, 568.
fees received by clerk to, at Port Dalrymple, 536.
influence of Sorell, W., over, 684, 687.
inquiry by, re Smith, J., and Elliott, W., bushrangers, 106 et seq.
inspection of gaol by, 687, 688.
instructions re, at Port Dalrymple, 497, 498.
licensed for public-houses by, 735.
limitation of corporal punishment by, 498.
magistrates—
at Port Dalrymple, 20.
at the Derwent, 20.
number of magistrates in Tasmania, 142.
opinion of Abbott, E., re jurisdiction of, at Port Dalrymple, 526.
payment for stationery used by, 45.
proceedings of, re convicts on brig Kangaroo, 227.
refusal—
of chairman of, to enforce colonial regulations, 668, 669, 670 et seq., 673, 674.
of Humphrey, A. W. H., to comply with verdict of, 37.
report to be made by, re charges for ferries, 664.
request from, for active measures against bushrangers, 79.
salary for clerk to, 24.

Bent, Ellis (dep. judge-advocate)
land granted to, in N.S.W., 651.
letter from, to Macquarie, L., 8, 566.
measures proposed by, against bushrangers, 565 et seq.
opinion of, re proceedings of magistrates at Hobart town, 8, 9, 567.

Bent, Jeffery Hart (judge, N.S.W.)
suspension of, 175.

Bentley, John
trial and conviction of, 313.

Berchall (Burchall), John
construction of sloop by, 198.
district constable at Pitt water, 91.
license for sloop built by, 242.

Bible society
formation of branch of, 401, 402, 416.

Bingham, John
constable at Pitt water, 90.
deposition by, re burning of stacks by bushrangers at Pitt water, 90.

Birch, John
escape of, from George town, 533, 544.
statement by, re punishment of convicts, 533, 536.

Birch, Thomas William
charter of brig of, to secure cargo of Huon pine, 363, 680.
compensation of, for services in pursuit of convicts, 321, 327.
denial by, of transfer of land of Guest, G., 30.
grant proposed for, 605.
land grant for, 8.
letter to, from Robinson, H. E., 738.
official thanks for services of, 259.
permit for, to launch vessel, 8.
residence of Sorell, W., at house of, 196.
seizure of brig of, proposed by bushrangers, 234, 258.
services of, 234, 321.
ship stolen from, 596.
tender of, for erection of wall at gaol, 650.
witness for trial of Broughton, W., 299.

Blackhale, —
salary for, at Port Dalrymple, 479.

Blackwell, John
application from, for marriage license, 752.

Blake, —
recapture of, 544.

Bland, —
irregular issue of spirits to, 62.

Bland, William (surgeon)
certificate by, re injuries to Davey, T., 645.

Blaxcell, Garnham
contractor for erection of Sydney hospital, 31, 444.
fraudulent escape of, 242.
passenger per brig Kangaroo, 224, 237.

Blyth, William
appointment of, as member of lieut.-governor's court, 673.
claim of, unpaid by Hogan, P. G., 626.
letter to, from Robinson, H. E., 673.
robbery of house of, by Howe, W., 489.
store receipt issued to, 626.
witness for court martial on Broughton, W., 299.
INDEX.

Boney, Joseph
orders for return of, to Sydney, 140.

Booby, — (private, 46th regt.)
custodian of signal station at Mount Nelson, 312.
request of, for transfer on relief of regiment, 312, 324.

Boon, John
discovery of lime quarry by, 52.
pardon for, 52.

Booth, —
confinement of, at Hobart town, 540.

Boothman, John Broadhurst
appointment of, as superintendent at Port Dalrymple, 312, 325.
character of, 24.
clerk to Davey, T., 277, 312.
payment of salary of, 565, 652, 663.
proposed trial of, 42.
refusal—
of petition of, 498, 499.
of resignation by, 7.
removal of, to George town, 496.
resignation of, as superintendent, 277.
witness required by Davey, T., against Younge, H. St. J., 256.

Bowden, Matthew (surgeon)
caution re, given to Davey, T., by Macquarie, L., 24.
payment of salary of, 565.

Briggs, —
master of ship Admiral Cockburn, 420.

Briggs, —
leader of convicts in piracy of launch, 319, 327.

Brimmer, James
overseer at Hobart town, 227.

Brinn, John (drummer, marines)
return of, to England, 547.

Brisbane, Sir Thomas
rumoured appointment of, as governor, 383.

Brodie, —
master of brig Alert, 266.

Bromley, Edward Ford
appointment of, as naval officer, 431.

Broughton, John
deposition by, re burning of stacks by bush-rangers at Pitt water, 90.

Broughton, William (actg. ass. com.-genl.)
accounts and returns proposed by, 595.
apprehensions by, of bias in court of inquiry, 264.
charges—
trumped by, against Hogan, P. G., 611 et seq., 614.
commendation of, by Macquarie, L., 609.
court martial on, proposal for, 261, 292, 298.
criticism by, of administration at Hobart town, 594.
evidence of Davey, T.,—
required at inquiry re, 619.
required by, 239.
exoneration of, 316, 318.
expectations of, re administration of Soreil, W., 613, 614.
instructions to, for reorganisation and administration of commissariat, 157 et seq.
investigation of charges against, 243, 255.
letter to, from Macquarie, L., 599, 602, 609.
publishation by, of findings of court of inquiry, 318, 326.
report by, on Hogan, P. G., 592, 593.
request—
by, for court martial, 615.
of, for clerk, 596, 597.
of, for permission to exchange cattle, 235, 260.
refusal of Lord, E., to prosecute, 304, 305, 316, 659.
relief requested by, 615.
slaughter-house at Hobart town proposed by, 595, 596, 597.
witnesses required for court martial on, 298, 299.

Brown, —
misconduct of, at Port Dalrymple, 479.

Brown, G. W.
salary of, as commissariat clerk, 720.

Brown, John
deposition of, at inquest on body of Carlisle, C., 96.

Brown, John
letter from, to Davey, T., 643.

Brown, Robert
appointment of, as master of brig Prince Leopold, 370.
resignation of, 391, 395.
INDEX.

**Brumby, James**
appointment of, as constable at Norfolk plains, 489.

**Bruny Island**
land grants to be made at, 109, 169.

**Bunster, William**
land grant and indulgences for, 425.
memorial from, soliciting land, 423.
refusal of request of, for land grant, 165.

**Burbidge,**
murder committed by, at Launceston, 287.
witnesses for trial of, 289.

**Burke, Francis**
agent of Mountgarrett, J., 470.
alleged bribery by, 469.

**Burley, Patrick**
claim of, to certificate of freedom, 200.

**Burn (Burne), Hugh**
court martial on, 119, 120.
depositions re—
capture and escape of, 85 et seq., 98 et seq.
participation of, in murder of Carlisle, C., 94 et seq.
robbery of house of Fisk, A., by, 104, 105.
verdict of wilful murder against, 98, 123.

**Bush, George (ass. surgn., 46th regt.)**
application of, for use of horse, 68.
deposition by, at inquest on body of Carlisle, C., 94.
-payment to, from police fund, 144.
-relief of, 118.

**Bushrangers**
address of thanks to Davey, T., for promulgation of martial law re, 133 et seq.
-arrest of sympathisers to, 249.
support of, by natives, 941, 249.
-attack by, on Stanfield, D., 108.
-attempt of, to escape by boat, 234.
-banishment of, to Coal river, N.S.W., 274.
court martial on Burn, H., 119, 120.
depositions re—
-burning of stacks at Pitt water by, 89 et seq.
capture—
of military escort and release of prisoners by, 75 et seq.
-and escape of three, 85 et seq.
career of Mills, P., 445 et seq.
murder of Carlisle, C., by, 92 et seq.
-robberies by Howe, M., and gang, 162, 163.

**Bushrangers (robbery—**
at house of Fisk, A., by, 101 et seq.
at house of Humphrey, A. W. H., by, 120 et seq.
at house of McCarty, D., by, 80 et seq.
at house of Triffitt, J., by, 98 et seq.
of farm of Davey, T., by, 580, 603.
depradations by, at Port Dalrymple, 146.
emancipations for, for apprehension of criminals, 7.
employment—
of native guides against, 254.
escape of—
attempted via Macquarie harbour, 231.
by warnings received, 249.
ex-civil officers from Port Dalrymple leaders of, 55, 448 et seq.
failure of military in attack on, 245, 246, 247, 248, 261.
illegality of martial law proclaimed against, 110, 113, 125, 131.
inquest on body of Carlisle, C., murdered by, 94 et seq.
instructions to Davey, T., re suppression of, 20, 21, 167.
letter from, to Davey, T., 643.
letter to, from Davey, T., 644.
martial law proclaimed on account of, 92, 131.
measures proposed for suppression of—
-by Bent, E., 568 et seq.
-by Macquarie, L., 56.
memorial from Humphrey, A. W. H., soliciting relief for losses caused by, 576.
proclamation—
-by Davey, T., re, 59, 132, 133.
-by Macquarie, L., re, 57, 446.
-of pardon for, on surrender, 29, 38.
-proposal to indemnify Humphrey, A. W. H., and Reardon, B., for losses caused by, 115, 116.
raid by, on George town, 234, 254, 264.
-refusal by Macquarie, L., of warrant for court martial on, 125.
-report by Davey, T., to Bathurst, Earl, re, 151.
-request by magistrates for active measures against, 79.
-revocation of martial law against, 146.
-rewards for apprehension of, 125, 263, 269.
-robbery by, at farm of Ingle, J., 79.
-semi panic at Hobart town caused by, 594.
-suppression of, 292.
surrender of, 264, 265, 274.
-visit of, to Pitt water, 245, 246, 247, 248.
INDEX.

Byrne, —
transportation of, to the Derwent, 57.

Campbell, Alexander (lieut., 46th regt.)
acting commandant at Port Dalrymple, 710. certificate by Davey, T., re maladministration of, 724. charges made against, by Stewart, W., and Hardwick, 435, 709 et seq. verdict against, in supreme court, 712, 713, 721.

Campbell, Duncan (lieut., 73rd regt.) assigned servants of, 586. explanations required re vouchers submitted by, 3. house rent paid for, 3. naval officer and treasurer of police fund at Hobart town, 3, 6, 332. voucher from, tendered in payment of duties, 329, 337.

Campbell, John Thomas (colonial secretary)
letter from—
to Archer, T., 556.
to Gelis, A., 23.
to Macquarie, L., 586.
to McKenzie, J., 445.
to Mountgarrett, J., 556.
to Sorell, W., 556, 539, 565, 371, 425, 427.
to Stewart, W., 723.
letter to—
from Craig, W. H., 588.
from Hogan, P. G., 661.
from Mountgarrett, J., 623, 633.
from O'Connor, J. R., 598.
from Riley and Jones, 508.
from Sorell, W., 347, 387, 375, 351, 427, 429.
from Stewart, A., 616.
from Stewart, W., 575.

Campbell Maquarie, brig
despatch per, 33.

Campbell, Robert
memorial of, re allotment at Hobart town, 306, 315.

Campbell street
intersection of allotment claimed by Guest, G., by, 679.

Carlisle, Charles
court martial on Burn, H., for murder of, 119, 120. inquest on body of, 94 et seq. murder of, by bushranger, 92 et seq.

Carey, —
deposition re bushranging of, 448 et seq.

Carey, William
conviction of, for assault on Lette, P., 526. ticket of occupation for, 485.

Carnell, William
district constable at Launceston, 517.

Carr, —
complicity of, in smuggling of spirits, 63.

Cassidy, John
store receipt issued to, 636.

Cassidy, William
conviction of, for assault on Lette, P., 526. ticket of occupation for, 485.

Cawthorn, —
arrest of, as free settler, 330.

Chace, S. R.
appointment of, as master of brig Prince Leopold, 391. passages for family of, 415.

Chapman, John
letter from, to Davey, T., 643. robbery of farm of Davey, T., by, 590, 591, 603, 604. shooting of, by military under Mahon, G. A., 474.

Chapman, ship
arrival of, 301. convicts by, escape of, 311. deserts from crew of, 303. escapes in, from Port Jackson, 303.

Charlotte Sophia, H.M. Queen
death of, 402, 416.

Chevilli, Aaron
request of, for passage of family, 264, 332.

Ciminiere, Gilbert (major, 48th regt.)
action proposed by Watkins, W. N., against, 378. appointment of, as commandant, 475. arrival of, at Port Dalrymple, 484. bill drawn for salary of, 664. corporal punishment of convicts by, 533, 536. correspondence of Sorell, W., with, 509. departure of, from Sydney for Port Dalrymple, 316. dispute of, with Watkins, W. N., 365, 372, 373, 481, 673, 676, 693, 694. illegal order issued by, 538. instructions to, as commandant, 474, 475.
INDEX.

Climitiere, Gilbert (major, 48th regt.)
leave of absence granted by, to Leith, W. E., 382.
letter from—
  to Macquarie, L., 513, 514.
letter from Sorell, W., resented by, 480, 508, 513, 514, 524.
letter to—
  from Macquarie, L., 474, 484, 508, 513, 514, 524.
practice to be adopted by, in issue of orders, 538.
proposal by, to send military officers to Sydney, 601.
proposed relief of Stewart, J., by, 293.
removal of, to George town, 392, 515, 524, 525.
request of, for court martial on Watkins, W. N., 373.
surprise of Sorell, W., at letter of, 537.
temporary residence for, at George town, 485.
want of support alleged by, against Sorell, W., 508, 509.

Climent, J. (private, 48th regt.)
discharge of, on expiration of service, 349, 350.

Clarion, brig
arrival and refitting of, 320, 327.
attempt of convicts to escape in, 320.

Clark, Thomas
foreman of jury at inquest on O'Burne, J., 124.

Clarke, Andrew (captain, 48th regt.)
appointment of, as inspector of public works, 64.
claim of, to share in smuggled spirits, 64.
departure of, per brig Emu, 149.
member of court martial at trial of Burn, H., 119.
refusal of government horse for, 68.

Clarke, George
deposition by, re convicts on brig Kangaroo, 224, 225.
transmission of memorial from, 653.

Clarke, Mrs.
witnesses for trial of, 108.

Clarke, Richard
assigned servant for Fisk, A., 586.
deposition by, re robbery of house of Fisk, A., by bushrangers, 101, 102.

Clarke, William
trial and acquittal of, 167.
witnesses required for trial of, for murder, 155, 156.

Clements, —
robbery of, by bushrangers, 603.

Climatology
floods—
in 1818, 332.
in 1819, 429.

Coal
reservation of mines for, to the Crown, 35.
specimens of, sent to Sydney, 40.

Coal river, N.S.W.
convicts sentenced to banishment at, 274, 319, 349, 366, 367, 414, 543.
practice of transfer of prisoners to, 535.

Coal river, Tasmania
land grant at, 109.
refusal of Macquarie, L., to grant land at, 35.
robbery of farm of Davey, T., at, by bushrangers, 590, 603.

Civil officers
arrears of salaries due to, 196.
exemption of, from attendance at musters, 667.
instructions—
  re land grants for, 491.
  re appointments of, 190.
orders re assigned servants for, 70.
payment of salaries to, free of income tax, 257.
prohibition of payments for lodging money to, 143.
refusal by Macquarie, L., to remit debts of, 42.
removal of families of, from stores, 308.
return required of salaries of, 745, 749.
sugar, issue of, to officers, 499, 688, 689.
victualling of, 599.
withdrawal of government servants from, 541, 542.

Clarence plains
school at, establishment of, 362.
INDEX.

Cobb, —
recommendation of, as wharfinger, 246.

Cobby, William
attempt of, to escape per brig Kangaroo, 224, 225.
removal of, from brig Kangaroo, 237.
return of, to Port Jackson, 233, 258.

Cochin, ship
despatch per, 108, 263, 264.
spirits and sugar imported in, 645.

Coleman, Richard
transfer by, of land grant to Lord, J., 621.

Collier (Collyer), Richard (Thomas)
committal of, to Sydney for trial, 283.
depositions re—
capture and escape of, 85 et seq.
robberies by, 162, 163.
robbery of house of Humphrey, A. W. H., by, 120 et seq.
execution of, 301.
information re robbery by, 100.
letter from, to Davey, T., 643.
participation of—
in murder of Carlisle, C., 94 et seq.
in robbery of house of Fisk, A., 104, 105.
return of, to Hobart town for execution, 284.
robbery of farm of Davey, T., by, 608, 604.
trial and conviction of, 294.
verdict of wilful murder against, 98, 123.
wounding and surrender of, 274, 283.

Collins, Thomas
servant of Nayler, R., 543.

Collins, William
address by, to Davey, T., re martial law, 133.
claim of, unpaid by Hogan, P. G., 626.
complaint of, against Gells, A., 58.
experimental export of timber by, 44.
fishery establishment commenced by, 306.
name of, in list by Macquarie, L., 611.
seizure of spirits belonging to, 43.
speculation proposed by, 236, 260.
transmission of letter from, 256.

Colquhoun, Walter
land grant to, 8.
payment of draft to, 498.

Colquhoun, William
member of jury at inquest on O' Byrne, J., 124

Commissariat
absence of official records of, 587.
accounts required for, 595, 597.
administration of, at Port Dalrymple, 436, 440, 441, 443.
appointment of officers for, 41.
blankets, purchase of, 323, 335, 352.
clerk, third, proposed for, 418.
consolidation of store receipts, 733.
continuance of issue of store receipts by, 794.
court martial for embezzlement in, on Fosbrook, L., 533 et seq., 558.
estimates of expenditure by, at Hobart town, 625.
inability to fulfil requisitions for, 164.
instructions—
re administration of, 43, 157 et seq.
re issue of salt meat from Norfolk Island, 32.
re requisitions, 15, 72, 319, 327.
re victualling of persons by, 16.
issue of stores by Fosbrook, L., 555.
limitation—
of issue from, to private persons, 441.
of victualling list, 109, 170, 171.
live stock to be controlled by, 159.
necessity for reform in administration of, 150.
number of persons victualled by, 557.
officers accommodation for, 154.
orders, general, re issue of provisions and stores, 546.
prohibition of issue of stores and spirits to officers and private persons, 72.
prospective shipment of stores from Sydney, 318.
purchase of kangaroo meat by, to be discontinued, 21.
rations—
for women, 497.
reduction in price of meat, 368, 369.
regulations for administration of, 154, 157 et seq.
request by Davey, T., for stores direct from England, 131.
requisition for stores, 303, 335, 348, 349, 602.
return of persons victualled, 74, 75.
returns and accounts to be submitted to Sorell, W., 746.
robbery of stores at Hobart town, 414, 419, 725, 726.
salt, refusal of ration of, 499.

Cobb, —
recommendation of, as wharfinger, 246.

Cobby, William
attempt of, to escape per brig Kangaroo, 224, 225.
removal of, from brig Kangaroo, 237.
return of, to Port Jackson, 233, 258.

Cochin, ship
despatch per, 108, 263, 264.
spirits and sugar imported in, 645.

Coleman, Richard
transfer by, of land grant to Lord, J., 621.

Collier (Collyer), Richard (Thomas)
committal of, to Sydney for trial, 283.
depositions re—
capture and escape of, 85 et seq.
robberies by, 162, 163.
robbery of house of Humphrey, A. W. H., by, 120 et seq.
execution of, 301.
information re robbery by, 100.
letter from, to Davey, T., 643.
participation of—
in murder of Carlisle, C., 94 et seq.
in robbery of house of Fisk, A., 104, 105.
return of, to Hobart town for execution, 284.
robbery of farm of Davey, T., by, 608, 604.
trial and conviction of, 294.
verdict of wilful murder against, 98, 123.
wounding and surrender of, 274, 283.

Collins, Thomas
servant of Nayler, R., 543.

Collins, William
address by, to Davey, T., re martial law, 133.
claim of, unpaid by Hogan, P. G., 626.
complaint of, against Gells, A., 58.
experimental export of timber by, 44.
fishery establishment commenced by, 306.
name of, in list by Macquarie, L., 611.
seizure of spirits belonging to, 43.
speculation proposed by, 236, 260.
transmission of letter from, 256.

Colquhoun, Walter
land grant to, 8.
payment of draft to, 498.

Colquhoun, William
member of jury at inquest on O’ Byrne, J., 124

Commissariat
absence of official records of, 587.
accounts required for, 595, 597.
administration of, at Port Dalrymple, 436, 440, 441, 443.
appointment of officers for, 41.
blankets, purchase of, 323, 335, 352.
clerk, third, proposed for, 418.
consolidation of store receipts, 733.
continuance of issue of store receipts by, 794.
court martial for embezzlement in, on Fosbrook, L., 533 et seq., 558.
estimates of expenditure by, at Hobart town, 625.
inability to fulfil requisitions for, 164.
instructions—
re administration of, 43, 157 et seq.
re issue of salt meat from Norfolk Island, 32.
re requisitions, 15, 72, 319, 327.
re victualling of persons by, 16.
issue of stores by Fosbrook, L., 555.
limitation—
of issue from, to private persons, 441.
of victualling list, 109, 170, 171.
live stock to be controlled by, 159.
necessity for reform in administration of, 150.
number of persons victualled by, 557.
officers accommodation for, 154.
orders, general, re issue of provisions and stores, 546.
prohibition of issue of stores and spirits to officers and private persons, 72.
prospective shipment of stores from Sydney, 318.
purchase of kangaroo meat by, to be discontinued, 21.
rations—
for women, 497.
reduction in price of meat, 368, 369.
regulations for administration of, 154, 157 et seq.
request by Davey, T., for stores direct from England, 131.
requisition for stores, 303, 335, 348, 349, 602.
return of persons victualled, 74, 75.
returns and accounts to be submitted to Sorell, W., 746.
robbery of stores at Hobart town, 414, 419, 725, 726.
salt, refusal of ration of, 499.
Commissariat
scarcity of grain caused by shipments to Sydney, 288.
shipment of stores—
per brig Cumberland, 29.
per ship Duke of Wellington, 300.
per brig Eagle, 21.
per brig Elizabeth Henrietta, 353.
per brig Emu, 112, 128.
per schooner Extremity, 71, 72.
per brig Governor Macquarie, 259, 270.
per ship Hibernia, 403.
per brig Kangaroo, 171.
per brig Lady Nelson, 32.
per ship Lord Melville, 375, 376.
per brig Prince Leopold, 370, 385.
per ship Windjam, 51.
spirits in store on arrival of Davey, T., 29.
sugar, issue of, to officers, 499, 688.
survey of stores in charge of Fosbrook, L., 7.
stores—
for the Derwent landed at George town, 366, 373.
purchased for, by Sorell, W., 256.
tenders for supplies to, at Port Dalrymple, 490, 517.
victualing of children by, 527.
want of clothes and blankets for convicts, 289.

Commission
to Davey, T., as lieut.-governor, 13.
to Sorell, W., as lieut.-governor, 183.
Connor, —
assignment of, to Loane, R. W., 783.
Connor, James
military witness detained at Sydney, 7.
Connor, Thomas
trial and conviction of, 7.
Connison, Walter
payment of salary of, 564.
superintendent at Port Dalrymple, 564.

Convicts
absence of, at Port Dalrymple to be reported, 483.
arrival of, at Port Dalrymple without shoes, 482.
artificers and labourers for George town, 335.
assignment—
of, to officers, 541, 542.
of, to settlers, 138, 541.
attempts of, to escape in H.M. brig Kangaroo, 205, 210, 211, 212, 227.

Convicts
barracks to be erected for, at Hobart town, 290, 292.
clothing for, 276, 541, 603, 607, 610.
condition of, at George town, 252.
corporal punishment of, at George town, 533, 536.
difficulty in preventing escapes of, at the Derwent, 311.
emancipations for, employed on road to George town, 350, 385, 388, 394, 496.
escape of, to the bush, 164.
fees due on pardons to, 23.
female convicts—
difficulty in transportation of, to Port Dalrymple.
management of, when refractory, 309.
proposal for, at Pitt water, 290, 292.
request for, 310.
gaal gang for, at George town, 483.
instructions re assignment of, 314.
irregular assignment of, 169.
inaability to transfer, to Port Dalrymple on account of weather, 482, 484.
limitation—
of, in government employ, 314, 319.
of number of, employed at George town, 528.
medical examination of, 542.
nominal returns of, 427.
number of, sent from Sydney, 147.
number of, to be employed on public works, 327.
orders re assigned servants for officers, 70.
party coloured clothing for, 605, 607, 610.
passes to be exhibited by, at Launceston, 523.
per—
ship Admiral Cockburn, 420, 423.
ship Baring, 405.
H.M.S. Dromedary, 418.
ship Duke of Wellington, 299, 310.
brig Elizabeth Henrietta, 353, 367.
brig Emu, 112, 128.
brig Governor Macquarie, 259, 370.
ship Hibernia, 395, 403, 404, 417.
ship Indefatigable, 6.
brig Jupiter, 273.
brig Kangaroo, 38, 57, 65, 144, 156, 171, 359.
ship Lady Castlereagh, 324, 325.
ship Lord Melville, 371, 375.
ship Maria, 381.
ship Minerva, 324, 332.
ship Pilot, 279.
brig Prince Leopold, 395.
ship Surrey, 385, 395.
piratical seizure of schooner Young Lachlan by, 386, 387, 393.
INDEX.

Convicts
punishment of—
for piracy of launch, 319, 320.
for refractory conduct, 536.
recapture of launch stolen by, 319, 321, 325, 416.
recommendations in favor of, by Macquarie, L., 24, 25.
register of government servants to be kept at Launceston, 522.
regulations—
re memorials from, to Macquarie, L., 44, 35, 36, 60, 316, 317, 374.
for passes for, 692, 693.
request—
by Davey, T., for, direct from England, 147.
by Macquarie, L., for, direct from England, 359, 360.
for indents of, 381, 429.
of Davey, T., for, 164.
of Sorell, W., for, 235, 252, 277, 302, 309, 391.
return required of, transported direct from Great Britain, 745.
seizure of schooner Unity at the Derwent by, 39.
sentence of, to transportation to Coal river, 274, 318, 349, 366, 367, 414, 543.
stores and provisions for, 189.
suspension of pardons for, 356, 362, 374, 494.
tickets of leave to be granted to, at general muster, 528.
transfer of, to Sydney, 310, 319, 320, 349, 413.
transportation of, under Scotch law, 426, 616, 617.
treatment of runaways from Sydney, 313.
type of, transported from N.S.W. to Tasmania, 147.
wages—
for, 161.
for overtime of, 532.
want—
of clothes and blankets for, 289.
of convict labourers, 136.

Cooney, James
description of, 469.
supposed escape of, to Port Dalrymple, 468.

Court martial
instructions—
re, at Port Dalrymple, 444, 457.
to Sorell, W., re, 188.
proceedings at, on Burn, H., 119, 120.
refusal by Macquarie, L., of warrant for, 175.

Cowper, Reverend William
letter from, to Macquarie, L., 336.
report by, on education, 356 et seq.
rules by, for management of schools, 338.

Cox, C. E. H.
conditional pardon for, 381.

Cox, Douglas Leith (lieut., 46th regt.)
application for, use of horse, 68.
member of court martial at trial of Burn, H., 119.

Cox, Edward
ticket of occupation for, 478.

Cox, James
appointment of, as magistrate, 276, 296, 719.
bill of Stewart, W., accepted by, 719.
convicts assigned to, 540.
denial by Watkins, W. N., of insult to, 695.
dispute of, with McCuller, 501, 502, 503, 564, 565, 507, 693, 694.
land grant for, 542.
proposal for appointment of, as magistrate, 268.
prosecution of Stewart, J., proposed by, 478.

Coyne (Coine), Thomas
letter from, to Davey, T., 643.
surrender of, as bushranger, 274.

Crahan,
—
committal of, to Sydney for trial for sheep-stealing, 382.
conviction of, 294.
transportation of, to Newcastle, N.S.W., 294.

Craig, William Harrison
deposition by, 77.
letter from, to Campbell, J. T., 588.
pictures of Hobart town and Launceston proposed by, 588.
release of, by bushrangers when prisoner, 76 et seq.

Creswell, John
escape of, in whale-boat, 576.

Creswell, William
guide to military against bushrangers, 474.

Crosley, George
employment of, in trial of Mountgarrett, J., 461.
tampering with witnesses alleged against, 468.
Crowder, Thomas Ristol
  evidence of, at inquiry re Smith, J., and Elliott, W., 107.
  payment of salary of, 565, 652, 663.
  principal superintendent, 107.

Cullen, Bryan
  appointment of, as superintendent of live stock at the Derwent, 4, 5.

Culliford, —
  robbery of, by bushrangers, 603.

Cumberland, brig
  despatch per, 28, 30.
  provisions per, 29.

Cummings, Mrs.
  compensation proposed for, 496.

Curney, James
  unexplained death of, 575.

Currie (Curry), Dennis
  letter from, to Davey, T., 643.
  surrender of, on condition of pardon, 265.
  want of evidence for trial of, 568.

Cuthbertson, John (lieut., 48th regt.)
  arrival of, at Hobart town, 389.
  relief of, at Port Dalrymple, 373, 379, 395, 504, 506, 508, 509.
  services of, in recapture of launch stolen by convicts, 319, 486.

Dalton, —
  deposition re bushranging of, 448 et seq.

Daly, —
  arrest of, at Hobart town, 540.
  desertion of, 538.

Danells (Daniel), John
  land and indulgences for, 518.
  ticket of occupation for, 526.

Darragh (Darogh), John
  application from, for land, 325.
  request of, for permission to settle, 311.

Davey, Thomas (lieut.-governor)
  accidents to, 566, 574, 645.
  acquittal of Stewart, W., by, 710, 717.
  address to, of thanks for promulgation of martial law, 133 et seq.
  administration of, 634, 635.
  applications from, to be made to Sorell, W., 738.
  arrival and landing of, at Sydney, 545.

Davey, Thomas (lieut.-governor)
  assignment of land grant proposed by, 662.
  assumption of government by, 28.
  attempt by, to alter name of Hobart town, 67.
  boat built by, 647.
  bond given by, for live stock, 640.
  cautions given to, by Macquarie, L., re residents at Hobart town, 23, 24.
  censure of, by Macquarie, L., for detention of Lascelles, T. A., 64.
  censure passed on, by Macquarie, L., 151 et seq.
  certificate—
    by, re maladministration of Campbell, A., 724.
    re accident to, 566, 575, 645.
  charges made by—
    against Broughton, W., 239.
    against Younge, H. St. J., 702.
  claim of—
    to bat and forage allowance, 157.
    to compensation to, for losses by capture of H.M. brig *Emu*, 622, 634, 635.
    648 et seq.
    to military pay, 645, 646.
  commission—
    of, to be read at Port Dalrymple, 439.
    to, as lieut.-governor, 13.
  compensation to be given by, to Reardon, B., and Banks, —, 727.
  complaint against, by Eddis, —, 162.
  contract made by, with Lord, E., for purchase of wheat, 110, 114, 115.
  criticism by Macquarie, L., of assigned servants of, 177.
  decision on appeal of, to be awaited, 661.
  departure of, from Sydney, 5, 438.
  deposition re robbery of farm of, by bushrangers, 590, 603.
  disapproval by Macquarie, L., of proclamation of martial law by, 110, 113, 125, 166.
  draft of money for, 176, 177, 179, 609.
  evidence of, required at inquiry re Broughton, W., 619.
  expenditure—
    by, 605.
    by, on royal birthdays, 637, 638.
  grant of land near Port Jackson requested by, 655, 659.
  Illawarra, land at, desired by, 656, 657.
  immorality alleged by, against Sorell, W., 633, 634.
  indulgences for, 657.
  instructions—
    from, to Geils, A., as commandant, 439 et seq.
    re locations of land by, 561.
Davey, Thomas (lieut.-governor)

instructions to—
general, 13 et seq.
re arrival of ships, 140.
re bushrangers, 20, 21.
re cattle at Port Dalrymple, 18.
re Elizabeth town, 16.
re land and indulgences for self, 19.
re location of Norfolk island settlers, 17.
re magistrates, 20.
re musters, 22, 23, 128, 164.
re Norfolk island settlers, 16.
re public buildings at Hobart town, 14.
re recovery of debts due to government, 7, 22.
re requisitions, 15, 164.
re settlers from marines, 17, 18.
re smuggling, prevention of, 21.
re spirits, regulation of issue and traffic in, 14.
re survey of land grants, 16.
re trials at Sydney, 145.
re writing of despatches, 45.
land—
at New town for, 410, 411, 415, 647, 653, 726, 727, 738.
grant and indulgences for, 19, 398, 407, 408 et seq., 417, 651.
grant for, 139, 166, 176, 548.
grants for, restriction of, to Tasmania, 657.
irregularly granted by, 109.

letter from—
to Bathurst, Earl, 111, 128, 130, 146, 478, 633, 645.
to bushrangers, 644.
to Gells, A., 439.
to Gordon, J., 80.
to Harrowby, earl of, 634, 635.
to Hogan, P. G., 638, 639, 640, 641, 642.
to Knopwood, Revd. R., 80.
to Williams, F., 80.

letter to—
from Bathurst, Earl, 59.
from bushrangers, 643.
from Gordon, J., 79.
from Goulburn, H., 1, 149.
from Howe, M., 163.
from Knopwood, Revd. R., 79.

Davey, Thomas (lieut.-governor)

letter to—
from Peel, R., 618.
from Sorell, W., 408, 410, 619, 730, 731, 733, 734, 745, 749.
from Williams, F., 79.

liabilities of, at Sydney, 662.
live stock—
for, 19, 637, 658, 704, 727, 731, 734.
held on loan by, 415, 419, 420, 730, 734.
on loan to be returned by, 246, 261, 730, 734.
loss sustained by, through capture of H.M. brig Emu, 622, 637.
martial law to be revoked by, 126.

memorial—
of, to Bathurst, Earl, 648, 651.
to, from Ingle, J., 551.
to, from Lord, J., 129.
to, from Mitchell, J., 130.
neglect of, in submitting reports to Macquarie, L., 70.
objections by, to jurisdiction of Sydney law courts in Tasmania, 46, 47.
objections of, to trials at Sydney, 147.
orders given by, to Hogan, P. G., 638 et seq.
passage—
to Sydney provided for, 193.
of, to Sydney, per ship Pilot, 279.

permission—
for Lascelles, T. A., to act as secretary to, 562.
required by, for appointments, 144.
proclamation of martial law by, 92, 634, 635.
prohibition of locations of land by, 35.
proposed visit of, to Sydney, 178.
public accounts to be settled by, 154.
purchase—
by, of horse for his daughter, 127.
by, of hay for government oxen by, 177, 605, 609, 636.
reasons of, for not travelling per ship Cochín, 264.
recall of, 165, 174.
refusal of extension of land grant to, 623, 647.

remission—
by, of duty on spirits ex Kangaroo, 272, 608.
of duties to, consumed at government house, 616, 617.
report submitted by Macquarie, L., on, 166.

repudiation by, of charges made by Macquarie, L., 198.
Davey, Thomas (lieut.-governor)
  request—
  by, for convicts direct from England, 147.
  by, for convicts, 164.
  by, for land grant, 348.
  by, for logs of cedar, 629, 647, 653.
  by, for rations for family, 621, 623.
  by, for stores direct from England, 131.
  by, for transfer of grant to Perkins, J., 647.
  to, for returns of convicts and salaries, 745, 749.
  responsibility of, for commission paid to Gordon, J., 168.
  return of, to Hobart town, 653.
  returns to be furnished by, 587.
  revocation of martial law by, 136, 146.
  satisfaction of, at his recall, 174.
  services of, 635.
  spirits imported by sanction of, 636, 637.
  victualling of servants of, 704.
  witnesses—
  for trial of Hogan, P. G., 623, 624.
  required for court martial on Broughton, W., 299.
  witnesses required by, against Younge, H. St. J., 255, 256.

David Shaw, ship
  despatch per, 427, 428.
  settlers per, 425, 738.

Davis, —
  orders for, to join veteran company, 447.

Dell, John
  land grant and indulgences for, 492.

Delph, Robert
  escape of, from Sydney, 365.
  surrender of, at Port Dalrymple, 368, 488.

Dennis, —
  deposition re boshanging of, 448 et seq.

Dermott, J. M. (assist. surgeon)
  return of, to Hobart town, per ship Frederick, 6.

Derwent
  See also "Elizabeth town," "Hobart town," "New Norfolk."
  alphabetical list required of inhabitants at, 356.
  cattle to be removed to, from Port Dalrymple, 18.
  correspondence re prohibition of trade at, 547.
  cutter proposed for service in, 384.

Derwent
  difficulty in preventing escape of convicts at, 311.
  ferries at, charges for, 664.
  harbour-master proposed for, 389.
  levy of duties at Sydney for cargoes landed at, 619.
  limitation of convicts in government employ at, 314, 319.
  loss on shipment of wheat from, 153.
  magistrates for, 20.
  military posts on overland route from, 21, 241, 269, 488, 489.
  masters to be taken at, 22, 23.
  orders re opening of port at, to trade, 72, 549.
  overland traffic from, to Port Dalrymple, regulation of, 488, 489.
  persons victualled at, 527.
  population at, 527.
  port regulations for, 702, 703.
  practice at, for giving clearances to ships, 739.
  proposal for export of wheat from, to Brazil, 300.
  recapture of launch stolen by convicts from, 319.
  seizure of schooner Unity by convicts at, 39.
  settlers authorised at, 19.
  sheep at, return of, 209.
  smuggling at—
    prevalence of, 61.
    prevention of, 21.
  spirits landed at, in breach of Sydney hospital contract, 62.
  transfer of live stock to, from Port Dalrymple, 497.
  vessels required for service in, 195, 259.
  wheat from, shipment of, to Sydney, 67.
  69, 113, 158, 193, 268, 260, 272.
  279.

Derwent, schooner
  departure of, for Mauritius, 311.
  despatch per, 51, 60, 335, 339, 343, 345.
  refusal of clearance for, for Port Jackson, 700.
  spirits imported on, 52.

Dillon, Peter
  member of jury at inquest on O'Burne, J., 124.

Dixon, J. P.
  master of ship Argo, 62.
  proposed trial of, for piracy, 68.

Dougan, Arthur
  ticket of leave for, 494, 495.
INDEX.

Downey, —
complaint of, against Williams, constable, 500.

Downs, Michael
petition of, for free pardon, 496.

Drake, J.
master of ship Chapman, 303, 304.
misconduct of, 304.

Drennan, Frederick (dep. com.-genl.)
effect on trade of new system introduced by, 400, 401.
introduction of new system of commissariat payments by, 391, 392, 396, 397, 400, 401, 406, 417.
letter to, from Sorell, W., 424.

Drew, —
murder of, by Howe, M., 278, 363.

Dromedary, H.M.S.
convicts per, 418.
despatch per, 418, 421.

Drummond, John (naval officer)
acquittal of, on trial for murder, 293, 294, 631.
appointment of—
as naval officer, 116, 572.
as treasurer of police fund, 138, 139, 579, 632.
assigned servants for, 632.
censure of, by Macquarie, L., 631.
charge of wilful murder against, 271, 293, 294, 631.
dismissal of, as naval officer, 294, 631.
duties to be collected by, 600.
grievances alleged by, 632.
letter from—
to Goulburn, H., 629, 631.
to Macquarie, L., 566.
to Sorell, W., 219.
letter to—
from Macquarie, L., 572, 579, 600, 608, 630.
from Sorell, W., 215.
lodging money for, 139, 579.
loss sustained by, by levy of duties at Sydney, 618, 619.
naval officer, 116, 219.
passage of, to Sydney for trial, 273.
refusal of salary for, as treasurer to police fund, 629, 630.
report by—
on armed assault by Jeffreys, C., on Jones, J. F., 219 et seq.
on movements of brig Kangaroo, 221, 222.

Dry, Richard
acting storekeeper at Port Dalrymple, 490.
appointment of—
as staff commissariat clerk, 297.
to charge of stores at Port Dalrymple, 297.
claim of, for expenditure on barrack, 660, 661.
collector of duties at Port Dalrymple, 490, 498.
land grant and indulgences for, 382, 699.
letter from, to Sorell, W., 660.
letter to, from Macquarie, L., 669.
payment of salary of, 564.
property of, 569.
relief of, by Walker, T., 355, 486.
resignation of, 366.

Dual (aborigine)
orders for return of, to Sydney, 375.
transportation of, to Port Dalrymple, 471.

Duke of Wellington, ship
arrival of, 301.
despatch per, 299.

Duncan, W.
ticket of leave for, 505.

Dunn, Michael
servant of Nayler, R., 543.

Eagle, brig
provisions per, 21.

Easy, John
request of, for passage for family, 264, 382.

Easy, Joseph
request of, for passage for family, 264, 382.

Eddis, —
master of brig Tweed, 108.

Elias, John (private, 46th regt.)
seizure of dog of Stewart, W., by, 718.

Eliza, ship
despatch per, 33, 55.
spirits landed at Hobart town from, 62, 638.
stores per, 40.
INDEX.

Elizabeth, cutter
despatch per, 46.

Elizabeth Henrietta, brig
delay of, at George town, 366.
mutiny in crew of, at George town, 389, 395, 513, 514.
mutiny in crew of, at George town, 389, 395, 513, 514.
omissions to, as deputy surveyor, 560 et seq.
orders for—
for prompt return of, 356.
for voyage of, 674, 675.

Elizabeth town
instructions to Davey, T., re formation of, 16.
plan of, approved by Macquarie, L., 561.

Elliott,
—
shooting of, by Mahon, G. A., 474.

Elliott, Nathan
arrival of, as free settler per ship David Shaw, 428, 738.

Elliott, William
investigation by magistrates of charges against, for bushranging, 166 et seq.

Emu (Bissett), H.M. brig
capture of, 174, 622, 634, 637.

Emu (Forster), H.M. brig
convicts per, 138.
despatch per, 1, 59, 115, 118, 124, 125, 135, 136, 138, 146, 447.
orders for return of, to Sydney, 118, 127, 128, 139.

Epping forest
capture of bushrangers at, 77.

Erskine, James (lt.-col., 48th regt.)
land granted to, in N.S.W., 651.
papers to be transmitted to, 523.

Estremina, schooner
despatch per, 51, 60, 70.
voyage of, to the Derwent, 71.

Evans, G. P. W.
store receipt issued to, 656.

Evans, George William (dep. suryvr.)
building materials given to, 105, 169, 267.
departure of, for the Derwent from Sydney, 57, 68.
discovery by—
of Bathurst plains, N.S.W., 57.
of Lachlan river, N.S.W., 116.
instructions to, as deputy surveyor, 560 et seq.
land grant and indulgences for, 57, 58.
letter to—
from Macquarie, L., 560.
from Sorell, W., 725, 727.
map to be prepared by, 561.
orders for return of, to Sydney, 73, 110, 172.
payment of salary of, 565, 652.
survey by, of road to New Norfolk, 706, 708.
town allotment for, 58.

Evans, John
conviction of Gray, G., for murder of, 313.

Faulkner, John
allotment held by, in Hobart town, 346, 353.
transmission of memorial from, 653.

Fenton, Maurice
surrender of, to Gordon, J., 494.

Fentrill, Joseph (private, 73rd regt.)
deposition by, re capture of military escort and release of prisoners by bush­
rangers, 77.

Fentrill, Theophilus (corp., 73rd regt.)
depositions re his capture and release of his prisoners by bushrangers, 75 et seq.

Fergusson, Joshua
letter to—
from Robinson, H. E., 697.
from Sorell, W., 696.
memorial from, soliciting land grant, 431.
seizure of ship Lord Melville by, 697.

Field, Barron (judge)
arrival of, at Hobart town, 379, 603.
departure of, from Sydney on circuit, 375.
letter to, from Sorell, W., 685.
request by, for suspension of Tims, M., 315.
residence to be hired for, 375.
return of, to Sydney, 382, 383.

Field, William
alleged perjury of, 467, 468.
return of memorial of, 570.
Finance

See also "Police fund."

abolition of salaries to overseers and flagellator, 266, 269.
bills drawn for salaries, 564, 565, 652.
claims made for compensation by settlers, 265, 266, 270.
collection of duties at Port Dalrymple, 437, 440, 490, 498, 510.
consolidation of store receipts, 723.
copper coin, reduction in value of, 605, 607, 610.
criticism of expenditure authorised by Geils, A., 1 et seq.
customs duty—
  levy of, at Sydney for cargoes landed at the Derwent, 618, 619.
on Huon pine, 295.
on spirits, 6, 14, 72, 153, 175.
disadvantages of inability of Davey, T., to draw bills on English treasury, 147.
explanations required for vouchers, 3.
inability to forward returns of salaries, 427, 429.
income-tax, payment of salaries free of, 257.
instructions re collection of duties, 600.
notes issued by Murray, J., loss on, 114.
payment of salaries at Port Dalrymple, 510.
prohibition of payments of lodging money, 143.
promissory notes drawn by Hogan, P. G., 614, 615, 627, 639.
recovery of debts due to government, 7, 22.
salaries, payment of, 2.
store receipts, continuance of payment by, 704.
system of commissariat payments introduced by Drennan, F., 391, 392, 396, 397, 400, 401, 406, 417.

Fisk, Arnold
assigned servant for, 586.
court martial on Burn, H., for robbery of, 119, 120.
depositions re robbery of house of, by bushrangers, 191 et seq.
hire of room of, for invalids, 751, 754.
letter to, from Robinson, H. E., 708.
member of jury at inquest on O'Byrne, J., 124.
report on allotment purchased and sold by, 578.
treatment of sick natives at mill of, 741.

Fitzgerald, Mrs. Thomas
request of, for salary as schoolmistress, 311.
salary for, 325.

Fitzgerald, Thomas
allowances to, as schoolmaster, 256, 280.
claim of, to arrear of salary, 390, 395.
dismissal of, as clerk to magistrates, 256, 269.
evidence of, required by Davey, T., against Younge, H. St. J., 256.
increase of salary for, 211.
memorial of, re allotment at Hobart town, 295.
orders for eviction of, from allotment at Hobart town, 29.
salary for, as clerk to magistrates, 24.
school kept by, 345, 361, 362.
store receipt given to, 636.

Fitzwilliam, John
spades stolen from, at Port Dalrymple, 716.

Flaherty, Patrick
claim of, to certificate of freedom, 239, 243.
deposition of, at inquest on body of Carlisle, C., 96, 97.

Fletcher, Charles
complaint of, against McKenzie, J., 463.

Flintham, Mary
application for marriage license for, 752.

Flood, John
appointment of, as commissariat clerk, 160.

Florence (Florance), Thomas
application from, to erect saw-mill on west coast, 334.
departure of, for survey of Macquarie harbour, 363.
instructions to, for survey of Macquarie harbour, 659 et seq.
letter to, from Sorell, W., 680.
plan of Macquarie harbour by, 377, 385.
proposal by, for supply of timber, 378.
refusal of permission for, to erect saw-mill, 352.

Fly, sloop
illegal treatment of master of, at Port Dalrymple, 710 et seq.
sinking of, at Port Dalrymple, 710, 718.

Foley, Baratholomew
deposition re bushranging of, 448 et seq.
statement by Mills, P., re, 453, 454.
trial and execution of, 61, 447.

Ford, —
arrival of, as free settler, 380.
INDEX.

Forest, —  
carpenter for Port Dalrymple, 479.

Forest, Richard  
deposition re bush-ranging of, 448 et seq.  
statement by Mills, P., re, 458, 454.

Forster, G. B. (lieutenant, R.N.)  
commander of H.M. brig Emu, 118.  
rumour re appointment of, as collector of customs, 607.

Fosbrook, Leonard (dep. commissary)  
accounts to be submitted by, 22.  
address of, to members of court martial, 553 et seq.  
arrival of, at Sydney, 46.  
caution given to Davey, T., by Macquarie, L., re, 23.  
character of, 24.  
charges—  
against—  
by Boothman, J. B., 555.  
by Geils, A., 52, 552, 555, 558.  
by Shipman, F., 552, 557, 558.  
preferred against, 7, 41, 42, 559.  
court martial on, 553, 558.  
disapprobation of sentence passed by, on  
Reardon, B., 8.  
explanation required for vouchers submitted by, 3.  
magistrate at Hobart town, 20.  
memorial of—  
to Herries, J. C., soliciting reinstatement, 557 et seq.  
to Macquarie, L., soliciting immediate trial, 551 et seq.  
orders—  
for return of, to Sydney, 41.  
for, to sail for Sydney in brig Lady Nelson, 44.  
proposed trial of, 7, 42.  
resignation of, as treasurer to police fund, 6.  
services of, 558.  
survey of stores in charge of, 7.  
witnesses required for trial of, 42.

Fosbrook's point  
See "Macquarie point."

Foster, Charles  
land grant and indulgences for, 492.

Francis, John  
arrival of, at Sydney per ship Frederick, 30.  
recommendation in favour of, 25.

Frederick, ship  
arrival of, 301.  
charter of, by Lord, E., 310.  
condemnation of wheat imported in, 5.  
despach per, 1, 4, 13, 23, 25, 28, 55, 92, 287, 438.  
return of, to port, 321.  
spirits and sugar imported in, 5, 644, 645.

French, E.  
ticket re leave for, 505.

Freycinet, M. de  
report re proposed visit of, 290, 297.

Fryett, —  
compensation to, for loss by reduction in price of animal food, 752.

Gallagher, Ned  
deposition by, re robbery of house of Humphrey, A. W. E., by, 120, 121.

Gallagher, Peter  
deposition by, re capture and escape of Burn, H., 100.

Gaol  
medical attendance at, 756.  
regulations re sickness of convicts in, 691, 707.  
retraction by Luttrell, E., of statement re, 728.  
tender for erection of wall at, 680.  
victualling of prisoners awaiting trial in, 688.  
weekly inspections of, by bench of magistrates, 687, 688.

Garland, Thomas  
burning of stacks at Pitt water by, 101.

Garling, Frederick (actg. dep. judge-advocate)  
letter from, to Macquarie, L., 585.

Garrett, George  
recommendation in favour of, 25.

Garry, James  
letter from, to Davey, T., 643.

Garth, Edward  
farms of, at Triwork point, 306.

Gatehouse, George  
allocation held by, claimed by Guest, G., 360, 361, 676 et seq.  
application by, for appointment of auctioneer, 328 et seq.
INDEX.

Gatehouse, George
assigned servants of, 329, 417.
bias of Sorell, W., alleged by, 328.
claim of, unpaid by Hogan, P. G., 626.
indulgences for brother of, as settler, 394.
land granted to, 605, 606.
letter from, to Macquarie, L., 598, 605.
letter to, from Robinson, H. E., 676, 677.
memorial from brother of, 390.
partner in firm of Kemp and Gatehouse, 329.
refusal of request of, for appointment as auctioneer, 351.
unpaid store receipts held by, 626.

Gatehouse, Silas
indulgences for, 394.
memorial from, 390.

Gavin, Roger
decision of lieut.-governor’s court in Rice, H., against, 606.
land granted to, by Davey, T., 109, 168.

Gay, Thomas
constable at New Norfolk, 94.
deposition by, re robbery at house of Triffit, J., by bushrangers, 99.
robbery by bushrangers at house of, 94.

Geary, Dennis
deposition re robberies by, 162, 163.

Geary, Peter
capture and death of, 264, 265, 269, 274.
depositions re—
capture of military escort and release of prisoners by, 75 et seq.
participation of, in murder of Carlisle, C., 92 et seq.
information re robbery by, 101.
readiness of, to surrender, 254.
robbery of house of Humphrey, A. W. H., by, 120 et seq.
verdict of willful murder against, 98, 123.

Geordy, schooner
despatch per, 89, 124.

Geils, Andrew (major, 73rd regt.)
charges—
made against, by Fosbrook, L., 52.
made by, against Fosbrook, L., 552, 555, 558.
complaint—
against, re Reardon, B., 8.
of Collins, W., and Wakefield, D., against, 58.
criticism of expenditure under, 1 et seq.
disapproval by Macquarie, L., of conduct of, 36.

hack for use of wife of, 24.

house rent paid for, 4.
instructions, general, to—
from Davey, T., 439 et seq.
from Macquarie, L., 435 et seq.
land grant for wife of, 36.
letter from, to Macquarie, L., 1, 28.
letter to—
from Campbell, J. T., 23.
from Davey, T., 439.
from Macquarie, L., 1, 4, 30, 52, 435.
live stock promised to wife of, 36.
magistrate at Hobart town, 20.
maladministration of, 53.
misconduct of, 643.
neglect of public works by, 54.
orders—
for, to assume command at Port Dalrymple, 29, 435, 439.
for, to visit Sydney per brig Lady Nelson, 42.
issued by, re indulgences for marines, 547.
prejudice of, against Meehan, J., 31.
reading of commissions by, 439.
records at Port Dalrymple to be given to, 438.
refusal—
to confirm land located for, at Coal river, 35.
of Macquarie, L., to confirm land taken by, at Risdon cove, 30, 31.
reports to be submitted by, to Davey, T., 435, 439.
salary of, as commandant, 435.
witness required at trial of Fosbrook, L., 49.

George town
allotment for Walker, T., at, 496.
allotments to be granted at, 467.
announcement of removal of headquarters to, in Gazette, 515.
appointment—
of boat-builder at, 355, 486.
of superintendent of carpenters at, 384, 513.
George town

artificers—
and labourers for, 135.
for building of, 459, 470, 471, 485.
assistant surgeon stationed at, 487.
blacksmith at, 487.
boat-builder appointed at, 486.
boats to be built at, 466, 500.
building materials to be prepared at, 448, 459.
chapel and house for chaplain to be erected at, 472, 485, 514, 517.
chief constable to be stationed at, 516.
condition of convicts at, 252, 268.
convicts employed at, 494.
corporal punishment of convicts at, 533, 536.
date for removal of headquarters to, 485.
deficiency in stores sent from, 530, 531.
delay in public works at, 192, 242, 251.
district constable for, 524.
detention of brig Elizabeth Henrietta at, 366.
emanicipations for convicts employed on road to, 350, 385, 389, 495.
encouragement of private buildings at, 476.
estate of convicts at, 500.
estate of convicts from gaol at, 546, 545.
foundation of, 118, 447.
gal—
at, 545.
gang to be formed at, 483.
government stores to be kept at, 507.
increase in rations for convicts at, 268.
iron, supply of, required at, 539.
limitation of convicts in government employ at, 314, 528, 540, 541.
magistrate to sit at, 251, 268.
medical officer required at, 521.
medicines for use at, 521.
military quartered at, 254.
misconduct of master of brig Elizabeth Henrietta at, 389, 395.
murder committed at, 276.
naming of Macquarie point at, 467.
need of public works at, by Stewart, J., 476.
officials appointed at, 251.
orders for removal of headquarters to, 447, 458, 459.
payment to Thomas, J., for supervising road to, 510.
port regulations at, 703.
progress on public works at, 552.
public—
buildings to be erected at, 460, 461, 472.
works to be expedited at, 471, 478, 514.
raid by bushrangers on, 253, 254, 268.

George town

reasons for not sending convicts to, 273.
reforms by Sorell, W., at, 251.
removal—
of Cimitiere, G., to, 515.
report—
required on public works at, 494.
required removal to, 507.
requisition for stores for public works at, 542.
reserve for government cattle at, 487.
shipping at, regulations for, 500.
site for, clearing of, 447, 459.
stores—
and tools for use at, 471, 485.
for the Derwent landed at, 366, 372.
temporary residence for Cimitiere, G., at, 485.
want—
of bricklayers at, 517.
of clothing for convicts at, 538.
windmill at, instructions for site for, 480.

Gibson, David

robbery of house of, by bushrangers, 100.

Gibson, John

free pardon for, 587.

Gibson's ford

overland traffic to Launceston to proceed by, 489.

Gill, —
pardon proposed for, 283.
services of, against bushrangers, 283.

Ginner, William

trial of, for connivance in escape of Mills, P., 451, 452.

Globe, ship
despatch per, 337.

Gordon, James

depositories taken by, by bushrangers, 75 et seq.
disapproval by Macquarie, L., of commission paid to, 151, 152.
horse stolen by bushrangers from, 91, 101.
letter from, to Davey, T., 79.
letter from Davey, T., 80.
from Sorell, W., 744, 745, 749.
name of, in list of Macquarie, L., 611.
outstanding cheques drawn by, on police fund, 281.
payment of refund by, in cattle, 613.
INDEX.

Gordon, James
promise to, of appointment as naval officer, 50.
refund to be made by, 109, 151, 152, 168, 175, 178, 609, 613.
request to, for return of salaries, 745, 749.
responsibility of Davey, T., for payment of commission to, 168.
store receipt issued to, 626.

Gore, —
ticket of leave for, 521.

Gore, William
appointment by, of McCarty, D., as his deputy in Tasmania, 47, 48.
provost-marshal at Sydney, 47.

Gorrie (Gory), Peter
trial, conviction and execution of, 7.

Goulburn, Henry (under secretary)
letter from—
to Davey, T., 1, 149.
to Humphrey, A. W. H., 588.
to Sorell, W., 335, 367, 418, 421, 425.
letter to—
from Drummond, J., 629, 631.
from Sorell, W., 201, 371, 403.

Governor Macquarie, brig
arrival of, 301.
despatch per, 291, 296, 298, 407.
omission of Reiby, T., to obtain clearance for, 517.
refusal of tender of, for convicts, 736.

Gray, George
execution of, 334.
murder committed by, at York plains, 287.
return of, to Hobart town for execution, 313.
trial and conviction of, 313.

Green, Thomas (private, marines)
return of, to England, 547.

Greenaway, —
mistake in indent of, 479.
transportation of, to Coal river, N.S.W., 349.

Greenshields, Andrew (lieut., 73rd regt.)
delay in arrival of, at Sydney, 30.

Gregory, John
appointment of, as clerk in commissariat, 172.
request of Broughton, W., for services of, as clerk, 596, 597.

Greyhound, brig
arrival of, 388.
despatch per, 308, 309.

Griffiths, Jonathan
compensation proposed for, 321, 327.
master of brig Rosetta, 321.
purchase of brig from, 369, 370, 383.
services of, in recapture of launch stolen by convicts, 319, 321.

Grove, Susannah
report on allotment of, at Hobart town, 578, 579.

Guest, George
claims of, to be adjusted by Sorell, W., 372.
compensation proposed for, 309, 325, 335, 336, 337.
complaint of, re violence of Kemp, A. F., 361.
desire of Geils, A., to secure land belonging to, at Risdon cove, 30, 31.
difficulty in giving possession of allotments claimed by, 336, 360, 361, 678 et seq.
letter to—
from Robinson, H. E., 677.
from Sorell, W., 678.
memorial of, re claims for rent, 297, 308, 309.
negotiations for settlement of claims of, 678 et seq.
payment in compensation for house built by Gunn, S., to be made by, 352, 677.
possession of allotments to be given to, 352, 676, 677.

Guide, brig
despatch per, 140.
export of wheat from Tasmania in, 143.

Gunn, S.
allotment given to, claimed by Guest, G., 336, 361.
compensation to be given for house built by, by Guest, G., 352, 677.
land located to, at Hangan's point, 346, 727.

Gunning, George Weston (lieut., 73rd regt.)
acting magistrate at Hobart town, 20.
address by, to Davey, T., re martial law, 133.
appointment of, as magistrate, to be discontinued, 20.
depositions re capture of bushrangers by servants of, 85 et seq.
INDEX.

Gunning, George Weston (lieut., 73rd regt.)
government servants allowed to, 599, 605, 610.
house rent paid for, 3.
land—
given in exchange to, 737.
grant and indulgences for, 35, 67, 394, 562, 563.
located for, to be confirmed by grant, 35.
letter to, from Macquarie, L., 562, 563, 570, 572, 573.
misconduct of, 264.
payments made by, on account of marines, 570, 572, 573, 574.
resignation of, as inspector of public works, 64, 563.
statement by, re claims of Guest, G., 309.
transmission of memorial of, 387, 406.
witness for court martial on Broughton, W., 299.

Hacking, Christopher
deposition by, re murder of Carlisle, C., and fight with bushrangers, 93, 94.

Hacking, Henry
pension for, 141.
superannuation of, as pilot, 141.

Hall, —
servant to Luttrell, E., 729, 733.

Hamilton, A. (surgeon, 48th regt.)
appointment of, as acting-assistant surgeon at Port Dalrymple, 334, 351.
increase of salary for, 365, 372.
instruction of house for hospital by, 738.
postage of medicines for use by, on outpatients, 698.

Hammersley, —
escape of, 524.
proposed treatment of, on recapture, 524.
recapture of, 534.
transportation of, to Newcastle, N.S.W., 542.

Hangan, John
land located to, in reserve at Hobart town, 346, 737.
proceedings of magistrate in case of, 69.

Hangan's point
claim of Loane, R. W., to land at, 346, 352, 358, 737.

Hannaway, James
refusal of Humphrey, A. W. H., to comply with verdict obtained by, 37.

Hardwick, —
application from, for permission to hold horse-races, 530.

Hardwick, Charles
charges made by, against Campbell, A., 455.
master of cutter Elizabeth, 718.

Harlowe, —
recapture and escape of, 544.

Harriet, ship
arrival of, 301.
despatch per, 193, 194, 196, 199, 200, 201.

Harris, George Prideaux (dep. surv.)
necessity for re-survey of grants through inaccuracies of, 16.

Harrowby, earl of
letter to, from Davey, T., 634, 635.

Hay, Robert
constable at New Norfolk, 95.
deposition of, at inquest on body of Carlisle, C., 98.

Hayes, —
constable at Hobart town, 59.
orders for eviction of, from town allotment, 59.

Hayes, T. (ensign, 48th regt.)
ill-health of, 430, 541.
permission for, to proceed to Launceston, 541.

Haywood (Heywood), Henry
arrival of, per whaler Anne, 356.
conduct of, 592.
letter to, from Robinson, H. E., 705.
orders for departure of, from the colony, 393, 394, 417, 706.
refusal of permission for, to settle, 356, 392, 406, 705.

Healy, Morris
escape of, in whale-boat, 576.

Hearty, William
depositions re capture by, and escape from, of three bushrangers, 85 et seq.

Henrietta Packet, schooner

Herdman's cove
request of Kent, T., for land at, 690.

Herris, J. C. (commissary-in-chief)
memorial to, from Foebrook, L., 557 et seq.
INDEX.

Hibernia, ship
arrival of, 398, 399, 402, 403, 404.
convicts per, 398, 399, 402, 406.
despatch per, 404, 405.

Hill, James
return of petition from, 447.

Hillyer, —
committal of, to Sydney, for trial for murder of Septon, P., 283.
transportation of, to Newcastle, N.S.W., 294.

Hinton, Thomas
deposition by, re his bushranging, 448 et seq.
evidence of, against Mills, P., 565.
statement by Mills, P., re, 454.
surrender of, 448.

Hobart town
See also "Derwent."
agreement for lease of house at, 578.
allotment at—
claim of Campbell, R., to, 306.
claim of Guest, G., to, 297, 308, 309, 336, 360, 361, 678 et seq.
purchased by Bate, S., 608.
sold by Grove, S., 578, 579.
attempt by Davey, T., to alter name of, 67.
barracks for convicts to be erected at, 290, 292.
celebration of royal birthdays at, 638.
charges for ferry at, inquiry re, 664.
church—
commencement of, 148.
to be erected at, 33, 112, 154, 155, 196.
cottage erected at, by Knopwood, Revd. R., 654, 655.
debtors' prison at, completion of, 307.
duties to be collected at, 600.
estimates of commissary expenditure at, 625.
eviction of unauthorised holders of allotments at, 59.
excitement at, caused by bushrangers, 594.
extermination of bushrangers at, 301.
export of salt meat from, 138.
foundation laid of hospital at, 430.
furniture for church at, 148.
gold to be erected at, 33, 112, 196, 307, 412, 630.
government house at, condition of, 33, 196.
hospital at, proposed by Davey, T., 108.
house leased at, for hospital, 725, 729.
irregularity of buildings of Kemp and Gatehouse at, 307, 308, 315.
limitation of convicts in government employment at, 314, 319.
medical duties at, 365.

Hobart town
military posts to be established on overland route from, 31, 211, 369, 485, 489.
mill at—
management of, 344.
proposals for, 234, 258.
salary for superintendent of, 254.
use of, for private persons alleged, 709.
number of magistrates for, 20.
opening of port at, to trade, 72.

petty debts court at, proposed, 343, 355.
picture of, to be painted by Craig, W. H., 539.
piratical seizure of schooner Young Lachlan at, 386, 387, 393.
plan of, approved by Macquarie, L., 561.
plans for improvement of, 192.
police magistrate proposed at, 578, 588.
port regulations at, 703.
postmaster at, 224, 303.
private buildings erected at, 140, 340.
prohibition of brickmaking within, 115.
public buildings at, to be erected, 14, 33, 112, 113, 138, 327.
public-houses licensed at, 735.
recapture of launch stolen by convicts at, 319, 321, 325.
records at, absence of, 429.
regulation of streets and buildings in, 58, 113, 308.
resumption—
of houses for improvement of, 113, 155, 157.
of land near church at, 423, 426, 428.
return—
of agriculture at, 74, 137, 601.
of inhabitants at, 75, 137, 597, 598.
of live stock at, 74, 137, 601.
of military at, 75, 137, 597.
of salaries at, 565, 652, 663.
of settlers at, 74, 137, 601.
robbery of stores at, 414, 419.
slaughter-house proposed at, 595, 596, 597.
superintendent of streets at, 343.
want of arms at, 197.
weekly—
communication established with Port Dalrymple from, 195.
messenger from, to Port Dalrymple, 541.
wharfinger at, 198, 242, 246, 752.

"Hobart Town Gazette" (newspaper)
announcement in, of removal of headquarters to George town, 515.
payment in, of findings of court of inquiry re Broughton, W., 316, 318, 326.
submission of proofs by printer of, 318.
INDEX.

Hobbs, Thomas
  deposition by, re escape of Mills, P., 451.

Hogan, Patrick Gould (dep. ass. comm.-
gen.)
  accounts of, 175.
  advice to, to resign, 604.
  appointment of, to the commissariat at Hobart town, 41, 587.
  bill of, dishonored by Allan, D., 642.
  charges preferred against, 611, 612, 614, 618.
  complaints of shipping masters against, 150, 158.
  creditors of, to petition treasury, 734.
  defalcations of, 108, 169, 611.
  deficiency in stores left by, 593.
  delay of, in settlement of accounts, 197, 598.
  documents for use at trial of, 624 et seq.
  draft of charges against, 617, 618, 628, 633.
  estimates of expenditure by, 625.
  fraudulent entries in accounts made by, 592.
  inability of, to submit victualling list, 627.
  intertemperance of, 115.
  irregularities in accounts of, 115, 612, 613.
  leave of absence for, 108, 175, 178.
  letter from—
    to Allan, D., 637.
    to Campbell, J. T., 661.
    to Macquarie, L., 656.
  letter to—
    from Davey, T., 638, 639, 640, 641, 642.
    from Robinson, H. E., 705.
  money lent to, by Lord, E., 592.
  neglect—
    and drunkenness of, 638 et seq.
    of, to submit accounts, 126.
  orders—
    for return of, to Sydney, 154, 156, 157, 192.
    given to, by Davey, T., 638 et seq.
    passage to Hobart town requested by, 661, 662.
  promissory notes issued by, 614, 615, 627, 629.
  report by Broughton, W., on administration of, 592 et seq.
  transfer to Broughton, W., of department by, 159.
  unpaid receipts by, 626.
  victualling for family and servants of, 391, 394, 705.

Holden, Charles
  free pardon granted to, 7.

Holmes, H. (ensign, 73rd regt.)
  arrival of, at Sydney, 46.

Holsgrove (Holgrove), William
  deposition by, re robbery by bushrangers at house of McCarty, D., 80 et seq.
  dismissal of, as commissariat clerk, 160.
  pardon withheld from, 7.

Hood, Samuel (assist. surgeon, 46th regt.)
  appointment of, as acting naval officer, 272.
  assistance given by, to civil medical staff, 197.
  commendation of services of, 291.
  deposition by, re statements of Kemp, A. F., 331.
  impossibility of, appearing as witness against Drummond, J., 277.
  recommendation of, for salary, 267.
  relief of Bush, G., by, 118.
  successful use of vaccine by, 302.

Hope, ship
  condemnation of wheat imported in, 5.
  re-shipment of spirits per, 5.
  seizure of spirits per, 5, 43.
  spirits and sugar imported in, 5.

Hopkins, John
  transmission of petition from, 236, 260, 291.

Hopley, William (surgeon)
  certificate by, re accident to Davey, T., 566.
  land in government reserve at Hobart town conveyed by, 346, 737.
  payment of salary of, 565.
  promotion of, to rank of surgeon, 116.

Hops
  proposed cultivation of, 700.

Horse-racing
  application for permission for, 530.

Hospital
  absence of patients from, 664.
  dietary system for, 665, 739, 740.
  duties of superintendent at, 666.
  foundation laid of, at Hobart town, 430.
  gatekeeper for, 732.
  home for invalids from, 751, 754.
  house leased for, at Hobart town, 728, 729.
  instructions re erection of, for military, 14.
  issues to patients at, 666, 739.
  medicines for out-patients, 698.
INDEX.

Hospital
mismanagement of, by Luttrell, E., 664 et seq.
orders for erection of, at Hobart town, 327.
proposal for erection of, by Davey, T., 108.
reforms proposed in, 665.
regulations for patients in, 732.
returns required from, 729, 740, 748, 750.
site for erection of, at Hobart town, 168.
straw for bedding in, 732, 750.

Hospital at Sydney
claim for indemnification expected from contractors for, 62.
effect on Tasmania of contract for erection of, 149, 444.
expiration of contract for erection of, 72.
regulations introduced in, 423, 426.
sale of spirits at the Derwent by contractors for erection of, 31.
spirits landed at Hobart town in breach of contract for erection of, 62.

Howard, —
master of ship Duke of Wellington, 399, 300.

Howard, —
owner and master of schooner Young Lachlan, 386.
seizure by convicts of schooner of, 386, 387, 393.

Howard, Thomas
deposition re sheep stolen by bushrangers from, 448 et seq.

Howards, Thomas
deposition by, 77.
release of, by bushrangers when prisoner, 75 et seq.

Howe, Michael
capture and escape of, 278.
conditional pardon promised to, 194.
death of, 363, 364, 373.
deposition—
made by, 195.
re robberies by, 162, 163.
depositions re capture of military escort and release of prisoners by, 75 et seq.
escape of, from Hobart town to bush, 275, 294.
fear of, by inhabitants, 363, 364.
history of career of, 387.
implication of Knopwood, Revd. R., by, 257, 262, 263.
information re robbery by, 101.
letter from, to Davey, T., 163, 643.
letter received by Sorell, W., from, 194.
"lieut.-governor of the woods," 183.

Howe, Michael
mistress of—
service of, as guide to military, 234, 254.

Hubbard, George
appointment of, as boat-builder at George town, 555, 486.
land grant and indulgences for, 492.

Hudson, William
attempt of, to escape per brig Kangaroo, 237.

Hughes, William (drummer, marines)
return of, to England, with wife, 547.

Hull, George (dep. ass. com.-genl.)
charges made by, re boat crew of Sorell, W., 742, 743.
letter to, from Sorell, W., 738, 742, 746, 751, 752, 753.
relief of Archer, T., by, 420, 423.
returns and accounts to be submitted by, 746.

Humphrey, Adolarious William Henry
acquittal of Stewart, W., by, 710, 711.
agreement for lease of house by, 678.
application by, for additional land grant, 137.
caution re, given to Davey, T., by Macquarie, L., 23.
confirmation of appointment of, as magistrate, 59, 65.
depositions—
re burning of wheat stacks belonging to, by bushrangers, 89 et seq., 101.
re robbery of house of, by bushrangers, 120 et seq.
Humphrey, Adolarious William Henry
desire of Davey, T., to assist, 141.
inquest held by—
on body of Carlisle, C., 94 et seq.
on body of O’Burne, J., 122 et seq.
letter from—
to Macquarie, L., 588.
to Sorell, W., 210.
letter to, from Goulburn, H., 588.
magistrate at Hobart town, 20.
memorial of, soliciting compensation for
losses caused by bushrangers, 576 et seq.
name of, in list by Macquarie, L., 611.
natural history specimens sent by, 588.

Humphrey, Thomas
settler at New Norfolk, 94.

Hunter’s island
battery proposed at, 389, 396.

Huon pine
charter of brig Sophia to secure cargo of,
363, 650.
duty on, 296.
shipment of, from Port Davey, 291.
tender for supply of, 279.

Husthwaite, —
recommendation of, as wharfinger, 246.

Huxley, John
constable, 90.

Ibbotson, Joseph
claim of, to certificate of freedom, 345.

Illawarra, N.S.W.
land at, requested by Davey, T., 656.
refusal of land grant for Davey, T., at,
657.

Indefatigable, ship
convicts per, 6.
despatch per, 1.

Ingle, John
address by, to Davey, T., re martial law,
133.
adverse report on, 111.
claim of, unpaid by Hogan, P. G., 626.
criticism of magisterial proceedings in Ingle
v. D. McCarty, 4, 8, 9.
memorial of, re his financial position, 551.
name of, in list by Macquarie, L., 611.
robbery by bushrangers at farm, of, 79.

Inglefield, —
transportation of, to Coal river, N.S.W.,
349.

Inquest
on body of—
Carlisle, C., 94 et seq.
O’Burne, J., 122 et seq.

Irwin, Ormsby
appointment of, as overseer, 110, 172.

Jackson, Christopher
servant of Nayler, R., 543.

James Hay, brig
despatch per, 28.

James, Richard
See “Thompson, John.”

Jamison, Sir John
claim of, to cows, 333.

Jefferson, ship
despatch per, 128, 130.

Jeffreys, Charles (lieut., R.N.)
arrival of, at the Derwent on voyage to
England, 199.
attempt of, to smuggle spirits, 206, 237,
629.
assault and capture by, of Jones, J. F., and
crew, 202, 206, 207, 212, 214, 215
et seq., 630.
charges—
preferred against, by Sorell, W., 202,
208, 231, 282.
sent to England by Macquarie, L.,
against, 258.
commander of H.M. brig Kangaroo, 59.
criticism by Macquarie, L., on, 245, 258.
delay of, at the Derwent, 175, 204 et seq.
effect on settlement of conduct of, 237.
explanation by, of his conduct, 227.
letter from, to Sorell, W., 209, 210, 225,
227.
INDEX.

Jeffreys, Charles (lieut., R.N.)
letter to—
from Macquarie, L., 559, 587, 589.
from Sorell, W., 206, 208, 212, 213, 222, 223, 226, 228.
mutiny and piracy alleged against, 258.
official status of, 223.
orders to—
for immediate departure, 209.
for voyage of brig Kangaroo, 559, 587, 589.
prohibition of intercourse with, 207, 213, 215, 222.
reasons of, for delay in departure, 228.
reasons of Sorell, W., for not issuing warrant of arrest against, 204.
report by Sorell, W., on conduct of, at the Derwent, 204 et seq.
watch kept on by Drummond, J., 629, 630.

Jeffs, John
land grant and indulgences for, 492.

Jemott (Jemmott), William
claim of, unpaid by Hogan, P. G., 626.
disapproval by Macquarie, L., of land located for wife of, 35.
memorial of, to be returned, 378.
recommendation in favour of, 25.
wounding of, in affray with bushrangers, 95, 96.

Jenkins, Robert
witness for trial of Hogan, P. G., 611, 623, 624.

Jennings, Thomas
assigned servant of Davey, T., 409.
ticket of leave granted to, 409.

Jericho
burning of hut at, 512.
capture of military escort and release of prisoners by bushrangers at, 76 et seq.
district constable at, 489.
removal of guard from, 512.
troops to be quartered at, to control overland traffic, 489, 505.

Jessop, John
request of, for passage for family, 264, 362.
ticket of leave for, 520.

Jeune Ferdinand, schooner
despatch per, 288.

John Palmer, schooner
despatch per, 140, 240, 416, 455.

Johnson, —
claim of, unpaid by Hogan, P. G., 626.
Johnson, —
servant to Luttrell, E., 733.
Johnson, James Michael (lieutenant, marines)
claim of Campbell, R., to allotment formerly held by, 306.

Johnson, Richard
proposed trial of, 45.

Johnson, William (private, marines)
return of, to England, 547.

Jones, George
deposition re robberies by, 162, 163.
letter from, to Davey, T., 643.
robbery of farm of Davey, T., by, 590, 591, 603, 604.
shooting of, by military, 274.
verdict of wilful murder against, 123.

Jones, John
illicit distiller sent to the Derwent, 45.

Jones, John
information re bushranging by, 100.

Jones, John Francis
deposition by, re armed assault by Jeffreys, C., 215, 216.
entertainment given by, to Sorell, W., 328, 329.
letter from, to Sorell, W., 214.
master of ship Cochín, 215.

Jones, Mrs.
school kept by, at Hobart town, 345, 362.

Jones, Robert
petition of, for mitigation of sentence, 306.

Jordan, —
letter to, from Robinson, H. E., 738.

Jupiter, brig
despatch per, 176, 249, 253, 255, 257, 262, 348, 349.

Kangaroo
purchase of meat of, to be discontinued, 21, 185.
INDEX

Kangaroo, H.M. brig

anxiety for safety of, 70, 71.
call of, at the Derwent on voyage to England, 199, 201, 203 et seq.
convicts per, 56, 57, 68, 144, 156, 171.
departure of, for England, 232.
despatch per, 55, 57, 58, 60, 140, 150, 165, 167, 172, 174, 201, 470.
escape of convicts in, 205.
forced return of, to Sydney, 60.
orders—
for prompt return of, to Sydney, 59, 156, 172.
for voyage of, 556, 587, 589.
restriction of intercourse with, 207, 213, 215, 222.
watch kept on, by Drummond, J., 629, 630.

Kangaroo point

ferry at, inquiry re charges for, 664.
slaughter-house proposed at, 595, 596, 597.

Keaton, —

land requested by, 511.

Keeyes, John

claim of, to arrear of salary, 390, 395.

Keigan, Matthew

letter from, to Davey, T., 643.
surrender of, on condition of pardon, 265.

Kelly, James

appointment of, as harbour-master, 394, 406.
departure of, for Macquarie harbour, 383.
master of brig Sophia, 222, 363.
nomination of, as harbour-master, 389.
practice of, in giving clearances for ships, 739.
pursuit of escaped convicts by, 321, 387.

Kemp, —

ticket of leave for, 530.

Kemp, Anthony Penn

depositions re conduct of, 331.
grievances alleged by, 331.
land selected by, at Cross marsh, 155.
letter from—
to Bathurst, Earl, 684, 686.
to Macquarie, L., 585, 598.
letter to, from Robinson, H. E., 666, 667, 668, 676, 736.
misrepresentations made by, 330.
necessity for personal attendance of, at musters, 666, 667, 668.
partner in firm of Kemp and Gatehouse, 329.
prosecution of, proposed, 332, 351, 359.
reasons for suspension of, 332.
suspension of, as magistrate, 330 et seq., 350.
unpaid store receipts held by, 626.
violeance of, alleged by Guest, G., 361.
witness—
for trial of Broughton, W., 299.

Kent, Thomas

address by, to Davey, T., re martial law, 133.
caution re, given to Davey, T., by Macquarie, L., 24.
letter to—
from Robinson, H. E., 690, 697.
from Sorell, W., 696.
name of, in list by Macquarie, L., 611.
purchase of hay from, 605.
report on allotment at Hobart town purchased by, 579.
request of, for land at Herdsman's cove, 690.
seizure of ship Lord Melville by, 697.
speculation proposed by, 236, 260.
transmission of letter from, 236.

Kettle, Robert

bribery of, attempted by Mountgarrett, J., 470.
petition of, soliciting land, 486.
request for passage for, 465, 466.
testimonials for, 466.

Kimberley, William

store receipt issued to, 626.

King, —

misconduct of, at Port Dalrymple, 479.
INDEX.

King, George
  deposition of—
    at inquest on body of Carlisle, C., 94 et seq.
    re robbery at house of Triffit, J., by bushrangers, 99, 100.

King George, ship
despach per, 43.

King, Philip Parker (lieut., R.N.)
  examination of Macquarie harbour by, 379.

Kirby, George
  arrest of, for robbery of Fisk, A., 103.
  deposition by, re robbery of house of Fisk, A., 105.

Knights, Robert
  unexplained death of, 575.

Knopwood, Reverend Robert
  acquittal of Stewart, W., by, 710, 717.
  alleged intercourse of, with bushrangers, 238, 239, 262, 263, 269.
  bushranger Watts, G., received by, 238, 239, 263.
  caution re, given to Davey, T., by Macquarie, L., 24.
  character of, 24.
  cottage erected by, at Hobart town, 654, 655.
  depositions taken by, re bushrangers, 75 et seq.
  disapprobation of sentence passed by, on Reardon, B., 8.
  illness of, 176, 179.
  innocence of, of connivance with bushrangers, 276.
  letter from—
    to Bathurst, Earl, 653.
    to Davey, T., 79.
    to Macquarie, L., 655.
  letter to, from Davey, T., 80.
  magistrate at Hobart town, 20.
  memorial of, to Macquarie, L., 654.
  name of, in list by Macquarie, L., 611.
  payment of salary of, 565, 652, 663.
  prohibition of payment of lodging money to, 143.
  promise of residence for, 654.
  refusal of house rent for, by Macquarie, L., 654, 655, 656.
  request of, for bibles and prayer books, 287.
  sale of cottage by, 654.

Lady Castlereagh, ship
  convicts sent per, 324.
  departure of, 333.
  despatch per, 324, 326.
  prevention of detention of, at Hobart town, 324.

Lady Nelson, brig
  despatch per, 46.
  detention of, for want of naval stores, 43.
  naval stores sent to the Derwent for use of, 40.
  salt provisions to be brought from Norfolk island by, 32.
  settlers to be removed from Norfolk island in, 17.

Lakeland, John
  acting provost-marshal, 143.
  member of jury at inquest on O’Burne, J., 124.
  salary of, 143.

Lancaster, Samuel
  trial of, for connivance in escape of Mills, P., 461, 462.

Land grants
  age for persons to receive, 527.
  assigned servants associated with, 392, 423, 425, 426.
  delay in issue of, 118.
  illegality of, by lieut.-governor, 191, 192.
  inability of females to obtain, 35.
  instructions to deputy surveyor re, 560 et seq.
  instructions re, for officers at Port Dalrymple, 491.
  land irregularly granted by Davey, T., 109.
  problem of titles to, 345 et seq.
  prohibition of location of, by Davey, T., 35.
  proposal by Meehan, J., for modification of, 571, 572.
  reservation of power to make, to governor, 560.
  re-survey of, ordered, 16.
  suspension of issue of, 193.
  taking up of, 620, 621.

  to—
    Barclay, A., 615.
    Barker, R., 171.
    Barnard, G. W., 495.
    Beamont, J., 19.
    Birch, T. W., 8.
    Bunster, W., 425.
    Coleman, R., 621.
    Colquhoun, W., 8.
    Cox, J., 642.
    Davey, T., 19, 139, 166, 174, 176, 398, 407, 408, 410, 415, 417, 543, 653.
    Dell, J., 492.
    Dry, R., 382, 699.
    Evans, G. W., 58.
    Foster, C., 492.
INDEX.

Land grants

to—
Hubbard, G., 492.
Jefferis, J., 630.
Lascelles, T. A., 394.
Lawson, R., 542.
Lord, J., 620.
marines, 18.
Mayberry, J., 621.
Noble, A., 109, 170.
Normington, L., 621.
Parker, C., 527.
Quin, T., 622.
Read, G. F., 425.
Reiby, T., 491.
Rice, H., 109.
Rose, D., 67, 561.
Salmon, J., 170.
Salmon, T., 170.
Sorell, W., 391.
Thrupp, A., 353.
Walker, T., 492, 669.

Langton,—
petition of, for land and emancipation, 496.

Lascelles, Thomas Allan
appointment of, as secretary to Davey, T., 28, 574.
charges made by McCarty, D., against, 38.
desire of Davey, T., to assist, 141.
detention of, by Davey, T., at Hobart town, 68, 64.
employment of, in seizure of smuggled spirits, 65.
government servants for, 588, 605, 610.
land grant for, 394.
letter to—
from Macquarie, L., 562, 574.
from Sorell, W., 685.
member of court martial at trial of Burn, H., 119.
name of, in list by Macquarie, L., 611.
permission for, to act as secretary to Davey, T., 562.
refusal—
of house rent or salary for, 127.
of passage money for, 38.
of wheat tendered by, 685.
return of, to Hobart town per ship Eliza, 43.
salary for, 136.
transmission of memorial of, 387, 406.
unpopularity of, at the Derwent, 37.
wheat borrowed from public stores by, 593, 594.

Launceston
See also "Port Dalrymple."
convicts to be assigned to settlers at, 541.
discipline of military at, 289, 292.
district constable at, 517, 544.
gold to be built at, 540.
guard to be stationed at, 392, 406.
illegal procedure of Campbell, A., at, 709 et seq.
kitchen for commissariat barracks at, 532, 534.
murder committed by soldier at, 287.
occupation of government house at, by Sorell, W., 292.
overland traffic to, from the Derwent, regulation of, 488, 489.
party feeling prevalent at, 250, 285, 286.
passes to be exhibited by convicts at, 522.
permission for purchase of barrack at, by Mountgarrett, J., 529, 534.
picture of, to be painted by Craig, W. H., 588.
port regulations at, 703.
proposals for third magistrate at, 252, 268.
proposed purchase of store from Reiby, T., 507.
public buildings at, neglected by Stewart, J., 340, 477, 478.
register of government servants to be kept at, 522.
repairs to military barracks at, 486.
residence at, for Youl, Revd. J., 525.
return—
of agriculture at, 74, 137, 601.
of inhabitants at, 75, 137, 602.
of live stock at, 74, 137, 601.
of military at, 75, 137.
of settlers at, 74, 137, 601.
sale of barrack at, to Mountgarrett, J., 418.
sinking of sloop Fly at, 710, 718.
temporary repairs to buildings at, 517.
wages for overtime of convicts at, 532.

Law courts
See "Bench of magistrates," "Court martial," "Lieutenant-governor's court."
allowances to witnesses for trials at Sydney, 296.
establishment of petty debts court, proposal for, 343, 355.

Lawson, Richard
land and indulgences for, 542.

Lee, John
orders for return of, to Sydney, 140.
INDEX.

Leith, William Elliott
allotment for, at George town, 467.
appointment of, as inspector of works at Port Dalrymple, 139, 463, 464.
approval by Macquarie, L., of reinstatement of, 268.
arrest of, by Stewart, J., 250.
building materials given to, 467.
character and conduct of, 244, 251.
charge of public works to be retained by, 506.

dismissal of, as inspector of works, 384.
disputes of, with Stewart, J., 157, 192.
leave of absence granted to, by Cimitiere, G., 382.
letter to, from Macquarie, L., 463.
necessity for removal of, 248.
objections to immediate vacation of office by, 512, 513.
reinstatement of, at George town, 251.
release of, by Sorell, W., 250, 284, 285.
report required on work of, 485.
reservation of, 506, 512.
return of, to Port Dalrymple, 301.
salary for, 464.
suspension of, by Stewart, J., 244.
want of support alleged by, 250.

Lenahan, —
memorial of, for land, 513, 515.

Lennon, John
master of ship Hibernia, 398.

Leroux, W. G. (lieut., 48th regt.)
artificers assigned to, 505.
letter to, from Sorell, W., 699.
refusal of tender of meat by, 699.
suppena for, to attend court martial at Sydney, 747.
value to, of appointment as coroner, 699.

Lette (Lett), Peter
conviction of Carey, W., for assault on, 526.
credit given to, for duties, 490.
method adopted in receiving duties from, 516.
refusal of indulgences for, 526.
ticket of occupation for, 521.

Lewis, R.,
witness for court martial on Broughton, W., 299.

Lieutenant-governor's court
appointment of members of, 673.
patent for establishment of, 59.
precept for members of, 673.
refusal of Abbott, E., to open, on account of martial law, 126.

Lightfoot, Samuel
certificate of, re accident to Davey, T., 574.
Hospital assistant at Hobart town, 574.

Lime
discovery of, 40.
reward for discovery of, 41.

Little Mary, schooner

despatch per, 392, 393.

Live stock
appointment of inspector of, 257.
cattle, exchange of, for horses, 751, 753.
condition of herds on arrival of Sorell, W., 196, 243.
control of, placed under commissariat, 159.
export of, to Mauritius, 311.
illegality of issues of, by lieut.-governor, 191, 192.
instructions to Sorell, W., re, 184, 189.
issue of—
to military officers, 44.
to settlers from marine detachment, 18.
market values of, 49, 535, 551.
merino ram lambs, proposal for importation of, 744.
prevalence of stealing of, 282, 596.
problem of payment for, from government herds, 613.
prohibition of issue of, 34.
proposal for abolition of government herds of, 142.
purchase of hay for, 177, 605, 609, 636.
regulations re memorials for, to Macquarie, L., 34, 35, 316, 317.
removal of, from Port Dalrymple to the Derwent, 18, 497.
return of, 74, 187, 601.
sale of ponies proposed, 291, 295.

sheep—
payment for shearing of, 522.
returns of, 305.
slaughter of cattle proposed, 753.
standard sale price of, on credit, 49.

Liverpool street (Hobart town)
lease of house for hospital in, 728.
prohibition of brickmaking in, 115.

Loane, Roland Walpole
assigned servants of, 735, 736.
cautions, re, given to Davey, T., by Macquarie, L., 24.
charges made by, against Sorell, W., re administration of justice, 421, 422.
complaint of—
re business in office of lieut.-governor, 741, 742.
re conduct of Wells, T., 742.
Loane, Roland Walpole
complicity of, in smuggling of spirits, 63.
conviction of servants of, for trespass, 367.
demand of, for building allotments, 392.
denial by Macquarie, L., of promise of land to, at Macquarie point, 45.
detention of ship Martha alleged by, 738, 739.
demand of, for building allotments, 392.
denial by Macquarie, L., of promise of land to, at Macquarie point, 45.
detention of ship Martha alleged by, 738, 739.

Lord, Edward
reduction of duty on spirits imported by, 177, 608.
refund of freight money to be made by, 152.
refusal of—
to pay duty on spirits ex brig Kangaroo, 237.
to prosecute Broughton, W., 304, 305, 316, 659.
remission of duties due by, on spirits per brig Kangaroo, 272, 293.
store receipt issued to, 626.
tender from, for supply of Huon pine, 279.
wheat received from, in payment of duties, 614.

Lord, James David
grants transferred to, 621.
letter from, to O'Connor, J. R., 620.
memorial of, soliciting passage for family, 129.
refusal of request of, 149.
witness for court martial on Broughton, W., 299.

Lord Melville, ship
arrival of, 371, 378.
convicts per, 371, 378.
despacht per, 335.
discharge of, 695.
seizure of, by Kent, T., and Fergusson, J., 697.
shipment of meat per, 375, 376.
smuggling alleged from, 697.

Lord, Simeon
pardon of, by Macquarie, L., 635.

Low, G.
witness for court martial on Broughton, W., 299.

Lowe, Gustavus
arrival of, in ship Chapman, 308.

Lucas, N.
ticket of occupation for, 544.

Lucas, William
deposition by, re robbery of house of McCarty, D., by, 83, 84.

L'Uranie, French corvette
report re proposed visit of, 290, 297.

Luttrell, Edward (surgeon)
appointment of, as surgeon, 138.
bill drawn for payment of salary of, 663.
censure of, for style of correspondence, 728.
character of, 419.
crown servants of, 733.
INDEX.

Luttrell, Edward (surgeon)
expenses for, on visit to Sydney, 277, 296.
incapacity of, from ill-health, 267, 365.
instructions to—
re dieting of patients, 729, 740.
re hospital returns, 740.
re medical attendance at gaol, 736.
re patients in hospital, 732.
re sickness in gaol gang, 691, 707.
letter to—
from Robinson, H. E., 691, 729, 732.
from Sorell, W., 664, 665, 698, 707, 726,
727, 728, 733, 736, 739, 740, 741,
748, 749, 750, 754.
medicines for out-patients to be provided
by, 698.
memorial of, soliciting expenses as witness,
628, 629.
mismanagement of hospital by, 664 et seq.
name of, in list by Macquarie, L., 611.
papers submitted by Sorell, W., re, 414.
propagation of vaccine lymph by, 698.
proposal by, for hire of room for invalids,
751, 754.
publication of censure on, 728.
requisition by, for medicines, 322.
retraction of statement by, 727.
servants of, to be victualled, 729.
victualling of family of, 605, 610.
visit of, to Sydney as witness, 108.
witness—
at trial of Clarke, W., 156, 165.
at trial of Drummond, J., 277.

Lynch, Catherine
certificate of freedom for, 526.

Lynx, brig
despatch per, 165.
passengers per, 586.

Lyons, Samuel
attempt of, to escape per brig Kangaroo,
237.

Macarthur, John
proposal by, for sale of merino ram lambs
for Tasmania, 744.

Mackallister, — (private, 73rd regt.)
capture of, as bushranger, and release of,
75 et seq.

Macklin, Philip
return of, to Hobart town for trial by
bench of magistrates, 145.

MacNeelam, —
prohibition of, as a settler, 50.

Macneelance, Thomas
address by, to Davey, T., re martial law,
133.
conduct of, 267.

Macquarie harbour
application to erect saw-mill at, 334.
attempt of bushrangers to escape by, 234.
charter of brig Sophia to secure Huon pine
at, 363, 650.
examination of, by King, P. P., 379.
inability of brig Prince Leopold to visit,
392.
instructions to Florence, T., for survey of,
650.
plan of, 377, 379, 385.
report on bar at, 363.
survey of, 363.
tender for supply of Huon pine from, 279.

Macquarie, Lachlan (governor)
applications to, to be transmitted through
Sorell, W., 360.
cautions given by, to Davey, T., re resi-
dents at Hobart town, 23.
disapproval by, of proclamation of, martial
law, 110, 113, 125, 131.
il-health of, 690.
instructions by—
to Broughton, W., for reorganisation of
commissariat, 157 et seq.
to Cimitiere, G., as commandant at Port
Dalrymple, 474, 476.
to Davey, T., as lieut.-governor, 13 et seq.
to Evans, G. W., as deputy surveyor,
560 et seq.
to Geils, A., as commandant at Port Dal-
rymple, 485 et seq.
to McKenzie, J., as commandant at Port
Dalrymple, 449 et seq.
to Sorell, W., as lieut.-governor, 183 et seq.
to Stewart, J., as commandant at Port
Dalrymple, 456 et seq.
letter from—
to Abbott, E., 608.
to Bent, E., 8.
to Broughton, W., 599, 602, 609.
to Cimitiere, G., 474, 494, 508, 513, 514,
524.
to Davey, T., 13, 25, 28, 31, 38, 43, 46,
51, 54, 55, 57, 58, 60, 68, 69, 70,
89, 110, 112, 124, 125, 135, 138,
140, 150, 162, 165, 167, 172, 176,
399, 622, 650, 653, 657, 658, 659,
661.
to Drummond, J., 572, 579, 600, 608,
630.
to Dry, R., 699.
Macquarie, Lachlan (governor)

letter from—
  to Evans, G. W., 560.
  to Geils, A., 1, 4, 30, 52, 485.
  to Gunning, G. W., 562, 563, 570, 572, 573.
  to Jeffreys, C., 558, 587, 589.
  to Lascelles, T. A., 562, 574.
  to Leith, W. F., 463.
  to McKenzie, J., 442, 447, 455, 462.
  to Meehan, J., 548.
  to Ritchie, J., 26, 438, 439.
  to Rose, D., 561.
  to Stewart, J., 456, 462, 466, 468, 470, 473, 475, 476.
  to Stewart, W., 725, 725.
  to Wylde, J., 624, 628, 659.

letter to—
  from Allan, D., 637.
  from Bent, E., 566.
  from Broughton, W., 591, 597, 604, 605, 631, 613.
  from Campbell, J. T., 586.
  from Cimitiere, G., 513, 514.
  from Cowper, Revd. W., 356.
  from Drummond, J., 566.
  from Garling, F., 585.
  from Gatehouse, G., 595, 605.
  from Geils, A., 1, 28.
  from Hogan, P. G., 586.
  from Humphrey, A. W. H., 588.
  from Kemp, A. F., 585, 598.
  from Knopwood, Revd. R., 654.
  from McKenzie, J., 448, 461, 464, 465, 467, 469.
  from Meehan, J., 571, 578.
  from Mountgarrett, J., 581.
  from Piper, J., 619.
  from Smith, J., 580.

Macquarie point (George town)

naming of, 467.

Macquarie point (Hobart town)

land surrendered by Gunning, G. W., at, 35.

Macquarie street (Hobart town)

allotments in, proposed re-arrangement of, 346, 347.

land to be re-allotted in, 353.

irregularity of buildings in, 307, 308, 315.

regulations by Macquarie, L., for improvement of, 308, 315, 345.

Mahon, G. A. (ensign, 46th regt.)

arrest of, by Stewart, J., 322, 323, 342.

bushrangers killed and captured by, 194, 201, 243.

charges to be preferred against by Stewart, J., 323.

letter from, to Stewart, J., 473.

no charges made by Stewart, J., against, 327.

report by, on administration at Port Dalrymple, 244, 478.

skirmish of, with bushrangers, 201, 473.

Macellar, Lily

acquittal of, on trial for murder, 293, 294.

charge of wilful murder against, 271, 272.

expenses for witness at trial of, 659.

sister to Drummond, Mrs. J., 271.
INDEX.

Mansell, William Hobart
seizure of schooner Unity belonging to, by convicts, 39.

Mansfield, Michael
deposition by, re brig Kangaroo and assault on Jones, J. F., 213, 214.
pilot at the Derwent, 213.

Marines, royal
credit extended for, 179.
garrison orders re indulgences for, 547.
instructions to Davey, T., re settlers from, 17.
list of, returning to England, 547.
memorial of, soliciting back pay and allowances, 547.
number of settlers from, 17.
orders for detachment of, to be disbanded, 5, 18.
oxen from government herds for, 49.
payments made by Gunning, G. W., on account of, 570, 572, 573, 574.
proposed removal of, to new locations, 49.
settlement of, 39.

Market values
of—
cattle, 551.
cattle on credit, 49.
earthware, 637.
glass, 637.
grain, 48, 110, 115, 126, 152, 437, 549.
grinding wheat, 109, 171, 344, 602.
horses, 535, 551.
Huon pine, 578.
labour of convicts, 161.
meat, 109, 170, 185, 368, 369, 437, 549.
overtime labour, 532.
sheep, 551.
spirits, 14, 276, 336, 352, 637, 737.
stationery, 108.
sugar, 266, 499.
wearing apparel, 84, 85.

Martha, ship
alleged detention of, 738, 739.
precautions to be taken to prevent seizure of, 706.

Martial law
address by, to Davey, T., re martial law, 133.
orders for revocation of, 126.
proclamation of, by Davey, T., 92.
request for pardon of prisoners tried by, 277, 296.
results of repeal of, 146.
revocation of, 136, 146.

Martin, Josh.
petition of, for mitigation of sentence, 306.

Martin, Mary
proposed employment of, as schoolmistress at Hobart town, 117.

Martin, William
capture of, 102.
deposition of, re robbery at house of Fisk, A., 104, 105.
information given by, re robberies, 100, 101.
recovery of stolen property through, 103.
robbery at house of Triffit, J., by, 98 et seq.

Mary, ship
despatch per, 244, 246, 247, 248, 328, 330, 332, 398, 400, 401, 402.
prisoners sent for trial by, 333.

Maskell, —
request of, for family from England, 236, 306.

Massey, Thomas
application from, for land, 530.
appointment of, as district constable at Launceston, 544.
arrest of Stewart, W., by, 716.
character of, 293.
chief constable at Port Dalrymple, 451, 716.
deposition by, re escape of Mills, P., 451.
memorial of, for land, 513, 515.
payment—
of draft to, 498.
of salary of, 564, 652, 663.
reinstatement of, 301, 463.
resignation of—
as chief constable, 462.
as superintendent, 312, 325.
suspension of, as acting superintendent at George town, 289, 293.
troops to be quartered at farm of, 489.

Maum, William
address by, to Davey, T., re martial law, 133.
attempts of, to explain deficiencies in stores, 593.
disapproval by Macquarie, L., of land located for, 35.
dismissal of, 160.
evidence required from, re frauds of Fosbrook, L., 7.
fraternal entries made by, in accounts, 592.
horse stolen by bushrangers from, 91, 101.
refusal of, to appear as witness against Hogan, P. G., 279, 280.
witness required—
at trial of Broughton, W., 299.
at trial of Fosbrook, L., 42.
at trial of Hogan, P. G., 262, 623.
Mayberry, James
land grant to, 621.

McAllister, L. (ensign, 48th regt.)
attack by, on Cox, J., 379.
censure of, for conduct in dispute with Cox, J., 693, 694.
conduct of, 502.
dispute of, with Cox, J., 501, 502, 503, 504, 505, 507, 693.
letter to, from Sorell, W., 693.
officer to be appointed in place of, by Cimitiere, G., 392.
proposed transfer of, to George town, 502.
reparations to barrack of, 503.
refusal of correspondence with, by Sorell, W., 505.

McCabe, John
trial, conviction and execution of, 7.

McCarthy (McCarty), — (sergeant, 46th regt.)
native mistress of Howe, M., as guide to, 284.
proposition for exchange of, on relief, 280.

McCarty (McCarthy), Dennis
action proposed by, against Davey, T., and magistrates, 567.
appointment of, as deputy to provost-marshal at Sydney, 47, 48.
character of, 199.
criminal charges against, 48.
deposition by—
  re murder of Carlisle, C., by bushrangers, 92, 93.
  re murder of O'Burne, J., by bushrangers, 122, 123.
depositions re robbery at house of, by bushrangers, 80 et seq.
information re robbery by, 100.
legal opinion adverse to prosecution of, 56.
letter to—
  from Sorell, W., 706.
  from Robinson, H. E., 708.
list of articles stolen by bushrangers from, 84, 85.
military witnesses for trial of, 198, 200.

McCart (McCarty), Dennis
proposed trial of, for assault on Whitaker, 242.
purchases made by, from Norfolk island settlers, 34.
refusal of Macquarie, L., to prohibit return of, to the Derwent, 61.
settlement by Whitaker of case with, 259.
suspension of, as deputy provost-marshal, 48.

McCooy, David
absconding of, in ship Frederick, 290, 296, 311, 321.

McCooy, Jacob
deposition re bushranging of, 448 et seq.

McCooy, James
discovery of lime quarry by, 40, 51.
emancipation proposed for, 41, 51.
pardon for, 52.

McGill, —
allocation held by, in Hobart town, 346, 353.

McGill, John
absolute pardon for, 374, 379, 394.
emancipation granted to, 363.
free pardon requested for, 364, 368.
report of particulars re, 390.
services of, against Howe, M., 383.

McGrath, H.
return of, by Davey, T., to government service, 409.

McGwyre, Richard
depositions re—
capture and escape of, 85 et seq.
participation of, in murder of Carlisle, C., 94 et seq.
robbery of house of Fisk, A., by, 104, 105.
robbery of house of Humphrey, A. W. H., by, 150 et seq.
robbery of house of Triffitt, J., by, 98 et seq.
information re robbery by, 100.
verdict of wilful murder against, 98, 123.

McKay, —
ticket of leave for, 530.

McKay, David
See “McCooy, David.”
INDEX.

McKellar, Lily
• See “Makellar, Lily.”

McKenzie, John (major, 46th regt.)
allegations of perjury made by, 467, 468.
appointment—
of, as commandant, 442.
of Stewart, J., as successor to, 455.
attack on character of, by Smith, J., 465.
claims at Port Dalrymple to be liquidated by, 466.
complaint of Fletcher, C., against, 463.
criticism by, of Wentworth, D., 461, 462.
embarkation of, on schooner Estremina, 442.
instructions from Macquarie, L., to, 442 et seq.
letter from, to Macquarie, L., 448, 461, 464, 465, 467, 469.
letter to—
from Campbell, J. T., 445.
from Macquarie, L., 442, 446, 447, 455, 462.
magistrate at Port Dalrymple, 450, 452.
orders for embarkation of, at Port Dalrymple, 455.
payment of salary of, 564.
president of court martial at trial of Burn, H., 119.
relief of, 135.
reply of Smith, J., to statements of, 580.
reports to be made by, to Davey, T., 443.
request for, for interview with Mills, P., with Macquarie, L., 461, 462.
salary of, 445.
testimonial from, for Kettle, R., 466.

McKnight, John
orders for, to be sent to Sydney, 536.
report required re, 536.

McMahon, Cornelius
claim of, to certificate of freedom, 348.

McNab, John
member of jury at inquest on O’Bunre, J., 124.

McNeal, —
convict left through sickness on overland route, 483.

McNealance, —
nome of, in list by Macquarie, L., 611.
store receipt issued to, 626.

McQueen, Charles
claim of, to certificate of freedom, 200.

Meehan, James (actg. dep. surveyor-general)
instructions re location of Norfolk island settlers by, 17.
land grants to be re-surveyed by, 16.
letter from, to Macquarie, L., 571, 578.
letter to, from Macquarie, L., 548.
proposal by, for modification of land grants, 571, 572.
report by, on unauthorised allotments at Hobart town, 59.

Mermaid, H.M. cutter
arrival of, 378.
despach per, 371.
examination of Macquarie harbour in, 379.
voyage of Field, B., in, 375.

Merry, William (private, 73rd regt.)
deposition by, re capture of military escort and release of prisoners by bushrangers, 76.

Miles, —
desertion of, 536.

Military
See also “Regiment, —.”
barracks and hospital to be erected for, 14, 33, 327.
blankets and bedding for, 36.
candles for use of officers of, 428.
discharge of time-expired soldiers, 349.
establishment of military posts on overland route, 21, 241, 269, 488, 489.
inability of Macquarie, L., to send reinforcements of, 86.
instructions re subsistence of, 186.
orders re assigned servants for officers of, 70.
proposals for exchange of, on relief, 275, 280, 312, 322.
rations for, regulations re, 314, 317, 318.
request by Sorell, W., for increase of, 198, 234, 257, 264.
return of, 75, 137, 550, 597.
spirits for—
annual allowance of, 14.
donations of, 15.
issue of arrears of, at Port Dalrymple, 534.
sugar, issue of, to officers of, 499, 688.
want of arms for, 197, 241.

Miller, —
assignment of, to Loane, R. W., 735.
Miller, George
request of, for family from England, 236, 306.

Miller, John
ticket of leave proposed for, 537, 538.

Miller, P.
cancellation of ticket of leave for, 540.

Miller, P.
lease of house from, for hospital, 728.

Miller, Thomas (corporal, 73rd regt.)
deposition by—
re capture of Martin, W., and recovery
of stolen property, 102 et seq.
re capture of Smith, J., and Elliott, W.,
106, 107.

Mills, John
depositions re capture of military escort and
release of prisoners by, 75 et seq.
robbery of house of McCarty, D., by, 80
et seq.

Mills, John
permission for removal of, to Sydney, 117.

Mills, Peter
acting deputy surveyor at Port Dalrymple,
55.
allegations made by, of corruption of witnes­
ses by Smith, J., and Mount­
garrett, J., 469, 470.
alleged advantages of return of, to Port­
Dalrymple, 469.
bribe offered to, by Smith, J., 470.
cause of acquittal of, 462.
depositions re bushranging career of, 448
et seq.
dismissal of Mountgarrett, J., from magis­
tracy for connivance in escape of, 566.
escape of, from gaol, 451, 452.
examination of, by Ritchie, J., 453, 454.
leader of gang of bushrangers, 55.
memorial of, soliciting employment, 464.
permission for return of, to Port Dalrymple,
117, 465.
request for interview for, with Macquarie,
L., 461, 462.
trial and acquittal of, 117, 448.
want of evidence for trial of, 568.

Minerva, ship
arrival of, 332.
convicts sent per, 324.
departure of, 333.

Minstrel, ship
settlers to be removed from Norfolk island
in, 17.

Mitchell, —
bond given by, for Lowe, G., 303.
postmaster at Hobart town, 224, 303.

Mitchell, James
member of jury at inquest on O'Burne, J.,
124.
memorial of, soliciting passages on trans­
port, 130.
refusal of petition of, 149.
store receipt issued to, 626.

Mitchell, Theophilus (surgeon)
agent for Guest, G., 336.
evidence of, at inquest on O'Burne, J., 123.
house of, in Hobart town, 346.
orders for, to be sent to Sydney, 144.
payment to, from police fund, 144.

Mitchell, William
petition of, for mitigation of sentence, 206.

Molle, George (lieut.-col., 46th regt.)
land granted to, in N.S.W., 651.
letter from, to Stewart, W., 728, 724.
refusal by, of redress for Stewart, W.,
against Campbell, A., 720, 723, 724.

Monaghan, —
orders for, to join veteran company, 447.

Monday, Samuel
assigned servant of Nayler, R., 548.

Moore, George
deposition re bushranging of, 448 et seq.
statement by Mills, P., re, 453, 454.

Morgan, Thomas
ticket of leave for, 488.

Morris, Augustus
witness for trial of Broughton, W., 399.

Morris, Wright
escape of, 524.
proposed treatment of, as runaway, 523,
522, 524.

Moses, Moses
attempt of, to escape per brig Kangaroo,
247.

Moulds, John
appointment of, as superintendent of car­
penters at Port Dalrymple, 384, 513.
INDEX.

Mountgarrett, Jacob (assist. surgeon)  
absence of, from duty without leave, 333, 353.  
acquittal of, by criminal court, 581.  
allegations against, of bribery of witnesses,  
470.  
alleged tampering with, witnesses by, 461.  
amputation of arm of, 582, 584.  
artificers assigned to, 505.  
assistance given to bushrangers by, 56, 450, 556.  
claim of, to cattle at Port Dalrymple, 473.  
connivance of, in escape of Mills, P., and  
Williams, G., to become bushrangers,  
56, 556.  
dismissal of, proposed, 352.  
hospital returns transmitted by, 479, 480.  
inability of, through debt to take leave,  
483.  
leave of absence for, to visit Sydney, 345.  
letter from—  
to Campbell, J. T., 623, 633.  
to Macquarie, L., 581.  
magistrate at Port Dalrymple, 435, 442.  
medicines for use by, 726.  
memorial of—  
to Bathurst, Earl, 583.  
to Macquarie, L., 581.  
name of, in list by Macquarie, L., 611.  
payment of salary of, 564, 668.  
perjury alleged of, 467, 468.  
permission for—  
to purchase barrack at Launceston, 529.  
to visit Sydney, 481, 487.  
proposed trial of, 455, 461.  
removal of, from magistracy at Port Dal­ 
rymple, 56, 445, 556.  
request of—  
for evidence of Campbell, J. T., 693.  
for passage to Port Dalrymple, 633.  
for pension, 583, 684.  
requisition from, for medicines, 447, 521.  
salary of Smith, J., received by, 343, 344,  
355.  
sale of barrack at Launceston to, 418.  
servants of, on victualling list, 544.  
services of, 582, 583, 584.  
ticket of leave for servant of, 537, 538.  
trial of servant of, for connivance in escape  
of Mills, P., 451, 452.  
valuation of barrack of, 554.  
witnesses required for trial of, 455.  

Mount Nelson  
private in charge of signal station at, 312.  

Murphy, Patrick  
employment of, by government, 735.  

Murphy, Thomas  
participation of, in fight with bushrangers  
at New Norfolk, 92 et seq.  
wounding of, by bushrangers, 92, 96.  

Murray, John (captain, 73rd regt.)  
delay in relief of company of, 30.  
magistrate at Hobart town, 20.  
notes issued by, 114.  
report on allotment purchased at Hobart  
town by, 578, 579.  
reversion of lands of Guest, G., claimed by,  
30.  

Nairn, William (captain, 46th regt.)  
appointment of, as inspector of public  
works, 127, 128, 636.  
capture of Geary, P., by, 265.  
certificate by, re hay for government oxen,  
636.  
embarkation of company of, 324, 333.  
increase of salary for, 301.  
letter from, to Sorell, W., 218.  
misconduct of, 605.  
operations by, against bushrangers, 194,  
234, 265.  
pursuit of convicts by, 321.  
services of—  
as inspector of public works, 240, 261.  
in operations against bushrangers, 273.  
witness for trial of Broughton, W., 289.  

Nash, Robert  
brass and iron work for mill of, 604, 607,  
610.  
mill erected by, at Pitt water, 109, 171.  
mill stones for, 109, 171, 602.  
settler at Pitt water, 80.  

Naval officer  
disapproval by Macquarie, L., of commis­ 
sion paid to, 109, 151, 152.  
duties of, 143, 161.  

Navy, commissioners of  
letter from, to Sorell, W., 328, 359.  
letter to, from Sorell, W., 376, 402.  

Nayler, Richard  
permission for servants of, to proceed to  
Port Dalrymple, 543.  
purchase of farm by, 543.  

Nelson, George  
deposition by, re capture by, and escape  
of, from three bushrangers, 85, 86.
New Norfolk
construction of road to, 333, 706, 707, 708, 732.
depositions re outrages by bushrangers at, 80 et seq.
fight with bushrangers at, 92 et seq.
instructions to Davey, T., re formation of town at, 16.
murder of Carlisle, C., by bushrangers at, 92 et seq.
residents magistrate required at, 20, 198.
robberies by bushrangers at, 94, 95, 163.
school at, establishment of, 362.
tender for road to, 321.

New town
grant of land to Davey, T., at, 415, 647, 653, 726, 727, 733.
land—
desired by Davey, T., at 410, 411, 653.
to be granted to Cunning, G. W., near, 35.
 magistrate for, 20.
purchase of farm of Whitehead, A., at, 267, 312, 324, 325.
refusal of lease of government farm at, 108.
tender for bridge over creek at, 321.

Newby, Thomas
member of jury at inquest on O’Burne, J., 124.
participation of, in fight with bushrangers at New Norfolk, 92 et seq.
witness to deed of lease, 578.

Newcastle, N.S.W.
See “Coal river, N.S.W.”

Nicholls, John
master of ship Portsea, 680.
memorial to be submitted by, 689, 690.

Nicol, William
house rent paid for, 4.
superintendent at Hobart town, 4.

Noble, A. (surgeon, R.N.)
land grant for, 170.
recommendation of, for land grant, 109.
surgeon to H.M. brig Kangaroo, 170.

Norfolk Island
settlers from—
instructions—
re location of, at Norfolk plains, 26 et seq.
to Davey, T., re victualling of, 16.
to Ritchie, J., re, 26 et seq.
live stock sold by, to McCarty, D., 54.
loan of oxen to, 48.
location of, at Norfolk plains, 17, 25 et seq.
modification of land grants to, 571, 572.
removal of, 17.
victualling of, 16, 27.

Norfolk Island
settlers from—
instructions—
re location of, at Norfolk plains, 26 et seq.
to Davey, T., re victualling of, 16.
to Ritchie, J., re, 26 et seq.
live stock sold by, to McCarty, D., 54.
loan of oxen to, 48.
location of, at Norfolk plains, 17, 25 et seq.
modification of land grants to, 571, 572.
removal of, 17.
victualling of, 16, 27.

Norfolk plains
constable to be appointed at, 489.
location of settlers from Norfolk Island at—
17, 25 et seq.
naming of, 17.
payment for construction of road to, 41.

Normington, Luke
transfer by, of land grant to Lord, J., 621.

North, Edward
deposition by, at examination of Mills, P., 453.

Nunn, I. O. H. (lieut., 46th regt.)
failure of, in attack on bushrangers, 245, 246, 247, 248, 261.
witness required for trial at Sydney, 273.
wounding of, by bushrangers, 248.

O’Brien, Ed. James (lieut., 48th regt.)
officer of guard on ship Admiral Cockburn, 490.

O’Burne, James
court martial on Burn, H., for murder of, 119, 120.
inquest on body of, 122, 123, 124.
master of sloop Geordy, 162.
participation of, in fight with bushrangers, 95 et seq.

O’Connell, Maurice (lieut.-col., 73rd regt.)
land granted to, in N.S.W., 631.

O’Connor, J. R.
letter from, to Campbell, J. T., 598.
letter to, from Lord, J., 621.

O’Connor, Roger
witness for trial of Hogan, P. G., 611, 623, 624.

Ontario, brig
despatch per, 150.
INDEX.

Orders, government and general
—
appointment of Leith, W. E., as inspector of public works, 139.
assigned servants for officers, 70.
commission notes, issue of, 639.
illegality of grants and leases of land and issues of live stock by lieutenant-governor, 191, 192.
issue of provisions and stores, 549.
memorials to Macquarie, L., 34, 35, 316, 317.
opening of ports to trade, 72, 549.
price of meat and grain, 549.
prohibition of intercourse with brig Kangaroo, 222.
of issue of stores, 73.
release of Young, H. St. J., from arrest, 702.
spirits, duty on, 73.

Ore, Randal
escape of, in whale-boat. 576.

Orman, Benjamin
master of ship Mary, 399.

Oulton, Humphrey
petition of, for mitigation of sentence, 306.

Owen, R. W. (assist. surgeon)
appointment of, to Port Dalrymple, 384, 313.
claim of, to government servant, 544.
Parker, Charles
land and indulgences for, 597.
Parker, James
letter from, to Davey, T., 643.
pardon for, 270.
petition of, to surrender on pardon, 264.
robbery of farm of Davey, T., by, 590, 591, 609, 604.
wounding and escape of, in encounter with military, 474.

Parsons, William
claim of, unpaid by Hogan, P. G., 626.

Paterson, William
member of jury at inquest on O'Burne, J., 124.

Peterson, William
petition of, re allotment at Hobart town, 578.
report on claim of, 606.

Peachey (Petchey), John
deposition by, re bushrangers at farm of Davey, T., 590.
overseer to Davey, T., 590.
refusal of absolute pardon for, 116.

Peanon, Richard
master of ship Cochis, 645.

Peck, William
deportation of, as bushranger, 277.

Peckham, Thomas
return of, to government employment, 736.

Peele, Robert (under secretary)
letter from, to Davey, T., 648, 649.

Peerhouse, Walter
appointment of, as superintendent of convicts, 277, 292.
bill drawn for salary of, 652, 663.

Perkins, James
proposed confirmation of grant to, 653.
request of Davey, T., for transfer of grant from, 647.

Peters, Thomas
member of jury at inquest on O'Burne, J., 124.
store receipt issued to, 626.

Pilot, ship
arrival of, 301.
despatch per, 278, 279, 281, 282, 284.

Piper, John (naval officer)
letter from, to Macquarie, L., 618.

Pitt, Richard
appointment of, as chief constable, 302, 313.

sheep stolen from, by bushrangers, 101.
transmission of memorial from, 306, 315.

Pitt, Thomas
chief constable at Hobart town, 717.
settler at Green water holes, 717.

Pitt water
brass and iron work for mill at, 604, 607, 610.
depositions re—burning of wheat stacks by bushrangers at, 89 et seq., 101.
robbery of house of Fish, A., by bushrangers at, 101 et seq.
INDEX.

Pitt water
failure of military in attack on bushrangers at, 245, 246, 247, 248, 261.
terry at, inquiry re charges for, 664.
magistrate resident at, 195, 245.
military stationed at, 195, 245, 248.
mill—
erected at, 109, 171.
stones for use at, 602.
petty debts court at, proposed, 343.
proposal to quarter female convicts at, 290, 292, 309.
school proposed at, 362.
township proposed at, by Davey, T., 145.
vessel constructed at, 198, 242.
visit of bushrangers to, 245, 246, 247, 248, 577.

Police
difficulty in procuring free men for, 431, 482.
instructions to Sorell, W., re, 188.
proposal—
for appointment of police magistrate, 578, 588.
for special constables against bushrangers, 567.
refusal—
of Abbott, E., to enforce police regulations, 668, 669, 670 et seq.
by Macquarie, L., to sanction appointment of superintendent of, 141.
salary for district constables, 344, 354.

Police fund
at Hobart town—
instructions re—
payments from, 2, 40, 114.
to Drummond, J., 609.
to Sorell, W., 189, 190.
appointment of treasurer for, 138, 139, 313.
audit of, 281.
charges made on, by Drummond, J., 281.
clerk for treasurer to, 39.
delay in preparing accounts of, 233.
duties collected at Port Dalrymple to be paid to, 437, 440.
duties of treasurer of, 143.
irregularity of charges made on, 114, 144.
payments in arrear from, 196, 242.
refusal of salary for treasurer of, 6, 151.
regulations for administration of, 160, 161, 257.
returns of, required, 6.
at Sydney—
drafts made on, 1, 39, 40.

Pooney (Poney), Joseph
trial and conviction of, 7.

Pooke, Anthony (ensign, 73rd regt.)
orders for return of, to Sydney, 25.
delay in arrival of, at Sydney, 30.

Port Dalrymple
See also “George town,” “Launceston,” “Norfolk plains.”
apphabetical list required of inhabitants at, 556.
appointment of inspector of public works at, 139.
arrival of convicts at, without shoes, 482.
arrivals at, regulation of, 511.
bench of magistrates at—
instructions re, 497, 498.
weekly sittings of, 435, 436, 442, 457.
boats required at, 467.
bushrangers near, encounter with, 473, 474.
commissariat at, administration of, 436, 440, 441, 442, 490.
commissions to be read at, 429.
convict absentees at, to be reported, 453.
convicts sent to, 6, 273, 279, 324, 400, 459, 470, 471, 479, 481, 485, 487, 501, 508, 532, 540, 541.
coroners, appointment of, at, 609.
courts martial at, 444.
crew and passengers of ships to be mustered on arrival at, 468.
departure of Cimitiere, G., from Sydney for, 316.
depositions re bushrangers at, 445 et seq.
rededepedation by bushrangers at, 446.
difficulty in transportation of female convicts to, 510.
dissensions amongst officers at, 157, 192, 244, 251, 279, 501, 505, 504, 505, 507, 693, 694, 695.
duties collected at, to be paid to police fund, 437, 440.
general muster to be held at, 558.
inability to send convicts to, on account of weather, 323, 482, 484.
instructions—
general, for administration of government at, 435 et seq., 439 et seq., 442 et seq., 456 et seq., 474, 475.
re location of Norfolk island settlers at, 26, 27.
limitation of convicts in government employ at, 314, 528, 532.
magistrates at, 20, 252, 268.
maladministration of Stewart, J., at, 339 et seq.
money for use at, 726.
military posts to be established on overland route from, 21, 241, 268, 488, 489.
muster of convicts on Sunday at, 523.
musters to be taken at, 22, 23.
officials at, 564, 652, 663.
INDEX.

Port Dalrymple

orders—
for persons to be struck off store at, 527, 528.
re opening of port at, to trade, 72, 549.
overland traffic from, to the Derwent, regulation of, 488, 489.
pardons for convicts at, 41.
persons victualled at, 527.
population at, 527, 550.
port regulations for, 519, 702, 703.
practice for transfer of prisoners from, to Newcastle, N.S.W., 535.
proposal for sale of government boat at, 480, 481.
protection of settlers at, from bushrangers, 446.
recapture near, of launch stolen by convicts, 319, 486.
records at, to be given to Geils, A., 438.
register of shipping to be kept at, 539.
report received by Sorell, W., from, 244.
reports from commandant at, to be sent to lieut.-governor, 37.
returns—
of agriculture at, 601.
of convicts at, to be transmitted, 481, 492.
of inhabitants at, 550, 601.
of live stock at, 497, 601.
of military at, 550.
of salaries at, 564, 652, 663.
of settlers at, 601.
of ticket-of-leave men required from, 539.
returns to be transmitted from, 521.
robbery of public stores at, 473.
sheep at—
payment for shearing of, 522.
return of, 305.
shipping—
at, regulation of, 500.
returns required at, 511.
shipment of stores for, 508.
spirit—
licenses at, 498.
traffic at, regulation of, 436, 444.
spirits—
issue of arrears of, at, 534.
landed at, 301.
sugar, issue of, to officers at, 499.
tenders for supply of meat at, 517.
tools for use at, 136, 458.
trade at, regulation of, 444.
transfer of live stock from, to the Derwent, 18, 497.
transmission of accounts from, 185.
victualling list to be transmitted from, 525.
weekly—
communication established with, from Hobart town, 195.
messenger from, to Hobart town, 544.

Port Davey

application to erect saw-mill at, 334.
plan of, 379, 385.
shipment of Huon pine from, 290.

Port regulations
for the Derwent and Port Dalrymple, 702, 703.
modifications of, for Port Dalrymple, 518, 519.
transmission of, 191.

Portsea, ship
prohibition of use of ports by, 369, 493, 688.
repairs required for, 690.
return of, to Hobart town for repairs, 688, 690.
spirits landed from, 690.
survey of, 689, 690.

Prince Leopold, brig
appointment of master of, 370.
arrival of—
at Hobart town, 388.
at Port Dalrymple, 510.
burthen of, 369.
desparch per, 368, 369, 375, 377, 378, 381, 383, 412, 413, 425.
detention of, at Sydney, 384.
expenditure on, 370.
grounding of, 412.
guard for convicts on, 721.
inability of, to enter Macquarie harbour, 392.
naming of, 369.
provisions for passengers and convicts on, 731.
purchase of, for colonial service, 369, 370, 378, 383.
refitting of, 369, 370.
repairs to, at Sydney, 420.
request for survey of, 415.
stores per, 370.
survey of, 418.

Printing press
printing type for use at, in Hobart town, 296.
request for type for, 234, 276.
scarcity of type at Sydney, 259.

Proclamations
by Davey, T.—
of martial law, 92.
offering amnesty to bushrangers, 123.
re accomplices of bushrangers, 123.
by Macquarie, L.—
re bushrangers, 57, 89, 446.
Proovost-marshal
appointment of, 127, 379, 383.
misconduct of Tims, M., as, 367.
non-execution of supreme court writs by,
307, 315.
request by Field, B., for suspension of Tims,
M., as, 315.
suspension of Tims, M., as, 372, 381.

Public works
inspector of—
appointment of, at Port Dalrymple, 139.
returns required from, 6.
succession to office of, 111, 127, 128.
works to be expedited by, 32.
writing paper supplied to, 3.
instructions to Sorell, W., re, 187.
progress on, at Hobart town, 33, 261.

Pugh, William (private, 48th regt.)
character of, 373.
killing of Howe, M., by, 363, 373.
proposed purchase of discharge for, 364,
373, 380.
reward received by, 374.

Quemby, William
deposition by, re robbery of house of Hum­
phrey, A. W. H., by, 121, 122.
petition of, for mitigation of sentence, 306.

Quin, T.
appointment of, as storekeeper, 373, 504.
land grant and indulgences for, 492.
nomination of, as storekeeper at Port Dal­
rymple, 366.
sen-in-law of Luttrell, E., 366.
ticket of occupation for, 505.

Raine, John
letter to, from Robinson, H. E., 752.

Raine, Thomas
master of ship Surrey, 388.

Randall, —
character of, 372.
letter to, from Sorell, W., 682.
orders for return of, to Sydney, 682.
unauthorised arrival of, 366, 373.

Randall, —
irregular issue of spirits to, 62.

Bay, James (private, marines)
return of, to England, 547.

Baynor, William
appointment of, as storekeeper, 160.
witness for trial of Broughton, W., 299.

Read, G.
appointment of, as superintendent of car­
penters, 390, 394, 406.

Read, G. F.
land grant and indulgences for, 425.
memorial from, soliciting land, 423.

Beardon, Bartholomew
compensation to be given to, by Davey, T.,
727.
complaint against Geils, A., re, 8.
depositions re burning of wheat stacks be­
longing to bushrangers by, 59 et seq.,
101.
disapprobation of sentence passed on, 5.
proposal to, indemnify, for losses caused by
bushrangers, 115, 116.
settler at Pitt water, 91.

Bedfern, William
alleged pardon of, by Macquarie, L., 635.

Bedpath, Walter
disapproval by Macquarie, L., of land lo­
cated for, 35.
recommendation in favour of, 25.

Regalia, ship
despach per, 430, 431.

Regiment, 46th
biscuits and spirits for use of, 333.
commendation of services of, against bush­
rangers, 265, 275.
detachment of, for the Derwent, 51, 239,
270, 379.
embarkation of, 324, 333.
illegal punishment of privates of, by
Stewart, J., 323, 341, 475.
medicines required for use of, 281.
murders committed by soldiers of, 287, 259.
purchase of blankets for, 345.
relief—
of, by 48th regiment, 316.
of company of, at Port Dalrymple, 455,
456, 475.
of detachment of, 111, 127, 333.
surprise by bushrangers of detachment of,
at George town, 253, 254, 268.
time-expired soldiers belonging to, 117, 233.
want of discipline in detachment of, at
Port Dalrymple, 589, 292, 341.

Regiment, 48th
discharge of time-expired soldiers, 349.
discipline of detachment of, 414.
relief of 46th regiment by, 316.
robery of stores at Hobart town by soldiers
of, 414, 419.
INDEX.

Regiment, 73rd
claims of Guest, G., for houses occupied by, 297, 308, 309.
desertions from, 446.
detention of detachment of, at Hobart town, 6.
issue of bullocks to officers of, 44.
march of detachment of, from Launceston to Hobart town, 442.
relief of—
at Port Dalrymple, 442.

Reiby, Thomas
land grant and indulgences for, 491, 492.
omission of, to obtain clearance for brig Governor Macquarie, 517.
purchase of store from, at Launceston, 507.
storehouse of, at Launceston, 507, 703.

Reid, Charles
arrival of, per schooner Sindbad, 412.
claim of, for note of hand by Walker, T., 413, 520, 707, 708.
grievances alleged by, 413.
letter to, from Robinson, H. E., 707.
misconduct of, 419.
orders for departure of, from colony, 413, 523, 524.
refusal of permission for, to settle, 525.
withdrawal of crown servants from, 524.

Rennea, Robert
transportation of, to Hobart town, 117.

Return
of—
agriculture, 74, 137, 601.
bills drawn for salaries, 564, 565, 655, 663.
habitants, 75, 137, 550, 597, 598, 602.
live stock, 74, 137, 601.
settlers, 74, 127, 601.

Reynolds, Thomas
temporary ticket of leave given to, 536.
ticket of leave proposed for, 533.

Rice, Henry
decision of lieut.-governor's court in case of, against Gavin, R., 606.
land—
grant for, 109.
taken from, 168.

Richardson, George
deposition by, re robbery of farm of Davey, T., by bushrangers, 603.
overseer on farm of Davey, T., 603.

Richardson, James
arrival of, at Sydney per ship Frederick, 30.

Richardson (Richards), George
deposition re bushranging of, 415 et seq.
statement by Mills, P., re, 454.

Richardson, Thomas
application from, for permission to settle at the Derwent, 700.
letter from, to Bathurst, Earl, 700.

Riley, Alexander
contractor for erection of Sydney hospital, 31, 444.
export of wheat by, 143.

Riley and Jones, Messrs.
letter from, to Campbell, J. T., 598.

Risdon Cove
refusal of Macquarie, L., to confirm land taken by Geils, A., at, 30, 31.

Ritchie, —
master of brig Greyhound, 310, 383.

Ritchie, John (captain, 73rd regt.)
calls at Port Dalrymple to be liquidated by, 443.
command to be surrendered to Geils, A., by, 438.
commendation of, 438.
examination of Mills, P., by, 453, 454.
instructions to, re location of settlers from Norfolk Island at Norfolk plains, 26 et seq.
letter to, from Macquarie, L., 26, 438, 439.
magistrate at Port Dalrymple, 435, 453.
orders for, to be stationed at Port Dalrymple, 438.
payment of salary of, 564.
relief proposed for, 435, 439.
road constructed by, to Norfolk plains, 41.

Rivers, Josh.
settler per ship David Shaw, 738.

Roache, —
transportation of, to the Derwent, 57.

Roache, Patrick
purchase of farm of, by Nayler, R., 543.
Roberts, C. H. (ensign, 48th regt.)  
arrival of, at Hobart town, 378.  
orders for, to proceed to Port Dalrymple, 430, 539, 541.  
proposed exchange of, 389, 395.

Roberts, William  
orders for two men of same name to proceed to Sydney, 375.

Robinson, —  
release of, by bushrangers when prisoner, 76 et seq.

Robinson, Henry Edward  
letter from—  
to Barker, R., 678, 691.  
to Birch, T. W., 738.  
to Blyth, W., 673.  
to Cimitiere, G., 481.  
to Ferguson, J., 697.  
to Fisk, A., 708.  
to Gatehouse, G., 676, 677.  
to Guest, G., 677.  
to Heywood, H., 705.  
to Hogan, P. G., 705.  
to Jordan, —, 738.  
to Kemp, A. F., 666, 667, 668, 676, 677, 736.  
to Kent, T., 690, 697.  
to Loane, R. W., 697, 700, 735, 736, 746, 747, 748, 750.  
to Lord, E., 673.  
to Luttrell, E., 691, 729, 732.  
to McCarty, D., 708.  
to Raine, J., 752.  
to Reid, C., 707.  
to Stewart, —, 753.  
to Tims, M., 695.  
to Wetherall, —, 695.  
subpoena for, to attend court martial at Sydney, 747.

Robinson, Michael Massey  
alleged pardon of, by Macquarie, L., 635.  
clerk to colonial secretary, 23.  
fees due to, on pardons for convicts, 23.

Rook, —  
land grant and indulgences proposed for, 327.  
mate of brig *Rosetta*, 319, 321.  
services of, in recapture of launch stolen by convicts, 319, 321.

Rose, —  
superintendent of live stock at Port Dalrymple, 497.

Rose, David (lieut., 73rd regt.)  
antagonism of, towards Stewart, J., 285.  
claim of, for bricks, 500.  
land grant and indulgences for, 67, 561.  
letter to, from Macquarie, L., 561.  
testimonial from, for Kettle, R., 466.

Roseneath  
See "Austin's ferry."

Rosetta, brig  
See also "Prince Leopold, brig."  
purchase of, for colonial service, 369.  
re-naming of, 369.  
services of crew of, in recapture of launch stolen by convicts, 319.

Ross, —  
commander of schooner *Estremina*, 71.

Routhley, Charles  
permission for removal of, to Sydney, 117.

Rowell, Richard (private, marines)  
return of, to England, 547.

Russell, Richard (private, marines)  
deposition re bushranging of, 448 et seq., 454.  
escape of, in whale-boat, 576.

Salmon, Thomas  
arrival of, as a settler, 108.  
land grant for, 170.

Salmon, William  
arrival of, as a settler, 108.  
land grant for, 170.

Saltier, George  
allotment held by, in Macquarie street, 346, 353.  
appointment of, as superintendent of live stock, 34.  
recovery of government stock by, 34.  
return of, to Hobart town, 116.  
superintendent of live stock, 497.  
widow for trial of Broughton, W., 299.

Scattergood, William  
dispute of, with Barker, R., re boundaries of land, 691.

School  
proposals by Sorell, W., for, 345, 362.  
report on, by Cowper, Revd. W., 354, 356 et seq.  
rules for management of, at Sydney, 358.  
request for books for students at, 280.  
schoolmaster at Hobart town, 296, 280, 311.  
schoolmistress at Hobart town, 311.  
schools at Hobart town, 256, 280, 311, 345, 361, 362.
Scotland

sentences of transportation under law of, 426, 616, 617.

Scott, —

committal of, for trial at Sydney for sheep-stealing, 282.

Scott, John

evidence of, at inquiry re Smith, J., and Elliott, W., 108.

Scott, Robert

remission of sentence on, 374.
request for remission of sentence on, 267.

Seal fishery

annihilation of, by predatory gangs in whale-boats, 575, 576.

Seals, Thomas

deposition by, re robberies by Howe, M., and gang, 162, 163.

Seaton, —

proposed trial of soldier for manslaughter of, 289.

Septon, Peter

bushranger present at death of Carlisle, C., 94 et seq.
deposition re robberies by, 162, 163.
killing of, by fellow bushranger, 283.
leader of bushrangers, 274.
letter from, to Davey, T., 643.
robbery—
of farm of Davey, T., by, 590, 591, 603, 604.
of house of Humphrey, A. W. H., by, 130 et seq.
verdict of wilful murder against, 98, 123.

Serjeant, Richard (corporal, marines)

return of, to England, 547.

Sharp, Thomas

petition of, for mitigation of sentence, 306.

Shaw, —

escape of, from George town, 500.

Shaw, Christopher

escape of, in ship Frederick, 311.

Shields, Barnard

return of, to government employment, 736.
Smith, David

censure of, by Macquarie, L., 395.
master of brig Elizabeth Henrietta, 389, 395.
misconduct of, at George town, 389, 395, 513, 614.
orders to, for voyage of brig Elizabeth Henrietta, 674, 675.

Smith, John

investigation by magistrates of charges against, for bushranging, 106 et seq.

Smith, John (assist. surgeon)
allegations against, of bribery of witnesses, 469, 470.
appointment of successor to, 513.
attack by, on character of McKenzie, J., 465.
examination of Stewart, W., by, 715.
letter from, to Macquarie, L., 580.
name of, in list by Macquarie, L., 611.
on duty at George town, 497.
payment of salary of, 564, 852, 663.
perjury alleged of, 467, 468.
proposed trial of, for implication in bushranging, 455.
refusal of resignation of, 325, 352.
replay of, to statements by McKenzie, J., 550.
trial of servants of, for connivance in escape of Mills, P., 451, 452.

Smith, Samuel

recommendation in favour of, 25.

Smith, T.
ticket of occupation for, 494.

Smith, Thomas

application from, for land, 530.

Smith, Thomas

arrest of, for robbery of Fisk, A., 102.
deposition by, re robbery of house of Fisk, A., 105, 106.

Smith, William

robbery of, by bushrangers, 603.

Solomon,

confine ment of, at Hobart town, 540.

Sophia, brig

charter of, to secure cargo of Huon pine, 305, 660.
despacht per, 185, 217.
pursuit of piratical convicts in, 387.

Sorell, Mrs. Harriet

advance made to, by colonial agent, 337.
annuity provided for, by Sorell, W., 376.
letter from, to Bathurst, Earl, 328.
rep'y of Sorell, W., to statements of, 377.

Sorell, William (lieut.-governor)
allegations made by Davey, T., re administration of, 408, 409, 411.
annuity provided for wife by, 376.
applications to Macquarie, L., to be transmitted through, 360.
appointment of, as lieut-governor, 165, 182.
admission of, at Hobart town, 181, 194.
at Launceston, 250, 257.
assumption of government by, 194, 201, 246.
bias of, alleged by Gatehouse, G., 328.
bill drawn for salary of, 652, 663.
charges—
  made against, by Loane, R. W., re administration of justice, 421, 422.
preferred by—
  against Jeffreys, C., 202, 231, 232.
  against Stewart, A., 339 et seq., 477, 478.
charges made by Hull, G., against boat crew of, 742, 743.
claim of Abbott, E., to command in absence of, 263.
claim of wife of, for support, 337 et seq.
clerk to, 742.
commission of, as lieut.-governor, 182.
complaint of Loane, R. W., re business-in-office of, 741, 742.
complaints of Stewart, A., against, 284 et seq.
correspondence of, with Cimitiere, G., 509.
criticism by, of wife's statement, 377.
delay of, in visit to Port Dalrymple, 228.
embarkation of, at Sydney on ship Cochín, 184.
terminement given to, on arrival, 328, 329.
expectations of Broughton, W., re administration of, 612, 614.
immorality alleged against—
  by Davey, T., 632, 634.
imputations made by Kemp, A. F., re administration of, 330 et seq.
influence of, over magistrates, 634, 687.
Sorell, William (lieut.-governor)

instructions—

re—
civil appointments, 190.
contracts and shipping charters, 185.
courts martial, 188.
live stock, 184, 189.
natives, conciliation of, 187.
payment of salaries, 186.
police, 188.
police fund, 189, 190.
public works, 187.
religion, observance of, 186.
returns, 186, 189.
shipping, 187, 188.
spirit traffic, 187.
trial of criminals, 188.
visit of French ships, 297.

letter from—
general, 183 et seq.
land grants to, 375, 391.

letter to—
from Bathurst, Earl, 337.
from Campbell, J. T., 350, 359, 368, 371, 425, 427.
from Drummond, J., 219.
from Dry, R., 660.
from Goulburn, H., 335, 367, 418, 421, 425.
from Humphrey, A. W. H., 216.
from Jeffreys, C., 209, 210, 225, 227.
from Jones, J. F., 514.
from Nairn, W., 518.
from navy, commissioners of, 328, 359.
from victualling commissioners, 328, 359.
opinion of, withheld re Watkins, W. N., 675, 676.
proposed visit of, to Port Dalrymple, 197, 245, 248.
re provision for death or absence of, 190.
reply of Stewart, J., to charges made by.
request of, for instructions re unauthorised settlers, 428.
resentment of Cimitiere, G., at letters of.

INDEX.

867

Sorell, William (lieut.-governor)

letter from—
to Loane, H. W., 692, 736, 737, 738, 739, 740, 741, 744.
to Luttrell, E., 664, 665, 695, 707, 726, 727, 728, 733, 736, 739, 740, 741, 745, 749, 750, 754.
to McAllister, L., 693.
to McCarty, D., 706.
to navy, commissioners of, 376, 402.
to Randall, —, 692.
to Tims, M., 696.
to victualling commissioners, 375, 403.
to Walker, T., 520, 708, 733.
to Watkins, W. N., 675, 692, 694, 695, 698, 731.
to Wyile, J., 422, 427.
to Youl, Revd. J., 741.
letter to—
from Bathurst, Earl, 337.
from Campbell, J. T., 350, 359, 368, 371, 425, 427.

from Drummond, J., 219.
from Dry, R., 660.
from Goulburn, H., 335, 367, 418, 421, 425.
from Humphrey, A. W. H., 216.
from Jeffreys, C., 209, 210, 225, 227.
from Jones, J. F., 514.
from Nairn, W., 518.
from navy, commissioners of, 328, 359.
from victualling commissioners, 328, 359.
opinion of, withheld re Watkins, W. N., 675, 676.
proposed visit of, to Port Dalrymple, 197, 245, 248.
provision for death or absence of, 190.
reply of Stewart, J., to charges made by.
request of, for instructions re unauthorised settlers, 428.
resentment of Cimitiere, G., at letters of.
INDEX.

Sorell, William (lieut.-governor)
responsibility of, for adoption of regulations, 671, 672.
surprise of, at letter of Cimitiere, G., 537.
trial of, for crim. con., 686.
want of support by, alleged by Cimitiere, G., 508.

South Arm
reservation of, for government purposes, 59.

South Esk river
troops to be stationed at ford on, to control overland traffic, 489.

Spirits
annual allowances of, 14.
applications for licenses for sale of, 735.
attempt to smuggle, ex brig Kangaroo, 206, 297, 629.
duty on, 6, 14, 72, 153, 175, 177, 178.
importation of, 52, 636, 637, 644, 645.
instructions—
to Davey, T., re, 14, 15.
to Sorell, W., re traffic in, 287.
issue of, restricted by Sydney hospital contract, 52.
landing of, at Hobart town in breach of Sydney hospital contract, 62.
seizure—
and sale of, for smuggling, 62.
of, ex ship Hope, 5, 48.
price of, 14, 276, 335, 352, 637, 737.
prohibition—of import of, from Mauritius, 178.
of issue of, from public stores, 72.
purchase of, for public service, 276, 335, 737, 738.
receipt of, into public stores, 249.
reduction of duty on inferior spirits, 177, 178, 608.
sale of, by contractors for Sydney hospital, 31.
smuggling of, prevention of, 21, 631, 632.

Sponsford, James
servant at farm of Davey, T., 603.

Spooner, James (private, marines)
return of, to England, 547.

Spring, brig
despatch per, 51, 60, 162, 163, 445.

Spring Grove, ship
despatch per, 1.

Staines, —
(Probably identical with Stynes, Richard.)
loss sustained by, from bushrangers, 594.

Stanfield (Standfield), Daniel
attack by bushrangers on, 108.
bullock stolen from, by bushrangers, 163.
loss sustained by, from bushrangers, 594.
outrages committed by bushrangers on, 167.

Stanfield, John
remission of sentence on, 374.
request for remission of sentence on, 387.

Stanley, William
evidence of, at inquiry re Smith, J., and Elliott, W., 107.

Staples, John
additional land to be granted to, 49.
settler from marines, 49.

St. David’s church
cedar required for, 377, 385, 388.
design and site for, 154, 155.
errection of, 33, 112, 148, 196.
lead and glass required for, 382, 383.
request for organ, clock, communion plate, and bells for, 148.
resumption of land near, 423, 436, 428.

St. Michael, ship
despatch per, 426, 427.

Stevens, T.
ticket of occupation for, 494.

Stevens, William
arrest of, for robbery of Fisk, A., 103, 104, 105.

Stewart, —
letter to, from Robinson, H. E., 752.

Stewart, Andrew
claim of, to certificate of freedom, 239, 243, 260, 616, 617.
convict under Scotch sentence, 426, 616.
letter from, to Campbell, J. T., 616.

Stewart, James
orders for, to be sent to Hobart town, 418.

Stewart, James (brevet-major, 46th regt.)
allotment for, at George town, 467.
appointment—by, of Skelton, J., as inspector of public works, 244.
of, as commandant, 455, 456.
of, to Port Dalrymple, 135.
INDEX.

Stewart, James (brevet-major, 46th regt.)

arrest—
of Leith, W. E., by, 250.
of Mahon, G. A., by, 322, 323, 325, 326, 342.
arrival of, at Sydney, 324.
bill drawn for salary of, 652, 663.
buildings neglected by, 340, 477, 478.
character and conduct of, 244.
charges—
made against, by Sorell, W., 476, 477, 478.
to be preferred by, against Mahon, G. A., 322.
charter of vessel of McCarty, D., by, 276.
complaints of, against Sorell, W., 284 et seq.
discipline of military under, 289, 341.
disputes of, with officers, 157, 192, 244, 248, 251.
dermination of, at Sydney on brig Emu, 456.
illegal punishment of soldiers by, 323, 341, 478.
insolent letters of, to Sorell, W., 340.
instructions to, as commandant, 456 et seq.
insubordination of, 476.
irregularity of, in issue of stores, 340, 477, 478.
letter from—
to Davey, T., 473.
to Macquarie, L., 476, 478.
letter from Torrens, Sir H., re position of, 470.
letter to—
from Macquarie, L., 466, 469, 466, 468, 470, 473, 475, 476.
from Mahon, G. A., 478.
 magistrate suspended by, 339, 477, 478.
misconduct of, 322, 323, 325 et seq.
necessity for removal of, from command, 248, 341.
neglect of, to submit reports, 244.
salaries of, 286.
orders—
for embarkation of, at Launceston, 475.
from Sorell, W., suppressed by, 340, 477, 478.
proposed relief of, 293.
public documents removed by, 326, 340, 476, 477, 478, 487.
reasons for withholding court martial on, 325, 339.
relations of, with his officers, 350, 395, 396.
reply of, to charges made by Sorell, W., 478.
report on, to be transmitted to war office, 356, 333, 354, 477.

Stewart, James (brevet-major, 46th regt.)

reports to be transmitted by, through Davey, T., 457.
request of, for relief from command, 244.
salary of, 460.
suspension of Leith, W. E., by, 244.
undesirability of, for command, 339.

Stewart, William

acquittal of, at Hobart town, 710, 717.
arrest of, by Campbell, A., 710, 715, 716.
certificate by Davey, T., of ill-treatment of, 716.
charges made by, against Campbell, A., 455, 709 et seq.
inability of, to obtain trial at Sydney, 711.
interview of, with Macquarie, L., 724.
letter from, to Campbell, J. T., 576.
letter to—
from Campbell, J. T., 723.
from Macquarie, L., 722, 725.
from Molle, G., 723, 724.
location of land for, 723.
memorial from, to Bathurst, Earl, 709.
narrative of ill-treatment of, by Campbell, A., 714 et seq.
naval services of, 709.
petitions for redress by—
to Molle, G., 720, 723, 724.
report by, re predatory boats on coasts of Tasmania, 575, 576.
trading ventures of, 709, 710.
verdict obtained by, against Campbell, A., 712, 713, 721.
vessel of, sunk at Port Dalrymple, 710, 718.
withdrawal of indulgences from, 723.

Stone, Mrs. Ann

settler per ship David Shaw, 788.

Stone, Thomas

settler per ship David Shaw, 428, 738.

Storey, Thomas

transfer of, to Sydney, 310.

Stuart, (ensign, 46th regt.)

pursuit of escaped convicts by, 321.

Stubbs,

ticket of leave for, 520.

Studley, John

assigned servant to Abbott, E., 111.
orders for return of, to Sydney, 117.
remission of punishment on, 157.
INDEX.

Stynes, Richard
land grant to, postponed, 35.

Supreme court
appointment of acting provost-marshal for, 379, 505.
closing of, at Sydney for two years, 711.
departure of Field, B., from Sydney on circuit of, 375.
non-execution of writs of, by Tims, M., 307, 315.
refusal of Abbott, E., to act under commission from, 197, 248.
suspension of Tims, M., requested by judge of, 315.

Surrey, ship
arrival of, with convicts, 388.
desparch per, 749, 385, 386, 387, 388, 391, 392, 402, 403.

Sydes, Richard
appointment of, as superintendent of blacksmiths at George town, 487.
payment of salary of, 564, 682, 663.

Sydney Packet, ship
desparch per, 73.

Taylor, James
statement of impersonation by, 584, 585.

Taylor, Robert
permission for, to visit Sydney, 347, 348.

Thomas, John
deposition by, re escape of Mills, P., 452.
harbour pilot at Port Dalrymple, 510. 564.
payment—of salary of, 564.
to, for supervising road to George town, 510.
permission for return of, to Port Dalrymple, 117.
trial of, for connivance in escape of Mills, P., 448, 451, 452.
want of evidence for trial of, 565.

Thomas, William
arrival of, per ship Duke of Wellington, 299.

Thompson, John
request for, to be sent to Hobart town, 430.

Thrupp, Alfred
land grant for, 353.

Thrupp (Thrup), Henry (W. H.)
proposal for, as magistrate at New Norfolk, 198.
transmission of letter from, 306, 315.

Tibbs, Isaac
return of petition from, 447.

Timber
charter of brig Sophia to secure cargo of Huon pine, 363, 680.
duty on Huon pine, 295.
experimental export of, 44.
export of spars, proposal for, 740.
proposal by Florance, T., for supply of, 378.
purchase of Huon pine from Macquarie harbour, 279.
shipment of Huon pine from Port Davey, 291.

Tims, Martin
appointment of, as provost-marshal, 127.
censure passed on, by Macquarie, L., 270, 271, 315.
character of, 376.
charges preferred against, 685, 686.
commission for, as provost-marshal, 561.
illegality of suspension of, by Davey, T., 142.
letter to—
from Robinson, H. E., 695.
from Sorell, W., 685.
misconduct of, as provost-marshal, 367.
non-execution of supreme court writs by, 307, 315.
processes to be served by, 695.
reinstatement of, by Macquarie, L., 142.
request of Field, B., for suspension of, 315.
suspension of, as provost-marshal, 272, 281, 505.

Topping, Henry
attempt of, to escape per brig Kangaroo, 227.

Torrens, Sir Henry
letter from, re position of Stewart, J., 470.

Townsend, H.
muster of, as servant to Davey, T., 738.

Townsend (Townshend), John
trial, conviction and execution of, 7.
INDEX.

Townson, John (captain)
de部分。悉尼港丹理密，41。
proposal of bushrangers for robbery of, 449.

Townes, — (sergeant)
return of, to Hobart town per ship Frederick, 6.

Trade and commerce
correspondence re prohibition of, at the Derwent, 547.
effect on, of new system of commissariat payments, 400, 401.
export—
of live stock, 311.
of wheat, 68, 69, 143, 153, 193, 203, 273, 278.
orders re opening of ports for, 72, 549.
prohibition of trade—
by foreign vessels, 327.
by masters of convict ships, 367, 376, 378, 381.
regulation of, by British ships at Port Dalrymple, 444, 468.
suspension of prohibition of, by transport ships, 692.

Tray (Troy), Richard
deposition re escape of captured bushrangers from house of, 86 et seq.
loss sustained by, from bushrangers, 594.

Tress, —
locality proposed for settlement of, 604.

Trippit (Triffeth), James
depositions re robbery of, by bushrangers, 98 et seq.
member of party in fight with bushrangers, 95 et seq.
men wounded by bushrangers taken to house of, 94.
robbery by bushrangers at house of, 95.

Trippit (Triffeth), Thomas
deposition of, at inquest on Carlisle, C., 97.
member of party in fight with bushrangers, 95 et seq.
wounding of, by bushrangers, 96.

Trim, William
execution of, at Hobart town, 334.
return of, to Hobart town for execution, 323.
trial and conviction of, 313.

Triwork point
fishery establishment commenced at, 306.
land grants at, 306.

Troy, Robert
land grant to, postponed, 35.

Turner, —
trial and execution of, 61.

Turner, Wallis
witness for trial of Broughton, W., 299.

Unity, schooner
seizure of, by convicts at the Derwent, 39.

Uran, John
trial and conviction of, 45.

Vaccine lymph
importation of, 301, 313.
propagation of, 698.
success in use of, 302, 313.

Vandermeulen, C. J. (lieut., 48th regt.)
appointment of—
as acting provost-marshal, 379, 505, 509.
as inspector of works at George town, 384.
as naval officer and inspector of works, 377, 383.
departure of, for Port Dalrymple, 389.
expected influence of, on public works at George town, 515.

Vicualling commissioners
letter from, to Sorell, W., 328, 339.
letter to, from Sorell, W., 375, 403.

Wade, John (chief constable)
bullocks from government herd for, 52.
deposition by, re search of brig Kangaroo and assault on Jones, J. F., 211, 212.
disapproval by Macquarie, L., of land located for, 35.
evidence of, against Younge, H. St. J., 178, 255.
resignation of, 302.

Wakefield, David
complaint of, against Geils, A., 58.
Walker, Thomas (dep. assist. com.-genl.)
allotment for, at George town, 495.
appointment of, to comissariat at Port Dalrymple, 355, 486, 669.
duties to be collected by, at Port Dalrymple, 510.
horse for, 496.
land grant and indulgences for, 492, 493, 669.
letter from, to Macquarie, L., 669.
letter to, from Sorell, W., 520, 708, 733.
misconduct of, 424, 425, 426.
omination of, as magistrate, 494.
ote issued by, for work completed, 413, 520, 707, 708.
payment of salaries by, 510.
purchase of government house by, 532.
relief of, by Archer, T., 420, 423.
sale of horse to, 535, 544.
unnecessary reports submitted by, 498.

Waller, George
return of, to the Derwent, 57.

Walsh, John
chief mate of ship Cochín, 217.
deposition by, re armed assault by Jeffreys, C., on Jones, J. F., 217, 218, 219.

Walton, Richard (private, marines)
return of, to England, 547.

Warriner, Samuel
proposed appointment of, as clerk to treasurer of police fund, 39.

Watkins, W. N. (captain, 48th regt.)
action proposed by, against Cimitiere, G., 379.
attack by, on Cox, J., 379, 501, 502, 503, 504, 505, 507.
character of, 372.
court martial on, requested by Cimitiere, G., 373, 503.
criticism of conduct of, by Sorell, W., 502, 503, 675, 676, 694, 695, 696.
settlement of case with McCarty, D., by, 259.

Watts, George
burning of stacks at Pitt water by, 101, 278.
career of, 278.
departure of, for Sydney, 278.
escape of, from Coal river (N.S.W.), 278.
murder of, by Howe, M., 263.
orders for return of, to Sydney, 140.
reception of, by Knopwood, Revd. R., 238, 257, 263.
settlement of case with McCarty, D., by, 259.

Wells, Thomas
servant on farm of Davey, T., 603.

Wells, Thomas
clerk to lieut.-governor, 742.
complaint of Loane, R. W., re conduct of, 742.

Weltden, George
biscuit and spirits supplied to, for troops on ship Lady Castlereagh, 333.

Wentworth, D'Arcy
alleged pardon of, by Macquarie, L., 635.
contractor for erection of Sydney hospital, 31, 444.
criticism of, by McKenzie, J., 461, 462.
failure of court martial on, 620, 638.
treasurer of police fund at Sydney, 1.

Wetherall, Thackray
discharge of ship Lord Melville, 695.
letter to, from Robinson, H. E., 695.
master of ship Lord Melville, 375.

Whitaker
proposed trial of McCarty, D., for assault on, 248.
INDEX.

White, —
master of brig *Elizabeth Henrietta*, 235, 260.

White, Simon
depositions re capture by, and escape from, of three bushrangers, 85 et seq.

Whitehead, Andrew
compensation paid to, 312, 324, 325.
land grant proposed for, 325.
remission of sentence on, 61.
smuggled spirits seized at house of, 65.
store receipt issued to, 626.
valuation of farm of, 267, 312.

Whitehead, James
bushranger present at death of Carlisle, C., 94 et seq.
robbery by—
of house of Humphrey, A. W. H., 120 et seq.
of house of Triffit, J., 98 et seq.
verdict of wilful murder against, 98.

Whitehead, John
escape of, in whale-boat, 576.

Whitehouse, John
deposition by, re robbery of house of McCarty, D., by bushrangers, 82, 83.

Widdowson, —
transportation of, to the Derwent, 57.

Wilcocks, David
orders for, to be sent to Hobart town, 418.

Wilkinson, —
master of whaler *Anne*, 365.
permission for construction of vessel by, 365.

Williams, —
district constable at Jericho, 489.
misconduct of, 500.

Williams, Francis
want of evidence for trial of, 567.

Williams, Francis
appointment of, as magistrate, 65.
depositions taken by, re bushrangers, 75 et seq.
letter from, to Davey, T., 79.
letter to, from Davey, T., 80.

Williams, George
dismissal of Mountgarrett, J., as magistrate, for connivance in escape of, 557.
leader of gang of bushrangers, 55.
orders for return of, to Sydney, 41.
relief of, by Archer, T., 41.

Williams, John T.
assignment of property of Collins, W., to, 306.
breach of port regulations by, 310, 311, 321, 322.
character and conduct of, 288, 296.
decision of magistrates re spirits seized from, 43.
escape of McCoy, D., in ship of, 290, 296, 311, 321.
master of ship *Frederick*, 283, 306.
prohibition of use of port by, 311.
prosecution of, proposal for, 322.
spirits seized to be restored to, 5.

Williams, Thomas
store receipt issued to, 626.

Williams, William
allotment at Hobart town held by, claimed by Campbell, R., 306.
assistance given by, to bushrangers, 101.

Wills, T.
deposition by, re statements of Kemp, A. F., 331.

Wilson, —
appointment of, as pilot at the Derwent, 141.
payment of, by fees, 141.

Wilson, John Ivy
return of, by Davey, T., to government service, 409.

Wilson, William
member of jury at inquest on O’Borne, J., 124.

Windham, ship
despatch per, 54.
detention of, at the Derwent, 65.

Withers, —
arrival of, per ship *David Shaw*, 425.
INDEX.

Wolley, Josh. (private, marines)  
return of, to England, 547.

Wolsencraft, Samuel (serjeant, 46th regt.)  
deposition by, re escape of Mills, P., 452.

Wood, Valentine  
corporal punishment recommended for, 479.  
proposed treatment of, 493.

Worrall, Thomas  
absolute pardon for, 374, 379, 394.  
free pardon requested for, 364, 368.  
killing of Howe, M., by, 363, 364.  
report of particulars re, 390.

Wright, —  
owner of house at York plains, 488.

Wright, Josh.  
store receipt issued to, 636.

Wylde, John (judge-advocate)  
letter from, to Macquarie, L., 173, 298, 617,  
618, 633, 660.  
letter to—  
from Macquarie, L., 624, 628, 659.  
from Sorell, W., 422, 427.  
request for opinion of, by Sorell, W., re  
charges made by Loane, R. W., 422.

Yates, Edward  
emancipation of, 382.  
request of, for passage for family, 264, 381.

York plains  
ammunition for guard at, 524.  
guard from Jericho removed to, 512.  
military quartered at, 254, 258.  
negligence of troops at, 488, 494.  
removal of troops quartered at, 488.

York town  
inability to repair government house at,  
484.

Yorke, John  
claim to certificate of freedom, 290.  
denial of deposition of, by bushrangers, 603.

Yourl (Youll), Reverend John  
appointment of, as chaplain at Port Dalrymple, 471, 472.  
arival of—  
at Hobart town, 378.  
at Port Dalrymple, 741.  
assistance to be given to, 543.  
disapproval of, as magistrate, 268.  
letter to, from Sorell, W., 741.  
payment of account of, 511.  
proposed—  
appointment of, as magistrate, 252.  
departure of, for Port Dalrymple, 415,  
420.  
visit of, to Port Dalrymple, 504.  
residence and chapel to be erected for, 472,  
485, 514, 517.  
return of, 382.

Young Lachlan, schooner  
piratical seizure of, 386, 387, 389, 393.

Young, Samuel  
deposition by, re escaped convicts on brig  
Kangaroo, 224.

Younge, Henry St. John (asst. surg.)  
appointment of, as assistant surgeon, 116.  
attempt of, to escape in disguise, 360.  
bill drawn for payment of salary of, 663.  
charge of, 345.  
charges made against—  
by Davey, T., 172 et seq., 701, 702.  
by Sorell, W., 345.  
correspondence with, refused by Sorell, W.,  
360.  
court martial on, desired by Davey, T.,  
175, 178.  
land grant sold by, 109.  
leave of absence for, 372.  
legal opinion adverse to court martial on,  
173 et seq., 620.  
memorial from, to Bathurst, Earl, 701.  
orders for, for duty at Port Dalrymple,  
383, 384.  
release of, from arrest, 702.  
report on misconduct of, 347.  
services of, 701.  
suspension of, for insubordination, 344, 351.  
479, 481.  
victualling of family of, 351, 360.  
Witnesses required by Davey, T., against,  
255, 256, 273, 279.

AUSTRALIA
HISTORICAL RECORDS OF
AUSTRALIA
013495603 (344043)