



all yours

NEW SOUTH WALES – COLONIAL SECRETARY

LETTERS RELATING TO MORETON BAY AND QUEENSLAND RECEIVED 1822 – 1860

LETTERS RECEIVED 1857 AND PAPERS FILED WITH THEM – REEL A2.38 CONTINUED FROM REEL A2.37

SRNSW REF NO	CS REF NO	DATE RECD	TO	FROM	DATE OF DOCUMENT	CONTENTS	QSL REEL	PAGE
	57/00019	1857 01 02	Hon CS	Medical Adviser's Office, Parramatta R Greenup Medical Adviser to Government	1857 01 01	At top: "Medical Adviser to Government" Enclosing letter received from Superintendent of Lunatic Asylum Tarban Creek stating patient Jane Northfield recently delivered of a child there & that child is in some danger both from its mother & other patients Para 2: Course adopted in several previous cases has been to send mother & child to Parramatta Lunatic Asylum Para 3: Already 4 infants there three of whom are in arms, 2 of them very young & brought up entirely by hand – will be necessary if another be sent to sanction employment at least temporarily of additional nurse for the ward or rather of a nurse for the infants Para 4: Present nurse of ward is an old woman, on convict pay of nine pence a day & quite unable to attend to these children who are in fact nursed almost entirely by lunatics – in this has gone as far as he safely can Para 5: Matter is urgent, forwards Dr Campbell's letter & his own without waiting for instructions which he is taught by CS letter of yesterday's date to expect Para 6: As no postage allowed, sending these letters without prepayment [see also A2.37, p 549] & Notes in margin Patient & child should be removed to Parramatta, temporary services of a nurse being sanctioned as suggested Immediate Dr Greenup Inform Auditor General Auditor See 56/6953 herewith [not filmed here]	A2.38	001 – 003
	57/00019		Medical Adviser to Government	Tarban Lunatic Asylum F Campbell MD Superintendent	1856 12 30	At top: "56-628" Letter reporting Jane Northfield admitted into Asylum 26 th inst & delivered of a son following night – this occurrence has caused & keeps up great excitement among patients especially mothers of the ward in which the invalid is situated; in consequence child is in danger among so many unreasoning women each claiming it for her own. Has neither a separate ward or room in which mother & child can be kept in safety, nor a spare nurse qualified to take charge of the infant to protect it even from its own mother, who, though quiet, is very insane & not to be trusted with it for a moment out of sight. Mother is recovering rapidly from effects of		004 – 005

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	56/08992	1856 12 15	Hon CS	Brisbane Hospital Frederick James Barton Acting Secretary Brisbane Hospital	1856 12 10	confinement, but state of her intellect remains stationary [No 42] At top: "Secretary" Letter by direction of Committee of above institution enclosing application for admission into Lunatic Asylum of Jane Northfield, of unsound mind & destitute of means to pay for her maintenance - should Governor General be pleased to accede to prayer of petition, Committee will feel obliged by your transmitting to him at earliest convenience the necessary order for the woman's admission into Lunatic Asylum & Notes in margin Mr A This is regular Approved Secretary, Order [Ref 57/00019]	A2.38	006
	56/08992 [part obscured]		His Ex Sir William Thomas Denison	Frederick James Barton Acting Secretary Brisbane Hospital	[no date]	Petition of Frederick James Barton Surgeon of Brisbane acting as Secretary to Brisbane Hospital: That Jane Northfield of Brisbane has been examined & found to be of unsound mind as will appear by annexed Certificate & that your Petitioner for Brisbane Hospital acting as guardian to Jane Northfield is desirous of procuring her admission into Lunatic Asylum in order she may have there such medical care & attendance as may be most likely to ensure eventual recovery, Jane Northfield being without any means of support & at present a pauper in Brisbane Hospital Petitioner prays Governor General will be pleased to direct that Jane Northfield be received into Lunatic Asylum as he may think fit to appoint & further certifies for & on behalf of Committee of Brisbane Hospital that to best of his knowledge & belief in Jane Northfield, described in foregoing petition, has no means of paying for her maintenance in Lunatic Asylum & she has not any relative or friend who can be reasonably expected to maintain her		007 – 008
	56/08992			Brisbane Hospital K Cannan, H Bell	1856 12 10	[Certificate] We the undersigned being legally qualified Medical Practitioners do hereby certify that we have examined Jane Northfield at present a pauper in this Hospital & that we find her to be of unsound mind, & a proper object for reception into Lunatic Asylum, & we further certify in our opinion Jane Northfield would be benefitted by treatment in such Asylum		009
				Samuel Frederick Milford	1856 12 16	Upon reading Petition & Certificate signed by 2 duly qualified Medical Practitioners annexed hereto I sanction and approve of this application		010
						PAPERS RELATING TO DR WILLIAM GREY'S COMPENSATION FOR LOSS OF APPOINTMENT AS GOVERNMENT SURGEON, PORT CURTIS & HIS RELATIONSHIP WITH COLONEL M O'CONNELL - PAGES 011 – 030 & 097 - 210	A2.38	
	57/00064	1857 01 05	Hon CS	Department of Land and Public Works, Sydney John Hay	1857 01 02	At top: "Secretary for Lands & Public Works [as it is] "56-888" Letter re Petition of William Grey forwarded to him under CS BC 10 th ult, praying for compensation for loss of his appointment as Surgeon attached to Government at Port Curtis [No 63]: on fully considering extent of relation which this case has to this Department, of opinion it will be much more	A2.38	011 – 012

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					1857 01 08	claim [Ref 57/00064] William Gray		
	[no CS number]		His Ex Sir William Thomas Denison, Governor General	Legislative Council Chamber, Sydney C Nicholson, Speaker	1855 09 15~ 1855 09 14~ 1855 09 28~ 1855 10 11~ 1855 09 11	<p>“W D”</p> <p>“M F”</p> <p>[PRINTED FORM LETTER] At top: “L C 55/194 – 13 September 1855” <u>No 55/52, On Mr Parke’s Motion, 11th September 1855, Votes 48</u> May it please Your Excellency:- We ... the Members of the Legislative Council of New South Wales, in Council assembled, beg respectfully to request Your Excellency will be pleased to cause to be laid on the Table of this House: - Copies of all correspondence with Government relative to removal of Mr William Grey from Office of Resident Surgeon at Port Curtis, in April of present year & Note [written across page] Return presented 12 October 1855 & Note in margin – “A P C” [Ref 56/08863]</p> <p>[PRINTED PAPERS] At top: “L C 55/194” <u>1855 [see V & P 1855 Vol.III , p 935 – SLQ 1855, Reel 11,at end]</u> <u>NEW SOUTH WALES</u> <u>REMOVAL OF RESIDENT SURGEON AT PORT CURTIS</u> <u>Ordered by the Council to be Printed, 12 October, 1855</u> RETURN to an Address from the Legislative Council of New South Wales, dated 11 September 1855, praying that His Excellency the Governor General would be pleased to cause to be laid upon the Table:- “Copies of all correspondence with the Government relative to the removal of Mr William Grey from the Office of Resident Surgeon at Port Curtis, in April of the present year” <u>SCHEDULE:</u> 1. Government Resident, Port Curtis, to the Colonial Secretary, 11 January 1855, reporting the suspension of Mr Grey, the Resident Surgeon ... page 2 2. Government Resident to Colonial Secretary, 11 January 1855, in continuation ... page 3 3. Medical Adviser to the Government, to the Colonial Secretary, 10 February 1855, forwarding & reporting on a letter from Mr Grey, respecting his dismissal ... page 5 4. Colonial Secretary to Government Resident, 28 February 1855, confirming Mr Grey’s suspension ... page 6 5. Medical Adviser to Colonial Secretary, 28 February 1855, forwarding</p>	A2.38	016 017 018 019

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			THE HONORABLE THE COLONIAL SECRETARY	Gladstone M C O'CONNELL, Government Resident	1855 01 11	<p>certain documents received ... page 6 6. Government Resident to Mr Grey, 2 April 1855, communicating to him the decision of the Governor General & Executive Council ... page 8 7. Mr Grey to Colonial Secretary, 24 May 1855, submitting a statement of his case, and requesting payment of certain expenses ... page 8 <i>[Handwritten copy of Schedule – see p 029-030]</i></p> <p>[PRINTED] <i>[Copy of original letter with margin notes at p 204-209]</i> REMOVAL OF RESIDENT SURGEON AT PORT CURTIS No 1 GOVERNMENT RESIDENT, PORT CURTIS, to COLONIAL SECRETARY</p> <ol style="list-style-type: none"> Letter enclosing copy of letter addressed by me yesterday to Mr Grey, Resident Surgeon suspending that gentleman from his duties [No 5/55] Circumstances which have led me to adopt this step, are as follows:- Yesterday morning Chief Constable came to my marquee to say he had just returned from Native Police Camp where Lieut Murray had informed him a report had been brought in that Mr Stutchbury, Government Geologist, had been thrown from his horse & had met with a severe accident. I told Chief Constable to acquaint Mr Grey with the report, & ask him if he had heard anything of it; he returned & told me Mr Grey had heard nothing of the matter An hour or so afterwards, Native Policeman came in & told me Mr Stutchbury had been brought to his camp &, as far as I could understand, that his arm was broken. I then asked my brother, Mr C P O'Connell, who happened to have his horse saddled, to ride up to the doctor's & request him, from me, to go out to Mr Stutchbury, & see what was the matter, & I also ordered one of my servants to offer Mr Grey the use of one of my horses Mr O'Connell, on his return, informed me Mr Grey said, as he was not sent for, he saw no necessity for going. I then immediately went to Mr Grey's tent myself, & told him I thought it would show much more zeal for the service if, in a case like this which might be one requiring surgical assistance, he were to go at once to Mr Stutchbury's, & not wait to be sent for. He replied he had only heard of it through me, & if Mr Stutchbury wanted him, he had plenty of means of sending in to say so I then said "Well, the report has reached me, & I request you to do as I desire you". Mr Grey said he did not see the necessity for it; when I added, it is my positive order, or I order you, to visit Mr Stutchbury, and see if your assistance is needed I waited for rather more than an hour after this, & then rode over to Mr Stutchbury's camp myself, when I found that Mr Grey had not been there, & that Mr Stutchbury had had a fall, & was suffering from contusions, although the accident was not of so serious a nature as had been reported. On my return to my own camp, towards sun down, learning that Mr Grey was still in his tent. I sent him a letter of which I have enclosed a copy Trusts His Excellency will not deem that I have in this instance acted with any undue harshness towards Mr Grey. A report reached me that an officer of Government had met with a serious accident, & I desired the Medical Officer in charge to be informed of it, in order that he might adopt such measures as he thought proper; & on the report being, as it appeared to me, confirmed by further intelligence, I sent again to say I thought it 		020 – 021

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			MR WILLIAM GREY RESIDENT SURGEON	Gladstone M C O'CONNELL, Government Resident	1855 01 10	<p>would be better Mr Grey should go & see if his services were required. I placed a horse at his disposal, &, as it was only a ride of 3 miles, & he had no other duty to perform, it seemed to me there was no room for hesitation in such a case, where, if the accident was as serious as it was reported to be, the most prompt surgical treatment was required.</p> <p>10. However, as Mr Grey still refused to move, I as Chief Officer of the Government here, felt indignant that such lack of zeal should be displayed by an Officer under my control, & at once interposed my authority to cause that to be done which I thought under the circumstances ought to be done.</p> <p>11. Mr Grey treated my requests, & finally, my orders with contempt, & I had not resource but that either of resigning my own authority, or suspending Mr Grey.</p> <p>12. I have adopted latter course, & I trust His Excellency will confirm my act</p> <p>13. The only point Mr Grey urged in extenuation of his refusal to comply with my directions was, that Mr Stutchbury had ample means of communicating with him if he desired his presence; but, as I knew that in the bush many accidents might prevent his so doing, & it seemed to me there was no hardship imposed on Mr Grey in asking him to take a ride of 3 miles, when he was otherwise idle in his tent, I insisted on his doing what I required from him</p> <p>14. I beg to add, in conclusion, that, since Mr Grey's appointment here, I have not remarked such general energy & zeal in the discharge of his duties, as, independently of the present case, renders me at all unwilling to dispense of his services.</p> <p>[Enclosure in No 1] <i>[Copies of original letter at p 189, 210]</i></p> <p>1. As you have chosen to neglect express directions given by me to you this day, to visit Mr Stutchbury, Government Geologist, & inquire into nature of an accident, reported to have occurred to that gentleman, it becomes my unpleasant duty to acquaint you that you are, from this date, suspended from the functions of your appointment as Resident Surgeon, until pleasure of His Excellency on your case can be received</p> <p>2. If it be your desire to lay before His Excellency any explanation in extenuation of your conduct, I shall, if you transmit it to me, feel it my duty to forward same with my letter communicating the matter, for consideration of Head of Government</p>		021
			THE HONORABLE THE COLONIAL SECRETARY	Gladstone M C O'CONNELL, Government Resident	1855 01 11	<p>No 2 <i>[Copy of original letter at p196-199]</i></p> <p>THE GOVERNMENT RESIDENT, PORT CURTIS, to THE COLONIAL SECRETARY</p> <p>1. Since commencing my letter to you of this date, No. 5/55, I have received from Mr Grey the enclosed communication [No 6/55]</p> <p>2. I am at a loss to understand from what circumstance in relation to his appointment, or previous performance of his duties, Mr Grey can have assumed the tone he has done in this letter</p> <p>3. I have always placed him on any duty that I required him to perform; he has several times been, by Government Memorandum, put on Boards of Survey, and, on last occasion of sailing of the "Tom Tough" I sent him on board to visit some sick men, at 11 or 12 o'clock at night, without any objection or murmur on his part. He has made to me, by my direction, a weekly sick report ever since his arrival; I sign his salary abstracts & I have never supposed, or allowed, for an instant, that he was not responsible to</p>		021 – 022

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						<p>me directly in performance of his duties.</p> <p>4. I presume it is hardly necessary for me to quote the passage in my Letter of Instructions which gives me the authority to act as I have done in this instance, for without such authority my appointment as Government Resident would indeed be an unenviable dignity, having nominal duties & responsibilities, without power to enforce or make respected their performance – truly a <i>vox et praeterea nihil</i>; but, to save you the trouble of a reference, I will say it is a portion of 3rd paragraph of letter alluded to, which runs as under</p> <p>“With this exception (the Crown Land’s Department) all public officers whose appointments are of a local nature, will, of course, communicate with, & obey, you on all subjects connected with their duty, & you will be expected to <i>report vacancies and your arrangements in consequence thereof</i>”</p> <p>5. I do not see that I have, on the occasion under consideration, required from Mr Grey the performance of any duty which was either too onerous in its nature, or disagreeable in itself. An Officer of the Government – an old man, & one of eminent scientific attainments – was reported to have met with an accident of a serious nature, & it seems to me it ought to have been the pleasure, as it certainly was the duty, of the Medical Officer attached to Government, at once to have gone to enquire if his services were needed</p> <p>6. Such are my views in this case, & I trust I may not fail in obtaining concurrence of His Excellency with them</p> <p>7. I beg to enclose a copy of my reply to Mr Grey’s letter No 1 & I have since received another communication, No 2, which I likewise forward.</p> <p>8. Mr Grey’s conduct, as shown by these letters, places me in a very embarrassing position, but I will, as far as possible, refrain from any further interference with him, until Governor General’s decision is received</p> <p>9. I am compelled, however, as Mr Grey is in open defiance of my authority, to recommend that his pay & allowances cease from this date</p>		
			GOVERNMENT RESIDENT PORT CURTIS	Port Curtis WILLIAM GREY Resident Surgeon	1855 01 11	<p>[Enclosure 1 in No 2] <i>[Copy of original letter at p 190, 200]</i> Letter informing, in reply to your letter of yesterday’s date, that as I am responsible only to Medical Adviser to the Government, for the performance of my professional duties, I do not acknowledge your authority to give me any orders relative thereto, or to suspend me from performance of duties of my appointment until an answer can be received from the Head of the Medical Department, to whom I shall transmit a statement of this case, together with copies of your letter to me, & this my reply to it, & in the meantime, I shall continue to perform my professional duties, unless forcibly prevented</p>		022
			MR WILLIAM GREY SURGEON, GLADSTONE	Gladstone M C O’CONNELL, Government Resident	1855 01 11	<p>[Enclosure 2 in No 2] <i>[Copy of original letter at p 191, 201]</i> In reply to your letter of this date, I beg to acquaint you that I have not the least intention of interfering forcibly to prevent performance of any duties you may choose to carry on. I have acquainted you with your suspension, & I shall recommend that your pay & allowances cease from yesterday</p>		
			GOVERNMENT RESIDENT PORT CURTIS	Port Curtis WILLIAM GREY Resident Surgeon	1855 01 11	<p>[Enclosure 3 in No 2] <i>[Copy of original letter p 192 & with note, p 202-203]</i> In reply to your letter just now received, I beg to state that, having already informed you I do not acknowledge your power legally to suspend me from my professional duties to Government, your recommendation that my pay</p>		023

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			THE HONORABLE THE COLONIAL SECRETARY	Parramatta R GREENUP Medical Adviser to the Government	1855 02 10	<p>& allowances cease from yesterday, is a matter of indifference to me; because I am certain that I shall eventually recover all that is due to me from Government up to time of receiving an answer from Medical Adviser to the Government</p> <p>No 3 THE MEDICAL ADVISER TO THE GOVERNMENT <i>to</i> THE COLONIAL SECRETARY <i>[Copy of original letter with margin notes at p 185]</i> With reference to our conversation of yesterday concerning suspension of Mr Grey, Surgeon to Port Curtis Settlement, by Government Resident there, I have the honour to forward according to your request, Mr Grey's letter to myself, with his correspondence with Government Resident, & my opinion thereon, for the information of His Excellency the Governor General</p> <p>2. I regret, for Mr Grey's sake, that I cannot at all coincide with his view of the matter. It appears to me that it was his duty to have gone to Mr Stutchbury's camp on the first intimation of an accident</p> <p>3. If there were anything displeasing in the tone or manner of the order given, it might have been a subject for after remonstrance, but cannot be considered a reason for entirely withholding medical aid</p> <p>4. If Mr Stutchbury's party had had a medical man attached to it, then it might have been contrary to medical etiquette for Mr Grey to have interfered: as it was I cannot see that medical etiquette had anything to do with the matter</p>		
			MEDICAL ADVISER TO THE GOVERNMENT, SYDNEY	Port Curtis WILLIAM GREY Resident Surgeon	1855 01 12	<p><i>[Enclosure in No 3] [Copy of original letter at p 187]</i> Transmitting copies of correspondence between Government Resident & myself, in consequence of a reported accident (which turned out to be so very slight as not to require medical attendance) having occurred to Mr Stutchbury, Geological Surveyor & my declining to intrude my professional services on that gentleman before he requested me to do so <i>[Margin: See enclosures to preceding letters from Government Resident]</i> Without entering into full particulars of this case, until I am called on by you to do so, or complaining of the tone & manner in which Government Resident <i>ordered</i> me to visit Mr Stutchbury, I think it sufficient to state, that not having received any message from Mr Stutchbury who, I knew, had men & horses at his command, I considered it would have been a breach of professional etiquette to have been guilty of any such intrusion; and besides not having received any instruction from you, who I look upon as head of my department, to place myself under Government Resident's orders, I do not acknowledge his power to give me any orders relative to performance of my professional duties. Even though I had been under the orders of Government Resident, I consider it would have been a work of supererogation on his part to have interfered with my duties before a complaint of neglect on my part had been made to him by Mr Stutchbury. I shall continue to perform my professional duties as heretofore, notwithstanding I am suspended by Government Resident from pay & allowances from 10th inst until I can receive a reply from you</p>		
			THE GOVERNMENT RESIDENT, PORT CURTIS	W ELYARD (For the Colonial Secretary)	1855 02 28	<p>No 4 THE COLONIAL SECRETARY <i>to</i> THE GOVERNMENT RESIDENT, PORT CURTIS Letter informing that His Excellency the Governor General has laid before</p>		024

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			THE HONORABLE THE COLONIAL SECRETARY	Parramatta R GREENUP Medical Adviser to the Government	1855 02 28	<p>the Executive Council your letter of 11th ultimo, No. 5, reporting that you had found it necessary to suspend from his duties the Resident Surgeon, Mr William Grey under the following circumstances: It appears that a report reached Gladstone that Government Geologist, Mr Stutchbury, had received a fall from his horse at his camp, 3 miles off, & had been much injured; that you informed Resident Surgeon of the circumstance, in the first instance, in order that he might do what was necessary, & that you subsequently requested him personally to visit Mr Stutchbury's camp, to see if his services were required; that Mr Grey declined doing so, on the ground that he had not been sent for by Mr Stutchbury, who had ample means of communicating with him, & that you then conveyed to Mr Grey a distinct & positive order that he would visit Mr Stutchbury, but that he declined to comply with that order.</p> <p>2. Under these circumstances, the truth of which is not questioned by Mr Grey, who contents himself with denying he is directly amenable to Government Resident, His Excellency, with the advice of Council, has been pleased to approve of the suspension of Mr Grey, as Resident Surgeon, being confirmed from the 10th ultimo</p> <p>No 5 [Copy of original letter with margin notes at p 171] THE MEDICAL ADVISER TO THE GOVERNMENT to THE COLONIAL SECRETARY Encloses a letter received from Mr Grey, late Medical Officer at Port Curtis, with three weekly Medical returns, which Government Resident has declined to receive, & also a copy of a letter from Mr Stutchbury 2. As Mr Grey's dismissal renders any further comment unnecessary, I send in these papers only that all correspondence may be in the hands of Government</p>		
			MEDICAL ADVISER TO THE GOVERNMENT, Sydney	Port Curtis WILLIAM GREY	1855 01 27	<p>[Enclosure 1 in No 5] [Copy of original letter at p 172] Letter transmitting to you copies of weekly sick report, which I have, at Government Resident's own request, furnished him with every Saturday since last May, & on Saturday 13th inst I forwarded it to him as usual, when he returned it to me enclosed in a letter, a copy of which I send herewith. Before this comes to hand, you will have to come to a decision in the case pending between Government Resident & myself, & whatever that decision may be, I am very anxious to come to Sydney immediately, & therefore, I shall feel obliged by your sending a Surgeon to take my place, either for a time or permanently, according to decision you may have already come to</p>		
				Gladstone	1855 01 13	<p>[Enclosure 2 in No 5] [Copy of original letter at p 173] The Government Resident requests Mr Grey not to address any Official Reports to him, as they cannot be received</p>		
				Camp, Gladstone WILLIAM GREY Resident Surgeon	1855 01 13	<p>[Enclosure 3 in No 5] <u>WEEKLY Return of Sick in Camp, from Saturday the 6th instant to the present date</u> [Patient's name / Age / Occupation / Disease / Remarks] James Harty's child / 2 / J. H., Chief Constable / Diarrhoea Andrew Jenkins / 30 / Boatman / Inflammation of the left eye Sarah Sutton [see also Lutton] / 15 / - / - / In all these reports I have purposely omitted to name the female's complaint - W. G.</p>		025

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				Camp, Gladstone WILLIAM GREY Resident Surgeon	1855 01 20	George Furbar [also Furber] / 43 / Carpenter / Incised wound of the leg Watson / - / Surveyor's man / Disordered stomach <u>WEEKLY Return of Sick in Camp, from Saturday the 13th instant to the present date [Copy of original Return at p 176]</u> [Patient's name / Age / Occupation / Disease / Remarks] Berry / 30 / Surveyor's man / Dysentery / A prisoner under sentence of two months imprisonment Watson / 25 / Surveyor's man / Slight inflammation of the eyes Mrs Bonsfield / 18 / Bonsfield is Coxswain to Government Boat / Delivered of a son 15 th January / First child, and very severe and dangerous labour Turner / 22 / Surveyor's man / Slight attack of pleurisy Mrs Stonehouse [also Stonhouse] / - / - / - / Patrick Feeny / 44 / Constable / Feverish headache William Carter / 23 / Constable / Gonorrhoea		
				Camp, Gladstone WILLIAM GREY Resident Surgeon	1855 01 27	<u>WEEKLY Return of Sick in Camp, from Saturday the 20th instant to the present date [Copy of original Return at p 178]</u> [Patient's name / Age / Occupation / Disease / Remarks] Berry / 30 / A Prisoner of the Crown / Dysentery Turner / 22 / Surveyor's man / Pleurisy Mrs Bonsfield and child / - / - / - / Child died on Tuesday morning 23 rd inst Mrs Bullock / - / Cook to Government Resident / - / <i>At Mr Stutchbury's Camp</i> Mr Birch / - / Assistant to Mr Stutchbury / Intermittent fever		
			WILLIAM GREY, M R C S, Gladstone, Port Curtis	Camp, Auckland Creek Port Curtis S STUTCHBURY	1855 01 24	[Enclosure 4 in No 5] [Copy of original letter at p 180] My DEAR GREY, In answer to your unexpected request, that I should state as to whether I required & requested your assistance when I lately fell from my horse, I have to observe that the accident, or rather the effects, was so trivial, that I did not think it necessary. Yet, out of friendship, had you made it an excuse to visit me, I should rather have been pleased with the slight accident that induced you to come out, than have regretted it – In haste etc		026
			WILLIAM GREY, Surgeon, Port Curtis	Gladstone M C O'CONNELL, Government Resident	1855 04 02	No 6 [Copy of original letter at p 119-120] GOVERNMENT RESIDENT PORT CURTIS to MR WILLIAM GREY 1. Letter in reference to my letter of 10 th January last, acquainting you that you were suspended from functions of your appointment as Resident Surgeon, until pleasure of His Excellency the Governor General on your case could be received, I have to inform you that His Excellency, with advice of Executive Council, has been pleased to confirm your suspension from the above date viz: 10 th January 1855 [No 30-55] 2. It will, consequently, be necessary you should be prepared, at an early day, to give into store such Government property as you may have in charge, & I will direct Mr Harty, as storekeeper, to give you a receipt for whatever you may deliver over to him* 3. You will be good enough also to furnish me with Vouchers, for the expenditure of £50, advanced to you as a payment on account of £200 allowed to build you a residence * Footnote: Mr Grey took no notice of this request, or that in the subsequent paragraph, but left his marquees & medical stores to be taken		

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			THE HONORABLE THE COLONIAL SECRETARY	606 George Street South, Sydney WILLIAM GREY, Surgeon	1855 05 24	<p>care of as chance might direct – 14 July (Signed) M. O’C, G R</p> <p>No 7 [Copy of original letter at p 155-162] MR WILLIAM GREY to COLONIAL SECRETARY I have the honour to lay before you a statement of the case which caused my dismissal from appointment of Surgeon to the Port Curtis Expedition On the evening of 9th January last, Mr Stutchbury fell from his horse, & as he himself states in a letter to me (a copy of which I forwarded to Medical Adviser to the Government) the accident, or rather the effects were so trivial, that he did not think it necessary to send for me. The next morning (10th January) Mr Murray, Lieutenant of Native Police had occasion to send a letter to Capt O’Connell, by a native policeman, in which he did not make any report of Mr Stutchbury’s accident, nor did he request policeman to mention it (I have a letter from Mr Murray to that effect) but it appears that, when policeman delivered the letter, he told Capt O’Connell’s servants of Mr Stutchbury’s accident on previous evening, & in that way he heard of it, not by report being made to him on the subject He then sent Chief Constable Harty, to inquire if I had received any message from Mr Stutchbury, & I replied that I had not, & I was quite sure that if he (Mr S.) had been at all hurt by his fall, he would have sent for me at once, as he had a number of men & horses at his command. I had been attending him shortly before this, & we were on the most friendly terms [p 027] He came out from England with me in 1850, in the “Waterloo”, Captain H Neatby, of which I was Surgeon. Therefore, as an old friend, there is no man in the Colony that I would be more glad to be of service to than Mr Stutchbury. I mention this to show that, if there had been the slightest need of my services, I should have been only too glad to have visited him immediately, & done all I could for him After two or three messages from Captain O’Connell to know whether I had received any message from Mr Stutchbury, he came to my tent, & in a very peremptory manner, ordered me to visit him, which I declined to do, stating as a reason that I was quite sure if Mr Stutchbury required my services he would have sent for me at once. On the same evening he sent me a letter, stating that, as I had neglected the express directions given by him to me to visit Mr Stutchbury, & enquire into nature of the accident which was reported to have occurred to that gentleman –(I am prepared to prove that the accident was <i>not reported</i> to Captain O’Connell, unless he calls gossip of a blackfellow to his servants a report) – I was suspended from that date, from functions pf my appointment as Resident Surgeon, until pleasure of His Excellency the Governor General on the case could be received. Notwithstanding this suspension, I continued to do my duty, the same as before, till 2nd April, when Captain O’Connell wrote to inform me, that His Excellency had confirmed my suspension, & that, as it took effect from 10th January last, my pay & allowances would also cease from that date. I have therefore not received any pay since December last, & it is this circumstance which I beg to call your particular attention to. Since the date of my suspension on 10th January, I have attended several severe cases, a report of which I sent to Dr Greenup, Medical Adviser, & I have not the slightest hesitation in stating that had there been no medical man at Port Curtis, during the three months I was doing my duty to the public, though so preposterously suspended by the Government Resident, there would have been two or three deaths in consequence of the absence</p>		026 – 028

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						<p>of medical attendance. During that time there was no medical man nearer than Gayndah, & it would have occupied fourteen days, in bringing one to Port Curtis from that place. Therefore, I considered it my duty to the public, whose pay I had been receiving, to remain at my post, till Government sent another Surgeon to relieve me. You will be pleased to bear in mind, that I was not serving under Military or Naval Law, but under a Civil Servant of the Government, who I think far exceeded his duty in suspending me Supposing I had left district of Port Curtis immediately after my suspension, on 10th January, & a few deaths had occurred, would His Excellency & the public have held me blameless; & I had a good reason to believe that, as I was not charged with neglecting any of the sick, but merely declining to obey an absurd order of Government Resident, to visit a gentleman who was not at all sick, or injured from a fall from his horse, & who did not think it necessary to send for me, that Government would have taken a lenient view of the case, & would have considered a reprimand sufficient for the mistaken position I had assumed. Instead of this, I am first suspended, & then, after waiting above three months, I am summarily dismissed from a good appointment, without receiving any remuneration for that time, & put to extra expense by Captain O'Connell refusing to let me have any rations from Government store; I had therefore to take an inferior article from a private store at a much greater cost. Then again, I had to leave a horse & a great portion of my effects unsold, as "<i>William Miskin</i>" Steamer remains such a short time at Port Curtis, that I had not time to have a sale by auction. I was thirty days in coming to Sydney in "<i>William Miskin</i>" So that I have been altogether above four months without receiving any pay, & put to very heavy expenses & all this inconvenience & loss, merely for my taking a position which turned out to be a mistaken one. I certainly thought I had a discretionary power allowed me, to visit only those who were sick, or who were reported sick, but in this case there was no sickness, nor any report of sickness; of course, had there been, or had Mr Stutchbury sent for me, I should have been only too glad to have visited him immediately. Taking all the circumstances into consideration, I cannot help thinking that I have been <p>[p 028] harshly treated, in being dismissed from a good appointment in such a summary manner, and I feel confident that, if His Excellency knew all the minute circumstances of the case, His Excellency would be of the same opinion It has been a most serious pecuniary loss to me, & therefore I respectfully beg of you to take under your favourable consideration the following claim for pay & allowances, which I trust you will see I am fairly entitled to, viz :-</p> <p>3 months pay, from 1st January to 31st March last at £25 per month£75-0-0 3 months forage allowance for 1 horse from 1st January to 31st March£11-12-6 1 months detention on board "<i>William Miskin</i>" Steamer from Port Curtis to Sydney £25-0-0 Passage money from Port Curtis to Sydney, on board steamer £12-0-0 £123-12-6</p> I have commenced practice in Sydney; & as I have received no pay this</p>		

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						<p>report upon, the establishment & working of the Office of Government Resident at Port Curtis, with power to send for persons and papers – put and passed.</p> <p>Question-(2) That such Committee consist of the undermentioned Members namely- Mr Riddell, Mr Cowper, Mr Martin, Mr Flood, Mr Samuel, Mr Manning, Mr Allen, Mr Cooper, and Captain Mayne – put and passed.</p> <hr/> <p>VOTES NO. 52, WEDNESDAY, 19 SEPTEMBER, 1855 2. (1) The Return to the Address in reference to the Charter of the “Tom Tough”, adopted, on motion of Mr Parkes, on the 7th August last. Referred to the Select Committee on Port Curtis.</p> <hr/> <p>VOTES NO. 87, TUESDAY, 20 NOVEMBER, 1855 7. (6) The Return to the Address in reference to the Survey and Settlement of Port Curtis, adopted, on motion of Mr Morris, on 2nd October last. Order to be printed, and referred to the Select Committee on Port Curtis.</p> <hr/> <p>VOTES NO. 95, WEDNESDAY, 5 DECEMBER, 1855 8. Government Resident at Port Curtis:- Mr Parkes, as Chairman, brought up the Report from, and laid upon Table the Evidence taken before, the Select Committee appointed, on the 7th August last, to inquire into, and report upon the establishment & working of the Office of Government Resident at Port Curtis, with power to send for persons and papers. Ordered to be printed</p> <hr/> <p>WITNESSES EXAMINED Mr Thornton – 1; Mr Arthur – 4; Mr Manning – 6; Mr Grey – 6, 41; Mr Macdowell – 12; Mr Mathews – 16; Mr Foster – 16; Mr Gardiner – 18; Mr McCabe – 21, 53; S Stutchbury – 28; Mr Mylrea – 29; Lieutenant Dobbin, R N – 38; Mr Allport – 39; Captain O’Connell – 43</p> <p><u>1855</u> <u>NEW SOUTH WALES</u> <u>OFFICE AND ESTABLISHMENT OF THE GOVERNMENT RESIDENT AT PORT CURTIS</u> <u>REPORT / FROM / THE SELECT COMMITTEE ON THE OFFICE AND ESTABLISHMENT OF THE GOVERNMENT RESIDENT AT PORT CURTIS</u> THE SELECT COMMITTEE of the Legislative Council, appointed on the 7th August last “to inquire into, and report upon, the Establishment and working of the Office of Government Resident at Port Curtis, with power to send for persons and papers” have agreed to the following Report:- In entering upon the inquiry instituted by your Honourable House, Committee have felt some embarrassment from difficulty in obtaining evidence which might not be questioned, on ground of either too intimate an association with, or too imperfect a knowledge of, the matters under investigation. Still it is believed that information collected is derived from very best sources open to Committee, who, fortunately, have been enabled to examine nearly all the persons who could be supposed to be acquainted with a Settlement so little known, & the circumstances of which were so little likely to attract attention and uninterrupted observation. The list of</p>		
				Legislative Council Chamber HENRY PARKES, Chairman	1855 12 05			033 – 036

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						<p>witnesses comprises Captain M C O'Connell, the Government Resident; Mr F P McCabe and Mr G Arthur, who, the former for 2 years and 3 months & the latter for about 14 months, were engaged in making the Government Surveys of Gladstone and the adjacent country; Mr Grey, the Resident Surgeon; Mr Mylrea, Clerk to Government Resident; and several other gentlemen, who, at different periods, have resided at Port Curtis. A careful consideration of evidence afforded by the gentlemen leads your Committee to the conclusions expressed in the following propositions:-</p> <ol style="list-style-type: none"> 1 That creation of Government Resident at Port Curtis by Sir Charles FitzRoy was an error, which has already involved Colony in a loss of several thousand pounds, without any determinable public benefit 2 That gentleman appointed to the Office was not peculiarly fitted for performing its duties, so as to promote the objects of the Settlement 3 That appointment of a Police Magistrate to Gladstone would be a sufficient provision for securing the ends of justice, & the preservation of order at Port Curtis, under present circumstances 4 That, supposing this change were immediately effected, the capabilities of the District would have an equal chance of development, & the progress of the Port would be in no respect retarded <p>The first of these propositions, it is submitted, will have been clearly proved, if it is shown that the country is unsuitable for settlement, and that actual waste of money has already taken place. The evidence of Mr Surveyor McCabe, confirmed as it is, in part, by that of Commissioner Gardiner, and others, describes nine-tenths of the land as sterile and worthless; whilst remaining portion is so difficult of access, by reason of its lying in small & isolated patches, as to render all prospect of practicable communication distant & uncertain. So far back as 1st September 1853 (several months before Government Resident was appointed), Mr Archer, a gentleman resident in District, in reply to a communication addressed to him by Government, wrote to Colonial Secretary, expressing his decided opinion, that the land in the immediate neighbourhood of Gladstone was not "adapted for agricultural purposes; & that interior [p 034] for 150 miles was, unfortunately, cut up by immense scrubs" & would never raise the township into a place of importance. A copy of Mr Arthur's report is appended to the accompanying Evidence. As to the cost of the establishment, during the 20 months of its existence, a Return made up in Audit Office for information of your Committee, gives the total at £22,535-18s. Of this amount, the enormous sum of £6387 9s 8d is set down for charter of vessels; and if the establishment of Government Resident is continued, your Honourable House must immediately vote several thousand pounds to meet expenditure for 1856. To meet this outlay, amounting, with the sums variously entered in Estimates for 1856, & in the Supplementary Estimates for present year, to upwards of £30,000, there is a total amount of revenue, derived from sale of lands at Port Curtis, of £16,729 19s 11d, showing a deficit, on the actual expenditure of £5,805 18s 1d, or on the probable expenditure, if extended over the ensuing year, of upwards of £13,000.</p> <p>The following is the statement of expenditure made up in the Audit Office to 13th October of the present year:</p> <p><i>STATEMENT of the Expenditure for the Government Establishments of Port Curtis, in the years 1853, 1854, and first six months of 1855, so far as</i></p>		
				Audit Office, Sydney John Stirling	1855 10 13			

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						<p><i>shown in the Accounts of this Office</i></p> <p>[HEAD OF EXPENDITURE / 1853 / 1854 / 1855 30 June / TOTAL] [Amounts are noted here]</p> <p>GOVERNMENT RESIDENT – Salaries: Government Resident, Clerk to Government Resident, Orderlies to Government Resident, Resident Surgeon Allowance to Government Resident in lieu of forage Wages to labourers and others including Rations Provisions to Orderlies Clothing to Orderlies Furniture Stores Boat for Government Resident Freight and Passage Incidental Expenses of Government Resident Establishment</p> <p>HARBOUR MASTER Salaries of Boat's Crew Passage & Transport</p> <p>SURVEY Wages of Surveying Party Provisions and Forage Equipments & Stores Freight and Passage Materials for Erecting Buildings Boats and gear Incidental Charges</p> <p>CHARTER of VESSELS Charter of the "<i>Queen of the South</i>" Charter of the "<i>Tom Tough</i>" Victualling passengers on board <i>ditto</i> Allowance to the Owners of the Steamer "<i>William Miskin</i>" for three months</p> <p>ROAD FROM GLADSTONE TO GAYNDAH Wages to labourers employed, including Rations Other expenses</p> <p>ORDINARY POLICE Salaries and Allowances Provisions Transport</p> <p>NATIVE POLICE Salaries and Allowances Clothing Stores Purchase of Horses Saddlery, horseshoeing, etc Boat Incidental Charges</p> <p>ADVANCE ON ACCOUNT To the Government Resident To the Commandant of the Native Police To the Surveyor employed at Port Curtis</p> <p>TOTAL: £2453-8-8 / £10,503-10-5 / £9,578-18-11 / £22,535-18-0</p>		

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				Revenue Branch, Colonial Treasury, Sydney Francis L S Merewether	1855 10 25	<p><i>Audit Office, Sydney, New South Wales</i> 13 October 1855 – JOHN STIRLING</p> <p>[p 035] In support of second proposition, your Committee, whilst they desire to guard themselves against any unnecessary expression unfavourable to the character & standing of Captain O'Connell, are of opinion that his unreasonable detention of Schooner "Tom Tough" at heavy loss to public, his manner of employing the men under his charge, & capriciousness & want of consideration evinced by him towards his subordinates, sufficiently attest that his appointment was an unfortunate one, both for himself & the Government. In the course of little more than twelve months, persons, whose services were valuable to the settlement, were suspended, or dismissed, for errors, which in opinion of your Committee, might have been more easily corrected, if prudence & reflection had been allowed to take the place of a love of power; & scattered all through the evidence are facts & statements which tend to establish the unfitness of Captain O'Connell for a post which required much self-denial, a vigilant attention to condition of others, a calm & penetrating judgment, with a disposition to govern by reason & a dignified example rather than by a constant recurrence to the law, if, indeed, society were to be formed under such unfavouring circumstances, & progress of the settlement promoted.</p> <p>The third & fourth propositions are, in opinion of your Committee, supported by the whole of the evidence bearing upon the subject of the authority necessary for the present good order & the future progress of the district, excepting only the evidence of Captain O'Connell himself. Your Committee have obtained from Colonial Treasurer a tabulated return, showing in detail, amount realized by sales of land at Port Curtis, up to the present time, which is given as follows:-</p> <p><i>RETURN showing all Amounts of Money received for Public Lands at Port Curtis, distinguishing the quantity of Town, Suburban, Special Country, and Country, Allotments in each case, and giving the Date of each Sale</i> [Dates, Quantities & Amounts are all noted here] [DATE OF SALE / NO OF LOTS: Town-Suburb-Special Country-Country / TOTAL / QUANTITY SOLD: Town-Suburban-Special Country-Country / TOTAL QUANTITY / AMOUNT REALISED: Town-Suburban-Special Country-Country / TOTAL AMOUNT] DATE OF SALE: 1854 – 8 February, 9 February, 25 October, 26 October 1855 – 7 February, 7 June, 31 July</p> <p><i>Revenue Branch, Colonial Treasury Sydney 25 October 1855 – FRANCIS L S MEREWETHER</i></p> <p>It must be borne in mind that this amount was chiefly derived from land sales held at a time of temporary excitement, soon after opening of the Settlement, & that there is no probability of expenditure being reduced by any similar returns from the same source at the present time In noticing that Captain O'Connell has stated in evidence an opinion highly favourable to the character of land in Port Curtis District, your Committee, whilst they give that gentleman every credit for having satisfied his own judgment in the matter, cannot accept his opinion in opposition to united professional testimony of gentlemen already mentioned</p>		

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						<p>With reference to case of Mr Surgeon Grey, as it is explained in correspondence which has been specially referred to your Committee, & in the evidence of several witnesses, it appears Mr Grey committed an error in not obeying orders of Government Resident, & afterwards representing the case to Government in Sydney, if he felt those orders had interfered with his professional duties. Mr Grey went to Port Curtis, in the first instance, as Surgeon to Mr McCabe's Surveying Party in 1853; & Mr McCabe as well as other witnesses, bears testimony to his professional conduct as being attentive & skilful. The case which he was ordered to attend by Government Resident, & which, through his refusal, led to his suspension & ultimate removal from office, did not</p> <p>[p 036] turn out to be a case requiring medical attendance; & it is stated that, at the time, Mr Grey was "anxiously watching a midwifery case". Mr McCabe says "my opinion is, that there was not sufficient cause for his suspension, & that he was oppressed by Captain O'Connell". It appears to your Committee that course adopted by Captain O'Connell, in this instance, as in others, was one which, by displaying the extreme of his power under circumstances so susceptible of ridicule, could only result in weakening his real authority, & must inevitably lead to detaching from his services every person possessing a feeling of self-respect, & sufficient ability to render himself independent</p> <p>HENRY PARKES, <i>Chairman</i> <i>Legislative Council Chamber, 5 December 1855</i></p>		
						<p><i>[continuing from above]</i></p> <p>PROCEEDINGS OF THE SELECT COMMITTEE ON THE OFFICE AND ESTABLISHMENT OF THE GOVERNMENT RESIDENT AT PORT CURTIS</p> <p><i>FRIDAY, 10 AUGUST, 1855</i></p> <p>Present:- Mr Parkes, Mr Flood, The Colonial Secretary, Mr Cowper, Mr Samuel, Mr Cooper / Mr Parkes called to the Chair Witnesses examined – Mr Thornton, Mr Arthur, Mr Grey, Mr Macdowell, Mr Matthews, Mr Manning</p> <hr/> <p><i>TUESDAY, 18 SEPTEMBER, 1855</i></p> <p>Present:- Henry Parkes Esq, in the Chair, Captain Mayne, Mr Samuel, Mr Flood Witnesses examined – Mr Foster, Mr Gardiner</p> <hr/> <p><i>WEDNESDAY, 3 OCTOBER, 1855</i></p> <p>Present:- Henry Parkes Esq, in the Chair, Mr Cowper, Mr Samuel, Captain Mayne Witnesses examined – Mr McCabe, Mr Mylrea, Lieutenant Dobbin, R N</p> <hr/> <p><i>THURSDAY, 18 OCTOBER, 1855</i></p> <p>Present:- Henry Parkes Esq, in the Chair, Mr Flood, Mr Samuel, Mr Allen, Mr Cowper, Captain Mayne, Mr Cooper Witnesses examined – Mr Allport, Mr Grey</p> <hr/> <p><i>THURSDAY, 15 NOVEMBER, 1855</i></p> <p>Present:- Henry Parkes Esq, in the Chair, Mr Allen, Mr Flood, Mr Bligh, Captain Mayne, Mr Cooper, The Colonial Secretary</p>	A2.38	037 - 039

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						<p>Witness examined: Captain O'Connell</p> <hr/> <p><i>THURSDAY, 22 NOVEMBER, 1855</i></p> <p>Present:- Henry Parkes Esq, in the Chair, Mr Samuel, Captain Mayne, Mr Cooper, Mr Cowper, The Colonial Secretary Witness examined: Mr McCabe</p> <hr/> <p>[p 038] <i>THURSDAY, 29 NOVEMBER, 1855</i></p> <p>Present:- Henry Parkes Esq, in the Chair, Mr Cowper, Mr Allen, Mr Cooper, Mr Flood, Captain Mayne Captain Mayne moved,-That the Coxswain off the Government Boat's Crew at Port Curtis, who is in attendance, be called in and examined Question put. Committee divided. Ayes- Mr Allen, Captain Mayne / Noes- Mr Cowper, Mr Cooper, Mr Flood Motion lost. Moved by Captain Mayne, seconded by Mr Allen,-"That the evidence given by George Thornton, Esquire from question 37 to the end of answer 71, having been taken contrary to the practice of Parliament, which restricts a Select Committee from considering matters not specially referred to them, be expunged". Question put. Committee divided. Ayes- Mr Allen, Captain Mayne / Noes- Mr Cowper, Mr Cooper, Mr Flood Motion lost. Moved by Captain Mayne- That evidence given by Mr McDougall [as it is – MacDowell?] stating Mr McCabe & Mr Mylrea were <i>half drunk</i>, & the subsequent evidence with reference to that assertion, be expunged from the Evidence. Question put. Committee divided. Ayes- Captain Mayne / Noes- Mr Cooper, Mr Cowper, Mr Flood The Chairman at the request of Mr Allen, directed that the Draft Report be printed, and distributed with the Evidence, for the consideration of Members</p> <hr/> <p><i>WEDNESDAY, 5 DECEMBER, 1855</i></p> <p>Present:- Henry Parkes Esq, in the Chair, Mr Cooper, Mr Cowper, Mr Martin, Captain Mayne, Mr Flood, The Colonial Secretary, Mr Allen The Chairman read a Draft Report to the Committee Question put. Committee divided. Ayes- Mr Martin, Mr Cowper, Mr Flood, Mr Cooper / Noes- The Colonial Secretary, Mr Allen, Captain Mayne Carried. Moved by Mr Allen- That the second proposition in the Report be expunged Ayes- The Colonial Secretary, Mr Allen, Captain Mayne / Noes- Mr Martin, Mr Cowper, Mr Cooper, Mr Flood Motion negatived. Moved by Mr Martin- That the second proposition be amended as follows,- "That the gentleman appointed to the Office was <i>not peculiarly fitted</i> for</p>		

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						<p>performing its duties, so as to promote the objects of the settlement”</p> <p>[p 039] Question put. Committee divided. Ayes- Mr Flood, Mr Cooper, Mr Cowper, Mr Martin / Noes- The Colonial Secretary, Captain Mayne, Mr Allen Moved by Mr Flood- That the third and fourth propositions be adopted. Question put. Committee divided. Ayes- Mr Cowper, Mr Flood, Mr Cooper, Mr Martin, Mr Allen / Noes- The Colonial Secretary, Captain Mayne Carried. Moved by Mr Allen-That the paragraph commencing with “In support of,” and concluding “settlement promoted”, be expunged Question put. Committee divided. Ayes- Mr Allen, The Colonial Secretary, Captain Mayne / Noes- Mr Martin, Mr Cowper, Mr Cooper, Mr Flood / Motion negatived. Mr Cowper moved- That the paragraph as read, be amended as follows:- “In support ... settlement promoted” <i>[exactly the same as printed para above, at p 035 - of course – we don’t have Draft]</i> Question put. Committee divided. Ayes- Mr Martin, Mr Cowper, Mr Cooper, Mr Flood / Noes- The Colonial Secretary, Captain Mayne Carried. Moved by Mr Cowper, That the Report, as amended be adopted. Question put. Committee divided. Ayes- Mr Cowper, Mr Flood, Mr Cooper / Noes- Captain Mayne</p>		
						<p><i>[continuing from above]</i></p> <p>[p 1] 1855 <u>NEW SOUTH WALES</u> <u>MINUTES OF EVIDENCE TAKEN BEFORE THE SELECT COMMITTEE</u> <u>ON THE GOVERNMENT RESIDENT, PORT CURTIS</u> <u>FRIDAY, 10 AUGUST 1855</u> Present:- THE COLONIAL SECRETARY, MR FLOOD, MR COOPER, MR PARKES, MR COWPER, MR SAMUEL HENRY PARKES, ESQ IN THE CHAIR George Thornton, Esquire, called in and examined:- Margin: G Thornton Esq – 10 Aug, 1855 1. <i>By the Chairman:</i> You are the owner of “Tom Tough” schooner? Yes. 2. Chartered by you to Government? Not by me; chartered by firm of Morris and Moon, acting for me. 3. With your knowledge? Yes 4. She was engaged for service at Port Curtis? Yes 5. Do you know when that was? It was end of February, 1854 I think 6. How long in that service? 10 or 11 months, thinks 11 months</p>	A2.38	040

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						<p>7. Was she long absent from Sydney on any occasion during that time? Yes, first time she was away from February until end July I think</p> <p>8. What is usual time occupied in passage to Port Curtis and back? Depends on winds – if sending her to Port Curtis as matter of trade to get freight there & back, calculates on detention at Port Curtis of 10-12 days & estimates duration of whole voyage 6 or 7 weeks, including that detention</p> <p>9. Amount for which “Tom Tough” chartered? £350 a month for use of vessel, 7/- per head for cabin passengers per diem, thinks 4/- for steerage passengers – some uncertainty as to sum paid or steerage passengers</p> <p>10. Payment, on account of passengers, only made during time of passage? During period passengers remained on board</p> <p>11. Query whether it extended over any period after vessel arrived at Port Curtis? Not aware</p> <p>12. Not aware whether any persons were kept on board, at this expense, after arrival at Port Curtis? Never advised as to that – could refer to his accounts of number of days people on board, & number of days occupied in making passage</p> <p>13. Do you recollect total sum paid on account of this charter to you or your agents? My agents received £3,742.14s</p> <p>14. Was that whole of money received? That was the whole of money they received</p> <p>15. Did you receive any? I received about £500</p> <p>16. In addition to the £3,742.14s? Yes. I received one months pay for the vessel, £350, & some subsistence money</p> <p>17. How many voyages schooner actually made, from Port Curtis to Sydney, during 11 months in pay of Government? She made one voyage to Sydney & back & one voyage from Port Curtis to Wide Bay</p> <p>18. Was this all the actual service she performed under sail? Yes – no doubt that was all the service she performed – lying at anchor during greater portion of time at Port Curtis</p> <p>[p 2] Margin: G Thornton Esq – 10 Aug, 1855</p> <p>19. You said “Tom Tough” left Sydney end of February & did not return until July – are you aware that she was lying in Port Curtis nearly whole of that time? Yes, after making voyage, thinks she remained at Port Curtis until she same again to Sydney</p> <p>20. You are & have been a long time extensively connected with shipping interest of this port? Yes</p> <p>21. You are personally acquainted with great number of gentlemen interested in shipping? Yes</p> <p>22. Have you ever heard this engagement of “Tom Tough” being made subject of conversation? Has been subject of a good deal of conversation</p> <p>23. With regard to economy or costliness of this voyage? People suppose generally that I got a very good bargain but I know I did not</p> <p>24. But your not having had a good bargain does not arise from schooner not having been sufficiently paid? Not altogether, I may mention my vessel paid better in private trade to Clarence River than in Government employment, except there was not so much risk with Government, & vessel was kept in better order</p> <p>25. How many passengers were on board vessel on first trip to Port Curtis with Government Resident? About 70 passengers went down first time</p> <p>26. <i>By Colonial Secretary:</i> For how long after vessel arrived at Port Curtis did Captain & Mrs O’Connell remain on board? Not aware</p>		041

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						<p>27. Is any officer, that was on board "Tom Tough" at time she went there, at present in Sydney? Young Mr Prout was on board the whole time, as a sort of a pilot or sailing master for her, not in Sydney now, will be here in few days</p> <p>28. <i>By the Chairman:</i> Re conversation you heard re engagement of this schooner, have you ever heard it alluded to as being a nice job, or wasteful expenditure of public money? Have heard people talk that way but not affecting me in any way - I paid no attention, was no jobbery that I knew of</p> <p>29. <i>By the Colonial Secretary:</i> Were not tenders called for, for vessel to be taken up for Port Curtis Service, & did you not tender your vessel in usual way? My agents in whose hands the vessel was, tendered vessel of their own, the "Mary and Ellen" - tender was accepted, but for some cause unknown to me, arrangement was not carried out & they proposed & substituted "Tom Tough"</p> <p>30. "Mary and Ellen" got another freight & sailed out of Port - did she not? Some reason for change, I think Captain O'Connell preferred "Tom Tough"</p> <p>31. Discussion re "Mary and Ellen", owners Morris and Moon, & "Tom Tough" - not any difference between amount to be paid to either "Mary and Ellen" and "Tom Tough"? No, sum remained same</p> <p>32. <i>By Mr Cooper:</i> On whose account was "Mary and Ellen" employed when "Tom Tough" taken instead? I do not know - I was applied to, to know if I would let "Tom Tough" go at rates mentioned & I agreed to do so</p> <p>33. <i>By Mr Cowper:</i> What commission given to your agents or brokers? Charge is 5% but charter money they received has not yet been paid to me</p> <p>34. <i>By the Colonial Secretary:</i> Stated your vessel could have done better in private trade? Yes, was doing better unquestionably - grossing £600 a trip, each trip 4 or 5 weeks, expenses not more than £200 a trip in Clarence River trade</p> <p>35. <i>By the Chairman:</i> That was not by lying at anchor as she did at Port Curtis? No; by making quick trips - remarkably fast vessel, always made good trips.</p> <p>36. <i>By Colonial Secretary:</i> Has very good accommodation for passengers? Yes, & she sails fast, a good sea boat, draught of water very light.</p> <p>37. <i>By the Chairman:</i> Any other remark to make to Committee? Not certain that I am in order in introducing subject before this Committee; observe Auditor General stated in Council that tenders were called for, for supplying a gun boat [also gunboat] to Government. Speaking for myself, if not for other owners of vessels, I have no knowledge of any public advertisement being issued, I could have given Government very good vessel for much less money than they gave for "Spitfire" - it is a matter of complaint that had we had no chance in tendering - no recollection of any advertisement appearing for that purpose though it may have been so.</p> <p>38. <i>By Mr Flood:</i> Do you know anything about practice pursued by Government in reference to supply of vessels for public service either by purchase of charter? With respect I say practice very foolish & irregular - no businessman would pursue same course.</p> <p>39. Will you inform Committee what you consider irregular practice? Not sufficient publicity given, when tenders required. In some instances I am under strong impression that no tenders are called for at all.</p> <p>40. Can you state any of the instances you allude to? One I have just spoken of - supply of vessel for purpose of a gunboat. No recollection of seeing public advertisement for that - at the time "Spitfire" was purchased</p>		

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						<p>there were a great many suitable vessels in market to be sold cheap, fully equipped – rigging, sails & everything.</p> <p>41. Have you any reason to believe partiality shown in any way, by any branch of public service? Decline making statement on that point.</p> <p>[p 3] Margin: G Thornton Esq – 10 Aug, 1855</p> <p>42. <i>By the Chairman:</i> Have you any knowledge of instances where tenders advertised for, notoriously a considerable time after work has been taken in hand by particular person? No; but I know as fact that this gunboat was commenced before Government purchased her.</p> <p>43. “<i>Spitfire</i>” you mean? Yes – may have been that owner laid her down for different purpose, then sold her for a gunboat – believe she was partly built.</p> <p>44. <i>By Mr Cowper:</i> When you say you know as fact many vessels in market at time, is it your opinion those vessels were as suitable as “<i>Spitfire</i>”? Not one of them less suitable, most were more so, in point of size & equipment.</p> <p>45. When you say they could be obtained cheap – query re price Government could make purchase for? Could have purchased one of many vessels then for sale, about 100 tons register; fully twice size of “<i>Spitfire</i>”; rigged, coppered & fully equipped for about £800. I could have sold a vessel at that, would have considered it a good sale – great many vessels equal to “<i>Spitfire</i>” have been sold for much less.</p> <p>46. “<i>Spitfire</i>” stated to be of 55 tons? May be by builder’s measurement. Vessels I allude to as being for sale were 60-120 tons by Custom House measurement. Difference between 2 measurements about 30-40%</p> <p>47. Was vessel alluded to good sound vessel? Thoroughly sound.</p> <p>48. Do you know her age? Vessel I should have offered about 3-4 years old, coppered & fully equipped.</p> <p>49. <i>By the Chairman:</i> Faithfully built, as strong as “<i>Spitfire</i>”? Yes – fully strong if not stronger</p> <p>50. <i>By the Colonial Secretary:</i> Do you know uses of a gun boat? Yes – should be able to carry large gun & capable of sailing well, carrying considerable number of men, & should decidedly be propelled by steam.</p> <p>51. Are you not aware gunboat should be capable of being rowed at times? No doubt they ought to be able to use sweeps – if “<i>Spitfire</i>” built with that view, can only say she is not adapted for it.</p> <p>52. She has sweeps? No doubt she has sweeps, but is not a vessel capable of being swiftly swept.</p> <p>53. Was vessel you would have offered to Government built with view of carrying heavy gun? No, not built with that view but ventures to say she was worth 2 “<i>Spitfires</i>”</p> <p>54. Do you know anything of construction of “<i>Spitfire</i>”? Yes – I saw her building. Very good vessel, built by excellent builder, Mr Cuthbert.</p> <p>55. Is she much stronger than most vessels of her class? Do not know but Government could have purchased then several vessels more valuable than “<i>Spitfire</i>” for sums not exceeding £1000 each – from £400 to £1000. Not making complaint now in consequence of having been shut out as person having vessel to offer, can safely give opinion on subject & of management of a gunboat, I have been in habit of boat sailing many years & understand management of a vessel as well as most people, I know harbour well</p> <p>56. <i>By Mr Samuel:</i> You are aware gunboat required to be of peculiar construction & additional strength? Ought to be if built for purpose.</p> <p>57. Now are you aware whether “<i>Spitfire</i>” constructed to admit of firing</p>		042

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						<p>heavy gun from her? Not aware of anything extra in "Spitfire" as distinguished from other Colonial vessels</p> <p>58. <i>By Chairman:</i> Supposing construction of vessel alluded to by you as one you would have offered to Government, had proved not sufficiently strong, was it practicable to have strengthened her for purpose? Yes, at small expense. Could not but observe silly of Government not to buy vessel instead of having one built – could have bought one equally suitable for half the money.</p> <p>59. <i>By Colonial Secretary:</i> Aware "Spitfire" cost £1475? Not considered dear at that price, considering she has been built – is only a ketch, differing very little from Brisbane Water ketches – do not know if sum is for entire cost fully equipped with sails, rigging etc or hull only.</p> <p>60. <i>By Mr Flood:</i> is she now fully manned? I have not been on board</p> <p>61. You cannot say whether complete set of sweeps on board? No.</p> <p>62. <i>By Mr Cowper:</i> Government taking this course regarding "Spitfire", were observations made in your hearing re probability of favouritism or partiality in matter? Feeling among owners of small vessels & ship builders that there is partiality. Instance another case: that of Moreton Bay pilot boat "Pearl" – do not know why that vessel was preferred. Unfair to owners with great number of small vessels to dispose of, when Government took up with small yacht wholly unsuited for purpose. Asserts without fear of contradiction she was not fit for purpose</p> <p>63. Was not her cost excessive? I think beyond what a more suitable vessel could have been purchased for</p> <p>64. <i>By Mr Samuel:</i> She is not quite safe as a sea boat, is she? Experienced seamen having been in her, would not go in her again to sea. Did well enough about the harbour here.</p> <p>65. <i>By Colonial Secretary:</i> You say you would have offered a vessel to Government for a gunboat for £800 – now what would such vessel as that have cost in building?</p> <p>[p 4] Margin: G Thornton Esq – 10 Aug, 1855 She would have cost a great deal more than price I would have taken for her. None but a madman would build a vessel when he could buy one equally suitable for his purpose for half the money.</p> <p>66. What was the name of the vessel you speak of as ready to be sold at £800? I do not now recollect name of any particular one but could easily refer for that fact</p> <p>67. <i>By the Chairman:</i> How many vessels belonging to other persons were in market at the time? 20 or 30 or perhaps more.</p> <p>68. You recollect this gunboat was ordered in consequence of some alarm in public mind as to invasion? I cannot say I remember anything of the circumstances under which she was ordered</p> <p>69. Supposing that was case, was it the best course to have one built when, without reference to additional expense, it would involve considerable delay? Delay itself was sufficient reason why vessel should have been purchased & not built.</p> <p>70. Do you know how long "Spitfire" was in course of building? Did not take notice, cannot say.</p> <p>71. <i>By Colonial Secretary:</i> Saying "Spitfire" is not as good as some Brisbane Water traders? Not better – know many Brisbane Water ketches quite as good, many superior to her. Not offering opinion as to description of vessel suitable for gunboat – but unless propelled by steam, would be</p>		043

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						<p>unsuitable. Vessel like "Spitfire" could not be propelled by sweeps above 2 miles an hour, only in smooth water & with favourable tide – could scarcely make headway against wind & tide; in his judgment is unsuited for gunboat</p> <p>-----</p> <p>Mr Charles Arthur called in and examined: - Margin: Mr C Arthur – 10 Aug 1855</p> <ol style="list-style-type: none"> 1. <i>By the Chairman:</i> You are in the Survey Department? I am. 2. Did you proceed to Port Curtis in "Queen of the South" with Mr McCabe's surveying party? I did. 3. When was that: About 6th June 1853. 4. When you arrived at Port Curtis, were there any white people there? None at all. 5. How long were you at Port Curtis before any other white people arrived? 5 weeks. 6. How long did the voyage to Port Curtis take? 12 days. 7. Then you arrived about the middle of the year? On June 18th, 1853. 8. Who were the parties who arrived, as you have said at end of 4 months? Mr Wilmott & Mr Allport arrived (by water) with some natives from Wide Bay, on 26th July, 1853 (that is 5 weeks from time of our arrival); Lieutenant Murray who was in charge of Native Police, arrived on 26th October, 1853 (about 4 months after our arrival). 9. Did he arrive for protection of surveying party? Was supposed to afford a protection. 10. Were natives troublesome to you at that time? Previous to that we had seen them, & they had taken some articles away, besides attempting the lives of 2 people, one of them attached to surveying party. 11. Did party of Native Police arrive in consequence of communications from Mr McCabe, or of instructions from seat of Government in Sydney? Partly from representations made by Mr McCabe, also to protect white people that were there, & those likely to come to Port Curtis. 12. Up to this time, no other white persons except surveying party had arrived there? Yes, there had. 13. Do you recollect when any other parties arrived for any purpose? On 26th July, 1853, Mr Wilmott & Mr Allport arrived with party of blacks. On 30th July 1853, some squatters arrived, overland, from Wide Bay, Messrs Walsh, Brown etc. In January 1854, Mr Rickards; & some time after, two other parties from Wide Bay. 14. Do you recollect when Captain O'Connell arrived? Yes, it was about the end of March, last year. 15. Before his arrival – say the day before – how many white persons were there besides Mr McCabe & surveying party who went in "Queen of the South"? I was some distance from Port Curtis when Government Resident arrived, about 15 miles away, but I can tell how many white persons I knew to be there. 16. How many do you suppose there were? I think there were only 10 white people besides those in the police. 17. The Police were natives? Yes; but there was a sergeant, a white person, besides the Lieutenant. 18. Did you return to Port Curtis soon after Government Resident arrived? Yes. 19. Did you remain there? Yes. 20. Do you recollect name of schooner in which Government Resident 		

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						<p>arrived? <i>"Tom Tough"</i>.</p> <p>21. She lay at anchor there a considerable time? Yes, a long time.</p> <p>22. Do you know whether she was employed for any necessary purpose on behalf of Government, during that time, or for any purpose whatever? Recollects her going to Sydney once.</p> <p>23. But, during time she lay at Port Curtis, some 3 or 4 months, was she used for any purpose on behalf of Government? She was used once, but whether it was on public service cannot say. She had Government Resident on board & they went down towards Mount Larcom.</p> <p>24. How long were they away? I believe 2 days.</p> <p>[p 5] Margin: Mr C Arthur – 10 Aug 1855</p> <p>25. Do you recollect how long Government Resident lived on board <i>"Tom Tough"</i> after his arrival? Cannot say</p> <p>26. Do you think he lived on board a month? No</p> <p>27. Schooner lay there 3 or 4 months? Yes</p> <p>28. Did you ever see her employed on any service during time she lay there? No</p> <p>29. Were her boats employed in any service; surveying or sounding harbour for instance? I believe they went up South Trees Inlet, & up the Boyne River for a few days</p> <p>30. Did any of Captain O'Connell's family arrive at Port Curtis besides Mrs O'Connell – did Lieutenant O'Connell arrive? He did, but not same time as Captain O'Connell</p> <p>31. When did you leave Port Curtis? In August, last year</p> <p>32. From time Government Resident arrived, in March, up to end of August when you left, did you ever notice any horses, cattle or sheep about the settlement? I did</p> <p>33. Was there any quantity of them? There were 80 or 90 horses, 5 or 6 hundred sheep, & some cattle</p> <p>34. Were they close to settlement? Yes</p> <p>35. Do you know to whom they belonged? Survey party & police had some horses, police had some sheep too, but they were at their camp; by far greater majority belonged to Government Resident</p> <p>36. Is supply of water at settlement deficient? Yes</p> <p>37. Was it so at that time? Yes</p> <p>38. Do you know whether people at settlement suffered from deficiency of water in consequence of large quantity consumed by stock? Not while I was there, there was rain which filled waterholes.</p> <p>39. Do you recollect if there were any butchers at Port Curtis? Yes; there was a butcher there besides Mr Stonehouse also engaged in that way.</p> <p>40. Who was Mr Stonehouse? Clerk of the Bench</p> <p>41. Do you know from whom he bought the sheep which he used to kill? From Captain O'Connell</p> <p>42. Up to time you left, in August last, how many other persons had arrived at Port Curtis, besides those who arrived in <i>"Tom Tough"</i>? Think there were, when I left, about 10 that were in no way connected with Government parties, besides Mr Carlow O'Connell & his family</p> <p>43. Do you recollect <i>"Tom Tough"</i> going to Wide Bay for cargo of timber? No. I think that was after I left.</p> <p>44. Do you recollect whether there was a boat's crew in service of Government Resident after he arrived, besides boats belonging to <i>"Tom Tough"</i>? I believe not</p>		044

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						<p>45. You do not recollect anything about a Government Boat? No; except the boats connected with the vessel</p> <p>46. Did you ever see any attempts at sounding waters of harbour, or taking bearings of particular points? No</p> <p>47. Did steamer "William Miskin" trade to Port Curtis during your stay there? No</p> <p>48. Did I understand you to say there was another butcher at Port Curtis besides Clerk of the Bench, Mr Stonehouse? There was</p> <p>49. Do you recollect why he left? He was there when I came away</p> <p>50. <i>By the Colonial Secretary:</i> How were people of settlement supplied – were not rations served out to people who came with Captain O'Connell? Yes</p> <p>51. All the people employed by him were rationed by him? Yes</p> <p>52. It was therefore necessary to have sheep & cattle to use as rations? Sheep were used as rations for party; and I believe some salt beef as well</p> <p>53. <i>By the Chairman:</i> The other butcher who was there, was trading on his own private account? Yes</p> <p>54. <i>By the Colonial Secretary:</i> Did you live at settlement near Captain O'Connell when he came there? I did</p> <p>55. You came down to settlement then? We came down to settlement shortly after he arrived</p> <p>56. How far was Native Police station from settlement? Native Police were about 3 miles from where people were, at Auckland & Barney Points</p> <p>57. How far was it from settlement to place where supply of water was obtained? About 3 miles – at the Police camp</p> <p>58. <i>By the Chairman:</i> Was there any work going on for constructing reservoirs during your time? No</p> <p>59. <i>By Mr Cowper:</i> Do you know how Contract was made with Mr Stonehouse to supply those dependent upon Government with rations? I do not</p> <p>60. You do not know whether there were any attempts made to obtain anything like competition? I cannot say</p> <p>61. <i>By the Chairman:</i> Did you know a person called Palmer at Port Curtis? Yes</p> <p>62. What was he? A storekeeper</p> <p>63. Where was his store situated? At Auckland Point</p> <p>64. Do you recollect his receiving notice that store was on Government land? Yes</p> <p>65. Do you know what became of Mr Palmer's store – was it sold in consequence of this Notice being issued to him? I believe Government Resident took it, but cannot say positively</p> <p>66. You do not know anything about it of your own knowledge? Not of my own knowledge. I do not know whether it was sold or not</p>		
						<p><i>[continuing from above]</i></p> <p>[p 6] Margin: Mr C Arthur – 10 Aug 1855</p> <p>67. <i>By Colonial Secretary:</i> Was it taken down? It was not when I was there</p> <p>68. How was it used? When I left a Mr & Mrs Brown were living in it, but came away in "Jenny Lind" the same time as I did</p> <p>69. Was it used as a Court House? Not when I left. Mr & Mrs Brown arrived at Port Curtis with Mr Palmer, & when I left they were living in this store but came away in August 1854.</p> <p>70. When you left, the building was still in Mr Palmer's possession? I could</p>	A2.38	045

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						<p>not be certain. He himself had left it, & had taken his goods down to another place.</p> <p>71. How far was that store from settlement? About three quarters of a mile. The store was on Auckland Point & settlement on Barney Point. Auckland & Barney Points are both in the town of Gladstone, & about three quarters of a mile apart; former is where stores are put up, & is purchased land – the latter place is where Government Resident has taken up his quarters.</p> <p>72. It was not as far as Native Police station? Native Police station is about equidistant from both places</p> <p>73. Where was the Court House then? Court was held in Captain O'Connell's tent when I left.</p> <p>74. <i>By the Chairman:</i> Do you recollect whether Government Resident had three or four orderlies? He had one, I know. I cannot say whether he had more than one.</p> <p>75. You do not know how the persons who were ostensibly orderlies were generally employed? I do not</p> <p>76. You had no opportunities of seeing how they were generally occupied? No; I very seldom went near Captain O'Connell's tent</p> <p>-----</p> <p>Edye Manning, Esquire, called in and examined: - Margin: E. Manning – 10 Aug 1855</p> <ol style="list-style-type: none"> 1. You are one of the owners of "William Miskin" steamer? No. I was agent for her for sometime 2. She has lately been running to Port Curtis? Yes 3. When did she commence to do so? In early part of November last 4. When did she discontinue her trips? In June I think 5. Did she usually receive much support – had she many passengers? No 6. What was about average number of passengers? There were not, on average, more than half a dozen on each trip, independently of Government 7. Did she receive much in the way of cargo? Not much 8. Did owners of "William Miskin" receive any inducement from Government to continue in Port Curtis trade? Lately they did, but it was found she did not pay, even with the aid of Government 9. What was the subsidy? £150 a month 10. For how many months was subsidy received? For last 3 months she was in the trade 11. Have you any knowledge of Port Curtis – are you connected with the place in any way? Not at all 12. <i>By the Colonial Secretary:</i> You say that you found the sum of £150 a month insufficient to keep up the communication? Quite 13. Did you offer to lay her on again for a further sum? No 14. Did you not do so for £300 a month? No; the owners may have done so 15. <i>By the Chairman:</i> During the time she was running on that line, did steamer receive any damage in Port Curtis by running ashore? Yes, & she had to go on the slip afterwards in consequence of that 16. Did you ever hear the gentleman, who was in charge of "William Miskin" make any remark as to whether anything had been done by Government establishment at Port Curtis to discover the dangerous reefs in the Harbour? No, I do not think there is any one there to do so 17. You never heard any remarks made by captain of steamer on that subject? No. 		

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						<p>William Grey, Esquire, called in and examined: - Margin: W. Grey – 10 Aug 1855</p> <ol style="list-style-type: none"> 1. You are a surgeon? Yes 2. Will you state what degrees in the medical profession you have acquired? I am a member of the Royal College of Surgeons of London 3. Were you in practice in the mother country? No 4. Have you been long in this Colony? Nearly 5 years 5. In what capacity did you arrive here? I came out as surgeon of ship "Waterloo", Captain Neatby 6. Did you then commence practice in Sydney? No, I went up to Carcoar 7. You have been in the service of Government of this Colony? Yes 8. In what capacity? As surgeon of the Port Curtis expedition 9. Was that the expedition under Mr McCabe? Yes 10. You went down in "Queen of the South"? Yes 11. When was that? In June 1853, we sailed from Sydney 12. Were you at the settlement during the whole time subsequent to that, until Government Resident arrived in the following year? No, I left Port Curtis on a visit to Sydney in the latter end of February 1854, & Government Resident arrived in March. I returned on 6th May in same year 13. When you went back, Government Resident was there? Yes 14. Up to the time you left to visit Sydney, what was the number of the white population there, independently of surveyor's original party? There was a storekeeper, Mr Wilmot [also Wilmott, Willmott] <p>[p 7] Margin: W. Grey – 10 Aug 1855 and his assistants – he had 2 or 3 white men as assistants in his store – & Mr Palmer, who had also commenced a store</p> <ol style="list-style-type: none"> 15. Mr Palmer arrived from Wide Bay I believe? Yes; he came from Wide Bay in the December previous to Government Resident's arrival; & then went back; but, at the same time, I left Port Curtis the first time, there was Mr Wilmot's store & Mr Palmer's was either in course of erection, or they had just marked out the ground for it 16. You returned to Port Curtis on 6th May? Yes 17. During your absence, to what extent had settlement increased in population? It had scarcely increased at all. It was increased by Government Resident's party, which I have already stated, arrived on the March previous to my return in May. 2 gentlemen, who had purchased land, arrived with this party – a Mr Young, & Mr Riddell, son of the Colonial Secretary. There were still only the 2 storekeepers, & there might have been 1 or 2 men about the stores 18. Was schooner "Tom Tough" lying in Port Curtis at the time you returned? Yes 19. Was she being employed in any manner? The day we went into the harbour in "Jenny Lind" we met her coming out. That was 6th May. Reason she was under way was this. A few days previously the wrecked crew of a Dutch vessel had come into Port Curtis & the captain reported that another vessel had been wrecked on the reef at the same time as himself. It was therefore determined that "Tom Tough" ought to go to the wreck, to try to save the second ship's company. Crew of one of the ships had come in, in 2 boats & captain suggested to Government Resident that "Tom Tough" should be sent down to the wreck of the other. 20. Do you know how long "Tom Tough" was away on that service? She did 		046

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						<p>not go on that service at all. She was just on the point of going out, when we arrived in "<i>Jenny Lind</i>" & she turned back with us, & sailed into the harbour again</p> <p>21. Why did she turn back? I cannot say positively. Arrival of "<i>Jenny Lind</i>" made an alteration in resolution of Captain of "<i>Tom Tough</i>", he thought it better to turn back & consult Government Resident; & Dutch captain then was not so anxious for "<i>Tom Tough</i>" to go on to the reef.</p> <p>22. How long did "<i>Tom Tough</i>" lie in the waters of Port Curtis after that? She lay in the harbour until 12th July</p> <p>23. Had you opportunities of seeing the vessel daily? Yes</p> <p>24. What did she do during that time? She did nothing</p> <p>25. Was she not employed in any way whatever, on behalf of Government? In no way at all, that I know of</p> <p>26. Were her boats not employed? Her boats were going backwards & forwards from the ship to the shore</p> <p>27. Were they ever employed in any surveying service? No, none that I know of</p> <p>28. Was anybody living on board the schooner? None of the Government party were living on board when I arrived</p> <p>29. Where was Government Resident living, when you arrived? Captain O'Connell had gone to live ashore 2 or 3 days previous to my arrival, in order to get the vessel clear to go to the reef</p> <p>30. "<i>Tom Tough</i>" I think you said, lay in the harbour from 6th May till 12th July, more than 2 months? Yes</p> <p>31. Do I understand you to say that, during that time, she never was employed in any way whatever? She might have put a few stores on shore on the beach at Barney Point. She went to Auckland Point for a few days to take in ballast previous to going to Sydney. She was not employed in any other way than that – not in surveying or sounding</p> <p>32. She could not have been employed discharging stores throughout 2 months? No; a few things were left on board from the first, but they could have got them all out in 1 or 2 days</p> <p>33. Do you recollect whether there was a Government boat's crew besides "<i>Tom Tough's</i>" boats? Yes</p> <p>34. Did that boat's crew arrive with Government Resident? Not with Government Resident. It arrived when "<i>Tom Tough</i>" returned from Sydney, on 23rd August</p> <p>35. When did <i>Tom Tough</i> leave for Sydney? On 12th July</p> <p>36. And she returned to settlement on 23rd August? Yes</p> <p>37. Did she remain any time at Port Curtis after that date? She remained a month; till 23rd September</p> <p>38. What was she doing during that month? Not doing anything</p> <p>39. She brought stores from Sydney – did she? Yes, and of course they had to be discharged</p> <p>40. How long were they being discharged? They might have been 3 or 4 days in getting them all out</p> <p>41. When she again left Port Curtis where did she go to? She sailed for Wide Bay on 23rd September</p> <p>42. Do you know what she went there for? To get timber</p> <p>43. How long was she away? She returned to Port Curtis on 15th October</p> <p>44. What timber did she bring? A good deal of sawn stuff & logs</p> <p>45. What was it used for? It was not used for anything for a long time –</p>		

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						<p>perhaps a small part of it was used towards Captain O'Connell's stables</p> <p>46. Was it not used for any other purpose during your stay there? By the latter end of March, in this year, they had got 3 small huts up, & some portions of these huts might be made with this timber.</p> <p>47. When did you leave the settlement? On 6th April last</p> <p>48. What was the Government boats crew employed in doing from 23rd August, when they arrived, to 6th April when you left? They lived at Barney Point, and the boat was</p> <p>[p 8] Margin: W. Grey – 10 Aug 1855</p> <p>moored close off there; & sometimes, when a steamer or sailing vessel arrived from Sydney, they used to go & bring packages from her</p> <p>49. Did Government Resident ever require their services? He did not; excepting in that way, & taking prisoners & passengers on board</p> <p>50. What packages were they that they were landed by the boat's crew? Any small parcels that might be sent from Sydney. They used to go round to the point & bring them from steamer or sailing vessels, as case may be</p> <p>51. Was this boat's crew never employed in surveying the harbour or sounding? No, not while I was there. The boat also took passengers to the sailing vessels or steamer, but each vessel had its own boats</p> <p>52. Had "Tom Tough" boats of her own? Yes, excellent boats</p> <p>53. Are you aware whether it was a condition of the charter that they should be used in service of Government? Yes, captain told me that he was obliged to provide an extra boat for the shore business</p> <p>54. Did you ever see that extra boat employed on the shore business? Yes, both the boats belonging to "Tom Tough" were constantly going backwards and forwards. They used to have to send them ashore for their water, fresh meat & so on</p> <p>55. Did you ever see this Government boat employed in any way except bringing packages from vessels which arrived – was she ever employed in fishing? Yes, they used to go & haul the seine occasionally</p> <p>56. How often? Perhaps once in a fortnight or 3 weeks; there was no regular time</p> <p>57. What was number of population at Port Curtis at the time you left, in April? I cannot say, because, 3 or 4 days before I left, "William Miskin" arrived with about 50 passengers altogether – work people & their wives & children</p> <p>58. At the beginning of present year, what was the number of population? I should say it could not be more than 50 altogether, exclusive of Native police</p> <p>59. Would that number include Mr McCabe's surveying party? No, it would not include surveying party</p> <p>60. You said just now that some of the timber was employed in erection of Captain O'Connell's stables? I believe that part of it was so employed</p> <p>61. Who erected these stables, do you know? When I left, stables were only in course of erection</p> <p>62. Did you ever see the Government boat's crew employed on shore in any capacity? Yes</p> <p>63. In what capacity? I have seen them at different kinds of work – such as gathering up & wheeling dirt away from the place; & I have seen them putting up fencing for stockyards</p> <p>64. Whose stockyards? The Government Residents</p> <p>65. Were those stockyards erected on behalf of Government? I presume</p>		047

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						<p>so. Men were acting under Government Resident's orders in putting them up. They were doing labourers work about them; they were not carpenters</p> <p>66. Were stockyards put up for Government purposes? They were put up by order of Government Resident</p> <p>67. <i>By Mr Cowper</i>: Had Government any stock there? None that I know of, except police horses</p> <p>68. <i>By Mr Samuel</i>: Was this yard used for cattle as well as horses? Yes</p> <p>69. <i>By the Chairman</i>: Was it used for police horses? The police horses were generally turned out</p> <p>70. Was it used for other horses as well as police horses? Yes, & a for cows. The first erected stockyards were so used</p> <p>71. How many other horses were there then? There was a large mob of horses, I understood there were about 300 horses, more or less</p> <p>72. <i>By Mr Cowper</i>: To whom did they belong? I believe they belonged either to Government Resident, or to his brother, Mr Carlow O'Connell</p> <p>73. <i>By Mr Samuel</i>: Was this an extensive stockyard? No</p> <p>74. Do you know what a large stockyard is? I have seen different stockyards at Carcoar & elsewhere</p> <p>75. Was this one extensive compared with others you have seen? It did not strike me as being particularly large</p> <p>76. Would it hold 300 horses? No, not near so many</p> <p>77. <i>By the Chairman</i>: Were there any cattle as well as horses about the settlement? Yes</p> <p>78. How many head do you suppose? Perhaps from 100 to 150 head</p> <p>79. Were there any sheep: Yes</p> <p>80. How many? At one time there were as many as 1200, but they got reduced in number, because they were killed.</p> <p>81. Did these all belong to Captain O'Connell or Mr Carlow O'Connell? Yes I believe they belonged to one of the party</p> <p>82. When you say they were killed, what do you mean? Sheep were killed for the Government party</p> <p>83. Another witness has stated Mr Stonehouse who was Clerk of Bench, carried on business of butcher? Yes, he had a man to slaughter the sheep</p> <p>84. Was there any other butcher at Port Curtis? There was</p> <p>85. Who was he? A man named Smith</p> <p>86. Did he bring any sheep or cattle? He brought some cattle & a few milch cows from Wide Bay</p> <p>87. Did he establish himself at Port Curtis as a butcher? Yes, he had no sheep, but he used to kill a bullock now & then</p> <p>88. Was he there when you left? No</p> <p>[p 9] Margin: W. Grey – 10 Aug 1855</p> <p>89. What became of him? An affair occurred there, which caused him to be sent up here as a prisoner</p> <p>90. What was the affair? He was charged with an unnatural crime, but Attorney General declined to prosecute the case</p> <p>91. Was he carrying on the trade of a butcher up to the time of his being charged with this crime? He still had some cattle & milch cows.</p> <p>92. Was he supported by the people of the settlement as a butcher? He had no other means of living, except supplying the people with milk</p> <p>93. Which got the best custom, Mr Stonehouse or Smith? One had bullocks – the other had sheep. Smith had no sheep</p> <p>94. <i>By the Colonial Secretary</i>: You are aware that it is much more handy to</p>		048

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						<p>kill a sheep in a hot climate like that, than a bullock? Yes</p> <p>95. Perhaps that would account for there being more customers to man who had the sheep? Yes</p> <p>96. <i>By Mr Flood:</i> I think you stated, that there were about 300 head of horses at the Settlement? Yes; I was told, by a person who was very likely to know, that there were about that number</p> <p>97. Did you see them yourself? I have seen great mobs of them, but I never counted them</p> <p>98. Can you inform the Committee how they were taken care of at night? They were allowed to run loose in the bush</p> <p>99. They were not yarded? No. Some of them were occasionally yarded, & then set at liberty again</p> <p>100. The stockyards were not sufficiently capacious to hold the whole of them? Not the whole of them</p> <p>101. <i>By Mr Cooper:</i> Had Mr Stonehouse any Government contract to supply meat? I cannot say as to that. I know he had a man to slaughter sheep, & mutton was served out to Government people afterwards, as rations</p> <p>102. <i>By the Colonial Secretary:</i> Did you get rations? I got rations for my servants.</p> <p>103. Was it part of the agreement with you, that you should have rations? Yes. I was allowed rations according to my agreement, but I did not draw rations for myself. I drew rations for my servants, but I paid for them privately. I was told that, if I drew rations for myself, there would be a deduction on that account, from my temporary allowance</p> <p>104. <i>By Mr Cowper:</i> Who kept the store account? It was kept by Government Resident's clerk – Mr Mylrea</p> <p>105. <i>By the Chairman:</i> Are you aware whether Mr Stonehouse purchased these sheep from Government Resident, or slaughtered them on his account? I fancy he purchased them</p> <p>106. You do not know anything positively on subject? No</p> <p>107. Had Captain O'Connell any persons who were designated orderlies, in attendance upon him? Yes, he had four orderlies</p> <p>108. What was the service those persons generally rendered? I understood he was allowed four orderlies, as Commissioner of Crown Lands</p> <p>109. Had Captain O'Connell a great deal to do, in his capacity as Commissioner of Crown Lands? He might have had a good deal of office work</p> <p>110. Would orderlies assist him in writing? No</p> <p>111. Were any of these orderlies employed as domestic servants? Yes, one was</p> <p>112. In what capacity? One of them was employed in Captain O'Connell's house as butler</p> <p>113. Did he wear the usual dress of a butler? He used to wear light clothing, the same as any other servant</p> <p>114. <i>By the Colonial Secretary:</i> You talk of Captain O'Connell's "house" - what sort of a place was it? I mean his marquee, of course</p> <p>115. How many rooms had he in that tent? Only one room</p> <p>116. In which he & Mrs O'Connell lived? Yes</p> <p>117. In which they slept? Yes</p> <p>118. And in which he transacted business during the day, and received any person who called upon him? Yes</p>		

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						<p>119. During the time he transacted business in this marquee, Mrs O'Connell was obliged to go elsewhere? Yes. When I spoke of the house, I meant the marquee; but he had a large kitchen besides that</p> <p>120. <i>By the Chairman:</i> Returning to these four orderlies—can you state how they were generally employed, during the time you were there? One orderly used to ride after Captain O'Connell, when he rode out</p> <p>121. And one was butler – what were the other two employed doing? I do not know. I think on one or two occasions, two of them might have ridden out with him</p> <p>122. Did you ever see them employed in any other capacity? I believe they used to assist in bringing water from the Police Camp</p> <p>123. The place suffered considerably, for want of fresh water? Yes, very much</p> <p>124. Did you ever hear complaints, as to the quantity of water consumed by the large amount of stock that were kept about the settlement? Yes, frequently</p> <p>125. Before you left, were any works commenced, with the view of saving water – any public works? No; but I understood they had got a number of men down for that purpose, just at the time I left. I may mention that, two months before that, they tried to make a small dam across a dry creek, but they were too late in beginning it. That was the only attempt to save water</p> <p>126. <i>By Mr Samuel:</i> What time of the year was that dam made? Perhaps it might have been in the month of January. The creek was generally dry, except in rainy weather</p>		
						<p><i>[continuing from above]</i></p> <p>[p 10] Margin: W. Grey – 10 Aug 1855</p> <p>127. <i>By the Colonial Secretary:</i> When does the rainy season occur there? It commences at latter end of November & lasts nearly all the hot weather – perhaps till the end of February or the beginning of March. I think we had some rain in March.</p> <p>128. <i>By the Chairman:</i> Were any of the persons, who went down in “Tom Tough” mechanics? Yes, I believe several of them were mechanics.</p> <p>129. Did you know one of them – a mason or builder, named Bullock? Yes</p> <p>130. Did you know what he went down there for? He went as one of the Government party, in the capacity of mason and builder</p> <p>131. Did you ever hear at what rate he was engaged? He told me himself, £5 a week and double rations</p> <p>132. How was he employed while he was there? For the first few weeks, he looked about to see if he could get any material for building</p> <p>133. What did he do after that? There was nothing for him to do. He had not a sufficient number of hands to get material for building</p> <p>134. What became of him? He remained there for his full time, I believe – twelve months, with the exception of having to come to Sydney for a trial</p> <p>135. What did he do during that time – do we understand that he did nothing? He did nothing towards building a house. After he had looked about for material, and found that he could get none, he did nothing except that, for a short time, he superintended some men cutting down the wood, for an avenue to the Government Resident's house. He had charge of the workmen, while they were cutting down these trees, and piling them into heaps, and burning them</p> <p>136. Was that avenue to the marquee? No; to the place where the house was intended to be built</p>	A2.38	049

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						<p>137. How long was Bullock employed on that service? I think that occupied him for a few weeks</p> <p>138 He never commenced the building of the house? He did nothing further than what I have stated. No bricks were made, nor anything of that kind</p> <p>139. I think you said, he told you the terms of his agreement – had you frequent conversations with him? Yes</p> <p>140. I suppose he was well satisfied with the manner in which he was employed? At one time he wished to leave, after he found he could not get on with the building</p> <p>141. Did he make any application with that view? He applied to be released from his agreement, as there was nothing for him to do</p> <p>142. What was the result? His application was refused. He was told they must have a builder or mason there, and it did not matter to him whether he had material to go on with his work or not, or something to that effect. He told me that was the substance of the answer given him</p> <p>143. Do you remember the “<i>William Miskin</i>” trading to Port Curtis? Yes</p> <p>144. Did she get on shore there at any time? Yes, she was twice on shore</p> <p>145. Where did she go on shore – was it on a sunken reef? Yes, the first time, when she was going out of the harbour, she struck on some rocks just at the entrance</p> <p>146. Were you at Port Curtis at the time? I was</p> <p>147. Was any attempt afterwards made to mark the position of those rocks? No</p> <p>148. Was the boat’s crew there then? Yes</p> <p>149. Did they go and examine the place? Not that I am aware of</p> <p>150. Did they ever perform any service of that kind? Never that I knew</p> <p>151. Where did “<i>William Miskin</i>” get on shore the second time? She got on shore on going out, but it was further in the harbour than the first time. It was on a ledge of rocks; not quite in so dangerous a position as before</p> <p>152. Was that ledge of rocks afterwards examined? I do not know what was done after the second time she struck, for I was then on board the steamer myself coming up to Sydney. We lay there till next tide, on a piece of flat rock.</p> <p>153. <i>By the Colonial Secretary:</i> The “<i>William Miskin</i>” was a very slow boat; her engines were not good? She was very slow, but I cannot say whether her engines were good</p> <p>154. Was she not unmanageable at times? I am not aware of it, if she was</p> <p>155. Was she under sail, or steaming at the time she got on shore? She was steaming the second time I know, because I was on board</p> <p>156. Are you aware that Port Curtis had been surveyed before this party went there at all, and that the number of fathoms of water, in the different parts of the harbour, are laid down in the charts? Yes, I know the harbour was surveyed before we went down</p> <p>157. And these rocks are marked on the charts of that survey? I suppose they are, but I have not examined the charts. It is considered by nautical men to be an easy harbour to enter</p> <p>158. <i>By Mr Cowper:</i> Is it a good harbour when in? Yes; a beautiful harbour</p> <p>159. Are there any shallows? There is deep water in the stream. Any nautical man could take a ship in with a chart</p> <p>160. <i>By the Chairman:</i> Do you remember a store belonging to a Mr Palmer? Yes</p> <p>161. What distance was that from Captain O’Connell’s residence? About 2</p>		

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						<p>miles</p> <p>162. I believe Mr Palmer received notice that the store was built on Government land, and that it was therefore legally forfeited, or something to that effect, but he was permitted to sell it? Yes</p> <p>163. Do you know who bought it? I believe Captain O'Connell</p> <p>164. Did you ever hear for what purpose? I have heard that he bought it to get the wood to put into his stables or kitchen. Mr Palmer brought a good deal of this wood from Wide Bay</p> <p>165. Was the store taken down, and the wood used for the purpose you have mentioned? No, it was never taken down</p> <p>166. It is standing there yet, I believe? Yes</p> <p>[p 11] Margin: W. Grey – 10 Aug 1855</p> <p>167. Is used as a Court House? It was used as a Court House, when I left</p> <p>168. Are you aware whether any attempt was made to take it down? I know a man was sent to examine it, & he took up the flooring boards, I believe</p> <p>169. How came you to leave Port Curtis – did you resign your situation? I was suspended by Captain O'Connell on 10th January, for declining to go & see Mr Stutchbury</p> <p>170. Will you have the goodness to inform Committee of particulars of your suspension? On evening of 9th January Mr Stutchbury fell off his horse. He was then going from Wilmot's store to his camp close to police camp. His horse went off to his camp without him, & he returned to Wilmot's store. Next morning lieutenant of native police had to send in a note to the Government Resident. He sent it in by one of the native police, who, after he had delivered the letter to servants of Government Resident, mentioned the circumstance of Mr Stutchbury having fallen from his horse on previous evening. When note was taken into the marquee to Government Resident, he was informed of the accident, & then he sent Chief Constable Harty up, to ask me if I had had any message from Mr Stutchbury. I said I had not had any message; & after he told me of the accident, I said if Mr Stutchbury had been any worse he would have been sure to have sent for me, as he had plenty of men and horses at his command</p> <p>171. Were you on friendly terms with Mr Stutchbury? Yes, we were on very friendly terms, & I had been attending him only a week or so before that. We were old friends; we came out together in the "Waterloo"</p> <p>172. What did Captain O'Connell do then? The chief constable went back with message that I had no word from Mr Stutchbury. He sent twice or thrice after that, asking if I had had any message, & at last came himself. He again asked me if I had any message, & I said I had not. He then ordered me in a very peremptory manner to go & see Mr Stutchbury; but I declined going & stated my reason – that Mr Stutchbury would have sent for me if he had wanted me. Captain O'Connell then rode out to Mr Stutchbury's camp & when he returned in the evening, he wrote an official letter to suspend me.</p> <p>173. Do I understand, that Mr Stutchbury had made no complaint to Captain O'Connell? He certainly had not</p> <p>174. He had not applied to Government Resident for medical assistance? No, certainly not</p> <p>175. What followed upon Captain O'Connor's letter suspending you? I wrote a reply, to effect that I did not acknowledge his authority to suspend me, & that I thought I was only responsible to Medical Adviser in Sydney</p> <p>176. Did you continue to discharge your duties after that? Yes</p>		050

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						<p>177. Did any cases come under your treatment? Yes, I had several cases after that. I continued to do my duty until 2nd April, when "William Miskin" arrived with another surgeon on board</p> <p>178. Have you allowed the matter to rest there? I have written to Colonial Secretary & have had several interviews with him, & I have also seen the Governor on the subject, but I have not got any pay this year</p> <p>179. Have you had no final answer from the Government? No</p> <p>180. What has been the nature of the answers you have received? Nothing very satisfactory. They said they would refer the matter to Captain O'Connell, & they have been waiting for an answer</p> <p>181. Had you any opportunities during your residence at Port Curtis of observing how justice was administered in the police court? Yes; I have been in the police court in a few instances</p> <p>182. <i>By Mr Cowper:</i> Who were Magistrates usually presiding? Mr McCabe, Mr Murray the lieutenant of Native Police, & Captain O'Connell</p> <p>183. And Mr Stonehouse was Clerk of the Bench? Yes</p> <p>184. <i>By the Chairman:</i> Did you ever notice any feature that seemed to you peculiar in proceedings of the Court? I was present when a man named Macdowell was before the Court. It was held then in the marquee</p> <p>185. What was the charge against Macdowell? I understood that he was charged with drunkenness & insolence to Government Resident</p> <p>186. What was this man's character, during the time you knew him? He bore an excellent character</p> <p>187. Do you recollect fine imposed upon him? I understood he was fined £15</p> <p>188. <i>By Mr Samuel:</i> In one charge or on several distinct charges? Charge brought against him was drunkenness & insolence to Government Resident</p> <p>189. Were you present during the proceedings? Yes. I do not know whether they called it a fine, but he was dismissed from service, & half the passage money Government paid for himself & family had to be refunded.</p> <p>190. <i>By Mr Cowper:</i> Was this considered a Magisterial proceeding or as Board of Inquiry by Government Officers on the conduct of one of their employees? Macdowell was summoned in the regular way</p> <p>191. <i>By the Chairman:</i> You are not in Commission of the Peace yourself? No</p> <p>192. <i>By Mr Flood:</i> Have you a distinct recollection of the charge preferred against Macdowell? Yes</p> <p>193. Was there any charge of neglect of duty? No; on the contrary, Captain O'Connell stated in Court that, if he had been asked that very morning to select a good workman, he would have selected this man</p> <p>194. <i>By Mr Samuel:</i> Was a regular information exhibited against him? I cannot say as to that of the business; but he received a summons in regular form</p> <p>195. <i>By Mr Flood:</i> Did Captain O'Connell state whether he had had any cause of complaint against this man previous to this charge of drunkenness? No; he could have had no</p> <p>[p 12] Margin: W. Grey – 10 Aug 1855 complaint against him, or he would not have made the statement I have just mentioned</p> <p>196. <i>By the Chairman:</i> What was this man? A carpenter & a house joiner</p> <p>197. <i>By Mr Flood:</i> Whose service was he in? He was one of the</p>		051

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						<p>Government Resident's party. I fancy he was in employ of Government, but I have not seen his agreement</p> <p>198. <i>By Mr Samuel:</i> Did Captain O'Connell sit in this case himself? No, he was a witness in the case</p> <p>199. <i>By Mr Flood:</i> Who were the Magistrates who presided in this particular occasion? Mr McCabe & Mr Murray the Lieutenant of Police</p> <p>200. <i>By the Chairman:</i> During the time you were at Port Curtis, after Government Resident arrived – that is to say, from March 1854 to April, 1855 – more than twelve months – did Captain O'Connell, in his capacity as Commissioner of Crown Lands, ever go any distance into interior to attend to squatting claims, or perform any other duty in connexion with the Crown lands? I never knew him to go out as Commissioner of Crown Lands to examine any run, with exception of one for his brother Mr Carlow O'Connell</p> <p>201. What distance was that from the settlement? About twenty miles, on the Boyne River</p> <p>202. Did you ever know him to perform any service in his capacity as Commissioner of Crown Lands, except in this case of the run for his brother? He never went out to examine any runs except on that occasion</p> <p>203. Did he ever travel away any distance from settlement? On one occasion there was a small gold digging party made up, & they were away two or three days</p> <p>204. That was up the River, I believe – what is that river called? It is called the Calliope, now</p> <p>205. Why did they go "prospecting" – had they any reason to suppose that gold existed in that direction? Yes, someone came from Mr Hay's station & said he had found gold in that neighbourhood; but the party did not find any</p> <p>-----</p> <p>Mr William Macdowell, called in and examined:-</p> <p>Margin: Mr Wm Macdowell – 10 Aug 1855</p> <p>1. <i>By the Chairman:</i> You are a carpenter, I believe? Yes</p> <p>2. Have you been long a resident in Sydney? Yes, for last thirteen years</p> <p>3. From what place did you arrive? I came here from Liverpool, but I do not belong to Liverpool, I belong to the North of Ireland</p> <p>4. In what year did you arrive? In 1842</p> <p>5. I understand you were at Port Curtis with Colonel Barney's expedition? I was</p> <p>6. Did you go to Port Curtis with Colonel Barney? No; I went down in the "Thomas Lowry" & Colonel Barney went in "Lord Auckland"</p> <p>7. When you left that expedition, did you obtain a Certificate of character from Colonel Barney? No, I did not ask it</p> <p>8. Was any complaint made of you? No</p> <p>9. You are now engaged following your trade? I am foreman to Venable and Montgomery</p> <p>10. You went down to Port Curtis a second time, with Government Resident in the "Tom Tough"? Yes</p> <p>11. Did you enter into a written agreement in Sydney? Yes</p> <p>12. Have you got it here? I have – (<i>the witness handed in the same, Vide Appendix</i>)</p> <p>13. How were you employed after you got there? When I went ashore first, I pitched all the tents for the men; &, after I had that done, I pitched Captain O'Connell's marquee, & floored it & made it comfortable for him</p>		

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						<p>14. What else did you do? Then Mr Surveyor McCabe had commenced a store, & it was not finished; so I finished that, & put an addition to it</p> <p>15. That was a store for general purposes of Government? Yes, for Government goods</p> <p>16. Do you remember anything of a store belonging to Mr Palmer, a private storekeeper at Auckland Point? Yes</p> <p>17. Did you receive any instructions from Captain O'Connell, in reference to that store? Yes; he told me had purchased the store from Mr Palmer, to bring over & make a bedroom for himself; & he told me to go & look at it, & if I thought it fit to take down, to take it down, & if not, to let it stand. I then went & took up some of the flooring boards – some of them had come from Wide Bay & had been in a store there before. The white ant had got into it. When I raised the floor, I found that saplings had been used for joists, & the building was put up very badly – I suppose by some bush carpenter, who knew nothing of the business</p> <p>18. What did you say to Captain O'Connell when you returned? I told him it was better to let it stand, for it would cost more to put it up again than it would be worth</p> <p>19. Did he make any remark on that? He said something about making a police office of it, so I laid the flooring of it again for a police office</p> <p>20. Did you finish doing that? Yes; I had just finished it as he caused the row with me</p> <p>21. Was it used as a police office? Yes, the day before I sailed</p> <p>22. When did you leave? I think it was on 21st September last</p> <p>23. You are quite sure as to instructions Captain O'Connell gave you, as to taking down the store & erecting it again as a bedroom for himself? Yes</p> <p>24. Nothing was then said about making it a Court House? No, nothing</p> <p>25. Did you ever have any conversation with Mr Palmer about it? No, I never did</p> <p>26. Did you ever hear Mr Palmer say anything about it? I saw him running over to Captain O'Connell very often, to get paid for it. He said he was very much put about by being kept so long out of the money</p> <p>[p 13] Margin: Mr Wm Macdowell – 10 Aug 1855</p> <p>27. Did you know a person called Bullock, who was down at Port Curtis? Yes</p> <p>28. In what capacity was he employed? He went down as mason</p> <p>29. What was he doing during the time he was there? Nothing.</p> <p>30. Did you ever hear Bullock make any remarks about situation in which he was placed? I have heard Bullock make remarks. In fact I told him myself he ought to be ashamed of himself, he ought to go & do something; & the word he told me was that Captain O'Connell told him to never mind</p> <p>31. You say this man did nothing? Nothing, only that he & another man felled an avenue & burnt the timber which would have come in for another use. It was unnecessary what he was doing. That was about a week's work, I dare say</p> <p>32. <i>By Mr Cowper:</i> Do you mean that it was a work that ought to have been done in a week? He was about a week over it</p> <p>33. Was that all he did in the twelve months? That was all he did while I was there. My twelve months were not up, when I left</p> <p>34. <i>By Mr Samuel:</i> How long were you there? From March to September</p> <p>35. <i>By the Chairman:</i> Do you recollect Mr Stonehouse? Yes</p> <p>36. He was Clerk of the Bench? Yes</p>		052

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						<p>37. Did he carry on the trade of a butcher as well? Yes</p> <p>38. From whom did he get sheep which he killed? From Captain O'Connell</p> <p>39. How many sheep had Captain O'Connell there? I think he had about a thousand</p> <p>40. Had he any horses? Yes</p> <p>41. How many – it is stated by previous witness that he had three hundred? There were not three hundred in my time; but, when I left, he had sent a man to New England for more</p> <p>42. Were any stock-yards put up? Yes</p> <p>43. Who put them up? A bushman that went down to work in the bush</p> <p>44. There were other carpenters besides you? One</p> <p>45. What were you chiefly employed in? I never took a note of what I was doing; but I was chiefly employed close to Captain's marquee, I wrought from sunrise to sundown every working day, constantly</p> <p>46. You left, I believe, when some information was filed against you? Yes, by the Captain himself</p> <p>47. Will you have the goodness to state what was the charge brought against you? This was the last day I was going to be on this court house. I had a labouring man with me, cleaning off the floor which I had just finished, when I saw Captain O'Connell & Mr Stonehouse come riding up. Lutton [also Sutton] went down to Mr Palmer's for a jug of water, & they stopped him, & took the jug from him & smelt it. Then Captain O'Connell walked into building, where I was at work, & Lutton began kicking up an awful noise, no one could hear another speak; I put my head in & said "Lutton do not be kicking up such a noise"; & Captain turned round to me there & then, & said – "You're drunk"; "Well" says I, "perhaps I am"</p> <p>48. What followed? He went then & got a summons for me. There were no more words</p> <p>49. Then you were brought before the Court? Yes</p> <p>50. Who were the presiding Magistrates? Mr McCabe & Mr Murray</p> <p>51. Was there any other evidence besides Captain O'Connell's? No</p> <p>52. What was the decision of the Court? I was to pay back the half of my passage money – that was £15</p> <p>53. You have a wife? Yes, & five children</p> <p>54. Have you got a copy of the information? Yes, here are copies of the information, the deposition, & the conviction – (<i>the witness handed in the same. Vide Appendix</i>)</p> <p>55. <i>By Mr Flood:</i> Do you state, that what you repeated just now was all that passed between you & Captain O'Connell? Yes; there are his own words for it</p> <p>56. <i>By Mr Cowper:</i> Why did you plead guilty to the charge of drunkenness? To get out of the place</p> <p>57. <i>By the Chairman:</i> Was anything said, when you entered into your agreement, as to repayment of a portion of your passage money, in the event of your not remaining at the settlement from any cause? Nothing. It cost me £24 to come back</p> <p>58. <i>By Mr Samuel:</i> You said just now that your reason for pleading guilty was to get away? Yes</p> <p>59. Will you state why you thought you could get away by pleading guilty? I thought I would have a chance, but I was not quite sure, for I heard as much as that it would be best for me to do so</p> <p>60. <i>By Mr Flood:</i> Had you been drinking that day? I had had a little liquor</p>		

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						<p>61. Where did you get it? I always had a little of my own grog by me. I got it down from Sydney</p> <p>(62) [<i>incorrectly numbered 65</i>]. What time of day was it when Captain O'Connell taxed you with being drunk? Between three & four in afternoon</p> <p>63. Were you able to perform your day's work? I was; & I had done a very good day's work, for I was working very hard to get Court House finished. I had a mile or a mile & a half to travel night & morning to work, & I wanted to go as soon as I could</p> <p>64. I see 8 pounds of sugar is ration put down in your agreement – did you get as much as that? No, we only got 4 pounds; there are 4 pounds due for every week I was there</p> <p>65. Have you been paid an equivalent for that? No</p> <p>66. Have you made any demand upon Government in respect to it? No</p> <p>67. <i>By Mr Samuel</i>: Did you complain of it? Yes; all hands complained</p> <p>68. <i>By Mr Cowper</i>: It was a mistake was it not – you only expected a double ration? Yes</p> <p>[p 14] Margin: Mr Wm Macdowell – 10 Aug 1855</p> <p>69. 4 pounds of sugar is a double ration? Yes. Captain O'Connell never found out the mistake until he was down there, & I was the first man he spoke to about it. The rest of the men were not agreeable to give it up</p> <p>70. You understood that your agreement was that you were to have a double ration? Yes, we thought we should get 8 pounds of sugar which was in agreement</p> <p>71. I thought you expected only a double ration? Yes, I understood so; but I thought they were giving us 8 pounds on account of our families</p> <p>72. <i>By the Chairman</i>: You said something about your Account? Yes, here it is (<i>the witness produced the same, Vide Appendix</i>)</p> <p>73. <i>By Mr Flood</i>: It appears that £17-10s was sum deducted from you, on account of the passage? Yes</p> <p>74. <i>By Mr Cowper</i>: Did Captain O'Connell ever complain of your not working as you should have done? No, never</p> <p>75. <i>By Mr Samuel</i>: Did you make any complaint to Captain O'Connell about large amount that was stopped from you? Yes</p> <p>76. What did he say? The "<i>Albion</i>" just hove in sight, as I came out of the marquee, after they had sentenced me, & I walked right up to her, & took my passage to Sydney. I then went to Captain O'Connell. He had dismissed his Clerk, Mr Mylrea, the same day, only for firing a gun. I asked if he would settle with me, & he said "Go over to Mr Mylrea & he will settle with you". I went down, & Mr McCabe was with Mr Mylrea, & they were half drunk. "Go and tell Captain O'Connell" says he, "I will do no more for him". Mr Stonehouse was there, & he wanted to make out my account, & when he said £15 was to be stopped, I said, Mr Murray never said when I was to pay the £15, or whether it was to be kept back out of my wages. They made up the account, & brought out about 18 shillings coming to me, & now they have £17-10s stopped here. This account of Mr Mylrea will tell what was coming to me.</p> <p>77. <i>By Mr Cowper</i>: Did the Magistrates, in giving you sentence, state verbally that your agreement was cancelled? Yes</p> <p>78. Did they write it on the face of the agreement? No</p> <p>79. <i>By Mr Samuel</i>: Do you know whether land where the marquee stood, was private land or Government land? Government land</p> <p>-----</p>		053

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						<p><i>[continuing from above]</i> New South Wales, Gladstone) Police Office, Gladstone To wit) 19th September 1854</p> <p>Present:- F P McCabe, Esq, J.P. John Murray, Esq, J.P. William McDowall [also MacDowell, McDowell] - Masters and Servants Act</p> <p>Maurice Charles O'Connell being duly sworn on oath, states as follows:- William McDowall is a servant by written agreement, & now produced before the Court, & employed under me. On 12th September, I rode over to Auckland Point, & went up to the house I had lately purchased from Mr Palmer, & at which William McDowall was at work; I found him there drunk, but not so drunk as to be incapacitated from performing his duties; but so far overcome with liquor as not to be safely trusted with his work. I passed through the room, in which McDowall was, into another where a man named Charles Lutton was planing the floor; Mr McDowall shortly after came in, & in a loud voice, said to Lutton, I say Charley, don't burst yourself at that work, or words to a similar effect. This was said, as I consider, in a very insolent manner before me. I have no doubt this arose from state in which the man was, as I have always hitherto found him very civil & obliging. McDowall has been brought up here at expense of Government, & passages were paid for himself, wife & five children, at the rate of five pounds a head (Signed) M.C. O'CONNELL Taken & sworn before us, at Gladstone, the day & year first above written (Signed) JOHN MURRAY – F. P. McCABE</p> <p>_____</p> <p>The Defendant pleads guilty as to being under the influence of liquor, but not as to having made use of insulting language. The Court is of the decision that your agreement be cancelled, & that you repay to Government half the expense of your passage & family, with four shillings & six-pence costs of Court (Signed) JOHN MURRAY, J.P. – F. P. McCABE, J.P.</p> <p>_____</p> <p>Be it remembered, that, on the nineteenth day of September, in ... 1854, William McDowall, of Gladstone, was convicted by & before us, two of Her Majesty's Justices of the Peace, duly authorized in this behalf, of having been drunk & insolent in his behaviour to his said Master & employer M. C. O'Connell; & we the said Justices do hereby adjudge & determine that said William McDowall do pay the sum of seventeen pounds ten shillings sterling, & four shillings & six-pence costs of Court, to be abated from his wages due Given under my hand the day and year above mentioned (Signed) JOHN MURRAY, J.P.</p> <p>_____</p> <p>[p 16] John Alexander Matthews, Esquire called in & examined:- Margin: John A Matthews – 10 Aug 1855</p>	A2.38	
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						<p>1. <i>By the Chairman:</i> You are of the firm Matthews and Marsden? We own several vessels jointly</p> <p>2. You are owners of "<i>Queen of the South</i>"? No; Marsden is sole owner of this one</p> <p>3. When was she chartered by Government? Our vessel was the first vessel that took surveying party to Port Curtis. She was chartered by Government in May 1853, & she continued with Government up to December 1853, about seven months. We received from Government the sum of £250 a month, payable monthly, in port or at sea</p> <p>When she returned in December 1853, Captain Moriarty desired us to get the vessel ready to go to sea again, & we provisioned her, & shipped a crew, & had her ready for two or three days; but, a few days after all this was completed, she was dispensed with. A letter came, which I have here if it is necessary to produce it, telling us that Government would not require the vessel any longer. I hold Captain Moriarty's letter of the 10th, stating that Government did not intend to dispense with her services, & on the 16th we received his letter to the effect that the vessel would not be wanted again. Then we had to contend with the crew, & to land the provisions; they certainly did for other vessels but we thought it very hard. We were told that the price was very high, £250 a month. We found that, in consequence of the change in Port Master's decision, we had laid out £113 unnecessarily, & we applied to Government for some compensation for it, & ultimately, after a great deal of trouble, they gave us about £60. We were told our charge was very high; a week afterwards, we found the "<i>Tom Tough</i>" had been hired at a higher rate. We felt greatly dissatisfied, & thought that, as a matter of course, as our vessel was the first that took the surveying party, we were fully competent o have gone down the second time. We felt hurt that a preference should be given to another vessel at a higher rate</p> <p>4. The "<i>Queen of the South</i>" went down from here in June 1853? Yes, but she was chartered in May</p> <p>5. How long was she away? She came back in August or September the first time, & then went back again. She came back last time in December</p> <p>6. What amount of money did you receive altogether? For about seven months at £250 a month</p> <p>7. I forget whether you have stated that you sent in a tender in consequence of an advertisement for tenders? We sent in a tender at £250 a month (in Mr Marden's name) [as it is] and it was accepted on the first occasion. I do not know whether there was a tender on the last occasion, with regard to "<i>Tom Tough</i>"</p> <p>8. You have been many years connected with shipping in this port? Yes</p> <p>9. Have you ever found any ground of complaint as to system of engaging vessels for Government service? I have often wondered on what principle it is carried on. I have made many tenders & thought them very reasonable, but I have found, generally speaking, some parties have been fortunate enough to get contracts when more eligible parties have been passed by</p> <p>10. Are you aware whether there is a complaint pretty generally made with reference to this matter? I cannot say positively that any complaint has reached my ears. I have tendered on several occasions, as we have got several vessels of the class usually required. I tendered a vessel for the last Gabo Island charter, but another vessel was accepted at a higher rate than mine, so we heard; ours was at rate of 50s per ton. It might have been that officers, appointed to inspect vessels offered, thought the other more</p>		

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						<p>suitable than ours, although at a higher figure</p> <p>11. <i>By Mr Cowper</i>. What is the tonnage of "Queen of the South"? She is eighty tons</p> <p>12. What cabin accommodation has she? She is very well fitted up in the yacht style</p> <hr/> <p><i>TUESDAY, 18 SEPTEMBER, 1855</i></p> <p>Present:- MR FLOOD, MR PARKES, THE INSPECTOR GENERAL OF POLICE, MR SAMUEL HENRY PARKES, ESQ, IN THE CHAIR Mr William Forster called in & examined:- Margin: Mr W. Forster – 18 Sept., 1855</p> <p>1. You have been resident some considerable time in the northern Districts, I believe? Yes</p> <p>2. You are aware of the objects of this Committee? I cannot say that I am precisely</p> <p>3. The Committee has been appointed to inquire into & report upon the establishment & working of office of Government Resident at Port Curtis. Did you reside, during any portion of time you were in Northern Districts, at Port Curtis? I never was at Port Curtis. My station was about eighty miles from it, & I have been, perhaps, 20 miles nearer to it than that, not nearer</p> <p>4. Are you aware how far the nearest station is from Port Curtis? The nearest I am acquainted with is Mr Little's, which is about fifty miles to the southward of Port Curtis. No runs have been taken up, that I am aware of, nearer than that. Messrs Hay have a station on the other side, but I think they are not quite so near as Mr Little. I have only heard these circumstances; I do not know the locality</p> <p>[p 17] Margin: Mr W. Forster – 18 Sept., 1855</p> <p>5. Have you heard any opinions expressed, among settlers where you were resident, as to utility of establishment at Port Curtis, & the system of management pursued there? I can only give you general impression of some few settlers within a certain distance of my station. I think most of them would like money to be spent at Port Curtis, & that an establishment should be maintained there, but whether they mean by that, that it would benefit Colony generally, I am not prepared to say; I do not think general impression is that establishment in question is any particular public benefit</p> <p>6. You have had no means of knowing what is the conduct of Officers resident in that place? No, I could only give you hearsay; I have heard all manner of things. I saw something in writing, which purported to be a copy of instructions from Mr McCabe to his men, which appeared to me to be very ridiculous. He was evidently impressed with the notion that they were in very great danger from the blacks. I think there were two sheets & a half of foolscap paper, containing instructions to his men, in a kind of military style. That was some time before Captain O'Connell went there</p> <p>7. <i>By the Inspector General of Police</i>: Mr McCabe was Government surveyor? Yes</p> <p>8. Were those instructions issued with reference to the settlement or to the surveying party? They were general directions as to apprehended attacks from the blacks</p> <p>9. Addressed to whom? To his own men</p>		056

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						<p>10. The men who formed the surveying party? The surveying party, I was given to understand. Everything I am telling you is merely hearsay</p> <p>11. <i>By the Chairman:</i> Are you acquainted with Lieutenant Murray of the Native Police? Yes</p> <p>12. Have you had any opportunity of observing his conduct as an officer of Native Police? No, I have not; I do not think I have seen him</p> <p>13. You are aware that the settlement is under protection of Native Police? I have heard so in a casual sort of way; but I thought Native Police were intended to protect District generally</p> <p>14. <i>By Mr Samuel:</i> Is your station in District of Port Curtis? No; it would have been so, had Government not altered the boundaries</p> <p>15. <i>By the Chairman:</i> You have a knowledge of Wide Bay? I have been there pretty often</p> <p>16. Were you there when it was first opened? I was one of the first settlers, but not the very first; I came to it about the second year</p> <p>17. Will you be kind enough to state to Committee what were the circumstances of Wide Bay at that time, what has been its progress, & under what authority it has progressed – whether there was anything more than appointment of mere Justices of the Peace, & whether laws under such circumstances, have been fairly administered? There has been a Commissioner of Crown Lands at Wide Bay, very nearly always since I have been there. Mr Bidwell [as it is – also Bidwill] was appointed in the first instance. He was in very ill health, & did not do much; in fact he could not. I have had tenders in for squatting stations in that neighbourhood which were not reported on for some three years after I put them in, owing, I believe, to Mr Bidwell's ill health, & other circumstances. I made no complaint, because there was no loss to me in consequence of delay</p> <p>18. Are there many residents at Maryborough? I have heard population estimated, in round numbers, at about three hundred; but I think there are not quite so many now, although, probably, there were before the gold discovery</p> <p>19. Are there any private stores? There are two principal stores there. I can give you one fact that will show difference in treatment of Maryborough & Port Curtis in a strong light. There are two towns at Maryborough, upper township & lower, which is in fact <i>the</i> township of the place, because people found navigation between the two delayed vessels sometimes for five days, although distance overland is only two miles. Lower township was fixed upon by Surveyor, & upper one by some early residents. Land has been sold at both places – at lower township at suggestion of the surveyor – &, at upper, by wishes of inhabitants. Last year a petition was sent to Executive Government, requesting that a wharf be constructed at lower town. It was signed by about fifty inhabitants of adjacent Districts, &, but for difficulty of getting such things signed in country districts, it would have been signed by nearly everybody interested, except inhabitants of upper town, who were very few in number. Commissioner of Crown Lands was referred to, & he reported against establishment of this wharf. It was, therefore, not granted. Another petition was prepared for presentation to Legislative Council, but, unfortunately, it was found to be informal, as it contained a direct request for a money grant. I then went to the Governor, & stated all the circumstances to him. Another petition has since been prepared, & was presented to Council, I think, about a week ago. What I wish to show by making this statement is, that the wishes of people of a</p>		

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						<p>large District have been treated with what they consider contempt, for all the notice that was taken of their petition last year, was a letter of a few lines, while so much money has been spent at Port Curtis & other settlements. This proposed wharf would have been the commencement of a main line of road into interior; & it was almost the only place available for a wharf, excepting one place on private land. All other available land has been reserved</p> <p>20. When were you at Wide Bay last? About twelve months ago, I think</p> <p>21. What number of Magistrates are there at Maryborough? Commissioner of Crown Lands & another, Mr Uhr, who is a storekeeper there, & a man of some property. He has been a resident Magistrate since the place first settled. These two were the only Magistrates for two or three years. A Mr Corfield, who lives about fifty miles from Maryborough, was appointed to Commission of the Peace about year ago; & Mr Walsh was also appointed. Police force has, from the earliest period, consisted of two or three constables, & I think four orderlies, attendant on Commissioner personally</p> <p>[p 18] Henry Gardiner, JP called in and examined: - Margin: H. Gardiner, JP – 18 Sept 1855</p> <p>1. <i>By the Chairman:</i> You are Commissioner of Crown Lands in one of the Northern Districts? I was Commissioner for Leichhardt District, adjoining the Port Curtis District.</p> <p>2. You have been at Port Curtis? Yes, I was there in December last</p> <p>3. Did you reside there? No, I was staying there on business for a month</p> <p>4. Was your attention called at all to circumstances of the settlement while you were there, & progress made – did you observe whether any public works had been commenced? There were some of the Government Resident's buildings in the course of erection</p> <p>5. Did you notice any waterworks? No; they had not commenced any then</p> <p>6. Was nothing done towards construction of a reservoir for water? No</p> <p>7. You are aware settlement is very badly off for water? Yes, very badly</p> <p>8. Are there not a number of creeks in immediate neighbourhood which might be dammed up, so as to collect water? They are very small; I do not think a dam of any extent could be made</p> <p>9. Was any attempt made to save water? There were several small dams made, by throwing up earth in immediate neighbourhood, & where a small quantity of water would accumulate after rain</p> <p>10. Are you aware whether there was any intention of constructing works for retention of water - works that would cost three or four thousand pounds? I believe Captain O'Connell intended to apply to Government, with a view to construction of waterworks. The whole of the water, in use while I was there, was drawn from a small creek four miles distant</p> <p>11. How many inhabitants were there at Port Curtis when you were there? About a hundred, I have heard; I should say there are not more – in fact, not in the whole district, for there are no residents out of the township itself</p> <p>12. Was there a Court House erected? There was a building used as a temporary Court House</p> <p>13. A wooden building? A wooden building</p> <p>14. At a place called Auckland Point? Yes</p> <p>15. There was no other Court House? No other</p> <p>16. Do you know anything of an avenue having been cut through the bush towards the intended site of the Government Resident's house? No</p> <p>17. Did you notice any cutting through the bush, forming an avenue of any</p>		057

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						<p>extent? Certainly not</p> <p>18. Was Government Resident's house in course of erection when you were there? Foundation had commenced, but there was some difficulty, I believe, in getting stone, or even water at that time to mix the mortar</p> <p>19. Was there any other work in course of construction? No, I think not</p> <p>20. There were two or three boats there, I believe? Yes; I believe there was one belonging to surveying party, one to Government Resident, & a third belonging to Native Police</p> <p>21. Were they all fully manned? Surveying party & police manned their own boats, but boat belonging to Government Resident was manned by three or four men employed for the purpose</p> <p>22. Do you know what that boat is employed for? There was very little use for it when I was there</p> <p>23. Did you ever see it employed during the month you were there? I do not know that I did; but during that time there were no arrivals, except a few days before I left</p> <p>24. Is there not a Harbour Master's boat to attend to arrivals? No, there is no Harbour Master's boat</p> <p>25. Do you not mistake Harbour Master's for Surveyor's boat? No; I know Mr McCabe has a boat, which was granted for that particular department</p> <p>26. How many of the inhabitants were in employ of Government when you were there in December last? I should say about a half of them, I mean with their wives & families</p> <p>27. Had you any means of noticing the manner in which justice was administered in the Court House at Port Curtis? Yes; I sat on one or two occasions myself, with Captain O'Connell, when he had no second Magistrate to sit with him</p> <p>28. You noticed nothing particular, I suppose? No</p> <p>29. Will you state to Committee what distance the nearest station is from the settlement? About seventy miles, I should say</p> <p>30. It has been stated that Mr Little's station is about sixty miles off, is that the one you allude to? That is the station I mean. There is a variety of opinion as to the distance</p> <p>31. Has Mr Carlow O'Connell a station there? No, he had none</p> <p>32. Were there any cattle or livestock of any kind at the settlement when you were there? About a thousand sheep, belonging to Captain O'Connell, and a few cattle, I believe, belonging to his brother</p> <p>33. Were there any horses? Yes; some horses arrived about the time I left</p> <p>34. Can you state how many? I should think about a couple of hundred</p> <p>35. Were the stockyards immediately in the settlement – near residence of the Government Resident? Yes</p> <p>36. Had you any opportunities of noticing who attended the stock? Captain O'Connell himself & two or three servants</p> <p>37. You never saw boatmen attending to the stock? No, never</p> <p>38. Captain O'Connell, I believe, had three or four orderlies? He was allowed four, but, finding he had no use for them, he discharged two of them during the time I was there. I was allowed the same number of orderlies myself</p> <p>[p 19] Margin: H. Gardiner, JP – 18 Sept 1855</p> <p>39. A thousand sheep, two hundred horses, & cattle, would consume a large quantity of water, of which the settlement was very short, would they not? Yes, but they generally ran some distance back from township, so that</p>		058

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						<p>there was some difficulty in getting them in. Men were away sometimes for two or three days getting horses in, camping out every night. They went back as far as the Boyne River, some twenty miles away</p> <p>40. Had Captain O'Connell much to do in his capacity as Commissioner of Crown Lands? He had plenty to do, but he only wanted people to take up the country they had tendered for. Nearly all the country was tendered for, but not taken up. I was in much the same position myself in my district</p> <p>41. Who formed the population settled round the Port, in addition to the persons in Government employment? Two or three storekeepers, some bushmen, men who went down there to take contracts from Government for buildings & so on, & some others</p> <p>42. None of them persons who would be likely to carry on extensive operations in interior, whether as squatters or agriculturists? No</p> <p>43. Do you know who was butcher of the settlement when you were there? There was no butcher when I was there. Only stock fit for slaughter were sheep belonging to Captain O'Connell, &, but for these, I believe everybody in District would have been starved, or at least they would not have been able to get animal food</p> <p>44. They were slaughtered by Mr Stonehouse, Clerk of the Bench, were they not? As there was no butcher in the place, Captain O'Connell let Mr Stonehouse have some sheep at something like cost price, in order to get the trouble of slaughtering them off his own hands</p> <p>45. Was there a lock up attached to the Court House? No</p> <p>46. There was no lock up built? No</p> <p>47. Did any vessels arrive from Sydney while you were there? None but the steamer, which arrived once</p> <p>48. The "<i>William Miskin</i>"? Yes; I left in her, & came down here</p> <p>49. Did any accident occur to her on that voyage? She got too close to land off Facing Island, & stuck for about twenty minutes</p> <p>50. Were boats at the settlement employed in connexion with steamer in any way – did they render her any assistance when she got ashore? They could not do so; she was sixteen or eighteen miles away from settlement when she took the ground</p> <p>51. Was that the second time she got on shore? As far as that voyage was concerned, it was the first</p> <p>52. Do you know anything about "<i>Tom Tough</i>" going to Wide Bay? I heard of it</p> <p>53. Was there any pile of timber on beach while you were at Port Curtis? There was</p> <p>54. Do you know whether it was timber that came from Wide Bay in "<i>Tom Tough</i>"? Yes, I understood so</p> <p>55. Do you think opening of settlement at Port Curtis, at so much cost, was an advantage to public interest – do you not think it might, for some few years, have gone on in same manner as Wide Bay, for instance, without the great cost of present form of the establishment? I always thought the expenditure was quite disproportionate to amount of good done – too large in proportion. I think the slow progress of the settlement is, in a great measure, owing to extent of reserves which have been made round Port Curtis – thirty or forty miles round it – preventing it from being stocked; for the terms, upon which these lands can be occupied, are such that no person would tender upon them – yearly leases</p> <p>56. Do you think the place will progress in any degree corresponding with</p>		

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						cost of establishment, under existing circumstances? Not under existing circumstances; but, if these reserves were thrown open, I think it would. The country is fit for nothing else but grazing purposes		
						<p><i>[continuing from above]</i></p> <p>57. Then you think Government, in this instance, have overdone the thing, in reserving so much land? Yes. I have ridden through several counties, in particular County of Raglan, & have seen scarcely a creek or a drop of water. Much of the country is fit for nothing, until water is made by artificial means; it is not fit even for stock; & soil is of poorest description – stony ridges</p> <p>58. You are of the opinion that, with present range of reserves, the settlement has no chance of progressing? Yes</p> <p>59. Have you ever heard the opinion expressed, that settlement was opened for purpose of creating an office for present Government Resident? Never. He threw up an equally good appointment, I consider</p> <p>60. Prospectively? I do not know what he may expect Port Curtis may turn out to be; but he certainly gave up a very good appointment, & comfortable home, to live in a very uncomfortable state for years to come</p> <p>61. Do you think there was any strong reason for appointment of a Government Resident at the time this office was created – were there any reasons, of sufficient urgency, to induce such a large expenditure, & the creation of establishment involving a large annual expenditure? I think not</p> <p>62. <i>By the Inspector General of Police:</i> Do you know the whole of the pastoral country of which Port Curtis will be the natural outlet? I know it for some two hundred miles back</p> <p>63. Is it a country very valuable in a pastoral point of view & likely to attract a considerable share of attention of the pastoral interest? There is a great proportion of bad country; but what there is good is very good</p> <p>64. Is there such an extent of available country as is likely to attract a large number of persons engaged in pastoral pursuits? There is a great extent of good country, as far as I have seen it, which is some two hundred miles back – very superior country for pastoral purposes</p> <p>[p 20] Margin: H. Gardiner, JP – 18 Sept 1855</p> <p>65. Was there not, before establishment at Port Curtis was constituted, a manifest tendency, on part of those engaged in pastoral pursuits, to push out into that district? As far as tendering for runs would show it, there was; but very few seem inclined to occupy them now</p> <p>66. There were a considerable number of applications for runs? Yes; in my District, adjoining Port Curtis District, there were about two hundred tenders</p> <p>67. Would that country have been practically available without using port of Port Curtis? I do not know as to Port Curtis in particular; there may be better ports further north</p> <p>68. There must have been some new port – would any of the existing ports, Wide Bay for instance, have been available as an outlet for produce of this new country? No</p> <p>69. From the distance? From the distance</p> <p>70. <i>By the Chairman:</i> Has any produce been shipped at Port Curtis? There were about one hundred & fifty bales of wool shipped last year</p> <p>71. There is very little of the country occupied? There was only one squatter in the back country, & his run was a hundred miles off</p> <p>72. Looking upon it as a port for that particular part of the country, would</p>	A2.38	059

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						<p>any harm have arisen to anybody if the place had not been opened to the present day, or if it had been opened in same manner as Wide Bay? I think establishment of settlement there was premature; but eventually, it must become port of the country adjacent to it</p> <p>73. <i>By Inspector General of Police:</i> There are a very large number of Aborigines congregated about the port, & usually resorting there? There were not many at Port Curtis when I was there – perhaps thirty or forty – but they were very troublesome in the interior; it is not by any means safe to travel without a strong party, well armed</p> <p>74. Do you think the port would have been used without some means of protection to persons resorting there? Certainly not</p> <p>75. <i>By the Chairman:</i> When you said population consisted of about a hundred persons, did you include Native Police? No, they were about twelve more</p> <p>76. What was the character of the Native Police stationed at Port Curtis – do you think they were efficient for purposes for which they were sent there? They were very good men</p> <p>77. <i>By Mr Samuel:</i> Does neighbourhood of Port Curtis present any facilities for damming, so as to save large quantities of water? I think they might select many places where a large dam might be made</p> <p>78. Did it occur to you that there would be any difficulty about the matter? No; I think small dams would be useless, on account of great amount of evaporation</p> <p>79. <i>By the Inspector General of Police:</i> Was making of large reserves you have spoken of, part of original plan for establishment of settlement at Port Curtis, or a subsequent arrangement? It was the original plan, as I understand. There are seven counties, I believe, all reserved</p> <p>80. What do you mean by <i>reserved</i>? I mean that country is reserved, from being occupied on fourteen years' leases. Near the port it can only be held on leases for one year; & on leases for eight years in more distant counties</p> <p>81. Some of these reserves are in class of intermediate lands? They are</p> <p>82. And country is open to occupation on eight years' leases? Yes; there are what are called Settled Districts & Intermediate Districts. The greater part of these lands are in the Settled Districts</p> <p>83. How far do Settled Districts extend from the Port? There has been no survey of the country, & I do not know where counties begin or end</p> <p>84. To what distance from Township of Gladstone do Intermediate Districts extend? About thirty miles</p> <p>85. Then there is no part of the country available, on pastoral leases, within thirty miles? No; &, I think, even further than that</p> <p>86. <i>By the Chairman:</i> And this land, so reserved, is ill adapted for settlement in any other way – much of the land being of a very broken description, & very poor? Yes. I saw the country in a very dry season; there had been scarcely any rain for previous five months, & nearly all the creeks were dry. In fact, I have had to ride twenty-five miles without seeing a drop of water</p> <p>87. You speak of land surrounding Port Curtis? Yes; but these creeks were all filled in one day, by a thunderstorm</p> <p>88. <i>By the Inspector General of Police:</i> This, you say, was after a five months drought? I think there had been no rain for that time</p> <p>89. Are you aware whether, at any particular season of the year, there are, usually, rains for a certain period? The rain falls, principally, in summer;</p>		

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						<p>there are a great many thunderstorms. It was from June to November they were without rain</p> <p>90. The summer months are the most rainy months of the year? Yes, there are thunderstorms, sometimes, three or four times a week</p> <p>91. What description of tents were they – were they at all comfortable? Not at all comfortable, in a clime like that</p> <p>92. Were they good tents? Yes; bell-shaped tents</p> <p>93. Good secure tents? Yes</p> <p>94. Was Government Resident living in a tent? He was, to the time I left</p> <p>95. Were there no places in course of erection but Government Resident's house? That was all</p> <p>[p 21] WEDNESDAY, 3 OCTOBER, 1866 Present: - MR COWPER, MR PARKES, THE INSPECTOR GENERAL OF POLICE, MR SAMUEL H PARKES, ESQ, IN THE CHAIR Francis Peter McCabe, Esq, called in and examined:- Margin: F.P. McCabe – 3 Oct 1855</p> <ol style="list-style-type: none"> 1. <i>By the Chairman:</i> You proceeded to Port Curtis in charge of a surveying expedition, a year or two ago? In June 1853 2. At that time the place was entirely uninhabited? Altogether uninhabited 3. Not a single resident there? Not a single resident, when I arrived 4. Can you state, to best of your knowledge, how near to the Port was first station or settlement, at that time? I have since measured the distance, & the nearest was 107 miles, namely, Mr Leith Hay's 5. How long were you at Port Curtis before arrival of any other European? A storekeeper, Mr Wilmot, arrived about six weeks after me; he came from Wide Bay, in an open boat 6. You proceeded immediately to survey country? My instructions confined me to selecting a site for Township at the Port, & marking out allotments 7. Did you find any remains of former settlement effected by Colonel Barney? Yes, some posts of a shed, & some bricks; just sufficient to indicate where the place was 8. When did you return to Sydney? On 22nd of last month 9. Were you at Port Curtis, & that part of Colony, from the time you went down? Yes; from 18th June 1853, to 28th August last 10. Will you be good enough to state to Committee what extent of country is reserved round immediate Port, under Land Regulations? At first there were eight counties reserved, but lately that arrangement has been modified, & twenty miles round township has been reserved, on the recommendation of Government Resident without his having seen the country 11. When did that modification take place? About nine months ago 12. At present there is a belt of twenty miles reserved? Yes 13. Will you have the goodness to state to Committee your opinion of quality of the country; whether it is fit for purposes for which it was reserved. It has been stated that this country can never be taken up except for pastoral purposes? That is now my opinion; a very small portion of the land in question is fit to be brought under cultivation, & I believe climate is unsuitable for agricultural pursuits 		060

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						<p>14. You have had a good deal of experience of this part of the country – will you state your general impression of character of that part which is reserved? It is a very inferior country upon the whole</p> <p>15. Is it a hilly or rugged country? Broken & stony, with patches of alluvial deposits – land suitable for cultivation</p> <p>16. What proportion, at a rough guess, do you suppose available country bears to that absolutely sterile? I do not think there is more than a tenth of available land</p> <p>17. Do you think there is a tenth? That is very most, at a rough estimate, & water is scarce for extent of country the patches alluded to are spread over</p> <p>18. There is difficulty in obtaining water at settlement is there not? Yes</p> <p>19. From what does that chiefly arise? Absence of natural features to retain the water</p> <p>20. Have any steps been taken to make provision for securing a supply of water for settlement? Yes; there have been parties employed in sinking a well, & making a dam in the township</p> <p>21. Do you know of your own knowledge what has been done in the matter; has any well of any importance been sunk anywhere – any well that attests the nature of water procurable? In one fresh water was procured, at least it was reported when I was on board vessel, coming away, that water had turned out fresh. That was the only one at the time I left.</p> <p>22. Has not a dam of some extent been constructed by Government? The dam is immediately beside where the well was sunk</p> <p>23. What is the extent of this dam? I am not aware of the size it is proposed to make it; there was a very small portion excavated at the time I left</p> <p>24. On Supplementary Estimates for this year there is a sum of £3000 for constructing a dam: “For wages of workmen to 31st December 1855, purchase of tools, etc., for construction of dams & other works for providing a supply of fresh water to township of Gladstone”. Did you, when you left in August last, see any works which would require a sum of this magnitude? I fancy, from high rates of wages paid to the men, that the sum would be quite expended</p> <p>25. How many were there working in securing water for settlement? My duties kept me so far away from Government works, that I always had that sort of information from hearsay</p> <p>26. You have seen the work often I suppose? Yes</p> <p>27. Can you give some description of work performed at the time you left, on 28th August? Very little had been done, merely some excavation for this dam</p> <p>28. Were you near the locality a short time before you left? I used to ride past the dam almost daily</p> <p>29. How many men, on any occasion, have you seen at work there? A dozen men or so</p> <p>[p 22] Margin: F.P. McCabe – 3 Oct 1855</p> <p>30. How many men are there in Government service altogether? I do not know how many Captain O’Connell has under his orders</p> <p>31. On 28th August, when you left the settlement, what do you suppose the population amounted to, including men, women & children, exclusive of Native Police? Population settled on purchased allotments must have been, altogether, under thirty. What number there were in public service, I cannot undertake to say</p> <p>32. Were there a hundred altogether? I did at one time understand there</p>		061

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						<p>were two hundred persons about the settlement, mainly all of whom must have been in the pay of Government</p> <p>33. You did not know that of your own knowledge? No</p> <p>34. You were never at the trouble or had the curiosity to count over persons there? No; & as men were not all at work at one spot, it would have been no easy matter to gratify such curiosity</p> <p>35. Were there any public works of any importance erected there, a Government residence, or anything of that sort? Government Resident had a house built, which I believe is intended for a stable, but it is at present used as his residence</p> <p>36. Is it built of stone? No, of timber</p> <p>37. How far is this from the township? It is immediately upon the place proposed for a town, but from the part which I believe will form commercial part of the town for a long time to come, it is about a mile and a half</p> <p>38. You have been at that spot often, I presume – was there an avenue cut through the bush to any extent there, that would require considerable labour in cutting? No, nothing worth mentioning</p> <p>39. There was a cutting through the bush? A few trees may have been felled to answer for some other purpose than a clearing for an avenue</p> <p>40. Were you frequently at the settlement after Government Resident arrived from Sydney? Yes, I was occasionally there, backwards & forwards from my camps about it</p> <p>41. How many times from period of Captain O'Connell's arrival until you left? I have been repeatedly there</p> <p>42. Captain O'Connell arrived there on 24th March last year, therefore you would have had an opportunity of watching progress of the settlement for eighteen months after arrival of Government Resident? Yes</p> <p>43. Did you notice much advancement? Very little indeed. I have repeatedly remarked that there was very little work indeed to be seen for the heavy expenses incurred</p> <p>44. Were any friends of Government Resident residing in that district? His brother, Mr Carlo O'Connell [as it is] lived with him</p> <p>45. Did Captain or Mr O'Connell keep a considerable quantity of horses or other stock? A good deal of stock, about 200 horses, & I dare say there must have been, at one time, 800 sheep. I cannot say how many cattle</p> <p>46. Were any complaints made of water being consumed by amount of stock kept by O'Connell family to detriment of people of settlement, who were suffering from want of water? It might have caused them to go to a greater distance than they should otherwise have done, for water, on account of cattle & horses dirtying that in the neighbourhood, & making it unfit for use</p> <p>47. Are the stock-yards for this stock upon place laid out for a township? They are immediately upon place recommended by Captain O'Connell for a Government Domain, & at the place I proposed should form part of township, & where I considered that, if the place should ever become of importance, business of town would be carried on; but Captain O'Connell took a different view of the subject when I complained that best part of town should be taken up for semi-private purpose of a domain, at a time I was under the impression that the country was of a different character from that which I subsequently found it to be</p> <p>48. Do you know whether that stock belonged to Government Resident or to his brother? I am almost certain that horse stock belonged to Captain</p>		

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						<p>O'Connell, 400 of the sheep, & some of the cattle</p> <p>49. Do you know to what purpose sheep were applied; were they slaughtered upon the spot? The sheep were slaughtered to issue as rations to men employed by Government</p> <p>50. Did Mr Stonehouse, Clerk of the Bench, act also as butcher? There was an arrangement between him & Captain O'Connell, that these sheep should be passed over to him at a certain price, & he issued rations to the men whilst that arrangement lasted. Mr Stonehouse wanted me to deal with him, which I refused to do, so long as there was a man like Smith earning his bread solely by his trade. And I was disgusted with a Government Officer standing in way of a man like Smith earning his living</p> <p>51. Did person named Smith arrive from Wide Bay at the Port, & establish himself as a butcher? Yes</p> <p>52. What became of this man, do you know? He was committed for an offence, & was sent to Sydney</p> <p>53. Was there any difficulty thrown in the way of this man carrying on his business as a butcher by Government Resident? Government Resident was not quite satisfied with his being there, running his cattle without having a license</p> <p>54. Had he some difficulty in getting a place where he could carry on his trade as a butcher? I am not aware, but I believe he was given to understand that if he put up any stock-yard or building he would do it at his own risk</p> <p>55. <i>By the Inspector General of Police:</i> Do I understand you that this man Smith brought his stock there? He had brought some cattle to carry on his trade of a butcher, & when he was committed for this offence, & was on the eve of leaving settlement for Sydney, I asked him if he intended to return in case he was acquitted of the charge for which he was</p> <p>[p 23] Margin: F.P. McCabe – 3 Oct 1855</p> <p>committed, he said, "No, as the Captain had said he could only keep one cow at the settlement". He was a useful man in the place, because he used to kill beef occasionally, which was better for labouring men, & they preferred it to mutton.</p> <p>56. <i>By the Chairman:</i> Did you know a man named Bullock, a mason? Yes</p> <p>57. Do you know what was the nature of his engagement with the Government? I understood that he was engaged as a mason, but I never knew that he did any work</p> <p>58. We have it in evidence he was engaged at £5 a week & two rations, which would be equal to about £6, as mason? That was so, I believe</p> <p>59. During the time you were there you must have had frequent opportunities of observing him; did you ever see him perform any work? I never saw him do anything; my impression was, that he was paid & doing nothing for his money. He may have strolled about neighbourhood looking for stone for building purposes</p> <p>60. Do you know that that man became dissatisfied from being left in a state of idleness, & said that he was ashamed to receive the public money for doing no work? That never came to my knowledge</p> <p>61. As far as you had an opportunity of noticing, you never saw him doing any work? No</p> <p>62. You saw no masonry erected of any importance, up to the time of your leaving? No</p> <p>63. Can you tell Committee how many boat's crews there are there? There</p>		062

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						<p>was a party of six 64. Legislative Council are called upon to vote for two boat's crews, one for Government Resident, & one for Harbour Master, of six each – did you see those boat's crews? No; I did not hear of a second boat's crew 65. Can you state positively whether or not there were two boat's crews when you left? I cannot; this is the first I have heard of second boat's crew 66. Your impression is, that there was only one? It is 67. You never saw two? I never saw two 68. Did you ever see the boat's crew that are there perform any service of public importance to settlement or inhabitants? No; & I cannot tax my memory with ever even hearing of the crew being of any such use 69. You must have seen them frequently – did you ever see them employed? I understood that these parties, in August, of before I came away, had erected a stock-yard, but I did not know the countenances of the men, & could not say whether they were actually the men who erected it</p>		
						<p><i>[continuing from above]</i> 70. In Sydney, Government boatmen have generally a particular dress, & their office painted on a ribbon round their hats – had these men any such distinguishing dress? No 71. You must have seen the men on various occasions? Yes 72. Was the boat beached or afloat? Generally, on the beach, under a shed, I believe, but I cannot assert positively how it was kept 73. Seldom afloat? That would be difficult to say, I was not often down on the part of the beach where it was kept 74. Was the boat employed in fishing? It was intended, I believe, that boat should be employed in fishing, & I believe Government Resident was furnished with a seine for purpose of catching fish for supplying people employed by Government; & occasionally, they used to go fishing, but I have never seen them fishing</p>	A2.38	062 [contd]

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						<p>75. Were you at the settlement at the time the accident happened to Mr Stutchbury which led to suspension of Medical Resident? Yes</p> <p>76. Was Mr Stutchbury seriously injured? By no means</p> <p>77. Are you aware whether Mr Stutchbury was injured to extent which rendered it necessary for him to apply for medical aid, or whether he did apply for it? From a conversation I had with him after the accident, I learned that he did not require assistance of a surgeon.</p> <p>78. Do you know anything of the circumstances of Dr Gray's [as it is] suspension? Yes</p> <p>79. Will you state what your impression is as to whether he was properly or improperly suspended? My own opinion is, that there was not a sufficient cause for his suspension, & that he was oppressed by Captain O'Connell</p> <p>80. Did he go to the settlement with you? Yes</p> <p>81. Did you consider him a skilful man? Yes</p> <p>82. Was he man of respectable character, according to your observation of his conduct? Very much so</p> <p>83. Do you consider that there would have been any serious risk to lives of people in this remote place if Dr Gray, upon his suspension, had refused to render any further service – was there any other medical man there? There was no other medical man there, & at the time he was suspended, he was anxiously watching a midwifery case, the woman was the wife of one of the labouring men</p> <p>84. Was there any other case which occurred during his suspension, which, had he acted upon his suspension, might have been of serious consequence? I am not aware that there was; that was the most prominent case of any I heard of. I believe Mr Gray was conscientiously discharging his duty, by remaining on the spot for that midwifery case, when he was ordered to go & see Mr Stutchbury</p> <p>85. Was Dr Gray, during the time he acted under your observation, attentive to his duty? I always found him so</p> <p>86. Did you ever hear any complaint among inhabitants of the district? Mr Gray's insisting upon persons able to consult him at his tent calling upon him for the purpose, instead of his calling upon them, gave dissatisfaction; & Captain O'Connell seemed to agree with people's view of the case. I heard no other complaints about him</p> <p>87. Is not that the usual practice of medical men? Yes, I believe it is with medical men in his position</p> <p>88. There were several persons employed as orderlies to Captain O'Connell? Yes</p> <p>[p 24] Margin: F.P. McCabe – 3 Oct 1855</p> <p>89. Do you know what offices these people filled – did one of them perform duty of butler in Captain O'Connell's house? Not to my certain knowledge</p> <p>90. Have you heard of that? Yes; there were many false reports in circulation there</p> <p>91. A false report could not go far in a community so limited in number without being detected? It would have been a very delicate question for me to have asked Captain O'Connell, & I never satisfied myself upon the matter. Small as community was, false reports were not only circulated there, but statements were actually published in Colonial papers, which were contrary to sworn testimony</p> <p>92. With regard to "Tom Tough", we have it in evidence that that vessel lay at anchor in the waters of Port Curtis for a period of three months – was</p>		063

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						<p>she required there for that period? I think not. except for a store ship 93. We have it in evidence that there were no stores kept in her of any importance whatever? I believe after she had been there about three weeks stores were taken out of her. Upon arrival of Captain O'Connell, I suggested that "<i>Jenny Lind</i>" should be subsidized with about £200 a month, to keep her in Port Curtis trade, making monthly trips to Sydney & that by such an arrangement £150 a month would be saved to the public. I believe vessel ("<i>Tom Tough</i>") was paid £350 a month for six or seven months, & sum has been charged to account of the survey of settlement, for which she never was of any use that I know of. Keeping her at the settlement for such a length of time was preposterous in the extreme 94. With regard to expenditure of public money upon settlement, has it been an expenditure to render the bulk of the population comfortable, or has it been unduly expended according to your knowledge, in providing for the Government Resident? I think the same amount of money could have been expended so as to have rendered the part of town, that will first be built upon, much more comfortable for inhabitants; but I contend that no money at all should have been expended upon the place, under the circumstances that it was thrown open</p> <p>95. Was any wharf commenced or run out? No public wharf</p> <p>96. Was there any accommodation at all? No public accommodation</p> <p>97. Can you state any improvement that was effected during the eighteen months after Captain O'Connell's arrival – was there any hospital, court house, lock up – were streets formed, or was anything done? There was no court house erected, but a building was purchased to suit the purpose</p> <p>98. Was the building you allude to purchased from Mr Palmer? Yes</p> <p>99. Was that at some distance from settlement of Port Curtis at Auckland Point? That is the place I have alluded to as forming commercial part of the town during its first stages towards settlement; but I do not consider that that will be the most important part of the town ultimately</p> <p>100. There is no other building, such as a lock up, or a court house, or any other in connexion with police, except this building purchased from Mr Palmer? No; &, in reference to that building, it may be well to state that when Captain O'Connell arrived he gave notice to the party that, as it was on a reserve, he would have to remove it, or something to that effect; I forget whether it was that he would have to remove, or to forfeit it. As I was connected with the Bench, I ventured to suggest that it might be well to purchase it on behalf of public as a temporary court house. Captain O'Connell would not hear of such a thing, but requested me to measure land nearer Government Residence for a court house which I did</p> <p>101. Eventually this house was converted into a court house? Yes</p> <p>102. Was that owing to its not being suitable for another purpose? I was rather surprised when I heard that it was converted into a court house, & that Captain O'Connell had come round to my view of the case. I understood that it was purchased to be removed, & to form an outbuilding at Government Residence; but that when parties commenced to take it down it was found to have white ant in it. I considered that if it were taken down for that purpose & removed to Government Residence, it would still be a public building, & I thought that Captain O'Connell exercised a proper discretion in retaining building as it was</p> <p>103. You have stated that this belt of twenty miles of land round township is entirely unfitted for the settlement of a miscellaneous population on these</p>		

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						<p>small allotments? Yes, & from what I know of the country, I do not think it will admit of any great lines of road to concentrate at Gladstone, so that Port Curtis may be taken advantage of as a place for export; nor is the place likely to be of the importance that public were somehow or another led to believe it would be</p> <p>104. Do I gather from you that, in your opinion, settlement never can make any progress under any circumstances? That is my opinion. I never had any opportunity of seeing much of the country until within the last few months, & I believe any advantages Port may possess are neutralized by badness of surrounding country, which renders its rising into importance altogether improbable</p> <p>105. I suppose you know the country to some extent for twenty miles round Sydney? Yes; at Port Curtis there is nothing like the country about Liverpool & Campbelltown</p> <p>106. <i>By Mr Cowper:</i> Is it more like land about the South Head? Yes, but if anything, worse; it is not sandy, but is very broken & stony</p> <p>107. <i>By the Inspector General of Police:</i> Is it a well grassed country? It is surprisingly well grassed, considering the nature of the country</p> <p>108. <i>By the Chairman:</i> Would it do for squatting? It is difficult to say in a new country, because you cannot judge of the quality of the grass; some counties improve upon being stocked, & others deteriorate; I believe this country would deteriorate upon being stocked, & water is scarce</p> <p>[p 25] Margin: F.P. McCabe – 3 Oct 1855</p> <p>109. <i>By Mr Cowper:</i> How far did you go into the Interior to survey? To the westward 107 miles by the road; to north-west about 108 miles by a circuitous route, but not more than 48 in a direct line, & to southward about 100 miles</p> <p>110. Did you generally reside in the town? About three miles from town</p> <p>111. You acted as a Magistrate, & sat on the Bench occasionally? Yes</p> <p>112. Do you remember the case of a man called Macdowell? Yes</p> <p>113. You were one of the Magistrates who adjudicated on that occasion? Yes</p> <p>114. Can you remember circumstances under which you inflicted upon him a penalty of £17-10s? Yes; he was brought before the Bench by Captain O'Connell under Master's and Servant's Act, & Captain O'Connell desired to cancel the agreement, at the same time rather dictating than to suggesting to the Bench, that the man should forfeit his wages in payment of passages from Sydney of his wife & family; & under circumstance of his having had his own & his family's passage, at public expense, & being able to obtain employment at a high rate of wages there, it was thought by my brother Magistrate & myself, that it was fair & reasonable, as he had done very little for the public, that he should forfeit the whole of his wages, which a section of the Act allowed</p> <p>115. Do you remember what is the section of the Act to which you allude? I do not at this moment</p> <p>116. What was the character of the man; Captain O'Connell states in his evidence that he was not drunk, but had been drinking? He had been insolent to Captain O'Connell; I do not know sufficient of the man to speak as to his general character</p> <p>117. <i>By the Chairman:</i> Captain O'Connell in his deposition, states "McDowell shortly after came in, &, in a loud voice, said to Sutton, 'I say, Charley, don't burst yourself at that work', or words to a similar effect. This</p>		064

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						<p>was said, as I consider, in a very insolent manner before me", so that the offence would appear to consist in the manner of the man -"I have no doubt it did arise from the state the man was in - I have always found him hitherto civil and obliging". Do you think this conduct warranted forfeiture of a large sum like this? Court was cleared, & upon consulting my brother Magistrate, who was chairman, he said he considered that he should forfeit his wages under circumstances stated - himself & family having been taken up at public expense, & the man being able to get work at the settlement at a high rate of wages, without returning to Sydney. He asked Captain O'Connell whether he desired agreement to be cancelled, & upon his stating that he did, it was cancelled at his request.</p> <p>118. Still Captain O'Connell stated that he had always been civil & obliging, & that he was not actually drunk, but in the state of muddle from drinking? I should not have considered the fine warrantable, but for circumstance of his family having had their passage at public expense; & I agreed with the chairman that if Captain O'Connell would forgive him, & take him into his service again, a fine of £5 would be quite sufficient</p> <p>119. There is no record of that on the proceedings? No, that was a mere conversation that took place between us</p> <p>120. Did the man ask, or was he willing, to have his agreement cancelled? That I cannot remember; however, my impression is that under the Act the agreement can be cancelled at Master's request. I believe the man committed offence with a view to get away, &, therefore, he may probably have expressed his willingness to have agreement cancelled at the time; &, if wages had not been stopped, public would have been defrauded under the circumstances of the case</p> <p>121. According to the conviction, which is signed only by Mr Murray, & not by yourself, the man is convicted of "having been drunk & insolent in his behaviour", while Captain O'Connell states that he was not so drunk as to be incapacitated from performing his duty, & the man denies having been drunk, but says that he was only under the influence of liquor? Captain O'Connell swore to his having been insolent</p> <p>122. Do you remember circumstances under which Captain O'Connell dismissed Mr Mylrea? I was not at the settlement when Mr Mylrea was dismissed, but I recollect that, upon the very day that this case of McDowell was before the Bench, Mr Mylrea said something which apparently offended Captain O'Connell, who said "he was no longer his clerk". A short time after that I heard he had been removed, or at least that he had proceeded to Sydney, as a witness in a case of felony, & was not likely to return again to Port Curtis</p> <p>123. Do you recollect being in company with Mr Mylrea when Mr McDowell came up & spoke to you or to Mr Mylrea? No; if any circumstance connected with it were mentioned to me, it might bring it to my memory</p> <p>124. In answer to a question put by Mr Samuel, he (McDowell) stated to Committee - "<i>Albion</i>" just hove in sight, as I came out of the marquee, after they had sentenced me, & I walked right up to her, & took my passage to Sydney. I then went to Captain O'Connell. He had dismissed his Clerk, Mr Mylrea, the same day, only for firing a gun. I asked if he would settle with me, & he said 'Go over to Mr Mylrea & he will settle with you'. I went down, & Mr McCabe was with Mr Mylrea, & they were half drunk. "Go and tell Captain O'Connell' says he, 'I will do no more for him'? It is a gross falsehood to assert I was half drunk, & reason for such a malicious</p>		

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						<p>statement must be apparent</p> <p>125. <i>By Mr Samuel:</i> Do you recollect the man coming to Mr Mylrea? No; & I clearly recollect that Mr Murray & I walked down to Mr Mylrea's tent & remained there a few minutes. I had lunched with Captain O'Connell, & if I wet my lips at Mr Mylrea's, it was with the view to avoid giving offence by not doing so. Getting half drunk is contrary to my character & habits, & this is the first time I heard Mr Mylrea was addicted to drunkenness. I do not associate with drunkards</p> <p>126. <i>By Mr Cowper:</i> Do you remember any such conversation as that alluded to in this</p> <p>[p 26] Margin: F.P. McCabe – 3 Oct 1855</p> <p>evidence? I do not remember McDowell coming down to Mr Mylrea's at all that day, nor for a few minutes – not half an hour – & my principal reason for going there was to endeavour to adjust the difference that had arisen in Court between Captain O'Connell & Mr Mylrea. It was not for firing a gun he was dismissed. An information was filed against him by Chief Constable, for firing at a hawk or crow on Sunday, for which he was fined £2, being minimum penalty, & he then stated that he thought he might fire a gun as well as Captain O'Connell, & was dissatisfied with having been fined; which he appeared to think cruel treatment on the part of the Bench</p> <p>127. Are we to understand that Captain O'Connell did fire a gun on Sunday, & that you fined Mr Mylrea for doing the same thing? I am not aware that Captain O'Connell did fire a gun on Sunday, but Captain O'Connell was apparently annoyed at Mr Mylrea's having said so. If an information had been laid against Captain O'Connell for such an offence, he would have been treated as Mr Mylrea was</p> <p>128. Do you remember Mr Mylrea stating to McDowell, or any one else, that he would do no more for Captain O'Connell? No, I do not remember seeing McDowell & Mr Mylrea together upon any occasion, & I hardly knew the former by sight until he was before the Bench</p> <p>129. Does the clerk, Mr Stonehouse, make up the proceedings at Gladstone? Yes</p> <p>130. How was it you did not sign conviction? It must have been a mistake on part of the clerk. I remember signing necessary papers, as handed to me by him</p> <p>131. You signed the affidavits, but not the conviction? Perhaps it was not ready before I left the Court, & clerk afterwards neglected to ask me to do so. I have generally been in the habit of signing all necessary papers before leaving Court; in fact I have had very little to do with the Bench, & did not make its duties a study; I supposed it to be duty of the clerk to obtain necessary signatures & I believed Captain O'Connell responsible for the manner the records of the Court were kept</p> <p>132. <i>By the Chairman:</i> Do you not think this case was one which might have been adjusted by Captain O'Connell with the man, with advantage to the settlement, without being brought into Court? I fancy so; I think, even after it was brought into Court, if Captain O'Connell had retained services of the man, a smaller fine might have been inflicted</p> <p>133. Judging from character of the man, given by Captain O'Connell himself, remembering this was first offence, & looking at the almost parental position of Captain O'Connell over this small community, do you not think this is a case which might have been settled without dragging the man into Court? Yes</p>		065

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						<p>134. Was it not exceedingly inadvisable to drag a respectable man into Court under such circumstances? I admit it was</p> <p>135. <i>By the Inspector General of Police:</i> In what way would you have had him deal with him? He might have reprimanded him, & have warned him that if anything of the kind again occurred, disagreeable consequences would follow</p> <p>136. Do you think that would have been sufficient for a case which you considered it necessary to visit with the cancelling of an agreement, & the forfeiture of wages? Cancelling of agreement was done at Captain O'Connell's request, & wages were stopped in consideration of expense to which public had been put in conveying him & his family to Port Curtis. The Chairman explained reason wages were stopped, which seemed to satisfy the man as well as a man could be satisfied, who was visited with a severer penalty than he might have contemplated, when he desired to get his agreement cancelled. Severe penalties are inflicted for frauds under "Assisted Emigration Act", & I recollect stating to the man from the Bench, that he could appeal from the sentence if he thought fit, & surely he would have done so if he had not been satisfied with decision of the Bench</p> <p>137. Would not this expense be a consideration in Captain's mind, in dealing with the case himself? Therefore I think it would have been well for him to have refrained from bringing case into Court; but, once in Court, I did not think he should have his expenses paid to a place where he could get as high, if not higher, wages than he could in Sydney</p> <p>138. Was it not in the discretion & power of the Bench to have recommended Captain O'Connell to have dealt with the case out of Court - could they not have put them in that position? No. After Court had been thrown open, I put the question again, as to whether he would retain the man in his service, with a view to dealing leniently with the case, but as he peremptorily insisted upon agreement being cancelled, I considered that there was no alternative but to stop wages</p> <p>139. Was not Captain O'Connell acting as Commissioner of Crown Lands? Yes</p> <p>140. Is it not part of his duty in that capacity to prevent unlicensed occupancy of Crown lands, by grazing or otherwise? Yes</p> <p>141. Then it was in discharge of that duty he objected to Smith having cattle & stock there? Yes, I understood so. Upon one occasion I ventured to say I did not see how he could consistently prevent any one from grazing stock in neighbourhood whilst he had stock of his own about the place</p> <p>142. Are you aware whether he paid any license for grazing of his own stock? I am not</p> <p>143. Did cattle brought by Smith in any way affect or interfere with cattle belonging to the Captain himself? I fancy they did - any cattle slaughtered by Smith</p> <p>144. I am not speaking of slaughtering, but of grazing - did they interfere with grazing of Captain O'Connell's cattle? No more than by occupying so much more ground, & consuming so much more water, when latter was scarce</p> <p>145. Had Captain O'Connell cattle? I believe so</p> <p>[p 27] Margin: F.P. McCabe - 3 Oct 1855</p> <p>146. Was the presence of Captain O'Connell's stock an advantage or a necessity even for the settlement there? Presence of some was a necessity, certainly</p>		066

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						<p>147. Had any one brought livestock, except Captain O'Connell, before this? A storekeeper had a few, some eighteen or twenty sheep</p> <p>148. Then it was subsequently that Smith brought his stock to settlement? Yes; & its being known that Captain O'Connell had stock there might have prevented others from coming</p>		
						<p><i>[continuing from above]</i></p> <p>149. What was the nature of Dr Grey's engagement – was he brought there solely for public establishment, or did he come as a private practitioner? For the public, & with leave to practice</p> <p>150. And he was receiving a public salary? Yes</p> <p>151. In the case of his suspension, did that suspend him from private practice? No</p> <p>152. Therefore his services were available in this case of midwifery? He attended, as being connected with Government, & without fee or reward, as I understood the case</p> <p>153. I understood you to say that he was engaged by Government at a fixed salary with permission to practice privately? Yes; but wives & children of persons employed by Government were supposed to be attended by the Surgeon gratis</p> <p>154. Did he receive no fees from them? I do not think he did; in fact I heard him complain in one midwifery case, that he thought the party could afford to make him some present, & none was made</p> <p>155. Are you aware what is the practice in public service, as to attendance of medical men upon families of those who are in employ of Government? No</p> <p>156. Are you aware that even in military service Surgeon is not bound to attend them? No</p> <p>157. You alluded to a report respecting a person who was said to have been employed as a butler by Captain O'Connell – was he in Government employment? I am not aware - I did not see accounts kept by Captain O'Connell</p> <p>158. There was such a report? Yes; both as regards butler, & another man who acted as stockman</p> <p>159. You did not speak to Captain about this report? No; it was a delicate matter, & might justly have been considered as a piece of impertinence, if I had done so</p> <p>160. Is it an unreasonable presumption, that Captain O'Connell, unless he were spoken to on the subject, would not feel called upon to notice that report, & might treat such reports with entire contempt? Certainly he might</p> <p>161. In the discussion you had with Captain O'Connell, as to site of this Court House, when you stated where you considered main settlement would be, did he give you his reasons for differing from you? I believe his reason to have been, that it would be more convenient to his own house</p> <p>162. Had the discussion any reference to place where main settlement was likely to be? It was always his opinion that main settlement would be at Auckland Point, where this building was; I differed, & said it would be merely the best place to commence the settlement, but that ultimately, if the place became of any importance, that part, which he took for Government Domain, would be the most important part of the town</p> <p>163. In fact, those people who were not in Government service were there? When I left, I think there were a greater number than at any former time</p> <p>164. At the time when Dr Grey was suspended, what number of persons</p>	A2.38	

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						<p>were there on the settlement – not in Government employ? About twenty 165. Then his service would be available for them whether he were suspended or not? Yes</p> <p>166. <i>By Mr Cowper:</i> You do not think that a practice among twenty people would give a medical man subsistence? No; my impression was that Dr Grey had a good case, but that he spoiled it by intemperate correspondence; portion of correspondence he showed me was not in a proper style, if he had been instructed to place himself under Captain O'Connell's orders</p> <p>167. <i>By the Inspector General of Police:</i> For what was he suspended? For disobeying Captain O'Connell's orders to attend Mr Stutchbury. At this time he was so anxiously watching the midwifery case alluded to, that he would not remain at my tent one night, when he visited a sick woman in the neighbourhood of my camp, three miles from the settlement. I wished him to remain, but he said he could not, & that if I could not lend him a horse, he would sooner walk than run any risk of being absent from this woman, more especially, as it was her first confinement; & he did set out to walk, although I believe, on the road he met some one who lent him a horse</p> <p>168. <i>By Mr Cowper:</i> Your impression was that he did not refuse to attend Mr Stutchbury from any intention to disobey Captain O'Connell, but because he had a more serious case, which he did not like to leave? Yes, & it turned out that Mr Stutchbury did not require his attendance</p> <p>169. <i>By the Chairman:</i> Was it not the fact that the black fellow had come from the place where Mr Stutchbury was, & that Mr Stutchbury had not sent word he required medical assistance; which he could have done, if it had been necessary? He could have sent a white man, if it had been necessary</p> <p>170. Was it known to Dr Grey that he could have sent if he had required medical assistance? Yes; that was what Surgeon Grey said at the time – he said "If Mr Stutchbury required him he had plenty of friends to send, & he did not wish to force his services before they were required"</p> <p>171. <i>By Mr Cowper:</i> What is nearest station to Port Curtis? Mr Little's station is within about seventy five miles by the road, from Port Curtis, but he sends his produce to Maryborough, in preference to the port. This station was formed some time after my arrival at Port Curtis</p> <p>[p 28] Margin: F.P. McCabe – 3 Oct 1855</p> <p>172. He has arrived there since you went to survey the district? Yes; I heard of his arrival after I went there; number of people at present, likely to take advantage of the port there, is four, that is all. I know within a range of from fourteen to a hundred & twenty miles from settlement. From extent of country I have seen I do not look upon it as likely to support a large population; water is scarce, & country is, for the most part, mountainous & scrubby. It is, no doubt, a good outlet for country to westward of it, if roads can be formed, & will be nearer, to settlers so situated, than Maryborough</p> <hr/> <p>Samuel Stutchbury, Esquire, called in & examined: - Margin: S Stutchbury – 3 Oct 1855</p> <p>1. <i>By the Chairman:</i> You have been on two or three occasions residing in district of Port Curtis? Twice, but for a limited period; & that was cut up by sickness, so that I was unable to go about much the last time, but for three or four days</p> <p>2. How long were you there before? Altogether about six weeks, one month</p>		067

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						<p>out of which I was laid up</p> <p>3. You had a fall from your horse, which led to Medical Resident being suspended from duty? So I have understood</p> <p>4. Did you send for medical aid? No</p> <p>5. Did you require it? No</p> <p>6. Did any messenger go in to Gladstone after the accident? Not to my knowledge. I heard that a black fellow did go to Barney Point, & reported that I had broken my arm</p> <p>7. You did not send any message by him? No</p> <p>8. If you had required any medical assistance you could have sent a message by him, or you had other persons whom you could have sent? I could have sent one of my own men without difficulty</p> <p>9. When did you hear that medical man was suspended from duty? On the following day</p> <p>10. Did you take any steps in the matter? I remonstrated with Captain O'Connell; I said I was sorry that I had been made the pivot on which to remove the Medical Resident</p> <p>11. Have you had any experience of the character of Dr Grey? Yes, some years</p> <p>12. What is your opinion of this gentleman's character – do you consider him a respectable man? I consider him well up in his professional duties, being capable of forming an opinion from my previous education. I consider him a talented man in his profession</p> <p>13. You would have felt quite safe, if you had required medical assistance, to have entrusted yourself to his hands? Yes; he had been attending me some time before</p> <p>14. And you believe he would have attended you immediately, if he had thought there was a necessity for it? No doubt about it; he had been attending me before for ulcerated legs, caused by irritation from sand flies</p> <p>15. Were you on good terms with Dr Grey? Yes</p> <p>16. Then he would have had additional motive for attending you arising from personal friendship? No doubt</p> <p>17. Had you been prosecuting the duties belonging to your Government situation at Port Curtis? To a limited extent; but I became so unwell, that I was obliged to ask leave of absence, & came back to Sydney, last March. My party have been at work there since that time</p> <p>18. What is your opinion of country reserved – is belt of land for twenty miles round Gladstone adapted for settlement? That depends upon circumstances, it is a fine port, but the land itself is scarcely capable of sustaining anything</p> <p>19. Are physical features of country such as to make it difficult to construct roads from limited cattle & sheep stations in that part of country, to the port? I should say not; my party have made & marked a road for thirty-four miles from Mr Little's station, a road which had never been travelled before</p> <p>20. The last witness stated that Mr Little sent his produce to Maryborough in preference to Port Curtis? He had done so, but when I last saw Mr Little, he said he would send his next shipments to Port Curtis</p> <p>21. When did you leave Port Curtis? On 29th August, arriving at Sydney September 22nd</p> <p>22. Did you come up with Mr McCabe? Yes</p> <p>23. Have you noticed works going on at Port Curtis for getting a supply of water? No; they had not commenced when I first left, &, when I last went</p>		

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						<p>there, it was for purpose of breaking up my establishment</p> <p>24. What was the date of your first arrival? The middle of December 1854</p> <p>25. What do you suppose is present population of the settlement, including government people & private persons with their families? I have no means of judging</p> <p>26. Does it amount to a hundred? I should think under a hundred</p> <p>27. Do you think for some years to come, settlement is likely to make any progress? Yes, I believe settlers are pushing to the northward; but, if I may be allowed to give an opinion, I think settlement at Port Curtis is premature. The probability is that they will require a port further north</p> <p>28. Has very little been done since the place has been opened, in the way of improvements? They have been in a perpetual state of alarm from the aborigines; they could not move about for want of force</p> <p>29. Do aborigines muster in great numbers? Occasionally</p> <p>30. Are people still living in tents? There have been a great many slab & bark huts put up since I was there the first time</p> <p>31. When you say a great many, how many do you mean? Perhaps fifteen or twenty</p> <p>[p 29] Margin: S Stutchbury – 3 Oct 1855</p> <p>32. Were these put up by Government? Yes, in lieu of tents, by those in Government employ</p> <p>33. Do you know anything about the quantity of cattle, horses & sheep, belonging to Captain O'Connell? No, I only know by report</p> <p>34. Are there a quantity of stock, horses & sheep there? Yes</p> <p>35. Is stockyard immediately in neighbourhood of township? Yes; & report says they belong to Captain & Mr Carlo O'Connell, but I have no knowledge of the fact, except that they sold sheep to me</p> <p>36. They supplied settlement with what butcher's meat was supplied? I am not aware of any other person having cattle there</p> <p>37. <i>By the Inspector General of Police:</i> With respect to country within twenty miles, is it pastoral country? It appeared to me to improve further on</p> <p>38. Were you to any extent beyond that belt? No; I was along the banks of the Calliope, & there is some good land there</p> <p>39. Good pastoral land? Yes</p> <p>40. Is there any good agricultural land? I should say not; as climate as well as the soil is not favourable for cereal crops; it might do for fruits</p> <hr/> <p>Mr Frederick Garland Mylrea called in & examined: -</p> <p>Margin: Mr F G Mylrea – 3 Oct 1855</p> <p>1. <i>By the Chairman:</i> You occupied a situation under Government Resident at Port Curtis? I did</p> <p>2. Did you proceed to Port Curtis in Government schooner "Tom Tough"? No; in "Spitfire"</p> <p>3. At what time was that? On 8th March 1854. I left Sydney <i>two</i> days after & arrived at Port Curtis <i>seven</i> days after Government Resident & party. The "Spitfire" took down myself & wife & passengers, & some Government stores</p> <p>4. What were the duties you had to perform at the settlement? I had the correspondence & accounts to attend to. The whole of the expedition came before me. Chief Constable issued stores, but I was always present</p> <p>5. On your first arrival, did any of the persons who went down remain on</p>		068

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						<p>board "<i>Tom Tough</i>" any length of time? Yes; Captain & Mrs O'Connell & one servant, I think, & a child</p> <p>6. Did the other passengers remain on board "<i>Tom Tough</i>" any length of time? The whole party only remained on board six days; they arrived on 30th March, & I arrived on 7th April, on evening of which day they drew rations on shore</p> <p>7. The Captain & his family remained longer? Yes; till 2nd or 3rd of May</p> <p>8. The "<i>Tom Tough</i>" arrived on 30th March? Yes</p> <p>9. Then they remained a little more than a month on board? Yes</p> <p>10. How long did the schooner remain after that? She sailed on morning of 12th of July for Sydney</p> <p>11. What was she kept there for? First of all, a shipwrecked crew came into Port Curtis, & then "<i>Tom Tough</i>" was ordered to proceed to Kenn's Reef [as it is] where wreck had taken place. Shipwrecked captain & crew went also to assist in working the vessel. She was not to be absent more than a fortnight. Going out of the Heads, they met the "<i>Jenny Lind</i>" from Sydney, & it appeared that shipwrecked captain & commander of Government schooner agreed to put back, as otherwise shipwrecked crew might not have had an opportunity of going to Sydney for some considerable time. "<i>Tom Tough</i>" therefore put back, & crew proceeded to Sydney in "<i>Jenny Lind</i>". After this she went away for an expedition to northward, to survey passage between Port Curtis & Keppel Bay, & entrance to Rivers McKenzie & Dawson. She was away on this duty nine or ten days, I think</p> <p>12. Was that the time she fetched timber? No, that was at another time, when she went to Maryborough, after her return from Sydney, at the end of August. "<i>Tom Tough's</i>" course was this – she arrived in Port Curtis on 30th March & left 12th July for Sydney on her first return trip. She was altogether in service of Government, for Port Curtis, ten months, having cost the Government, including passage money, about £4070.</p> <p>13. During that time did she go to Maryborough? No, she did not.</p> <p>14. It was after her second arrival, then, that she went to Maryborough? Yes, as boat's crew went with her, & they were not engaged until August</p> <p>15. You would, from your position, be aware that schooner was engaged at a large sum of money? Yes, £350 per month, & 6s 8d per day for each cabin, & 3s 4d per day for each steerage passenger, when on board</p> <p>16. Did you ever mention to Government Resident the circumstance of its involving a great expense? Yes; I have referred to the fact that schooner would cost upwards of £4000 in the year, etc.</p> <p>17. Did you mention that more than once? I mentioned that once or twice</p> <p>18. Did Captain O'Connell make any report on the subject? Yes; he thought her absolutely necessary & asked for authority to detain her at Port Curtis as long as he should consider her services indispensable. Some modified authority was granted, I believe</p> <p>19. You mentioned the "<i>Spitfire</i>" – was she a schooner employed by the Government? No; she was sent up on speculation by Messrs Morris and Company. She was not chartered, but took up myself & wife & other passengers, & a few stores</p> <p>20. When you went on shore, what did you proceed to do; upon what works were persons who went with Captain O'Connell employed during first three months? There was</p> <p>[p 30] Margin: Mr F G Mylrea – 3 Oct 1855 nothing done; in fact nobody did anything during first three months, except</p>		069

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						<p>to split some fencing stuff & get water</p> <p>21. You had a number of labouring men who went up with you? Yes, one overseer, twelve labourers, seven constables, & one orderly, & their families. Overseer was not engaged until 1st May; he went to Port Curtis in the "Spitfire"</p> <p>22. And they did nothing for three months? I understood you to ask me what permanent work they were employed upon</p> <p>23. Yes; what were they employed on for first three months, the whole party? Getting water for the camp, & splitting wood for fencing</p> <p>24. Each providing for himself? Yes; it was a difficult thing to get water; I have had to pay 10s a load for water out of my little income</p> <p>25. <i>By Mr Cowper:</i> To whom did you pay it? To Charles Eyles</p> <p>26. What was he? A carrier; the only person who drew anything</p> <p>27. <i>By the Chairman:</i> From what distance did you fetch water? Nearest permanent water-holes were two miles & a half from camp & settlement; there were temporary holes after heavy rains much nearer</p> <p>28. Were there any live stock kept in neighbourhood? Yes</p> <p>29. How Many? About 1500 sheep, 120 horses & nearly 100 cattle</p> <p>30. Where did the sheep, horses & cattle come from? They were partly the property of Captain, & partly Mr Carlo O'Connell</p> <p>31. Where were they brought from? From Gayndah, I believe; but 800 sheep were brought from Mr Archer's stations, purchased for meat by Captain O'Connell</p> <p>32. Did any persons proceed from Port Curtis to fetch these cattle & sheep? Not from Port Curtis. I will explain how they were brought to Port Curtis. Some of them came from Gayndah, where Captain O'Connell had been Commissioner of Crown Lands. His orderlies had to come over to Port Curtis to join him. There was also a dray & team of bullocks which had been left by Mr Bidwell at Tanana [as it is – also Tinana], Wide Bay; and Government granted these for the purpose of opening road from Gayndah to Gladstone. To fetch these, one bullock-driver & two labourers were despatched from Maryborough, Wide Bay; & those men, with orderlies who drove over the cattle, brought the dray & bullocks. Mr & Mrs Carlo O'Connell also came with them. This party also marked a line of road from Gayndah to Gladstone, for which the sum of £350 had been granted</p> <p>33. Did you ever hear any complaints of water being consumed by this live stock? Yes, there were complaints made, but not directly to Government Resident</p> <p>34. You have heard complaints <i>in the community</i>? Yes</p> <p>35. Do you think supply of water was affected by stock depastured in the neighbourhood? I am afraid it was</p> <p>36. Do you attribute to that the fact that you had to pay 10s a load for your own supply? I should have had to pay that any way, for camp was two miles & a half from water-hole, & I was only allowed 24 buckets weekly, & that not until <i>after the first three months</i>, & delivered very irregularly by the Government dray</p> <p>37. You were suffering from insufficient supply of water? I did, particularly, because I had two, & sometimes three labourers at work building, & I therefore required more water.</p> <p>38. When did you leave the settlement? On 19th November last</p> <p>39. Will you state to Committee why you left? I was bound over by Court of Petty Sessions at Gladstone to appear as a witness at December Court of</p>		

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						<p>Gaol Delivery, to be held in Sydney, in a case of burglary committed on my premises. I wrote a letter for leave of absence accordingly</p> <p>40. But you never returned? I never returned; I obtained an appointment in Department of the Civil Engineer in Sydney, & resigned my Port Curtis office, thinking this preferable, partly on account of my having been referred to unjustly in a most unaccountable manner by Captain O'Connell in a report to Government, consequent on my having sent in an application for an increase of salary; though I had not purposed returning to Port Curtis, if I could obtain a satisfactory exchange into any Department in Sydney</p> <p>41. Have you ever had any conversation with Captain O'Connell as to the expenditure or general economy of the Settlement? Yes; I have often remarked that certain things might be done; & that expenditure of the</p>		
						<p><i>[continuing from above]</i></p> <p>settlement was large, though not then equal to sum that had been received for the land. We have often added it up on paper, when I have been sitting & talking with him confidentially</p> <p>42. You said just now that "during the first three months there was scarcely anything done" – were there no improvements or works of permanent advantage for the settlement projected or commenced during that time? No, nothing; I was first person who had a house anything like completed, & mine was not finished till 13th or 14th October. In fact the rest of the people had nothing but huts. Clerk of the Bench also had a house nearly finished, when I left in November</p> <p>43. Up to period of your leaving, was much done by men engaged on behalf of Government as labourers & mechanics? No</p> <p>44. Was there a man named Bullock engaged as mason at £5 a week & double rations? Yes, that is correct</p> <p>45. What did this man do? He did nothing in particular</p> <p>46. How long was he doing nothing? He was subpoenaed to Sydney upon another trial at the same time that I had to attend in Sydney</p> <p>47. Was he at Port Curtis twelve months? Yes, he fulfilled that engagement, but was away in Sydney between two & three months of the time</p> <p>48. Did he do nothing all the time? He was lent to me for a week to plaster up seams of my house. After that he went picking about for stone, & he found out some whinstone. There was nothing for him to do – <i>nothing in his line</i>, I mean</p> <p>[p 31] Margin: Mr F G Mylrea – 3 Oct 1855</p> <p>49. You know most of the transactions between members of this community & Captain O'Connell; did this man ever apply for his discharge, or express himself dissatisfied at having nothing to do? I think he would have been glad to have got away</p> <p>50. Did he ever make such an application, & say that he was tired of doing nothing, & of receiving public money for doing nothing? He never made an official application, to my knowledge; but I know the man has used some such expressions</p> <p>51. <i>By the Inspector General of Police:</i> If he had made an application for his discharge, you would have heard of it? Yes; but he never did, that I heard of</p> <p>52. <i>By the Chairman:</i> I gather from your evidence, that at the time you left, there were no public erections of any kind; were any steps taken to save</p>	A2.38	070

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						<p>water? No</p> <p>53. Was the country of such a character that, by simple process of damming up gullies or creeks in the immediate neighbourhood, water could have been saved? Yes</p> <p>54. Were any steps taken to do so? No. There was a recommendation made to Government to that effect just at the time I left</p> <p>55. Was Captain O'Connell's stockyard in the township? Yes</p> <p>56. Who constructed this stockyard? It was constructed by Government labour; but it was necessary to have a stockyard for team of Government bullocks</p> <p>57. How many Government bullocks were there? Ten</p> <p>58. Was stockyard only sufficient to accommodate ten bullocks? It was a fine large stockyard</p> <p>59. How many boats' crews were there at the time you left? There was a cockswain & five men</p> <p>60. To whom did this boat's crew belong? To Government Resident</p> <p>61. How were boat's crew employed generally? There was nothing for them to do; they used to draw the seine occasionally</p> <p>62. Were they never employed on shore – was there not a clause in their agreement that they should be employed on shore when they were not required afloat? Yes. "That they should obey all lawful & reasonable commands"; they assisted in drawing water, for instance – two of them would go in turn</p> <p>63. Did they assist in erecting the stockyard? They might have done, there were a great many men put on</p> <p>64. Was expenditure chiefly incurred in making provision for the settlement generally, or for providing for general convenience of Captain O'Connell? I think he had a great share of the convenience</p> <p>65. Had he an undue proportion of attention, considering his position? Such was decidedly the general opinion. I had some disputes with him myself about some matters, which I considered very unfair. My wife was about to be confined, & I was building my house with additional money of my own, £81-15s, which I have never recovered from Government, nor will they <i>reimburse</i> me even to amount granted. I spent, & vouched for, £256-15s (& much more) & received only £175; the sum granted, & which Captain O'Connell received for me to erect a house was £200, & he told me he would recommend that I should receive a further sum than the £200, to cover expense of fencing in the land granted, which expense was not included in original grant of £200. This, & other losses from Government, has brought me to my present unfortunate position – that of being insolvent. I applied for Government team of bullocks to draw in split stuff, but Captain O'Connell would not lend it; at this time the dray was employed removing mould from one place to another to make a little garden for Mrs O'Connell. I beg to hand in copies of my application & Government Resident's reply</p> <p>66. What was the Government team employed in chiefly? In drawing water for the camp two days; they rested about two days, & very often were lost for a day or two. At other times they were employed in drawing in fencing & paling for Captain O'Connell's garden & timber for part of his intended house, & to assist in rebuilding a store. This was a building which survey party had put up – a wretched sort of construction – & one room of this was used as a Government store, another as a private store for Captain</p>		

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						<p>O'Connell, & remainder, one long room, the skilling, was occupied by Mr & Mrs Carlo O'Connell</p> <p>67. Do you mean to say that the team was employed almost entirely in drawing water? Yes, that was its principal duty</p> <p>68. Of course you know the site of Captain's intended residence? Yes</p> <p>69. Was that residence commenced when you left? Foundations of the kitchen were dug</p> <p>70. Do you know of bush having been cut away to form an avenue? Yes</p> <p>71. Was that a high bush? It was timber, not bush</p> <p>72. Was it heavily timbered? Rather heavily</p> <p>73. Was the cutting of this avenue a work of any magnitude considering weakness of your party? Two men were employed exclusively at it, & at one time four, for a few days or a week</p> <p>74. How long were they employed in cutting this avenue? I can hardly say</p> <p>75. Some weeks? I should think they were</p> <p>76. Was this mason who was engaged at £5 a week employed in this way? He was one of the men employed, & also a man named Charles Sutton, an ordinary labourer – he is now an orderly</p> <p>77. Was there any wharf constructed during that time, or any attempt made to form a wharf? Mr Willmott began to construct one, just before I left</p> <p>78. I am referring to Government? No</p> <p>79. Can you call to mind any work that was effected for public convenience by these labourers, who were paid at public expense? Nothing except the fence, stockyard etc.</p> <p>[p 32] Margin: Mr F G Mylrea – 3 Oct 1855 There was the store referred to, which was patched up, but that was not the work of a fortnight</p> <p>80. At the time you left the settlement, how many persons were there altogether? About 127 when I left, but there were eighteen who left at the time I did, reducing population to 109 (<i>See Appendix</i>)</p> <p>81. Mr Stutchbury, who left a month ago, says there were not above a hundred when he was there? They have been coming away since I left</p> <p>82. You know that of your own knowledge? Yes, I know many have come away. I have seen men in Sydney who came away as soon as their agreements expired, & would not remain on any account, nor return – such is their great dislike to the place</p> <p>83. How many of these 127 persons were in service of Government? Except those who were in service of Government, & their families, there were only fourteen inhabitants. The only persons who were not in the Government service were Mr and Mrs Carlo O'Connell, Mr Young, Mr Willmott [as it is], Mr R Howell, Mr Hetherington, Mr Palmer & wife, the butcher named John Smith, his man, Tom Burns (who left at the same time as I did) - Forster, carpenter & his wife & two children, & Charles Eyles & J G Peters</p> <p>84. This man Smith was committed for some offence? Yes, but on his delivering himself up to his bail to be tried in Sydney, Attorney General would not prosecute</p> <p>85. Was he carrying on his business as a butcher with success, or did he meet with any hindrance in prosecution of his business from Government Resident? I think not; he could not afford to supply meat cheaper, or scarcely as cheap, as the sheep that Captain O'Connell had bought, could be supplied for. Captain O'Connell had bought eight hundred sheep from</p>		071

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						<p>Mr Archer, in order that settlement should not be without meat, not knowing at the time he bought them, that there was a butcher at Gladstone. When first we arrived we took meat of the butcher & paid him four-pence half-penny, & afterwards five-pence a pound, & Mr Stonehouse, Clerk of Petty Sessions, subsequently bought sheep (four or five at a time) from Captain O'Connell, & sold the meat to Government as rations, & supplied some of the private people, also at five-pence a pound</p> <p>86. <i>By the Inspector General of Police:</i> You spoke of Captain O'Connell's family having remained on the "Tom Tough" a month after the others had gone on shore, were there any government stores necessarily retained on board the ship during that time? Yes, I think there was some flour & sugar which was obliged to be landed at the same time as Captain O'Connell left the schooner in order to admit of her being got ready to proceed to Kern's Reef [as it is – also Kenn's Reef] with the shipwrecked crew, in the middle of May, already referred to</p> <p>87. <i>By the Chairman:</i> What quantity? About 4 tons</p> <p>88. <i>By the Inspector General of Police:</i> That was necessarily retained on board? Yes, that is to say, store was not completed in which it was to have been put on shore</p> <p>89. In speaking of the first three months after arrival, you said that the man in receipt of Government pay did nothing, did you mean literally nothing? Yes; I have remarked before, that they did nothing; that is to say, there was nothing to show for it – not ten pounds worth of permanent <i>public</i> improvements</p> <p>90. Do you mean to say that they did nothing in the shape of putting up cover for themselves? The only things they did were, to make a garden for Captain O'Connell, & to split stuff to fence it in, & to patch up the old survey building</p> <p>91. When you say "doing nothing", it would really appear that the men were walking about with their hands in their pockets – were they employed on any Government work during these three months? Conscientiously speaking, they were not really</p> <p>92. For whom was this fencing intended? It was for a garden for Captain</p> <p>93. Was it not a garden attached to Government Residence? It may be, probably, when there is a Government Residence, but it is some distance from the intended site of it – it is on Government land however</p> <p>94. What places did these people live in? In tents, for some time after we arrived; but after 6 o'clock in the evening, & on Saturday afternoon, in their own time, they built bark huts for themselves</p> <p>95. They were given a certain portion of time to build places for themselves? No; it was their own time. Their working hours were from seven in the morning until six in the evening, & they left off work at one or two o'clock on Saturday afternoon</p> <p>96. You say there was one mason at the settlement? Yes; but there was no masonry for him to do</p> <p>97. Was his engagement such as to preclude his being employed in anything but masonry work, or was he bound to obey all lawful orders? He was bound to obey all lawful orders</p> <p>98. Was he employed in any other way? Yes, in felling trees to make the avenue referred to – to open up a view of Mount Larcomb [as it is] from the spot where Government Residence is intended to be. He turned out a worthless character</p>		

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						<p>99. Were there bullocks at settlement on your arrival? No, not till some time after my arrival. They did not arrive from Gayndah until about 14th June</p> <p>100. Were the men who were engaged as bullock drivers employed in any way? They were away fetching the bullocks. They were not on the ground till June. In coming down, they marked the line of road, as before stated</p> <p>101. How many of the men were away to fetch the bullocks? Three, as I said before</p> <p>102. That is three out of fourteen? Yes</p> <p>103. Were any of the others sent upon any expedition, or employed in any other way? No; none of the others were for the first three months</p> <p>104. How did you get water during those three months? These men, as I said, fetched water for themselves, & for camp, by water carts drawn by horses</p> <p>[p 33] Margin: Mr F G Mylrea – 3 Oct 1855</p> <p>105. Did you take up carts & horses? Water carts were sent up very soon after us, & Captain O'Connell had two horses, brought over by two squatters at the time we arrived, & these two horses were lent for public convenience to draw water until bullock team arrived</p> <p>106. Then these men were employed in drawing water & split stuff? They did not draw split stuff for three months, they were employed drawing water & splitting stuff</p> <p>107. These three men were employed? These three men were away for three months</p> <p>108. Who drew water during those three months? Part of the other men</p> <p>109. That accounts for how many? Three out of the fourteen</p> <p>110. Three of the fourteen were away; how many were drawing water? Two used to go at a time; I should say there would be four or six</p> <p>111. Four or six would be employed in drawing water? <i>Occasionally</i>; they only drew water every other day; two went out with water cart at a time</p> <p>112. That was three days a week? Yes; they drew two loads a day, generally</p> <p>113. That will account for six men out of fourteen; three men being away, & six every alternate day being engaged in fetching water? That was only occasionally, sometimes during first three months we had heavy rains, & that was the case for first month entirely, & then of course it was not necessary to draw water, people fetching it in buckets from holes near camp</p> <p>114. How were men who were not engaged in drawing water employed? They erected a temporary kitchen for Captain O'Connell, repaired old survey building for his store, commenced trenching his garden, & splitting paling, & fencing for it, & carpenters were making little things</p> <p>115. What sort of little things? Among others there were two cupboards for Government Resident's Office, & sundry other little things; all sorts of things</p> <p>116. Who repaired the store you have alluded to? One of the carpenters assisted, but that did not occupy a fortnight, it was only a bark roof, & skilling in which Mr & Mrs Carlo O'Connell lived was merely slabs, roofed with bark</p> <p>117. It occupied time, & was a necessary work? Yes, the principal part of it; posts & slabs were standing when we arrived</p> <p>118. Were you one of the Government party entitled to receive rations? No</p> <p>119. You had to buy them? Yes, & I paid for them for my men. I had taken</p>		072

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						<p>up my own private stock of stores etc for housekeeping with me</p> <p>120. You have spoken of inconvenience that arose from stock being there with reference to water; if stock had not been there, would there not have been a greater inconvenience with respect to want of meat? We should have had meat, as there was a butcher there who had a lot of cattle; but I do not think Captain O'Connell knew this, when he agreed to take 800 sheep from Mr Archer</p> <p>121. Would not the cattle of this man have interfered with water also? Yes; but he had only fifteen or sixteen, & a few sheep</p> <p>122. <i>By the Chairman:</i> Were horses required for butcher's meat? No</p> <p>123. <i>By the Inspector General of Police:</i> Horses, doubtless, did consume some water also? Yes</p> <p>124. But, as regarded sheep & cattle, was it considered a hardship, & was it a matter of complaint. Yes, people grumbled about it among themselves; Captain O'Connell received no official complaint? To a man with a small income, like myself, of £200 a year, it was a hard thing to have to pay ten shillings a load for water</p> <p>125. Supposing there had been no stock at all, what could you have done for meat? Of course, we could not have had so much fresh meat, but we had twenty casks of salt meat, & recourse to the butcher, for the time</p> <p>126. Were sheep necessary? Yes, part of the sheep were bought from Mr Archer, with intention of supplying settlement with meat, & it always appeared to me to be a very wise precaution on part of Captain O'Connell</p> <p>127. You spoke of boatmen being employed in hauling the seine? Yes, about twice a week</p> <p>128. What was done with fish obtained in this way? It was divided among the people</p> <p>129. Thereby saving expense of rations? No; it was given as a boon</p> <p>130. It was divided generally among the people? Yes; of course Captain O'Connell, from his position, had the best, but everyone had some</p> <p>131. Do you mean merely as to quantity, or as to choice? Both as to choice & quantity too</p> <p>132. With respect to avenue leading to site of Government Residence, was there any other equally elevated site upon which residence could have been placed, where such a cutting would not have been necessary? I am scarcely competent to judge; it is a matter of opinion. I believe there was a dispute between Government Resident & Mr McCabe, Surveyor, about the site, but it has been decided in favour of Captain O'Connell's selection</p> <p>133. You say that nothing has been done towards making a wharf for purpose of Government – was it necessary that such a work should have been undertaken? There was nothing but a surf beach, or rather a beach upon which there was occasionally a little surf. The beach was a <i>mud flat</i>, except near high water mark</p> <p>134. Then a wharf would have been a work of importance & utility? Yes, decidedly, though many other things might have been done of still greater importance</p> <p>135. Were there the materials to construct it? We had not the means of transport of materials, but we had stone & timber</p> <p>136. Was not this rock valuable for mason's work? Only for rough work; mason found some whinstone latterly, which was to be used to build a rubble stone kitchen for Government Resident, foundations of which, as I said before, were just dug out when I left in November</p>		

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						<p>[p 34] Margin: Mr F G Mylrea – 3 Oct 1855</p> <p>137. Had this to be brought any distance? Not far; but there was no transport at all; there was no dray at all in the place, with exception of Mr Eyles' & Mr Palmer's, until bullock dray came, & that was nearly three months from time of our arrival</p> <p>138. Was this mason employed to any extent in looking for stone? I believe so; after he had been there some time he found stone</p> <p>139. Was he sent out to explore, was he engaged in searching for it? He actually did nothing; it was general laugh of the whole of the people that he did nothing</p> <p>140. I thought you stated that he assisted in cutting the avenue? That was a work of a few weeks, & of no great consequence. I am speaking of seven months, from April to November</p> <p>141. When this avenue was not being cut, what was he doing? I do not know. He polished up a few pieces of marble, etc to send to the Paris Exhibition. In fact he himself, I believe, was always laughing about doing nothing</p> <p>142. Did he ever assist in getting water? No; he considered himself above that. His wife was cook at Government Resident's, & therefore he considered himself above other people, & lived in Government Resident's kitchen</p> <p>143. I thought you said he was bound to obey all lawful orders? Yes, but he never fetched any water. He assisted in felling the avenue, & he also found some whinstone, &, I believe quarried a little of it, but that was six months after he went there. Great point was, that there was nothing for him to do in his line, & as he was an idle man, he took advantage of that circumstance</p> <p>144. <i>By the Chairman:</i> Do you know the circumstances connected with purchase of a building from Mr Palmer, that was afterwards converted into a Court House? I effected the transaction, paying Mr Palmer by a public account cheque of Government Resident for £80 1s</p>		073
						<p><i>[continuing from above]</i></p> <p>145. For what purpose was it purchased by Captain O'Connell? In first instance, I believe, Captain O'Connell verbally stated to Mr Palmer that he would take it by measurement, intending it for an out building for his own house; as a Government building, out of £600 he was allowed to build a residence for himself; it was to be removed to site in the domain from Auckland Point</p> <p>146. How far distant is that from domain? Two miles. When carpenters Macdowell & Goodall, went to take it down, they found white ant in some posts & joists, & they stated that it was not worth removing, although a very good building as it stood; Captain O'Connell then determined not to move it, but to convert it to some other Government purpose, & he resolved that it should be a temporary Court House</p> <p>147. You say this Court House, which was originally Mr Palmer's store, was about two miles from domain? Yes</p> <p>148. Is it within your knowledge that, up to this time, Captain O'Connell intended to have Court House near the domain? I have heard so</p> <p>149. And that he objected to have it at Auckland Point? Yes. I always thought the Court House was to be on an allotment next to where Clerk of the Bench was directed to have his house built</p> <p>150. When he found that building he had purchased from Mr Palmer---? He had not purchased it, it was merely a verbal agreement</p>	A2.38	073 [contd]

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						<p>151. Was not purchase effected before men went to work at the building? No; it was merely a verbal agreement</p> <p>152. Did not Captain O'Connell say he would take it? Yes, & carpenters went to measure it for this purpose</p> <p>153. Mr McCabe has stated that he always advised that Court House should be at Auckland Point, because he said that would be the place of business, but Captain O'Connell insisted upon its being near Government Residence? Yes; I believe Captain O'Connell did insist upon its being near the domain</p> <p>154. When it was found that this building purchased from Mr Palmer, would not bear removal, on account of its being ant eaten, & for other causes, it was converted into a Court House? Yes</p> <p>155. Do you remember circumstances of Dr Grey's suspension? It was after I left; I merely heard of it in the course of my correspondence</p> <p>156. You have mentioned the two carpenters Macdowell & Goodall? Yes</p> <p>157. At what rate of wages were these men employed? They each received £4 a week. Macdowell had a double, & Goodall a single ration</p> <p>158. That would be equal to £9-10s a week for the two? Yes</p> <p>159. Did I understand from you, that these carpenters were principally employed in making little articles of convenience for Government Resident's house? Yes – two cupboards, a safe, etc</p> <p>160. Did they make tables, chairs, & articles of that kind? No tables or chairs. They may have done little repairs</p> <p>161. What do you mean articles of convenience? A very nice safe, which took a long while</p> <p>162. It would not take two men long to make a safe? One was exclusively employed on that for several weeks</p> <p>163. Were they employed a good portion of their time in what is understood by jobbing? Yes, they were</p> <p>164. In such work as a private gentleman would be likely to employ a carpenter, if he had one engaged for his own convenience? Yes, one of them, Goodall, was so employed the greater part of his time at first; after about four months they commenced facing timber for Captain O'Connell's stables</p> <p>165. Were they at all employed, as far as you recollect, in work for convenience of the little community you had there, either in construction of public works, or in providing shelter for them, during period of your residence there? No; not at all, up to the time I left. I had a carpenter lent to me for one week, which I offered to pay for, but Captain O'Connell said it was not necessary</p> <p>[p 35] Margin: Mr F G Mylrea – 3 Oct 1855</p> <p>166. Do you remember Macdowell being brought before Court for insolence to Captain O'Connell? Yes</p> <p>167. Have you any knowledge of what took place, or of what constituted the offence? He was brought up under Master and Servants Act, for being drunk & insolent to Captain O'Connell, & consequent neglect of work. I heard evidence, as I was sitting in Court all the time, & it was to effect that he was what these men call <i>not</i> drunk, though he was, however, sufficiently so to have been insolent to Captain O'Connell. He was fined £15 – half the expense of his passage to Port Curtis & his agreement cancelled from that moment</p> <p>168. What was his character generally? He bore a very good character;</p>		074

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						<p>this was the first time I had heard of his being drunk 169. Did you consider him one of the best conducted men of the party? Yes, I believe he bore that character; he had a wife & several children, & they were very respectable & well brought up 170. Were there many more industrious or more attentive to their work than he? No, he was a first rate man 171. <i>By Mr Samuel:</i> Do you remember, after this case came before Court, whether Macdowell came to you for settlement? Yes, he came to me at my own marquee 172. Do you recollect what took place – what you said to him, or what he said to you? I have never thought of it since, & do not understand purport of the question 173. I will read to you what he stated to the Committee – “The “<i>Albion</i>” just “hove in sight, as I came out of the Marquee (Captain O’Connell’s) after “they had sentenced me, & I walked right up to her, & took my passage to “Sydney. I then went to Captain O’Connell. He had dismissed his Clerk, Mr “Mylrea, the same day, only for firing a gun. I asked if he would settle with “me, and he said “Go over to Mr Mylrea & he will settle with you’. I went “down, and Mr McCabe was with Mr Mylrea, & they were half drunk. ‘Go “and tell Captain O’Connell’ says he, ‘I will do no more for him’. “Mr Stonehouse was there, & he wanted to make out my account, & when “he said £15 was to be topped, I said, Mr Murray never said when I was to “pay the £15, or whether it was to be kept back out of my wages. They “made up the account, & brought out about 18 shillings coming to me, & “now they have £17-10s stopped here.” – Is that correct? I now recollect Macdowell coming to me. Mr McCabe & Mr Murray, after they left Court, held in Mr O’Connell’s marquee, came over to lunch with me. In the first place, with reference to statement that Mr McCabe & I were <i>half drunk</i> – we certainly were not; & I can safely affirm that I was never in that state during my residence in Port Curtis, or elsewhere, even in my life; nor did I ever see Mr McCabe so. However, I think it is incumbent on me, for my own justification, having heard statement just read, to detail the whole circumstances referred to by Macdowell <i>respecting myself</i>. Hawks used to attack our poultry, & one Sunday, a fortnight or three weeks previous to this, Captain O’Connell & myself had gone out together, & he had shot a hawk which had attacked his poultry. On the Sunday fortnight following, a hawk was taking a duckling of mine, & I shot it. Shortly after, Captain O’Connell rode into Camp, & having heard report, or heard of it, <i>he told the Chief Constable</i> to summon me for firing a gun on Sunday, which could be done under some Old Act; this he afterwards said he intended as a joke. I did not pay much attention to the matter at first, but sent to Captain O’Connell requesting him to lend me Callaghan’s Acts; this he refused to do. He afterwards lent me some other work, giving a summary of Police Acts, this was on my sending him a second time. I then asked Mr McCabe & Mr Murray, both Justices of the Peace, whether they thought I could be justly summoned for firing a gun on Sunday, when Captain O’Connell, Chief Police Magistrate, had done the same thing only two or three Sundays previously; they said it was all humbug, etc. However, on the day for which summons was, after case of Macdowell was disposed of, Captain O’Connell got up, smiling, & as he was going out, made some observation to effect that he believed Chief Constable had some business against me – I knew what it was, of course; I rose up & said I objected to proceedings,</p>		

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						<p>that they had no jurisdiction in the matter, that Captain O'Connell had done same thing, & that I thought it a very petty & absurd charge. Captain O'Connell then said "Mr Mylrea you forget yourself", I replied "I do not forget myself, you fired at a hawk, only a Sunday or two since". He then said "You forget your position, you are only my clerk"; I said "That does not take away my rights as a private person". He then called out very angrily "You are no longer my clerk, sir". I said, "Very well, I do not value my appointment here much, it is not a very comfortable one"; "I will take my seat on the Bench" said Captain O'Connell, & accordingly he sat down with the two Justices. I happened to lean forward on the table (having a bad leg) to argue the case with them, & stated that, according to Callaghan, any one could be fined, under Sabbath Act, for carrying arms or firing on Sunday, <i>except in defence of his property or person</i>, & that I had only fired the gun in protection of my property. While I was leaning forward, Captain O'Connell called out, in a most insulting manner, "Stand up, Sir". I said "I am not a dog, Captain O'Connell, & will not be spoken to in that way; I am fully your equal in birth & education; you say I am no longer your clerk, so I am now a private gentleman, & shall conduct my case as I best can". However, I was fined in the smallest penalty of £2, & 4s 6d costs, which I paid under protect (as my part of the joke), & which Captain O'Connell did not offer to pay for me afterwards. I then went over to my own marquee, & soon after was followed by Mr McCabe & Mr Murray, who said I should not think of what had taken place. Captain O'Connell had not meant what he said; I told them it was all nonsense, I could not stand ungentlemanly & unheard of expressions, & that I should positively go by the "<i>Albion</i>", then in port, it was only a small appointment, & there were a great many expenses, & I should not stop now after what had occurred; they said Captain O'Connell was very sorry for what he had said, but I did not take any notice of it. An hour or two after, Carlo O'Connell came</p> <p>[p 36] Margin: Mr F G Mylrea – 3 Oct 1855</p> <p>over & chatted with me, evidently to bring about a reconciliation, but I did not yield in my determination to go, after what had passed; however, Mrs O'Connell & Mrs Carlo came to our marquee to see my wife, I must add that they were always friendly, attentive, & kind to us, to my wife especially. We told them we were positively leaving tomorrow; however, they prevailed upon me to see Captain O'Connell. When I met him, he held out his hand to me, & said warmly "Well Mr Mylrea, we had better forget this unpleasant business; I was much excited, & so were you; & I was angry at your terming it a petty & absurd charge & referring to my having done the same; I am sorry you felt so aggrieved. I did not intend it as a serious matter, but as a sort of joke; I merely wished to show that I had power to put down shooting on Sunday." I said "You had been out shooting a few Sundays before, & I naturally enough thought there could be no objection to my doing so, but if I had thought for a moment that you did not wish it, I should not have done so; I naturally felt aggrieved at your conduct to me, as any Englishman would." He said he was very sorry, that I must recollect that he was a violent temper & there was an end of it. He then tore up letter which he had been about to send me. This is only the substance, as nearly & correctly as could possibly be borne in mind for upwards of a year.</p> <p>174. <i>By the Inspector General of Police:</i> Then, in fact, you were not dismissed, or rather you were reinstated? Yes; he tore up letter he had intended to send to me, as he had previously said he must suspend me till</p>		075

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						<p>he had communicated with Government. He never said a word about it afterwards, nor have I, till this moment</p> <p>175. <i>By the Chairman:</i> I would call your attention to assertion made by Maccowell, that you were in liquor? I never was drunk in Port Curtis or anywhere else in my life. I had only that moment come from Court; I dare say I would not pay any attention to the man, & told him I would not do any more for Captain O'Connell, naturally</p> <p>176. <i>By the Inspector General of Police:</i> Both you & Maccowell had only just come from Court? Yes, & Mr McCabe & Mr Murray also, & we were talking over the case in an excited manner, probably, when the man came to bother me</p> <p>177. <i>By the Chairman:</i> The man would be very much excited, & you also? Yes, & I would not have anything to do with him at first, I recollect</p> <p>178. <i>By the Inspector General of Police:</i> Was there any excitement in Mr McCabe's manner? I never saw Mr McCabe drunk, or even half drunk; he is a very gentlemanly, quiet man. The statement is false; we were excited probably, & naturally so, but not from drink. We were talking over this matter rather earnestly; we had not then lunched even</p> <p>179. <i>By Mr Samuel:</i> Where do people get grog from? There are sundry stores</p> <p>180. <i>By the Inspector General of Police:</i> Had there been any order given, previous to this, against firing in Camp on Sundays? No, Captain O'Connell said afterwards that he had spoken to Chief Constable about it, but there had been <i>no orders</i>.</p> <p>181. Who took summons out against you? Chief Constable, <i>by the express order of Captain O'Connell – the Chief Constable told me so himself</i></p> <p>182. In a part of your evidence respecting carpenters, you said they were for the most part employed in doing merely such jobbing work as they would be required to do in a gentleman's private employ? Yes</p> <p>183. Were any of these jobs for Captain O'Connell's private convenience, irrespective of their forming part of Government residence? Yes, there were two saddle stands & sundry small things</p> <p>184. Where [sic] these for stable? These were for Captain O'Connell; they also made little horses for drying clothes, & bread tubs, & a kitchen dresser, etc</p> <p>185. Were these considered to be Government property? <i>They might be</i></p> <p>186. You stated that there was nothing done for public convenience? Yes</p> <p>187. Did you not say that there were some cupboards made for office? There were two cupboards made for office; one is used for private purposes at present, but they are intended for office, when there is an office. They took some time to make</p> <p>188. Building that was bought, you said was a good building as it stood, & as a temporary building; its purchase I suppose saved money? Yes, we could not have had anything at all put up for more than sum paid to Mr Palmer for this building</p> <p>189. You say that it was originally purchased by Captain O'Connell from some out-building? Yes</p> <p>190. Was that for an out-building to Government Residence? Yes</p> <p>191. It was not a private purchase of Captain O'Connell's then? No</p> <p>192. At the time he purchased it, he imagined that it was a good building & would bear removal? Yes</p> <p>193. The intention of removing it was abandoned upon examination, finding</p>		

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						<p>that it was not fit for the purpose, although it was fit for a temporary Court House as it stood? Yes</p> <p>194. <i>By the Chairman:</i> In the course of your evidence, you have stated that you expended money of your own in building, during the time you were at Port Curtis? Yes</p> <p>195. Will you state particulars of that expenditure? I spent £256-15s, & more, but that sum is vouched for, that is say, I took receipts on Government vouchers; & Captain O'Connell has since certified prices in Abstract to be lowest at which work could have been performed, & that expense was necessarily incurred for public service, etc. These vouchers are lodged in Audit Office</p> <p>196. Have you been repaid this money? No, I have not; I received £150 on account, in the first instance, & £25 seven months since, & can get no more. The pretence is, that buildings are not now worth more than £175. This certainly cannot be a fair way of valuing them, as they were erected under unusual difficulties & expense; &, on this principle, where is the value for all heavy sums expended & charged to various public works at Port Curtis not erected at all, & for which sums there is absolutely nothing even to be valued. I cannot sue Government for this £81-15s actually due to me, nor will</p> <p>[p 37] Margin: Mr F G Mylrea – 3 Oct 1855 they grant it to me upon representations & application I have made on the subject. Can Committee recommend that I should be repaid this outlay?</p> <p>197. Will you append to your evidence a statistical return of population? I will (<i>Vide Appendix</i>)</p> <p>198. Have you any further information to afford Committee? Not at the moment; but I think opinion of every disinterested person who has been to Port Curtis, must be that attempt at forming a settlement is a failure, & that there is no good result to Colony or Public from great sum expended on it</p> <p>-----</p> <p>RETURN of the Population of Gladstone, Port Curtis, ON THE 19TH NOVEMBER, 1854, the day on which the "<i>Tom Tough</i>" finally left <u>Port Curtis for Sydney</u></p> <p>1. PERSONS (AND THEIR FAMILIES) IN THE EMPLOY OF GOVERNMENT</p> <p>[Name / Occupation / Males / Females / Children / Total Persons] M C O'Connell, wife and child/ Government Resident / 1 / 1 / 1 / 3 Servants / - / 2 / - / 2 James Bowles, wife and 2 children / Orderly / 1 / 1 / 2 / 4 John Horrigan, wife and child / Orderly / 1 / 1 / 1 / 3 --- Gherbrandt / Orderly / 1 / - / - / 1 Bousfield and wife / Coxswain of boat / 1 / 1 / - / 2 [also Bonsfield] Boat's Crew / ----- / 5 / - / - / 5 J Hardy, wife and child / Acting Chief Constable / 1 / 1 / 1 / 3 [also James Harty] Lawrence Finnigan, wife and child / District Constable / 1 / 1 / 1 / 3 [also Laurence Finnegan] Patrick Freney and wife / Constable / 1 / 1 / - / 2 H V Stonhouse, wife and child / Clerk of Petty Sessions / 1 / 1 / 1 / 3 [also Stonehouse] Billy and McDonald / Working for Mr Stonhouse / 2 / - / - / 2</p>		076

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						<p>Orphan girl / Servant / - / - / 1 / 1 (continuing from above) George Furber / Overseer of labourers / 1 / - / - / 1 Richard Goodall / Carpenter / 1 / - / - / 1 John Connors, wife and 2 children / Labourer / 1 / 1 / 2 / 4 George Ryan, wife and 5 children / Labourer / 1 / 1 / 5 / 7 Charles Sutton, wife and 6 children / Labourer / 1 / 1 / 6 / 8 [also Lutton] Benjamin Sellers and wife / Labourer / 1 / 1 / - / 2 William Shaw / Labourer / 1 / - / - / 1 John Walsh / Labourer / 1 / - / - / 1 Dr Grey / Resident Surgeon / 1 / - / - / 1 S Stutchbury / Government Geologist / 1 / - / - / 1 F T McCabe [as it is] / Surveyor / 1 / - / - / 1 [also F P McCabe] Assistant and party / Surveying Party / 10 / - / - / 10 Mrs McIntyre & children / Wife & children of one of Survey Party / - / 1 / 3 / 4 Lieutenant John Murray / Lieutenant Native Police / 1 / - / - / 1 Sergeant Humphreys / Sergeant Native Police / 1 / - / - / 1 Native Troopers / Native Police / 13 / - / - / 13 Thomas Roberts and wife / Government bullock driver / 1 / 1 / - / 2 Splitters / Splitting for Government / 2 / - / - / 2 [Totals] Males – 55; Females – 16; Children – 24; Total persons – 95 <u>TOTAL GOVERNMENT: 95</u></p> <p><u>2. THE PUBLIC</u> C P O'Connell and wife / Squatter / 1 / 1 / - / 2 L B Young / Owner of some land – (amateur Naturalist) / 1 / - / - / 1 J Willmott and brother-in law / Storekeeper and Postmaster / 2 / - / - / 2 R Palmer and wife / Storekeeper / 1 / 1 / - / 2 - Hetherington / Squatting on his allotment / 1 / - / - / 1 - Forster, wife and children / Carpenter / 1 / 1 / 2 / 4 Charles Eyles / Carrier / 1 / - / - / 1 J G Peters / Carpenter / 1 / - / - / 1 [Totals] Males – 9; Females – 3; Children – 2; Total persons – 14 <u>TOTAL PUBLIC: 14</u></p> <p>Total persons - 109 {Total Population} <u>Add number left this day in "Tom Tough" - 18</u> {As stated by Mr Mylrea in reply to Question 80} – 127</p> <p>Letter requesting that you will be pleased to grant me use of Government Dray & Team of Bullocks, to draw in some slabs, posts, & rails, which have been split for me on account of Government. Somewhere in neighbourhood of Native Police Camp [p 38] Margin: Mr F G Mylrea – 3 Oct 1855 Para 2: Begs to remark that I should not ask this favour, if there were any other available means of having timber drawn to my allotment; & unless I get it brought in at once my building operations cannot be continued</p> <p>[NOTE]</p>	A2.38	076 [contd]
			Government Resident, Port Curtis	Gladstone, Port Curtis F Garland Mylrea	1854 08 08			077

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				Gladstone	1854 08 09	<p>Government Resident has to inform Mr Mylrea, in reply to his letter of yesterday's date, that there is no Government Dray available for Mr Mylrea's use; &, as Government Resident has already, on more than one occasion, intimated this fact to Mr Mylrea verbally, in reply to personal applications to same effect, he cannot avoid expressing his surprise at the importunity with which Mr Mylrea follows up a request Government Resident has no present means of complying with</p> <hr/> <p>Lieutenant Charles Dobbin called in & examined:- Margin: Lieutenant C Dobbin R N - 3 Oct 1855</p> <ol style="list-style-type: none"> 1. <i>By the Chairman</i>: You are at present commanding the "Torch"? Yes 2. You have been to Port Curtis recently? Yes 3. When did you sail from Sydney? On 4th September, at 6 in the evening 4. When did you arrive at Port Curtis? On Monday, 11th September 5. For what purpose did you go to Port Curtis? To take stores, sent on board from Colonial Secretary's Office 6. How much flour did you take on board? 100 barrels – 10 tons 7. Any other stores? Yes; 2 casks & 1 bale clothing; 5¼ barrels gunpowder for Native Police; also 8 packages, tents & poles, for Commissioner of Crown Lands, Leichhardt District, shipped through Colonial Secretary's Office; also 30 bags of flour & 5 tons of potatoes, shipped through Colonial Secretary's Office, for Mr Hetherington, from Mr Johnson of Sydney; I also took up a whale-boat for Police authorities from Captain Moriarty, Port Master 8. Did you take any passengers? No 9. To whom did the flour which you took on private account belong? It was from a Mr Johnson 10. Do you know whether freight was paid for it? I believe so, to Colonial Government 11. When did you leave Port Curtis? Morning of Sunday 16th at nine o'clock 12. Did you land all the flour you took down? I left fifty casks there 13. Did you bring 50 casks back? Yes 14. Why did you bring them back? Because they had no store there into which it could be put 15. Had any other vessel arrived with flour when you got there? "Albion" from Sydney had left before we sailed 16. Were you ever at Port Curtis before? I was there in "Calliope", but had not an opportunity of going to the settlement 17. You went on shore on the last occasion? Yes 18. Did you remain on shore any considerable time? Not any considerable time in settlement; I went about to see the place 19. Was it a place particularly worth seeing – were any great improvements effected? No 20. Did it look like a settlement that had been in existence over eighteen months? No, certainly not; a blacksmith's shop had been erected, at which blacksmiths were employed; they were getting on very well with Government House, that would be finished, I think, in about a month's time 21. When you say they were getting on very well, will you explain what was done – what was it built of? Wood 22. Did you ride out at all, in the neighbourhood? Yes 23. Did you see any works going on for purpose of preserving water? Yes, 		

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						<p>they were getting on with the dam</p> <p>24. Will you describe character & extent of work you saw there? They had all the ground cleared away, & an excavation formed to receive water when rains occur; excavation was made in a water-course, & the place for the dam was nearly half built up</p> <p>25. What was it built of? It was dug out of the ground; it was merely an excavation</p> <p>26. Was it a mere excavation? Yes</p> <p>27. <i>By the Inspector General of Police:</i> In the bed of a creek? It is in bed of a water-course, it could hardly be called a creek</p> <p>28. <i>By the Chairman:</i> How far from the Government Resident's? A mile and a half</p> <p>29. Supposing work had been constructed on your account, & a bill for £3,000 had come to you – would you have thought it cheap? No, indeed, I should not; but I am not acquainted with incidental expenses</p> <p>30. How many men did you see at work there? I do not think I saw more than eight at work</p> <p>[p 39] Margin: Lieutenant C Dobbin R N - 3 Oct 1855</p> <p>31. Was there any wharf at Port Curtis, or any convenience for landing? I took "<i>Torch</i>" round to Auckland Creek, there being plenty of water in mid-channel at low water for "<i>Torch</i>"; but there is no government wharf at Auckland Creek, so at high water "<i>Torch</i>" was warped alongside Mr Wilmot's wharf, on which flour was landed; & there not being sufficient water at Mr Wilmot's wharf for "<i>Torch</i>" at low water, she had to be warped off into mid-channel, & there she remained until we had cut sufficient wood, when she was again warped in, & wood taken on board. There is another private wharf in course of construction. I got away in four days, in consequence; whereas, if I had gone off settlement, & remained there for wood, I might have been detained a fortnight, because there is a mud flat extending nearly two miles there, & we should have had some distance to bring wood to the water, which would have caused great delay</p> <p>32. Did you see anything of a boat belonging to the settlement – did you see anything of a Pilot or Harbour Master - or did any one assist you in mooring your vessel? No</p> <p>33. You did not see anything of a Harbour Master or a boat's crew? Yes; there was a boat belonging to Captain O'Connell, laying off the settlement, & also a boat hauled up on the beach</p> <p>34. Were there any houses in course of erection, besides Government Resident's? Not that I saw; excepting a stable, I think it is, at back of Government House. There is a small stone building in course of erection there</p> <p>35. At a rough guess, how many people should you suppose there were at the settlement altogether? I should think nearly a hundred; I brought six people with me from the settlement</p> <p>36. Did they appear to be quite satisfied with the settlement? They had worked their time, & wished to leave</p> <p>37. Did you ever hear them express any opinion, either one way or another? No</p> <p>38. <i>By Mr Samuel:</i> I think you stated that store would not contain the flour? It would not; it was a very small place, not one-third the size of this room</p> <p>39. <i>By the Chairman:</i> Did you suggest any means by which flour could be taken on shore? The only place where they could have put flour was in the</p>		078

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						<p>Court House, which was close to the vessel 40. It could have been put there? Yes 41. <i>By Mr Samuel:</i> Could it not have been put in a tent? The flour was in barrels, & slightest damp would have spoiled the flour 42. <i>By the Chairman:</i> There are fifty barrels of flour on board ship now? Yes 43. Have you any orders with respect to them? I have been to Colonial Secretary's respecting them, but have received no orders; I believe they are to be landed 44. <i>By the Inspector General of Police:</i> Did the "Albion" take flour on the Government account? The "Albion" took flour, but I think, not on the Government account 45. With reference to amount of expenditure for making dam & water works – are you aware whether there has been a well lately dug in settlement? Not in the settlement; at the dam there is a well sixty feet deep, but water is not drinkable – I tasted it myself & should be sorry to drink it. Captain O'Connell intends sending some of the water to Sydney to be analysed 46. What is the size of the building – the Court House – into which you say this flour might have been put? As square as this room, but not so high 47. How many barrels might have been stored there? About two hundred, without difficulty 48. Would that have filled the building? No; it would have left, as far as I am capable of judging, sufficient room for purpose for which building was erected 49. If fifty had been put there, would not that have left sufficient room in the building for the other purpose for which it was required? Yes</p> <hr/> <p><i>THURSDAY, 18 OCTOBER 1855</i> Present: MR ALLEN, THE INSPECTOR GENERAL OF POLICE, MR COOPER, MR COWPER, MR PARKES, MR FLOOD, MR SAMUEL HENRY PARKES, ESQ, IN THE CHAIR Mr John Allport, called in, & examined -: Margin: Mr J Allport – 18 Oct 1855 1. <i>By the Chairman:</i> You have been at Port Curtis? Yes, I have lived there for eighteen months 2. Were you regularly residing there for eighteen months? Excepting a period of three months 3. When did you last go to Port Curtis? I arrived there about 28th July 1853; that was prior to arrival of Captain O'Connell 4. In what capacity were you residing there? As a storekeeper; I went there with a young man named Wilmot, as storekeeper 5. Did you go in an open boat from Wide Bay? Yes 6. Did you live regularly at Port Curtis, attending to the store, from that time? From July till beginning of November, when I left for Wide Bay; I returned again about beginning of January 1854 <p>[p 40] Margin: Mr J Allport – 18 Oct 1855 7. Did you go overland to Wide Bay? Yes 8. And return overland? No, by sea 9. How long had Captain O'Connell arrived before you left Port Curtis? To best of my recollection, Captain O'Connell must have arrived about seven</p> </p>		079

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						<p>months after my first arrival there</p> <p>10. He arrived in "Tom Tough"? Yes; I went down the harbour to meet him</p> <p>11. Were you frequently about settlement? Government settlement is removed from Auckland Creek, where I was</p> <p>12. Were you frequently at settlement? Yes</p> <p>13. It was only two miles from one place to the other? Yes</p> <p>14. You frequented both places? Yes</p> <p>15. And had opportunities of seeing what was going on? Yes</p> <p>16. Did you notice that "Tom Tough" was detained an unusually long time? I do not know period of her detention, but it appeared to be an unusually long time</p> <p>17. Had you any opportunity of noticing whether the vessel was of any apparent use? She was of no use that I know of</p> <p>18. Will you have the goodness to state to Committee what you did notice, as to how vessel was employed, & conduct of those connected with her? All "Tom Tough" did, after Captain O'Connell left her, was occasionally cruising about the harbour, & bringing fish & oysters to the settlement</p> <p>19. Did vessel cruise about harbour for mere purposes of pastime? I suppose so; they used to bring home oysters</p> <p>20. Did that often occur – did it occur half a dozen times to your knowledge? I should fancy it did occur half a dozen times</p> <p>21. Was vessel kept, in any degree, after the manner of a yacht, while lying there; did she fly colours? Yes, she used to fly colours every Sunday; I am not aware whether it was under instructions that she used to make these cruises; I am not aware whether she was used by Government Resident during this period, except on one or two occasions</p> <p>22. Were there any signals made, such as are customary on board a yacht or man-of war – did she ever fire a gun? She used to carry a vane at the peak, & fire a gun at sunset on some occasions</p> <p>23. Did she regularly fire a gun at sunset? At the times I have been on board - Sunday afternoon – it was customary; I had no opportunity of observing her on week days</p> <p>24. Are you aware whether any government stores were kept on board the vessel? I am not</p> <p>25. Were you ever present in the Court House, during sittings of the Magistrates? I was, once</p> <p>26. Do you remember Mr Mylrea being fined for firing a gun on Sunday? No, but I heard it from a person who was there at the time</p> <p>27. Are you aware whether he was summoned for firing a gun? Yes, for shooting a hawk that was taking away a chicken on Sunday; he was fined £2</p> <p>28. Did you ever see, or hear any shooting on Sunday by other persons? There was a regulation that fire-arms should not be made use of at night, & of course, on Sunday; & I remember that a man was punished for firing a pistol at night</p> <p>29. Why did he fire the pistol? Because he was lost in the bush; he fired the pistol for assistance</p> <p>30. Will you state in what way he was punished? He was a man belonging to Mr McCabe's party; I do not remember what punishment he received</p> <p>31. What do you mean by being punished – was he summoned before the Magistrates? He was summoned, & I think he was fined £1</p> <p>32. Was it proved, on that occasion, that the man fired the pistol because</p>		

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						<p>down; & Mr Palmer sold the place, I think, for £80, at least so he told me</p> <p>51. You know nothing personally of the transaction? No; I was not connected with it in any way. I remember it was afterwards used as a Court House</p> <p>52. Did you ever speak to Mr Palmer on the subject? Yes; he said he sold it for £80. He thought it rather hard</p> <p>53. To whom did he say he had sold it? To Government</p> <p>54. Do you remember a boat or boats – was there more than one boat there belonging to Government? Captain O'Connell purchased two boats from wreck of Dutch vessel, & besides them I think he had another boat supplied by Government here</p> <p>55. Do you know how crew of that boat were generally occupied? The only use I ever saw boat's crew applied to was going out occasionally to catch fish, & to bring oysters in. In fact I do not know what was the use of the boat except for that purpose. I believe Captain O'Connell occasionally visited the islands with it</p> <p>56. Did you ever see these boatmen working on shore? I cannot remember that I ever did</p> <p>57. Did you ever see them working about stockyard? I cannot remember</p> <p>58. Do you remember who built stockyard; was it built during your residence there? It was built during my residence there, but I do not remember who built it. A man named Furber was employed as superintendent, & they were put under him</p> <p>59. Did you know Dr Grey? Yes</p> <p>60. Had you ever occasion for his assistance as a medical man? I was never unwell myself, but he came frequently to our store to attend Mr Wilmot & other people there</p> <p>61. What was the general character of Dr Grey – was he a respectable man, as far as you had an opportunity of observing his conduct? Yes, he always conducted himself respectably. He had a squabble with Captain O'Connell</p> <p>62. Did he attend to his duties as a medical man to satisfaction of the inhabitants, as far as you had an opportunity of forming an opinion? Yes</p> <p>63. Was he always ready to assist if they went to him? Yes; I believe he was</p> <p>64. You were not there when that gentleman was suspended from duty? No; that was subsequently to my departure</p> <p>65. In travelling over from Wide Bay, did you take particular notice of character of the country? Yes; it is a good cattle country. Just in the neighbourhood of Port Curtis, within a range of about thirty miles distant, there are, perhaps, two or three patches that might be available for sheep, but they are very small, if available at all</p> <p>66. I think you said you had not had much experience in the interior? I know a good country when I see it, & I have been a good deal about the various squatters' stations in Wide Bay district</p> <p>67. You are aware that all the country within twenty miles of settlement has been reserved? Yes. It cannot possibly be of any avail for agricultural purposes. In fact I think it quite a mistake to reserve it</p> <p>68. In travelling to Wide Bay had you any difficulty in getting water? No. Not after getting beyond immediate neighbourhood of Port Curtis</p> <p>69. What distance had you to go before you got water readily? The first river I made was the Boyne – from fifteen to twenty miles from settlement.</p>		

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						<p>A very broken country intervenes between that & Port Curtis. It was an opinion entertained when port was first opened, that all parties in Wide Bay District would ship from Port Curtis in consequence of getting cheaper freights, but there is a range which almost precludes the possibility of drays getting across from Wide Bay</p> <hr/> <p>William Grey, Esquire, Surgeon, called & further examined:- Margin: W Grey Esq – 18 Oct 1855</p> <p>1. <i>By the Chairman:</i> You consider, I believe that you have been considerably injured by your suspension by Government Resident at Port Curtis? I do indeed; I have suffered great pecuniary loss; I have been seriously injured</p> <p>2. Will you state to Committee, as concisely as you can, what is the substantial loss you consider you have sustained? In the first place, there is loss of income arising from loss of situation; & there is a great loss with regard to my effects. I had to leave at such short notice, that I had no time to effect a sale of them. I sold a few of my effects to my successor, but a great part of them had to be sold after I left. For a horse I paid £30 for, I have not received a penny yet, & there are some other things in same way</p> <p>3. Will you state, in one answer, the whole amount of the loss for which you have applied to Government, I believe, for compensation? I have not applied exactly for compensation; I have applied for my salary for my time in coming up in the steamer, but I do not consider that in the light of compensation; I applied for my salary [p 42] Margin: W Grey Esq – 18 Oct 1855 from the time of my suspension, until I ceased to do duty, & I also applied to be paid for the time I was detained in my passage up in the steamer; I was a month in the steamer</p> <p>4. Is that all? There is an account not settled yet, about some nails that were taken possession of after I left.</p> <p>5. What answer did you get to your application to Government? That they would have to refer back to Captain O'Connell about nails; I left these nails to be sold by auction, & Captain O'Connell went to the auctioneer & stated they were Government property & must be given up to him</p> <p>6. That was not the case? No; he kept them on the ground that I owed the Government £50; that I paid to Auditor General's department. These nails were my private property, quite as much as any other article I left for sale by auction, & I consider it was illegal for Government Resident to seize them or prevent sale of them. I had received an advance of £50 for building a house, & that he could have sued me for, but he had no right to take any of my effects on account of that £50</p> <p>7. Did Government offer you any sum of money in compensation? No; they offered no compensation whatever; I have got my salary for the three months I was doing duty after suspension, but they would not pay me for the time I was detained in the steamer</p> <p>8. What amount of loss do you think you have sustained? I could not say the precise amount of loss; a great part of my effects remain there, & of those that have been sold by auction, I have never got any correct amount</p> <p>9. So far you have not given any other information as to extent to which you have been injured, than you did when you were examined before? I consider loss of my situation is equivalent to a years salary. That is the</p>		081

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						<p>practice of the profession. For instance, if a medical man sells his practice he expects to get for it a sum equal to a year's receipts</p> <p>10. What was your salary? £300 a year without house allowance. The sudden loss of situation in that way, I consider equivalent to a year's income. In addition to loss of Government situation there is also loss of private practice to be taken into consideration, & which would soon have amounted to more than government pay, had township gone increasing in population, as we had at one time reason to expect it would under good management</p> <p>11. Have you anything further to state with regard to your suspension? With regard to my saying that I disputed Captain O'Connell's power to suspend me, I wish to explain that I never disputed his authority as Government Resident. I can show you that in many instances I obeyed his orders. But it was because I considered it an unreasonable order, that I refused to obey the one that led to my suspension. At the time I received my appointment as Surgeon to Port Curtis Expedition, I did not know the Government Resident officially or otherwise, & I never had any instructions from Government to place myself under his orders. When any of the people were sick I attended them at once, without waiting for an order to do so from Government Resident; & he does not charge me with neglecting the sick, but simply with declining a gentleman, who I knew must be quite well or, if not, he would have sent for me. If I had left Port Curtis on my being suspended on 10th January, the settlement, consisting of Government Resident's party, Mr McCabe's surveying party, & the Native Police, would have been left without a medical attendant for three months</p> <p>12. <i>By Mr Cowper:</i> You did dispute his right to dismiss or suspend you? Yes; under the circumstances, because there was no other medical man to be got for a considerable period of time. There were a good many men to attend to, & under the circumstances, I disputed his authority. I imagined all he could do was to report me to Head Quarters, for any neglect of duty or misconduct</p> <p>13. Virtually, that was what Government did, for they paid you during the period of your suspension? They merely paid me the salary. After my suspension, I sent in the weekly return, which I beg to hand in, and I received in reply the letter which I also beg to hand in [<i>The witness handed in the same. Vide appendix</i>]</p> <hr/> <p><i>Camp, Gladstone, 13 January 1855</i> [see also p 025; copy original p 174]</p> <p>Weekly return of sick in Camp from Saturday the 6th inst to present date:- [Patient's name / Age / Occupation / Disease / Remarks] James Harty's child / 2 / J. H., Chief Constable / Diarrhoea / - Andrew Jenkins / 30 / Boatman / Inflammation of the left eye / - Sarah Sutton [also Lutton] / - / - / - / - George Furbar [also Furber] / 43 / Carpenter / Incised wound of the leg / - Watson / - / Surveyor's man / Disordered stomach / - WILLIAM GREY, Resident Surgeon</p> <hr/> <p>The Government Resident requests Mr Grey not to address any official Reports to him, as they cannot be received</p>		

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						<p>Gladstone, 13 January 1855 [see also p 024; copy original p 173]</p> <p>[p 43]</p> <p>THURSDAY, 15 NOVEMBER, 1855</p> <p>Present:-</p> <p>THE COLONIAL SECRETARY, MR BLIGH, THE INSPECTOR GENERAL OF POLICE, MR COOPER, MR FLOOD, MR ALLEN, MR PARKES HENRY PARKES, ESQ, IN THE CHAIR</p> <p>Captain Maurice Charles O'Connell, Government Resident of Port Curtis, called in & examined:-</p> <p>Margin: Captain M C O'Connell – 15 Nov, 1855</p> <ol style="list-style-type: none"> 1. <i>By the Chairman:</i> You received appointment of Government Resident at Port Curtis the beginning of last year? Yes 2. Would you be good enough to state to Committee when you arrived at Port Curtis? On 28th or 29th March, 1854 3. Did any persons go down with you in same vessel, or in any vessel about same time, in employ of Government? The "Tom Tough" went down with a considerable number of passengers 4. Do you remember how many persons went down in employ of Government at that time? I do pretty nearly – you mean all descriptions of persons? 5. No, I mean persons in employ of Government at the time? Including constables & so forth, twenty I think, not including myself 6. Were there any passengers in "Tom Tough"? There were several; Mr Moore, Mr Shepherd – 7. Were these persons who had purchased plots of land at the Settlement? No; but there was one passenger who had – Mr Riddell 8. When you entered upon duties of your office as Government Resident, how many persons were there forming the population of Port Curtis? Eight. I gave a sort of census return to Colonial Secretary after my arrival 9. How long did "Tom Tough" lie at Port Curtis after your arrival? She was sent to Sydney after a few months, & returning from Sydney she was sent to Maryborough; & after returning from Maryborough, she was finally sent to Sydney in November. She was altogether from March to December in employ of Government 10. How long was she lying in the harbour of Port Curtis, after you arrived, before she was sent anywhere? I do not exactly remember the date of her first trip to Sydney, but it was some months after reaching Port Curtis 11. It has been stated in evidence that she was there about three months & a half, but that during that time she went to the Heads, or outside the Heads, with intention of visiting a wrecked vessel off the coast? Yes, there was a vessel wrecked, & I sent "Tom Tough" to endeavour to save some portion of stores at least. I had no power to do this under charter party, but I asked the Captain if he would, on the part of the owners, undertake the responsibility, & said that I, on the part of Government, would spare her services. He did so. "Tom Tough" took Dutch crew on board to assist, & they were proceeding out of the harbour of Port Curtis when they met the "Jenny Lind", & Dutchmen, being anxious to return to Sydney in her, refused to proceed any farther 12. Will you have the kindness to state to Committee what was necessity for keeping "Tom Tough" for period of three months or more in harbour of Port Curtis? I have already explained to Government, when applying for 		082

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						<p>permission to keep the vessel, my motives for doing so, & it strikes me they were simple & plain. I was charged with care of a young Colony; a number of people were committed to my care; we were place in an isolated position of the coast, a distance of a hundred miles from any other occupation, & I did not deem it prudent to leave Settlement without means of communication with the more settled parts of Colony; I therefore applied to Government to allow me to retain the services of "Tom Tough"; to enable me to have means of communication always at my disposal. But when "William Miskin" arrived, & I found that some regular communication was about to be established, I wrote to say that I did not see any farther necessity for services of "Tom Tough"</p> <p>13. There were no vessels trading to Port Curtis at this time? None; at least "Spitfire" arrived at same time as myself, & "Jenny Lind"; but they could not be depended upon; there was no regular trade. I must also mention with reference to "Tom Tough" that since I have had no vessel there the settlement has been reduced to extreme distress from want of flour. I had no means of communicating with Sydney, & in consequence of detention of "William Miskin" longer than was anticipated, supplies ran out, & people were for a month, or six weeks, without flour, & at last, without rice. Even with aid of what I could dole out of my own private stores, or borrow here & there, many of the people were actually without bread</p> <p>14. Was that recently, when settlement was relieved by "Torch"? By "Albion" & "Torch"</p> <p>15. There was a portion of flour which was sent by "Torch" returned to Sydney? Yes</p> <p>16. Will you state the reason? When I returned it, I wrote to Government, explaining my reason</p> <p>17. We have not that correspondence before us? My reason was, we had already received by "Albion" a small portion of flour; the flour sent to me by "Torch" was charged at £50 a ton, & we understood there was a falling market. I had no secure place to keep so large a quantity as ten tons of flour, & I thought it imprudent, considering consumption of the place, to keep more than half. I should have had no discretion in lowering</p> <p>[p 44] Margin: Captain M C O'Connell – 15 Nov, 1855 the price, supposing next arrivals had brought cheaper flour, & the flour would have lain on my hands. In a small place like that it would not have been disposed of</p> <p>18. This would be at a distance of time of some eighteen months after your first arrival at Port Curtis? The calculation is simple; I arrived there in March 1854, & "Torch" came in September 1855</p>		083
						<p>(continuing from above)</p> <p>19. Was there no store erected during that period which would contain so small a quantity as ten tons of the chief article of food? There was a store, but it was only roofed with bark, & there were a quantity of supplies in it; but even if I had had room, I should not have kept it, for reasons I have just given</p> <p>20. At one period "Tom Tough" proceeded to Wide Bay for timber? Yes</p> <p>21. Was this timber required for a particular purpose? Yes; it had been prepared by my order. When I first went up I gave orders to a pair of sawyers, to prepare 20,000 feet of timber for construction of my house</p> <p>22. The timber was brought to Port Curtis by "Tom Tough"? Yes</p> <p>23. Was timber used in pursuance of the first order? Yes; with exception of</p>	A2.38	

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						<p>a small portion of flooring boards</p> <p>24. "Tom Tough" remained some time after her second return from Sydney – for a month? Yes</p> <p>25. Was there any particular reason for her detention beyond convenience of having a vessel at your disposal? That was all</p> <p>26. Have you seen a copy of evidence that has been taken before this Committee? I have</p> <p>27. Have you looked carefully through it? Yes</p> <p>28. You will find that it was stated by Mr McCabe, who I believe was in charge of Government surveying party, that the country is, in his opinion, unfitted for settlement, according to purposes for which it has been reserved, to extent of twenty miles round the port? That is Mr McCabe's opinion</p> <p>29. I ask you this question, with a view to ask you another question upon it, as to what your opinion is upon the same subject? Do you mean as to policy of the reserve?</p> <p>30. No, as to character of the country reserved, to extent of twenty miles round the port? In my opinion, it is as good a tract, for its size, as you could find in all New South Wales</p> <p>31. The whole belt? No; the intermixture is as fair an average tract of country as you could find in New South Wales</p> <p>32. If small capitalists went there as cultivators of the soil, would they have as fair a prospect of success there as in other places, when ordinary impediments which new comers always have were removed? No doubt</p> <p>33. Have you travelled over a considerable portion of that country? A good deal of that twenty miles</p> <p>34. Did you travel over any portion of it in company with Mr McCabe at any time? I think not, except in immediate vicinity of the township</p> <p>35. <i>By the Inspector General of Police:</i> Have you seen much of this part of the Colony that would enable you to give Committee an idea of what portion the tract of country you speak of resembles in quality & capabilities? I have seen a good deal of country to northward. I know a good deal of country in New South Wales to northward of Sydney</p> <p>36. For instance, are you well acquainted with district of Upper Hunter? I know the Upper Hunter. I should say that country about Port Curtis is, in my opinion, equal to any portion of the Upper Hunter, with this exception, that there is more broken country interspersed amongst it; but hills are well grassed.</p> <p>37. Do you know country about Segenhoe Estate? No</p> <p>38. Do you know country from Muswellbrook to Merton westward? Yes</p> <p>39. Do you know country about Merton & Edenglassie? No; I know about Scone & Murrurundi</p> <p>40. Do you know Gammon Plains & Cassilis country? Yes</p> <p>41. Comparing these parts of country with country twenty miles round Port Curtis, what is your opinion of it? I think, as regards its pastoral capabilities, it is quite equal; & as to its agricultural, it is superior, with this exception, that there are more ridges; there is more broken, hilly country in proportion</p> <p>42. <i>By the Chairman:</i> How is country watered, generally speaking, as far as you have penetrated? As far as I can judge, very fairly. The Boyne is a fine river; the Calliope at head of it, is a fresh water river; between it & Port Curtis there are fine lagoons; &, it seems to me, country is as well watered as we usually find it in New South Wales</p>		

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						<p>43. At what period did you visit any portion of this tract of country – during the present or last year? Once during last year, & once or twice during this year</p> <p>44. Mr McCabe gives this description of country [<i>The Chairman read Mr McCabe's evidence in reply to questions 13 to 29</i>] There is hardly any absolutely sterile country, if you mean anything like South Head here, which Mr McCabe alludes to. In his evidence he speaks of a quantity of cattle & horses depasturing there, which would be impossible if country were of such a character</p> <p>45. <i>By the Inspector General of Police:</i> You say you know country about Scone; is country about Port Curtis as well watered as that about Scone? Better, much better, than that about Scone</p> <p>46. What is geological formation of country; what is description of rock or stone there? In immediate neighbourhood of Gladstone, for about seven or eight miles, it seems to be composed of granite & clay slate; beyond that comes a belt of limestone country; a fine red soil based upon limestone, that is to say, marble. There is a beautiful <p>[p 45] Margin: Captain M C O'Connell – 15 Nov, 1855 country about & beyond Stowe. Of the portions I have not seen, I have heard a very high reputation, at least the person who has occupied it says it is equal to the best part of Darling Downs, & that, in a squatter's estimation, is giving it the highest character. Back country is, however, said to be badly watered</p> <p>47. <i>By the Chairman:</i> In connexion with character of country, will you have kindness to state to Committee nature of pursuits followed by population that has settled at Port Curtis during period you have been there as Government Resident? Storekeepers, tradespeople, publicans, & labourers; there is no legal mode of giving pastoral occupation beyond town</p> <p>48. Persons have purchased allotments of land there? Only suburban allotments; I presume upon speculation</p> <p>49. Returning to my question – can you state, for information of Committee, what were intentions of any persons that have gone down to settle there during eighteen or twenty months you have been there? All those who have gone there, so far as I could understand, intended to establish themselves as storekeepers, or to carry on operations of trade</p> <p>50. I think you stated that when you arrived there, there were eight persons forming the population? Yes</p> <p>51. Six months after that, giving a rough estimate, how many do you suppose were there: what I wish to learn is, whether population fluctuated from that period until you came to Sydney – whether at one time it was greater than when you left? It was never greater than when I left; I can answer that in general terms</p> <p>52. What was population when you left, independently of persons in employment of Government; do you think there were twenty? Upwards of twenty – there are now sixty people there</p> <p>53. Then population has increased from eight to sixty? Yes</p> <p>54. There have never been more than sixty? No, I think not; settlement was more populous just as I came away than it ever had been</p> <p>55. Do you mean as regards adults? Yes</p> <p>56. Males and females? Yes</p> <p>57. Then the whole of these people were engaged as storekeepers, or in</p> </p>		084

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						<p>looking about themselves; none of them had commenced to cultivate, not even gardens? No; I think they had some pumpkins growing wild</p> <p>58. How many persons were there in employ of Government when you left settlement, a short time ago? There were men on the dam, comprising about twelve persons; constabulary, consisting of five; there were two men with drays, one carpenter, & four orderlies attached to Commissioner of Crown Lands, & four of boat's crew.</p> <p>59. There is a return, at page 37 of the evidence; will you have kindness to look at that, & state whether it is correct, according to date it bears? I have looked at it, & think it is. Looking at this generally, I think population is considerably more than twenty; but I will correct my evidence on this point</p> <p>60. Will you have kindness to state, for information of Committee, how these various persons were employed for the first year after your arrival to take charge of government of the settlement – mechanics & labourers? I took with me from hence, for purpose of carrying on buildings I was directed to construct, one stonemason, two carpenters, two men whom I supposed to be sawyers, & four bush labourers. On landing there was a great deal of time lost. I left this with directions to build a court-house & lock-up, for which Legislative Council had voted £1,000, & I had also to construct a residence for Government Resident, for which during current year, £600 had been allowed by Government, & I took with me mechanics & labourers I considered necessary to put up these buildings; but I found that so much of the time had been occupied on first landing in getting men encamped, in landing stores, & in preparing a place as a protection from the weather for stores, & in fencing in a paddock to enable us to keep a few horses within command, that it struck me it would be very unfair to make this a charge either upon the building of the court-house or Government Resident's house. I mentioned it to Governor General, when he was up there, & also wrote to Government upon the subject. You will find it in one of the despatches. Government then consented to apportion – at first the sum of £1,000, & then £400, towards general expenditure of establishing the settlement. Upon landing, & until I got a team, which arrived overland, I could hardly do anything, for men had to carry all the wood upon their shoulders</p> <p>61. At what period did this team arrive? I think it was in June my brother arrived with the team</p> <p>62. Was that about three months after your arrival? About three months. Soon after this, dry weather set in; all the water in immediate neighbourhood of camp had disappeared, & I had to send people for water. That occupied the team, & again stopped the work for two or three months; then, one of the carpenters was discharged, & I had only one left, so that I could make but very slow progress in the only building I was able to construct, & that building is not yet finished; when I left it had only so far progressed as to enable me to put my property under lock & key; I was still under canvas</p> <p>63. Up to the time you left, was any work done to render settlement more accommodating to the population located there? In what way?</p> <p>64. Any work that could be considered, making due allowance for smallness of the settlement, a public work – such as forming of streets or wharves? I had no funds at my disposal for such purposes</p> <p>65. Could you state to Committee any result of labours of these persons up to period you left, other than providing for their immediate wants?</p>		

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						<p>Necessarily the result is</p> <p>[p 46] Margin: Captain M C O'Connell – 15 Nov, 1855 very small; you inquire into the settlement eighteen months after its establishment, before it has hardly time to settle itself; in its early stage it was impossible, as I explained to Government, to make much progress; the only things we have been able to finish are about two or three miles of fencing, a row of three cottages, a store, one large building & two smaller stone ones, together with a stock-yard to enable us to catch bullocks & horses; there are also works at the dam in a state of forwardness</p> <p>66. Is fencing for stock-yard only? No; Barney Point is enclosed, & another point, which was originally intended as a Domain, I had finished before I came away</p> <p>67. With regard to stock-yard, was it erected for convenience of cattle belonging to Government? Yes; of course</p> <p>68. Will you have kindness to state to Committee what number of cattle were at settlement belonging to Government, or for purposes of Government? There was a team of Government bullocks, & a team I lent myself, for use of settlement, of ten bullocks</p> <p>69. You will see that, in evidence of several witnesses before this Committee, it is stated that there were a very considerable quantity of horned stock, & also a number of horses, which are variously stated by different witnesses to be from two to three hundred; these would be your private property, I presume? Yes; horses were mine, & some of the cattle; I had a few milch cows</p> <p>70. Were these horses & cattle a serious inconvenience, as has been stated in evidence, in injuring water? The first I have heard of it is in the evidence before Committee, & in what was stated before Legislative Council; it was never mentioned to me in Gladstone, & I do not believe it to be the case</p> <p>71. No complaints were made of settlement suffering from want of water at the time these cattle, horses, & sheep were present there? Never, as a consequence of this stock being there</p> <p>72. Were they present at the time of the scarcity? I presume they were a considerable distance out; horses ran four or five miles away, with exception of a few</p> <p>73. Did they not come nearer to the settlement than four or five miles? Not unless they were brought in</p> <p>74. I think it is stated by one of the witnesses that labourers were employed in attending to horses? None, except my own servant, who did Government work beside; & my horses did Government work; there are no horses belonging to Government there</p> <p>75. Can you recollect whether, at the time alluded to, men were chiefly employed in carrying water into the settlement, on account of having to go so far for it? I lent my horses to get water. When we got a dray, I managed to have some butts put on dray, & had water brought in; that occupied time of a bullock-driver & two or three men</p> <p>76. It has been stated by a witness, Mr Mylrea, that a considerable portion of the time of the men was consumed in bringing in wood & water for purposes of settlement? Not of all the men; some men were never engaged in it at all; mechanics had nothing to do with carrying water</p> <p>77. You will notice that that is stated by Mr Mylrea? I think he did say something of the sort, but it is not correct; carriage of water was a great</p>		085

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						<p>detriment to progress of settlement, but all people were not so employed</p> <p>78. Were any huts constructed for accommodation of any of the residents before you left? Yes</p> <p>79. How many huts had sprung up in township? Thirteen, I think, were built, or in course of building, including Government Resident's house</p> <p>80. Are all those belonging to Government, or are they private property? They are all private property but three</p> <p>81. One of these is Government Resident's? Yes; Court House, & range of three cottages, which I put up for convenience of labourers</p> <p>82. Were labourers, & other persons employed by Government, living in tents at the time you left? No; there was only one tent up, I think</p> <p>83. Labourers were all living exclusively in this range of cottages? No; there were a number of bark gunyahs, or huts</p> <p>84. In addition to the thirteen you have mentioned? Yes</p> <p>85. Were they put up in the time of Government, or in people's own time? In people's time, chiefly. A good many of them were put up by constables, orderlies & so forth</p> <p>86. You recommended Government to subsidize the steamer "<i>William Miskin</i>"? Yes</p> <p>87. Was that with a view to dispense with services of "<i>Tom Tough</i>"? Yes</p> <p>88. Will you state advantages you thought would arise from securing "<i>William Miskin</i>" in that trade? Advantages were those which I anticipated from retention of "<i>Tom Tough</i>" – certainty of the ability to communicate our wants to, & to obtain relief from, more settled parts of the Colony, if we required it</p> <p>89. How frequently was she to make a trip? I received a notification from Government that she was to make a monthly trip</p> <p>90. How many trips did she make? Three or four</p> <p>91. Did either passenger traffic or ordinary trade increase on her successive trips? She was full each trip; I always had complaints that she was overcrowded</p> <p>92. Do you recollect how many passengers she could accommodate? I think she was licensed for sixty or seventy; but I had occasion to inquire into it once, & found that accommodation was not sufficient for number of people that came by her; people had just grounds for complaint</p> <p>93. It seems to me strange, & I think must appear strange to Committee, how a steamer licensed to carry seventy people could be full, when trading to a settlement containing a population of twenty? You can examine her manifest</p> <p>[p 47] Margin: Captain M C O'Connell – 15 Nov, 1855</p> <p>94. Were there many passengers? At one time I think there were forty people; men that came up for Government, to work at the dam, & their families; boat's crew, consisting of five or six; & there were thirty or forty German Immigrants & passengers, for different stations</p> <p>95. There is a Harbour Master, I believe, appointed to Port Curtis? Not that I am aware of</p> <p>96. Is there any person bearing a similar appointment? Only my coxswain, & a boat's crew of five men</p> <p>97. Have you one or two boats' crews? There is only one</p> <p>98. Can you state uses to which that boat's crew is put? If any vessel comes in, it is the duty of boat's crew to board her; &, generally, to perform any duty required in the Harbour. I have sent boat's crew twice up the</p>		086

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						<p>FitzRoy River; a distance, in first instance, of 100 miles, & in the next, 50 or 60. Once was with Government Geologist's party; & another time, was to make inquiries as to safety of a settler, who had passed up with what I thought was too small a force. I used my own private boat, on these occasions, however, as Government boat was not fit for the purpose</p> <p>99. Do vessels arriving from Sydney, or other places, come immediately off the Settlement? They pass settlement at Barney Point</p> <p>100. Of course they anchor at the Settlement? No; they go to a wharf, generally, at Auckland Point</p> <p>101. Is that a Government Wharf? No; there are two private wharves</p> <p>102. If the vessels, which I presume are mostly small, go alongside a wharf, is there any necessity for a boat to board them? That depends on circumstances. I think it absolutely necessary there should be a boat's crew there, as there is in all harbours</p> <p>103. Was there a clause in agreement with boatmen, rendering it obligatory upon them to perform work on shore? None, beyond being bound to obey my orders generally. They were engaged by Port Master in Sydney</p> <p>104. They are engaged simply as a boat's crew? Yes; but they do any work I require them to do on shore. I do not let them to be idle if I can get any work for them</p> <p>105. It has been stated in evidence before this Committee, that Mr Stonehouse, Clerk of the Bench at Gladstone, carried on business of a butcher also; & that, in prosecution of this business, sheep, I believe, belonging to yourself were drafted off to him to slaughter for general consumption of the settlement? Yes</p> <p>106. Will you be kind enough to state briefly what arrangements existed between you, & how far you considered it necessary under circumstances? Do you mean to provide fresh meat for the settlement?</p> <p>107. Will you state what arrangement you made with Mr Stonehouse? I can only state this, that I endeavoured to get Smith, the butcher, to take contract at a price which I considered sufficiently reasonable, & that he would not do so. Mr Stonehouse then offered to undertake killing sheep & issuing it as rations; taking sheep from me. I consented to his doing so for some time, but, finding it was not very profitable, I stopped arrangement.</p> <p>108. Did Smith arrive before Mr Stonehouse commenced this business? Yes; he was there, I think, when I arrived.</p> <p>109. Was Dr Grey the Government Surgeon, residing at Port Curtis when you arrived there? No; he came after my arrival.</p> <p>110. But he had been there before? Yes; he had been there before, with Mr McCabe, I believe</p> <p>111. Was he placed under your immediate authority in any way? Under my immediate authority, in every way.</p> <p>112. You had your instructions from Government? Yes; he was ordered to report himself to me on arrival; I signed his abstract of pay, & he made me weekly reports, as you will perceive</p> <p>113. You remember an accident happening to Mr Stutchbury? Perfectly</p> <p>114. Which led to suspension of Dr Grey? Yes</p> <p>115. Have you read the portions of Mr McCabe's & Dr Grey's statements which refer to this circumstance? Mr McCabe speaks from mere hearsay; it is only his opinion he volunteers for information of Committee; he had no connexion with the circumstances</p> <p><i>[continuing from above]</i></p>	A2.38	

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						<p>116. He seems to know that Mr Stutchbury did not require medical assistance? You will observe that, in my report to Government which is now before Council, I never said that Mr Stutchbury did</p> <p>117. Will you be kind enough to state how you became aware that Mr Stutchbury had met with this accident? Chief Constable came to my marquee in the morning & asked me if I had heard that Mr Stutchbury had broken his arm, I said, "No, but you had better go to Dr Grey & ask him; perhaps he has". He went, & on his return he said doctor had not heard anything about it. I said, "Perhaps it is not the case". About two hours after, I was sitting outside my marquee, when one of the native police came up, & I asked him if he had heard anything about Mr Stutchbury. He said, "That been broke him"; making a motion signifying that his arm had been broken. I then said to my brother, "There must be something in that report; go & see Dr Grey & tell him he had better go & see if anything is the matter with Mr Stutchbury". My brother returned after a time & said Dr Grey would not go; that he did not think it necessary. In the meantime I sent up to say that one of my horses was at his service, & that he could ride out to see if the report were true</p> <p>118. Did he decline to accept your offer of the horse? Yes; I then went to Dr Grey's marquee, & said, "A report has come in that Mr Stutchbury's arm is broken; you had better ride out & see what is the matter". He said he did not see the necessity of it. I said, "The report has reached me, & I think it necessary". I then enquired if he</p> <p>[p 48] Margin: Captain M C O'Connell – 15 Nov, 1855 had any other duty to do. He replied, "No". I then said, "My order is, that you do go; if you disobey, it is at your peril". He still refused, & not having gone out by evening, I then suspended him. He said he had nothing to do; he was not occupied in his tent in any other way; distance to Mr Stutchbury's was only three miles, & I thought his refusal a display of the greatest inhumanity & want of zeal in his profession.</p> <p>119. Did Dr Grey state, at the time, that he knew certainly that Mr Stutchbury did not want his assistance? No; he said he did not think it necessary to go</p> <p>120. Had Mr Stutchbury, to your knowledge, persons with him whom he could have sent to settlement if he had required medical assistance? I presume he had</p> <p>121. Had sufficient time elapsed to allow of the arrival of any messenger at the settlement? I was not sufficiently acquainted with circumstances of the case to know when accident occurred</p> <p>122. It appears that accident occurred three miles distant from camp, & that Mr Stutchbury, according to his own evidence, had persons around him, his own servants, whom he could have sent in immediately if he had required assistance? I did not think it necessary to inquire into that</p> <p>123. I feel it to be necessary to inquire into that? You can form your own opinion</p> <p>124. I wish to know whether circumstances admitted of that; whether you know, of your own knowledge, that he could have sent in? I knew he had men, & had horses – that was all I know; but whether he could have got men or horses, at that time, was beyond my knowledge</p> <p>125. Did Dr Grey not say that Mr Stutchbury would have sent in if he had needed medical assistance, but simply refused to go, on the ground that he did not think it necessary? That was the general purport of his answer; I</p>		087

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						<p>cannot remember his precise words.</p> <p>126. He stated that he had no other case to attend to? He stated that he had no other case to attend to. I put the question, "Are you occupied in any other way?" He said "No". If he had had any other case to attend to, I should not have interfered with exercise of his discretion</p> <p>127. <i>By Mr Allen:</i> You did not give him a positive order? Not till I had exhausted every other means</p> <p>128. It was in consequence of his refusal that you suspended him? Yes</p> <p>129. You did not know that Mr Stutchbury had means at hand to send you word? No. I knew he had men & horses, but could not know if he was able to send them</p> <p>130. He might have been injured without having means of sending to you? Yes; besides it would have been no trouble for Dr Grey to have gone out to him. When I rode out to see him I found that he had had a fall & was a good deal bruised</p> <p>131. There was some truth in the report then? Yes</p> <p>132. <i>By the Chairman:</i> Did you read Mr Stutchbury's evidence upon this matter? Yes. Mr Stutchbury, or course, knew nothing of my proceedings; he was at a distance of three miles from me. I did in his case what I would have done had I heard a similar report respecting any other person in the settlement (<i>The Chairman read the evidence of Mr Stutchbury, from question 3 to 10</i>)</p> <p>133. Did Mr Stutchbury call upon you? No; I met him, & he said, very properly, he was sorry he should be the means of getting Mr Grey removed. I said, it was no act of his in any shape; he happened to be innocent cause, but it was Dr Grey's own act</p> <p>134. Was Dr Grey attentive in discharge of his other duties? No.</p> <p>135. Did he exhibit a knowledge of his profession? As to his professional qualifications I am not competent to speak, excepting thus far; I have a letter in which he states that a man was malingering, & that man died on his passage down. Dr Grey was not, in my opinion, sufficiently attentive to the sick</p> <p>136. You were not satisfied with manner in which he discharged his duty? I was not. I have stated so in my letter, already before Council</p> <p>137. Do you remember the circumstance of Mr Mylrea being summoned for firing a gun on Sunday? Yes</p> <p>138. Have you read Mr Mylrea's evidence in connexion with this circumstance? Yes</p> <p>139. Did you ever tell him that you had caused summons to be issued as a matter of joke? No; I had warned him myself about firing. You must understand that, situated as we were, surrounded by blacks, report of a gun is a source of some anxiety, because we did not know what moment a collision may take place, & I endeavoured, as much as I could, to restrain this constant popping of guns. I had not legal power to prevent this, except on Sundays, & of the power to prevent it upon that day I was ignorant until some time after I had been in the Settlement. On Sunday I saw Mr Mylrea going to shoot a hawk, & I said "You had better take care; you are liable to a fine of £5, if you shoot on Sundays". He refrained on that occasion, but a short time afterwards Chief Constable told me that Mr Mylrea had fired a gun; I then said he had better take out a summons. It was certainly no very heinous offence, but I had personally warned him to refrain from it, & as he had not chosen to do so, I told Chief Constable he might apply for a</p>		

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						<p>summons against him; it was done, & he was fined £2. (<i>The Chairman read Mr Mylrea's evidence in reply to questions 171, 172, 173</i>)</p> <p>140. Is that a substantially correct version of what took place? It is correct as to the transactions; all his observations are merely imaginary</p> <p>141. Is this statement true – that you & Mr Mylrea went out, on the Sunday fortnight previous, & that, during the time you were out, you shot a hawk? I think there was some truth in that. Some time previously, he came to say there was a hawk about, & I think I fired at one. At this time, I was not aware that there was any Act prohibiting firing on a Sunday. I afterwards spoke to him about it, & warned him, in a friendly manner. I said "You had better not fire on Sunday; you will be sure to be fined" I</p> <p>[p 49] Margin: Captain M C O'Connell – 15 Nov, 1855</p> <p>did not think it a serious matter; I did not intend to be harsh; I wanted to put a stop to the practice. His conduct, when he was before Court, was very disrespectful, as you may judge from what he has stated in his evidence</p> <p>142. Is the statement true, that the letter which was intended to be given to him, with reference to his dismissal, was then torn up by you? No such thing; he had the letter in his possession for some days before I recalled it. I gave him, in writing, a notification that I suspended him</p> <p>143. His version, as regards statement that you considered it a joke, is substantially correct? Yes; it was so trifling a matter. I merely wanted to prevent his firing</p> <p>144. It appears to me anything but a trifling matter, for you, holding responsible position you did in this community, being in fact the Governor, to summon a respectable man who had never been in a Police Court before. I should consider it a very serious matter myself? What can you do, if you warn a man that he is breaking the law, & he persists in doing so, but summon him?</p> <p>145. I merely speak of treating the matter as a joke? "Joke" is a wrong term; I mean I did not treat it as a serious offence, & I only mentioned the term "joke" in an after conversation of a private nature with Mr Mylrea, when clearing up the disagreeable feelings from this affair</p> <p>146. <i>By the Inspector General of Police:</i> I understand you to mean that it was a friendly way of endeavouring to stop Mr Mylrea's firing on Sunday, or of hinting to him that it would not be allowed? In the first instance I had seen Mr Mylrea about to fire; had told him not to do so & had warned him what would be consequence if he persisted to do so. In spite of my warning he persisted, & he was then summoned, & fined. I should not of thought myself justified in directing a summons to be issued, if he had not had previous warning; but he was warned by me, in a friendly manner, not to do so; in a joking manner I said, "That will cost you five pounds".</p> <p>147. <i>By Mr Allen:</i> I would draw your attention to that part of Mr Mylrea's evidence where he says that, after receipt of summons, he sent to you to ask the loan of Callaghan's Acts, & that you refused to let him have them? I cannot say</p> <p>148. Is it true that, after angry conversation mentioned by Mr Mylrea, you said, "I will take my seat on the Bench"? There was nothing to prevent my taking my seat on the Bench, but, as he was my clerk, I would rather not have done so.</p> <p>149. Did you take any part in the case? I do not think I did until it was adjudicated upon</p> <p>150. You did not take any part in deciding the matter, either for or against?</p>		088

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						<p>Really my recollection does not serve me. At the time affair did not dwell on my memory. After it was concluded, he apologised. As to his having said that he was my equal by birth & education, that is not correct. I recollect him leaning on the table in a very disrespectful manner, &, as I would do to any other person, I told him to stand up. He stood up, & said, "I beg your pardon, Sir".</p> <p>151. <i>By the Chairman:</i> You left Bench because you thought that, he being your clerk, it was more decorous that you should not sit? I would rather not have sat upon the case</p> <p>152. Could that feeling be less urgent upon you after this little collision had taken place? I cannot recollect whether I sat in the case; my impression is that I did not, but I recollect being excessively annoyed at his referring to what I was not aware of before. He said it was a petty & absurd charge, & that I had set him the example some time previously. But the penalty was nothing. The affair did not make so much impression upon my memory as to enable me to say whether I sat in the case, but, I dare say, Mr McCabe would be able to say</p> <p>153. On the same day, there was a carpenter, in employ of Government, named Macdowell, fined on a charge of insolence to you? Drunkenness & insolence</p> <p>154. In your deposition on that occasion you state that this person had been a well-conducted & very sober man up to that period? Yes</p> <p>155. Was he a valuable man – a good mechanic? He was a good carpenter</p> <p>156. A man serviceable to the establishment? He was</p> <p>157. How long had he been there? He went down on "<i>Tom Tough</i>"; I took him down</p> <p>158. This is 19th September, following; he had been there a period of three months? Yes</p> <p>159. Charge alleged against him here appears to me to be very trivial; do you think, considering position in which you were placed, having almost absolute power over these persons, & being responsible not only for carrying out properly the management of the settlement, but for moral conduct of the people, to a certain extent, this was a proper course to take with a decent respectable man, upon such a slight offence? You may be sure I thought so, or I should not have acted as I did</p> <p>160. I am not sure – persons sometimes act otherwise than they feel they ought? If I had not thought it proper, I should not have pursued that course</p> <p>161. Your deposition states that he was drunk, "but not so drunk as to be incapacitated from performing his duties, but so far overcome with liquor as not to be safely trusted with his work", & that he made use of words to this effect, "I say, Charley, don't burst yourself at that work", this was said, as I consider, in a very insolent manner before me". That was the charge against this respectable mechanic, for which he was taken before Court & fined in an illegal manner, as I think, & as I believe Inspector General of Police thinks, & settlement was at once deprived of his services, although, apparently, one of the best men in it? Do you wish me to give reasons why I acted in that manner?</p> <p>162. I should be glad if you would state them? I had been much annoyed by several cases of drunkenness occurring at Auckland Point, which was a proof that people, in</p> <p>[p 50] Margin: Captain M C O'Connell – 15 Nov, 1855</p>		089

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						<p>some way or other, managed to obtain spirits illegally, & works had been a great deal stopped by drunkenness. I sent Macdowell to lay down flooring at Court House, & rode over in the afternoon, as my practice is, to see how different works were going on. When I arrived at the Court House, I saw Macdowell planing the floor, & observed something odd in his manner; I went into the next room, where Sutton was at work, Macdowell followed me, & called out in a loud insolent tone, "I say Charley, don't burst yourself at that work"; an observation which was not called for by anything in progress at the time. This, with his manner, at once showed me that the man was tipsy. I said, "Macdowell, you are tipsy; you are drunk; I expected better things from you". I thought I was quite secure in sending him over. He expressed no contrition, never said he was sorry for it; that it was an offence certainly, but that he regretted it; & I had no alternative but that of letting the law take its course. It was not for me to say, "My good fellow you have committed an offence, I am very sorry for it, but I dare not bring you up before Court or I shall have to appear before a Committee of Legislative Council, & have all those matters questioned by-and-by"</p> <p>163. But he was at a remote settlement, & under circumstances of disadvantage, & it does strike me – I do not know how far you may entertain the same opinion – that it would have been a much wiser course to have remonstrated with him, as he had been, up to that time, a sober, well conducted man? He, & one long afterwards, are the only men I ever did bring to Court. He happened to be at that time the solitary instance, & if he had expressed slightest contrition or sorrow for having committed himself, I should have been very glad, indeed, to have let him off; but I could not seek it for him. I pitied him very much, as he had a wife & children, & Mrs O'Connell took greatest interest in them. I gave him the highest character before Court</p> <p>164. Among persons employed by Government was a mason, I think? Yes</p> <p>165. He was employed, it is stated, at wages amounting to five pounds a week, with double rations? Yes</p> <p>166. Will you have the kindness to state how that man was employed during the twelve months, or other period during which he was at settlement? He had very little to do. I took up with me one mason, two carpenters, four labourers, & a pair of sawyers. The mason I took for purpose of putting up chimneys in such buildings as might be constructed, having had greatest difficulty in preventing buildings I had put up at the Burnett from being burned. I also expected him to do any other stone-work which might be required. If I wanted a mason, it would not do for me to send to Sydney for one after I arrived, & therefore, I took this man up, under a twelve months' agreement, intending to put him to work as I could. I found I could not put him to work without associating four or five labourers with him, & these I could not spare</p> <p>167. What work did he perform during period of his stay at the settlement? Very little, indeed</p> <p>168. Can you mention any work he performed as a mason? I do not think he worked as a mason. He burned a kiln of lime, & sometimes helped to burn off timber</p> <p>169. Something has been said of an avenue being cleared in front of what was intended to be the house of Government Resident? Yes; there was some timber burned off</p> <p>170. Is that an extensive cutting? No</p>		

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						<p>171. I think a witness states that some men, including this man, were employed several weeks upon it: is that correct? No; there might have been some men employed a fortnight. But you must remember that we sat down on the wild bush, & there was, necessarily, some clearing to be done. I remember opening a way in front of site of Government Resident's house & I think Bullock helped in that</p> <p>172. At what time did men arrive constructing water works? They came down by "William Miskin"</p> <p>173. Six or seven months ago? It must be about seven months ago</p> <p>174. How many men were employed on that particular work? I applied for ten men. I think there are an overseer, a carpenter, two sawyers, eight or ten men</p> <p>175. At the time you left, what progress had they made in construction of water-works? They had made considerable progress. They had prepared the basin, so that, there having been a fall of rain just before I left, I hope the place will never want water again</p> <p>176. Will you have the kindness to describe plan of water-works, & state what work is done? (<i>The witness produced a sectional tracing</i>) The bed has been prepared for about sixty yards, but works are in such progress that I anticipate dam will be finished by next rainy season, & be a very effective one</p> <p>177. How far is it from the settlement? It is in the middle of the town</p> <p>178. There was a statement made in Legislative Council, which I wish to bring under your notice: it was to this effect:- that Mr Palmer was allowed to erect a store on Government land; that, after it was erected, it was intimated to him that he must either remove it or sell it; & that, being on Government land, it was legally forfeited; that, subsequently, it was purchased by yourself, with a view to its being converted into some private use of your own, but, upon its being found that it was infested with white ants, it was employed as a Court House, for purpose of Government. What I wish to know is, how far this statement, as to building being purchased for your private purposes, & afterwards appropriated to Government uses – which is an imputation upon your character – is correct? I cannot fancy whence the idea emanated, but there is nothing in the transaction which would afford slightest foundation for suspicion that it was originally intended by me to be devoted to a private purpose</p> <p>179. As I understand the matter now, this is the nature of the transaction: You had public moneys for erection of places for convenience of the Government Resident; you thought this would answer the purpose of an outbuilding, & it was purchased by you on behalf of Government, although for your own convenience; but when upon</p> <p>[p 51] Margin: Captain M C O'Connell – 15 Nov, 1855</p> <p>commencing to take it to pieces, it was found white ants were in it, you thought it more prudent course to convert it into a Court House, because there would be a great waste of materials if it were attempted to pull it down, & rebuild it elsewhere? I had better read what I wrote to Government when I first heard these charges brought against me:- "I have now, I think, replied categorically to all accusations of this most unscrupulous person with exception of that which is most serious, inasmuch as it is a direct charge of fraud, & I will relate, succinctly, the history of entire transaction regarding purchase & appropriation of building referred to. When I arrived here, in March 1854, I found that a Mr Palmer had erected a substantial</p>		090

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						slab & shingled building in a portion of town of Gladstone which, in the plan furnished to me from Surveyor General, had been laid out as a reserve. Mr Palmer was not then in Gladstone, but, on his return to it, about a month or six weeks afterwards, I informed him that it did not seem to me fair to purchasers of land to sanction any squattages in a township in which allotments had been sold, & sold at so high a rate; but that I did not feel it to be any part of my duty, under circumstances, to take any other immediate steps than that of warning him he would have to remove his building at his earliest convenience. I told him he might take any reasonable time for the purpose, but that he was to understand the building must, eventually, be removed. After this, believing I could turn building to some use for Government purposes, I offered Mr Palmer £120 for it, but he refused my offer, asking £150. I then recommended Clerk of the Bench to purchase it for his official residence, who, however, after some consideration, declined doing so, & the matter remained in abeyance for three or four months, when some circumstance, I cannot now recollect, renewing the negotiation, I eventually purchased building for Government, with intention of taking it down & removing materials, to forward construction of my own residence, for £86, fixing this price on a valuation		
						<p><i>[continuing from above]</i></p> <p>made solely of building materials it contained, & cutting out of Mr Palmer's estimate the entire cost of labour in construction. On farther consultation, however, with my principal carpenter, Mr Goodall, a good tradesman & thoroughly competent builder, I found there would be so much waste of material in removal that I, very reluctantly, gave up the design, & postponed my own personal convenience to, what appeared to me, the benefit of public service. Had I disregarded waste of material, I might have got under cover of a roof many months earlier than I am now likely to do; but, as a building was at the same time urgently required as a Court House, I thought it more advantageous to use this one for the purpose; &, as it stood the Government only in the prime cost of its timber, entire expense of construction was saved by this arrangement. As to ravages of white ant, mentioned by Mr Parkes, I did not take them into consideration, if I was aware of them at the time, for they are in every building, constructed of timber, in the place; &, indeed in every dead tree in the bush; & I believe it to be almost impossible to keep them out of a wooden house in this climate. I trust it will be sufficiently apparent, from what I have stated above, that I could not possibly have had any private interest to serve in this matter. Whether for Government Resident's house, or temporary Post Office, purchase was entirely for a Government account, &, to the best of my judgment & discretion, I performed the duty entrusted to me in manner most advantageous to public service".</p> <p>180. Mr Macdowell states that it was in consequence of white ant being in the building that change in your intention took place, whereas I learn from you that it was because you learned it was more urgently required as a Court House? No; Goodall told me that shingles & other portions of the materials would be unfit to put up again; that was the reason which induced me to change the appropriation</p> <p>181. Do you wish to make any statement to Committee with reference to the subject of this inquiry? The only statement I would like to make to Committee, presuming that most serious charges brought against me are not sustained by evidence, has reference to circumstance of my having</p>	A2.38	090 [contd]

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						<p>provided a certain amount of sheep for supply of fresh meat to Settlement at Port Curtis. I take it from questions put to, & answers received from, various witnesses, during sitting of Committee, that it is intended to imply that there was on my part too much leaning to a desire for profit in this transaction, & I am desirous of explaining my motives. They were these: I knew that settlement was far from other occupation. I knew that my men would be, for some time, subject to living upon salt meat as their principal diet. I felt that, unless some measures were adopted to prevent occurrence of such a disease, scurvy would break out; & I, at considerable risk to my own property, purchased a flock of sheep from Mr Archer, paying nearly to extent of £500 for them. I had that meat issued as rations to settlement, at rate of four-pence half-penny per pound, & five-pence, occasionally; & whilst this arrangement was continued under my directions, that charge was made; but since then tenders have been called for in Sydney, & Government now pays seven-pence a pound; consequently, I allege that, by this arrangement, there was economy in issue of rations, & health of my men was more particularly cared for by my provision of this fresh meat. I am not left to mere surmise upon this point, because I state that of the Surveyor's party, who had not the same care bestowed upon them, four were sent to Sydney in last stages of scurvy, that one died on passage hither, & I am told two others have died since; the fourth has recovered. Seeing that scurvy broke out among men in same place, under different circumstances, I think I am justified in asserting that precaution I took was one which, under circumstances, was very desirable. I should wish, if the Committee consider there is any blame attaching to me in the matter, I should be questioned upon it</p> <p>182. <i>By the Inspector General of Police:</i> Was there not risk attaching to possession of property of this kind in Gladstone? Yes; I had to trust them with wild blacks. I had to see my five hundred pounds worth of property go out in the morning, & I never knew whether it would return in the evening [p 52] Margin: Captain M C O'Connell – 15 Nov, 1855</p> <p>183. <i>By the Colonial Secretary:</i> I suppose they had not a taste for mutton? They have acquired it during progress of settlement; however, they have behaved very well; I must give them greatest credit</p> <p>184. <i>By the Inspector General of Police:</i> Do you recollect what price Smith charged for his meat? I think it was the same; I kept him down to the same price</p> <p>185. Had he been slaughtering before you commenced? I do not know. I took meat from him while he was there. He had beef, & when I could get it, I took it from him; he charged four-pence halfpenny & five-pence</p> <p>186. The same as your own sheep were sold at? Yes. If I had not purchased sheep, & issued mutton as I did, meat might have gone up to a shilling a pound</p> <p>187. <i>By the Chairman:</i> Can you state exactly number of cattle & horses kept at settlement – how many horses? Of my own, at various times I brought upwards of two hundred</p> <p>188. How many cattle? Only a few milch cows, & their produce</p> <p>189. <i>By the Colonial Secretary:</i> You never had any bullocks for killing? I think I sold one or two bullocks</p> <p>190. That came with the team? No, with these cows; their produce</p> <p>191. <i>By the Chairman:</i> In early part of your evidence you made some statement, which I do not clearly recollect, that, in your opinion, settlement</p>		091

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						<p>would make progress; will you have the kindness to state, more fully, what your opinion is, in this respect, as to prospects of settlement? My opinion of future progress of Gladstone is, that it will be one of the most important cities on eastern coast of Australia. I think, from its geographical position, it will be the outlet of a very large back country, & that a trade from thence will be opened with New Caledonia & East Indies. Horses will be more readily shipped from thence than from any others part of New South Wales to India; & a large trade may be established from interior, as far as Maranoa District. It will be the outlet for produce of country to that distance, I think</p> <p>192. <i>By the Colonial Secretary:</i> In reference to Maryborough? Maryborough will never be an export port</p> <p>193. <i>By the Chairman:</i> At what date do you think any of these expectations will be realized? I must not indulge in prophecy, but I think a considerable trade will be done in the course of two years</p> <p>194. Is this based on opinions you have heard expressed by persons who take an interest in the place? It is based upon my knowledge of colonization intended in coming year. In my official character, as Commissioner of Crown Lands, I know what land is to be taken up</p> <p>195. At present time is not the nearest station, Mr Leigh Hay's, 107 miles from settlement? No; that is nearest to westward; but Mr Little's is within eighty miles, to southward; & Mr Archer & Mr Elliott have come down within fifty or sixty miles, to northward; & there are two or three who have brought small flocks of six or seven thousand sheep within fourteen or fifteen miles of Gladstone</p> <p>196. Do you think it desirable that belt of country now reserved should be thrown open to pastoral occupation? Yes; I have so represented to Government, in my letters</p> <hr/> <p><u>APPENDIX</u> <i>Nominal Return of men in Government employment at Gladstone</i></p> <p>CONSTABULARY James Harty, Chief Constable [also Harty] John Horrigan, District Constable [also Hourigan] David White, Ordinary constable Richard Ware, Ordinary constable [also Wear] James Thomas, Ordinary Constable</p> <p>COMMISSIONER OF CROWN LANDS DEPARTMENT James Boles, Orderly Robert Golding, Orderly Gt Reinderhoff, Orderly [also Gerebrandt Reinderhoff] --- Turic [Turich?]</p> <p>BOATS" CREW G Leeds, Boatman G McCarthy, Boatman G Walpole, Boatman " " " "</p>		

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						<p>DAM PARTY J I Powe, Overseer and Carpenter W Powe, Carpenter J Robinson, Sawyer J Cooktill [also Cook Till] J Hitchcock, Labourer James McCray, Labourer William Mockett, Labourer John Depew, Labourer H Gilbert, Labourer Henry Friend, Labourer George Ryan, Labourer Charles Kelly, Labourer George Bodimeade, Blacksmith Joseph Marre, Assistant William -----, Bullock driver M Neigh, Mate</p> <p>I beg to append to my evidence, for information of Committee, a Nominal return (made, however from memory alone) of all persons receiving pay or wages from Government at Gladstone when I left. Independently of these, there are three officers on the establishment, viz Resident Surgeon, Clerk of Petty Sessions, & Clerk to Government Resident</p> <hr/> <p>[p 53] THURSDAY, 22 NOVEMBER, 1855 Present: - THE COLONIAL SECRETARY, THE INSPECTOR GENERAL OF POLICE, MR COOPER, MR COWPER, MR PARKES, MR SAMUEL HENRY PARKES, ESQ, IN THE CHAIR F P McCABE Esq called in and further examined: - Margin: F P McCabe – 22 Nov, 1855 1. <i>By the Chairman:</i> Since you were before Committee, it has been stated in evidence that country generally round Port Curtis is of a character in many respects highly suitable for general purposes of settlement, & that some parts of it are particularly suited for agriculture. As this evidence seems to be directly opposed to that given by yourself before Committee, it has been thought desirable to hear you further with respect to character of the country? In anticipation of that question, I have brought with me, to submit to Committee, my maps, whereon I have stated description of country in detail; & with reference to statement that had been made by other parties, it will be found that, in my former evidence, I admitted that there were portions of country fit for agricultural purposes, but they bear so small a proportion to bad & sterile country, as not to render country one to be boasted of, or likely to raise Gladstone to importance 2. We have had read to us, by Government Resident at Port Curtis, an extract from a letter of yours, describing country on the Boyne as being of a beautiful character? Yes, that is true; but that extract has reference to what I stated in my former evidence about patches of land that are available for agricultural purposes. The letter in question refers to one of those particular spots.</p>		092

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						<p>3. Will you place before Committee, as minutely as you can, to how large a portion of country that particular letter does refer, & under what circumstances you made yourself acquainted with it? I wished, before I sent back vessel to Sydney, to ascertain if there was land in neighbourhood of Gladstone suitable for agricultural purposes, & I sent Master up the Boyne River, & he reported that there was very good land there & plenty of water; I made a visit to this ground & found that land was suitable for agricultural purposes, but altogether I did not see above seven hundred acres or so – say one thousand acres. I have a map of the river here, & can point out some of the spots. On that occasion I was but six miles up the river; I have since been further up, & I find that the further I went up the worse the country became</p> <p>4. Did you make more than one report upon the Boyne River? Yes; I sent one in with this map (<i>producing a map of the Boyne River</i>). Number of that letter was 55-12, & date 30th January 1855. When this letter was written, I had seen more of the country. Descriptions of that part of country are written on the map. Here are the descriptions: - Low, stony, open, forest ridges interspersed with patches of excellent land, lightly timbered with gum & iron bark trees; fresh water scarce. The first letter to which evidence you speak of refers, has reference to country towards mouth of the Boyne; it becomes worse as you go further. I say there are patches of good land about it, & always did say so. I had not seen much of the country at the time; my duty did not admit of it</p> <p>5. <i>By Mr Samuel</i>: These are small patches (<i>referring to the map</i>)? All small patches: & as we go up the river we get into the ranges altogether</p> <p>6. <i>By the Inspector General of Police</i>: What is the geological formation of the country? Principally sandstone & granite</p> <p>7. Is there any whinstone? There is some</p> <p>8. Are ranges to any extent composed of whinstone? For the most part granite. There is some limestone about fifteen miles up Calliope River</p> <p>9. What is the character of the land? There are some patches of flat land</p> <p>10. Are the limestone ridges merely undulating? They become abrupt very suddenly</p> <p>11. Are the limestone ranges very stony & rocky? There are some parts so</p> <p>12. Is it decomposed limestone soil? No; I cannot say it is. There is very little loamy land; & this limestone country is the very description I have seen. The land is of a pipeclay description</p> <p>13. Does limestone appear to have been forced up through a different formation? I cannot say so. It is principally seen in beds of creeks</p> <p>14. You say there are limestone ridges? I do not know that they are forced up in any unusual way</p> <p>15. What is the nature of the soil? Stony</p> <p>16. Is soil decomposed limestone? I cannot say it is</p> <p>17. <i>By Mr Samuel</i>: Is it rich soil? No</p> <p>18. <i>By the Inspector General of Police</i>: What colour is it? A light brownish red, & a light pipeclay colour?</p> <p>19. A chocolate colour? Yes</p> <p>20. That is decomposed limestone? It becomes very baked in dry weather – very hard</p> <p>21. <i>By Mr Samuel</i>: Is country principally of sandstone formation? I think is it. Geological Surveyor has reported on that part of the country. His report will give a better description than mine. Sandstone predominates</p>		

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						<p>22. <i>By the Chairman</i>: This letter, dated 30th January 1855, does not appear to refer much to country? It is a report upon my survey, & last part of it states good land is in small patches [p 54] Margin: F P McCabe – 22 Nov, 1855</p> <p>23. It refers to character of the river? That was all I could report on. I am not supposed to see more than I survey. It only refers to river banks, & for detailed information refers to map</p> <p>24. Is there any other letter, besides this, that refers to country? In letter dated 4th February 1854, there may be some report about Calliope River, (then named the Liffey, since changed to the Calliope). Here are the descriptions of suburban allotments at Stowe (<i>producing map of the same</i>). These may be reckoned reports; I have marked, as faithfully as I could, descriptions of land in the notes upon the maps</p> <p>25. How far is East Stowe from Gladstone? About 11 miles in a direct line, & fourteen by road. I described country as faithfully as I could</p> <p>26. <i>By Mr Cowper</i>: What is the whole extent of good land about East & West Stowe & the neighbourhood? Available land for agriculture might be one thousand acres in village reserve; then, farther on, in neighbourhood of Stowe, there might be a couple or three thousand acres</p> <p>27. Really good land? Of very fair land for agriculture, such as I have referred to in my original evidence. It is in patches</p> <p>28. <i>By the Chairman</i>: What is the character of country between Stowe & Gladstone? The most broken imaginable, still with some small patches of good land interspersed, & fresh water scarce</p> <p>29. <i>By Mr Samuel</i>: Is there water? It is scarce</p> <p>30. Does the thousand acres you speak of include these farms? I think there are two thousand in farms, but this is not all beautiful land. I have equalized it so as to give some bad land to each farm. I found country so rough that I was obliged to make a preliminary survey & design of farms, so as to give each purchaser some good land amongst the bad, because suburban property fetches a high price, about £3 an acre. I had to do the same at Gladstone</p> <p>31. The village reserve & land about it comprise nearly two thousand acres? Yes. Amongst which there may be some land as good as that might be found in Illawarra, but still quantity is small in proportion to extent of country. I have said that one-tenth of the reserve of twenty miles round Gladstone is very fair land</p> <p>32. <i>By the Inspector General of Police</i>: How many acres would be included in that tenth? I have not made a calculation</p> <p>33. Can you give an approximation? There might be ten or fifteen thousand acres, & all of that is not at all the best for agriculture, although it has good land mixed up with it; & then the climate, I should say, is not one suitable for European produce</p> <p>34. <i>By Mr Cowper</i>: Where this iron bark exists, is it on a country of ironstone gravel, or what is the character of the country? It is small ironstone pebbles; very small. They would make good hard roads; & soil is chocolate colour</p> <p>35. <i>By the Colonial Secretary</i>: I supposed if you cleared timber there would be a good road there? Yes, for the most part</p> <p>36. <i>By Mr Cowper</i>: Is a large proportion of country of that character? No; I take it to be the smallest proportion of the extent I have seen</p> <p>37. What is the character if the largest proportion? My evidence refers to</p>		093

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						<p>about eight thousand square miles, which I have seen, & of that a great proportion is either highly mountainous regions or scrub.</p> <p>38. What did you mean by saying, in your former evidence, that it is a well grassed country? It is well grassed for a stony country, but a great many of the ridges themselves are sterile</p> <p>39. <i>By the Chairman:</i> When you said just now that land was similar to that of Illawarra, you did not mean in its general extent? No; I spoke all along of the good land as being on the merest patches. I mean that you could be taken blindfolded into a patch of land, & say that it was as good as in Illawarra; or anywhere else; but when you opened your eyes, & saw the country around, you would say that it was of a widely different character</p> <p>40. I wish to know whether you meant, when you said that there are portions of land as good as that of Illawarra, that these, in all cases, were isolated portions, surrounded by unavailable land? Yes</p> <p>41. There is no patch of good land extending a length of six miles? No, not of the rich character referred to</p> <p>42. Do I understand that patches of land that are available are so small as not to extend one mile before there is an interruption of broken country? There may be six hundred or one thousand acres in one place</p> <p>43. Are there many patches of six hundred or one thousand acres? I take it there are as many as would make up ten of fifteen thousand acres of land fit for agricultural purposes, within that extent of country. It is remarkable, that best country in the District, turns out to be within the twenty miles reserved, but that is a mere matter of accident. It was not owing to my recommendation that twenty miles were reserved, nor eight counties proclaimed. Beyond the circle of twenty miles the land is not so good as within it, nor are fertile patches so numerous</p> <p>44. <i>By the Inspector General of Police:</i> In reserve at Stowe, you said, if I understood you rightly, there were about two thousand acres? That is laid out in farms</p> <p>45. What extent of good land is there in that locality? That is laid out, as being best that is there. I do not know that any more could be laid out for agricultural purposes. I take what is laid out to be as much as is available</p> <p>46. What is the extent of it? Two thousand acres</p> <p>47. Did I understand you that land was of the character of the Illawarra country? Very small patches of those two thousand acres, the rest being of an inferior kind</p> <p>48. Still, I understood you to say there were about one thousand acres of such land? There might be, between that neighbourhood & village reserve</p>		
						<p><i>[continuing from above]</i></p> <p>[p 55] Margin: F P McCabe – 22 Nov, 1855</p> <p>49. About one thousand acres of such land as that at Illawarra? Yes, it might be called so, but I cannot say exactly the quantity</p> <p>50. Are there not detached pieces, of from one to two hundred acres, available for agriculture, among more broken country? Yes, I have said there are; but it would not be well to have population scattered in that way. I should not think of laying out farms in that way, but should endeavour to get large portions of land suitable for agricultural purposes; I should not go to these isolated places for it</p> <p>51. It might affect labour of the department, but it would not affect the question whether land was, or was not, available; what I want to know is, whether there are in these portions of land patches of from one to two</p>	A2.38	094

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						<p>hundred acres that might be divided? I stated in my original evidence that this land did exist, & I state so now</p> <p>52. These 15,000 acres you speak of as being land available for agriculture, would include such portions? Yes; I wish to be outside the quantity, & to speak in favour of the country by saying 15,000 acres, but there may be even more</p> <p>53. Would that include all good land in all situations within twenty miles of Port Curtis? That is what I would say; I would not pretend to strict accuracy</p> <p>54. <i>By the Chairman:</i> You are, however, still of opinion, that there is not more than one mile in ten available at all for any cultivation? I am, at a rough guess</p> <p>55. Do I understand that these small isolated patches you have just spoken of are surrounded by country for most part inaccessible on account of broken character – its hilliness? Yes; some of them may be all but inaccessible for teams</p> <p>56. As a general rule, would people travel over nine miles of bad country to get to one of good? I think it would be so generally</p> <p>57. Were you in the interior recently, before you left Port Curtis? Yes; I have a map here of my route (<i>The Witness produced a map</i>)</p> <p>58. Will you have the kindness to take these maps & describe country along your route? In the line of road from Messrs Leigh Hay's & Holt's stations. This survey was made in connexion with an angular survey of country, & it was chained to connect Messrs Leith Hay's & Holt's head stations with surveys near East Stowe. The distance from Mr Leith Hay's station to Gladstone is about 170 miles, of which these maps represent about ninety miles chaining, done in twelve or thirteen days. Commencing near East Stowe, first twenty miles is described on map as "large flats of open forest land, box & gum, for most part poor soil interspersed with low stony ridges, & backed by very broken country – limestone & granite formation". For next twenty-five miles, country is described as "undulating open forest, well grassed country, principally iron bark backed by apparently inaccessible rocky ridges. Beds of the creek, for the most part sandy & shallow; water is scarce". Of the next twenty miles, one portion is described as level country, for the most part brigalow scrub". Another portion, "This portion of the valley of the Don has very small flats of good soil on its bank, open forest land of gum, iron bark & acacia; ridges are abrupt, stony, & heavily timbered with iron bark; country north & south is mountainous and scrubby", (that is, north & south of line of road). The next eighteen miles is described as "well grassed open forest country of iron bark, blood wood, box & acacia, backed by dense brigalow scrub, & mountainous ridges". These for the most part refer to country beyond circle of twenty miles round Gladstone</p> <p>59. When you got to Mr Leith Hay's station where did you proceed? I returned</p> <p>60. Did you return by same route? Yes. My object in going to Mr Hay's station was to get upon a hill to westward of it, called "Ramsay"; but I found that it was fifteen miles off in direct distance, & that I should have to make a circuitous route to it in order to skirt scrub, & circumstances did not admit of my doing so</p> <p>61. Have you formed any opinion of country, represented on map you have produced, to south-westward of Gladstone? I have</p> <p>62. What do you suppose to be the area of that country? I dare say there</p>		

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						<p>are two thousand & five hundred square miles of mountain region, or more</p> <p>63. What means have you adopted for ascertaining the character? In taking angular surveys, I was enabled to see the nature of country, & I have field books to show sections taken, which will show Committee the character of country (<i>The Witness produced the same</i>)</p> <p>64. Will you state to Committee what is the general opinion you have formed of this large extent of country from means & opportunities afforded you? From what I have seen of it, & comparing it with portions to southward of Sydney, I should pronounce it to be the worst country I have seen during last fourteen years of travelling, portions of Australian Alps not excepted</p> <p>65. <i>By the Colonial Secretary:</i> Does that apply to country about Mr Leith Hay's? I have not seen much beyond his station</p> <p>66. Was that the place to which Mr Hay took his stock? He has a strip of land on which to graze his stock, backed on one side by this dense brigalow scrub. He has several square miles fit for grazing</p> <p>67. Do you know if there is any disease among sheep up there? I did not hear of any</p> <p>68. Do you know how many sheep can be fed upon the land? No; it requires experience to find that out. I dare say people most interested in that question have not yet been there a sufficient time to ascertain that</p> <p>69. Mr Hay has some thousands of acres of land available for stock? Yes, but, from what I saw, I should say the station was a most unprofitable one; instead of lying in one solid block, it was a long strip of land</p> <p>70. <i>By Mr Samuel:</i> Will you be kind enough to tell Committee how many stations there are now within a hundred miles of Gladstone? When I left, there were Mr Hay's, Mr Little's, & one within fourteen miles of Gladstone, with about three thousand sheep on it</p> <p>[p 56] Margin: F P McCabe – 22 Nov, 1855</p> <p>71. Then there are only two stations besides Mr Hay's? There were only two when I left</p> <p>72. Would not good pastoral country within a hundred miles of a port have been readily taken up? Yes, I think so</p> <p>73. And this has not been taken up? No. Since I came to Sydney, I understand a party has sat down on Baffle Creek</p> <p>74. Have you any doubt that if this country had been available for pastoral purposes it would have been taken up? I should think it would</p> <p>75. <i>By the Colonial Secretary:</i> Is it not in course of being taken up? I could not say that it is to my knowledge</p> <p>76. <i>By the Inspector General of Police:</i> Are you aware there have been tenders? I believe there have been tenders, but they have not passed through my hands. I have here a letter from Mr Charles Archer to Government, in 1853, which confirms my opinion. (<i>The Witness handed in the same, Vide Appendix. The Witness also produced a tracing showing the part of the country referred to by Mr Archer, extending to Broad Sound on the N.W., and to the Kolan River on the S.E. of Gladstone</i>) A friend of his described the country as only fit for feeding goats. From about a hundred miles to the westward of Gladstone Native Police have been running a post for some time, & there is one range they have to get over which, I understand, very soon knocks up horses, & water is occasionally very scarce upon portions of line of route. I will, if Committee please, read from maps I have here (<i>producing several maps</i>) description of country to south-east of Gladstone. I have here about seventy miles of chaining,</p>		095

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						<p>commencing at Boyne River, & I have ridden over a great deal of country in the same direction, which I did not chain for first ten miles, "the country is very broken, interspersed with flats of good land, some very level ground towards the sea, interspersed with salt water creeks;" on south-west of the road, "high, precipitous, &, apparently, inaccessible mountains". That applies nearly to the whole route to Kolan River. Country to north-east of the road is "ridgy, poor soil", & whole line of road is of a sandy description – "water scarce in dry weather". When Mr Carlow O'Connell came this track, which was formerly opened up with pack horses, I believe he represented creeks to be running, & when I went, a few weeks after, myself & my men were on point of being a night without water, when I accidentally found a small hole of water at sunset, having travelled seventeen miles in a famishing state for want of water. This hole was nearly dry on my return journey in a few days, as was also another hole on the line</p> <p>77. Did Government Resident ever travel over from Gayndah? No; he came by water</p> <p>78. Mr Carlow O'Connell came from Gayndah? Yes</p> <p>79. Did Government Resident accompany you in any of these surveys? No</p> <p>80. Had he any opportunity of making himself personally acquainted with the character of country? Not that I know of; he might have seen some patches of land within twenty miles of Port Curtis</p> <p>81. Is there anyone who could describe country besides yourself & Mr Archer? There are parties interested in it who could describe it</p> <p>82. You had no other person conducting survey? Mr Richard Mitchell accompanied me on part of my last journey to Mr Hay's; & I requested him to be here today, to give evidence if called upon</p> <p>83. Have you read your former evidence since it has been transcribed? Yes</p> <p>84. Is there any portion of that evidence which you now wish to modify? I do not know of any. This line of road, by which Mr Carlow O'Connell came in from Gayndah, is very circuitous, owing to mountainous nature of country; it was one that, in bad weather, would be swampy in many places; but, in dry weather, it would be all but impassable for want of water. I reported to Surveyor General a line of road where there would be a greater chance of water; line I propose comes towards East Stowe instead of Gladstone</p> <p>85. Would that line of road be longer, or shorter; About the same length to meet water carriage at Stowe</p> <p>86. <i>By the Inspector General of Police:</i> You spoke of the Australian Alps as compared with country about Mr Hay's? Yes; between Hay's & Gladstone</p> <p>87. What is the climate of the Australian Alps? Very cold; I am speaking merely of its broken character, & comparing it with the Alps</p> <p>88. Was there pasture there that might be suitable for pastoral purposes? It might be, if there was water. I think best idea that I can give of character of country is to compare it to the Australian Alps</p> <p>89. The Alps are quite unsuitable for pastoral purposes? No. I would rather have portions of that country with its climate for pastoral purposes, than best country about Port Curtis</p> <p>90. Simply from want of water at Port Curtis? That is one reason, & climate another</p> <p>91. What is the difference? In Alps country water is plentiful, & it is better grassed than regions to westward of Port Curtis</p>		

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						<p>92. <i>By Mr Samuel:</i> Has Mr Leith Hay cattle or sheep at his station? Principally sheep</p> <p>93. Is it a large or small establishment? There are thirty thousand sheep, I believe; but his runs are not in a solid block, as they could be in a good country; I was greatly disappointed in that country; I went up to it with notion that it was another Port Phillip</p> <p>94. <i>By the Chairman:</i> You have stated in evidence that you gave formerly that you do not think country can be opened up for some considerable time to come, with any great degree of success? I think not</p> <p>95. Will you state when you arrived definitely at that opinion? More especially after my journey to Mr Hay's</p> <p>96. Did you express that opinion, before you left Port Curtis, to Government Resident, or any other gentleman? I dare say I did to other gentlemen; I reported to that effect to the Surveyor General before I left Port Curtis; I do not remember stating it to Government Resident</p> <p>[p 57] Margin: F P McCabe – 22 Nov, 1855</p> <p>97. Will you have the kindness to state, whether, in your opinion, country would stand as good a chance of being opened up without present Establishment of Government Resident as it would with it? Yes; I think so. I think, if it had been allowed to be dealt with as other portions of country have been, great expense might have been saved</p> <p>98. If country is opened out it must be for pastoral occupants? That is my opinion, &, on account of scarcity of water, I do not think it good country even for pastoral purposes</p> <p>99. Would establishment of Government Resident in any way facilitate occupation for pastoral purposes? Only inasmuch as it would secure a place for export</p> <p>100. Would all present machinery be required for years to come, in securing a place for export? I think not; I think Wide Bay will have the advantage of Port Curtis for many years to come</p> <p>101. There is no Government Resident at Wide Bay? No</p> <p>102. Did you ever hear any complaint that intercourse with that port was impeded or rendered more difficult for want of a Government Resident? No. Any person I have conversed with has been opposed to notion of having a Government Resident at all. If it had been another Port Phillip, & had become settled as quickly as that did, it might have been well to have had such an officer</p> <p>_____</p> <p>APPENDIX Eraswold, Gayndah [as it is – Eidsvold?] 1 September, 1853 Absence from home has prevented me from sooner acknowledging the receipt of your letter of 15th July. I have now the honour to enclose, for the information of His Excellency the Governor General, a field sketch of the country beyond the Burnett District [not filmed here], which I have at various times explored. The sketch has no pretensions to accuracy; but, as the main features of the country are laid down from a chain of cross bearings, carried on throughout all my expeditions, and as these rough surveys brought me back, with but small error, to my original starting points, a fair idea of the geographical features of the country may be gathered from the map. No part of the sketch is filled in, except with dots, unless the country has been travelled over; and, although I cannot</p>		096

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						<p>positively assert that the Dawson and Mackenzie Rivers join and form what in the map is called the FitzRoy, yet, I have not the slightest doubt that such is the case</p> <p>I have twice made Port Curtis from the northward and westward. The approach from these points is difficult, but the port is easy of access from the southward. The country immediately behind Gladstone is poor and broken, nor did I see any land in that neighbourhood adapted for agricultural purposes. Upon the FitzRoy and Dawson, and their tributaries, the country, where open, appears to be adapted for grazing, but it is, unfortunately, cut up by immense scrubs. The stations will therefore be small and far apart. It appears to me that the lands within one hundred and fifty miles of Gladstone will never raise it into a place of importance, but the Peak Downs of Leichhardt, of which it will be the outlet, may have that effect (Signed) CHARLES ARCHER – (To) THE HONOURABLE COLONIAL SECRETARY</p>		
	55/09357	1855 08 30	Hon CS	606 George Street South William Grey, Surgeon	1855 08 29	<p>At top: "William Grey"</p> <p>Letter in reply to CS letter 14th inst stating in accordance with opinion expressed by Government Resident at Port Curtis, that my claim for compensation for detention on board the "William Miskin" steamer & for passage money cannot be allowed: was allowed full pay from date of my appointment on 5th April 1854 although I did not arrive at Port Curtis till 6th May, also Government paid my passage to that place, therefore submits it would be merely acting on same principle, if Government were to allow my claim for detention on steamer & passage money - is a very hard case that I should lose a month of my time, & pay my passage from a place I was sent to on duty by Government.</p> <p>Refrains at present from urging the hardship suffered from losing good situation – only wishes you have goodness to represent to His Excellency the actual loss & injury sustained by above detention which I trust His Excellency will take under his favourable consideration</p> <p>&</p> <p>Notes in margin</p> <p>I think under these circumstances that Mr Gray [as it is] should be allowed pay for the month he was detained on board steamer & his passage money</p> <p>Government must pay his passage but not the salary</p> <p>Mr Grey, Auditor General [Ref L C 55/194]</p>	A2.38	097 – 099
	55/08449			"J S"	1855 10 15	<p>[Memo]</p> <p>Appears by 9th paragraph of Government Resident's letter of 14th February [as it is - 24th July? - see letter p 108] that nails (including 6 iron cans) weighed 5cwt 1qr 26lbs – have ascertained on enquiry from Messrs Nott & Edwards, from whom nails were purchased, that each can contained 112 lbs net weight, & that tare of each can was 5lbs. Cost of nails as shown by account rendered to Mr Grey is £13-11-0 – Mr Grey willing to estimate nails at 5cwt & amount at £12-10-0 & accordingly encloses for decision on account in his favour for the amount. When authorised account will, on being returned to this Office, be placed in Warrant for payment – Blank Cover</p> <p>&</p> <p>Notes re above</p> <p>Returned Colonial Secretary's Office</p> <p>This may be allowed - goods ordered by Dr Gray [as it is] but his departure having been decided upon, Capt O'Connell took them off his hands</p>	A2.38	100 – 101
				"C D R"	1855 08 31~			
				"W D"	1855 08 31~ 1855 09 03			
				"C D R"	1855 10 17~ 1855 10 17~			

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	55/08449			"W D"	1855 10 17 1855 10 23	Approved Auditor General		
				"J S"	1855 08 08	[Memo] Under this report & authority conveyed in Colonial Secretary's letter of 4 th inst No 115 (55/08211) I have prepared Abstracts for full pay & allowance to Doctor Grey during period stated by Government Resident in 2 nd paragraph viz Pay – 1 January - 31 March - £75 Allowance for Forage @ 2/6 per diem, same period - £11-5-0 I have omitted the Items Compensation for detention on board "William Miskin" - £25 Passage money - £12 in accordance with opinion expressed by Capt O'Connell in 6 th para that "they are altogether untenable" I have charged Doctor Grey with £50 advanced to him for erection of house, until adjustment is made. I have also charged him £9-8-8 value of rations drawn from 28 October 1854 to 6 January 1855, as stated in 10 th paragraph - account will then stand as follows viz- Pay £75 Allowance £11-5 £86-5-0 Less Advance for erection of House £50 Rations supplied £ 9-8-8 £59-8-8 Balance due to Mr Grey £26-16-4 Value of nails, etc (par 9) can be taken into account when advance of £50 is being adjusted – Blank Cover & Notes re above Returned Colonial Secretary's Office I presume Mr Grey will be paid £26-16-4 Yes Mr William Grey Government Resident Port Curtis, Auditor General [Ref 55/09357]		102 – 103
	55/08449			"C D R" "W D"	1855 08 10~ 1855 08 11~ 1855 08 11 1855 08 14 1855 08 16	Notes At top: "55/09357" [very faint] Acting Auditor General requested to report what is necessary to adjust Mr Gray's [as it is] claim for nails mentioned in this letter – see also Certificate from Mr Miller herewith [not filmed here] – Blank Cover Stamp: AUDIT OFFICE-NEW SOUTH WALES / No 682-OC*5 See Auditor General's report of 15 October Value of nails should be ascertained & reported by Government Resident – Blank Cover Returned Colonial Secretary's Office		104 – 105
				"W E"	1855 10 04			
				"J S"	1855 10 08~ 1855 10 17~			
				"C D R"	1855 07 12~	Notes January - £25 February - £25 March - £25		106 – 107

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	55/08449	1855 08 07	Hon CS	<p>"C D R" "C D R"</p> <p>Gladstone M C O'Connell, Government Resident</p>	<p>1855 07 21~ 1855 07 23~ 1855 07 23~</p> <p>1855 07 14</p>	<p>1 month in steamer - £25 Passage money - £12 Allowance for 3 months - £11-12-6 £123-12-6 <u>50-0-0</u> £ 73-12-6 <u>25-0-0</u> £ 48-12-6 Amount due to Dr Grey's case~</p> <p>The papers respecting Dr Grey from Port Curtis To be sent to Auditor General They are already with Auditor General</p> <p>At top: "Government Resident Port Curtis" Para 1: Acknowledging receipt of CS letter of 12th June arrived on 11th inst found awaiting me on return last evening from inspecting Runs on Boyne [No 79/55] Para 2: With reference to claim made by William Grey late Resident Surgeon at this place, for pay & allowances from 1st January to 31st March, it was always my intention to have recommended his pay for this period to be allowed to him had he in any way left it in my power to do so – but he departed without making any other application to me than the one I enclose, & he paid no attention to request I made to furnish vouchers for expenditure of advance of £50 he had received on account of erection of building for his residence – nor did he, as I stated to him he should do, give over marquees & medicines he had in charge, but left them to be collected & taken care by others Para 3: I presumed therefore he preferred making his statements & urging his claims in Sydney - did not feel called upon to interfere further in matter Para 4: He certainly did continue to attend on those cases in which he was applied to after period of his suspension – I was very glad he persisted in so doing although unable from his peculiar conduct to sanction his remaining in office under my orders, & therefore I should not feel inclined in any way to oppose his recovering his pay for that period Para 5: Also think he is entitled to an allowance in lieu of forage as I know he purchased a horse although he made but little use of him Para 6: With regard to other items in claim made by Mr William Grey, I am bound to say that I think them altogether untenable Para 7: He was removed from his appointment entirely through his own act – he never made slightest attempt at explanations or apology & to the last carried on correspondence to me in a style which rendered it absolutely necessary that either he or I should change our relative situations Para 8: For any hopes consequent on his removal from his appointment, he has himself to blame - appears to me should not receive compensation Para 9: Must add with regard to advance of £50 paid to Mr Grey on account of building his residence, that not even a commencement of any work has been made & that all credit he is entitled to claim is value of about 5 cwt of nails which I found [p 123-124] At top: "54/08449" laying on ground & placed in Government Store for protection until I knew what to do with them. Gross weight of these nails including 6 iron cans, is 5cwt 1qr & 26 lbs according to Certificate furnished by Mr Miller which I</p>		108-111 123 - 124 [pages out of order]

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						enclose [not filmed here] Para 10: There is also charge of £9-8-8 against Mr Grey for Rations issued to him from 28 October to 6 th January – these were rations I allowed to be issued to Officers of Government stationed here as a convenience in the infancy of the Settlement which insured their obtaining provisions at cost price instead of being subjected to charges of Storekeepers in Gladstone & Notes in margin See 4 th para & 5 th for Auditor General Blank Cover – Noted 55/07234 ... papers sent to Auditor General 18 July – See 55/08211 herewith [<i>very faint</i>] Stamp: AUDIT OFFICE-NEW SOUTH WALES / No 566-AU*8 [Ref 55/09357]		
	55/08449		Government Resident Port Curtis	Port Curtis William Grey	1855 08 07~ 1855 08 07 1855 04 02	At top: <u>"To Colonial Secretary July 14th 1855 requested to be returned"</u> Letter acknowledging receipt of "your letter of this days date" informing Governor General, with advice of Executive Council, confirms my suspension from 10 th January 1855 – states he does not make any reference to pay & allowances, therefore wishes to know: 1 st Whether my pay & allowances are to be stopped & altogether cease from 10 th January last & also whether Government through you refuse to pay me anything from that date (10 th January last) to present time 2 nd Whether I am to consider my suspension as you term it, as an absolute & positive dismissal from Government Service from 10 th January last or whether suspension is to be considered (as term implies) merely a stoppage of duty until case can be more fully & clearly investigated		112
	55/08449		Mr William Grey, Surgeon, Port Curtis	Gladstone M C O'Connell Government Resident	1855 04 02	Letter in reply to your letter of today applying for more detailed information re your suspension, confirmation of which by Governor General I apprised you of in my previous communication of this date - acquaint you that as I have received notification of appointment of your successor there is no doubt confirmation of your suspension is an absolute & positive conclusion to your services under Government in office of Resident Surgeon at Port Curtis; & that as such suspension takes effect from 10 th January last your pay & allowances will also cease from that date [No 32/55]		113 - 114
	55/08449			Port Curtis William Grey, Resident Surgeon	1855 02 17	At top: <u>"To Colonial Secretary July 14th 1855 requested to be returned"</u> Letter with reference to 2 men named in margin: William Pershouse, John Pershouse, carpenters, hired at my request in Sydney for express purpose of erecting an official residence for myself in accordance with Grant made to me by Government for that purpose – states that as peculiar circumstances have occurred since I gave order for hiring these men, which prevent me at present employing them in the way intended, I consider Government, through you, are bound in good faith to pay & ration them from date of their arrival here, & also to pay their passage money & advances which have been made to them, latter to be repaid the Government by deduction from their wages. Upon above conditions I shall be happy to transfer them to you [Cover sheet] Feb 17 / Mr Grey relative to the Pershouses		115
								116

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						<p>2 In reply, informs that amount to which Mr Grey would be entitled for half pay for period from 1st January to 1st April, the date on which he was relieved by his successor, would be £37-18-4 or £12-1-8 less than advance</p> <p>3 Does not appear to be intention of your letter that any portion of forage allowance, of which Mr Grey was in receipt up to period of his suspension, should be issued to him, but even if a moiety of this allowance were added to his half salary, they would amount to £43-12-1, only, or £6-7-11 short of sum required to be adjusted</p> <p>4 Issue of any payment to him from Colonial Treasury will therefore require to be deferred until such time as he adjusts advance in question</p> <p>&</p> <p>Notes in margin 55/07234 Mr Gray [as it is] – 5 July Sent with all papers to the Auditor General 18 July</p> <p>I have seen the Governor who is willing to allow Mr Grey full salary provided he performed the work during the time he was suspended Government Resident has been written to on the subject & Mr Grey must await his reply - to the Auditor General</p> <p>55/08449 Auditor General Send to Auditor</p>		
				"C D R"	1855 07 28 1855 07 31~ 1855 08 04 1855 08 04~			
	55/04297	1855 05 07	Hon CS	Gladstone M C O'Connell Government Resident	1855 04 05	<p>At top: "Government Resident Port Curtis"</p> <p>Letter stating Mr William Grey late Resident Surgeon at this place has neglected to furnish me with any vouchers for expenditure of the £50 advanced to him by me on account of allowance made to him to build a residence although I have called upon him to do so [No 34/55]</p> <p>2 As he takes his passage, I am told, by "<i>William Miskin</i>" sailing this day, I deem it my duty to mention he is indebted to Government in this sum or otherwise bound to produce vouchers for its expenditure</p> <p>&</p> <p>Notes in margin Auditor General – blank cover – noted - to be returned Stamp: AUDIT OFFICE-NEW SOUTH WALES / No 316-MY*11</p> <p>Advance of £200 was made to Government Resident at Port Curtis for erection of residence for Resident Surgeon - no accounts in adjustment have been rendered – blank cover</p> <p>Returned Colonial Secretary's Office Is any salary due to him – blank cover Noted – to be returned For Auditor Stamp: AUDIT OFFICE-NEW SOUTH WALES / No 339-MY*18 Mr Jones &</p> <p>Notes re above</p> <p>No accounts in adjustment of Mr Grey's salary have been received for a later period than last quarter of 1854 – blank cover</p> <p>Returned Colonial Secretary's Office The object of this letter appears to be that Mr Grey should not be allowed to draw any money in Sydney for pay up to the time he is entitled to it as Surgeon at Port Curtis – but Government Resident should state this & abstain from certifying to any claim he may have for salary until he has</p>	A2.38	128 – 129
				"W E"	1855 05 11			
				"J S"	1855 05 14			
				"W E"	1855 05 15~ 1855 05 17 1855 05 18~ 1855 05 18~			
				"J S"	1855 05 22 1855 05 23~ 1855 05 24~			

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				"C D R"	1855 05 25~ 1855 05 30	adjusted his accounts What is due to Mr Grey for Salary? Is he in Sydney, if so let him be informed that his salary if any is due will be paid to him on his accounting for the £50 advanced by Government Resident Government Resident, Mr Grey - See 55/08211		
	55/07234			"C D R"	1855 07 10~ 1855 07 10~ 1855 07 13~ 1855 07 16~	Notes [somewhat out of order?] [p 131-rhs] Write a note to Mr Grey asking him to call upon me Note Where is the note sent to [very faint] Mr Grey called here on the 11 about 3 o'clock in afternoon & he said he would call again on the following morning, I have not seen him since	A2.38	130 – 132
				"C D R"	1855 07 16~ 1855 07 17~	See other side [p 130] <u>To the Auditor General</u> I have seen Mr Grey & his case is this: after his suspension early in January he served for <u>3 months</u> doing duty as medical man of the establishment for what he claims £ 75-0-0 He paid for his passage to Sydney £ 12-10-0 He was allowed a Horse – about £ 12-0-0 £ 99-10-0 From what is to be deducted£ 50-0-0 £ 49-10-0 Mr Grey also claims his salary for time he was detained on board steamer what took a month coming to Sydney £ 25-10-0 [p 132] I doubt as to this claim in as much he was kept on Board - & the Government paid his passage [p 131-lhs]		
	55/07234	1855 07 06	Hon CS	606 George Street South, Sydney William Grey, Surgeon	1855 07 17 1855 07 18~ 1855 07 05	Auditor General – Blank cover – to be returned Noted Stamp: AUDIT OFFICE-NEW SOUTH WALES / No 510-JY*18 At top: W Grey" Letter acknowledging receipt of CS letter of 25 th ult in which you inform me that under circumstances of the case His Excellency has approved of my being allowed half salary from date of my suspension, for the time I did duty at Port Curtis – that time was 3 months & half pay for which would be £37-10-6 & out of that sum you inform me £50 is to be deducted, until satisfactory accounts are rendered to the Audit Office. How you are to manage this affair of the deduction I cannot make out [Margin: 55/08211] It appears to me very clear that His Excellency has not read letter I wrote to you on 24 th May [Margin: 55/05067 sent to Auditor 26 June] - otherwise, I respectfully submit that he never would have sanctioned your making such an extraordinary statement as that contained in your letter to me of 25 th ult that £50 is to be deducted from my half pay of £37-10-6. But perhaps His Excellency meant that half of the £123-12-6 which I claim as being fairly due to me should be allowed & out of that sum £50 should be deducted until answer can be received from Government Resident at Port Curtis. I request you will lay this letter as well as the one I addressed to you on		133 – 135

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						24 th May before His Excellency for his re-consideration of the matter & I am sure if His Excellency knew all the circumstances of the case he would see I have been deeply injured by conduct of Government Resident Port Curtis		
	55/05564 [written over]			"J S"	1855 06 19	[Memo] [p 136 written over – part difficult to read] If Mr Grey's application is to be entertained there are two courses open for adoption: Either his suspension from office should be cancelled, which would entitle him to pay & allowances now claimed by him – or he should receive remuneration for medical services, quite irrespective of any claim to salary. In either case I would again~ bring under notice, that ~[words obscured] stated by Government Resident, that £50 advanced to Mr Grey for purpose of building official residence has not been accounted for – & a deduction to this extent should be made from whatever sum may be awarded to him until satisfactory accounts in adjustment are rendered – blank cover Returned Colonial Secretary's Office "On 15 July" & Notes p 136	A2.38	136 – 137
	55/05564	1855 06 15	Hon CS	606 George Street South, Sydney William Grey	1855 06 22~ 1855 06 23 1855 06 25 1855 06 14	I think under the peculiar circumstances of this case Mr Gray [as it is] may receive his half pay for time he did duty at Port Curtis, deducting of course £50 advanced for a house for which no vouchers appear, the balance to await result of the reference to the Resident Mr Grey, Auditor General [Ref 55/07234] At top: "William Grey" Acknowledging receipt of CS letter 12 th inst in reply to mine of 24 th ult relative to my claim for pay & allowances as Resident Surgeon Port Curtis, & to inform that I have this day had an interview with His Excellency on the subject - by his advice, state that if I have to wait until my claim can be submitted to Government Resident at Port Curtis, it will be above 2 months before an answer can be received from that officer - in consequence of having received no pay since December last it will be impossible for me to carry on my profession for want of funds if I do not have an immediate settlement. I have £5 per week house rent to pay besides other heavy expenses, therefore beg you to reconsider matter with view of having my claim settled at once without the delay of waiting for Government Resident's reply - have already stated in letter of 24 th ult that I performed medical duty at Port Curtis from 1 st January to 31 st March last & in further support of that statement I enclose abstract from Day Book I kept at that time showing that I actually attended the sick during the time specified - further state I am willing to make an affidavit or declaration to that effect. Beg you will submit this case for His Excellency's consideration & Notes in margin For Auditor General & report. Perhaps a portion of his claim may be allowed say one half until we hear from Capt O'Connell		138 – 139
	55/05564			"C D R" "W E"	1855 05 16~ 1855 06 16 1855 06 18~	Blank cover Noted Stamp: AUDIT OFFICE-NEW SOUTH WALES / No 439-JU*18 <u>Memo of Cases attended at Port Curtis</u> [p 140]		140 – 149

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	55/05564					<p><u>Wednesday January 10th 1855</u> Andrew Jenkins, boatman, ophthalmia [as it is] Sarah Lutton, Capt O'Connell's maid servant, disordered stomach Mrs Lutton – Constipation <u>Thursday January 11th</u> Mr MacCabe's man, Watson – slight inflam. of eyes [also McCabe] Andrew Jenkins, case continued Furbar? – Dressing an incised wound of the leg <u>Friday January 12th</u> Sarah Lutton, Andrew Jenkins <u>Saturday January 13th</u> Mr MacCabe's man, Turner – pleuritis Lutton – Constipation [p 141] <u>Sunday January 14th</u> Bonsefield's wife (coxswain) – premonitory symptoms of labour <u>Monday January 15th</u> Mrs Bonsfield [also Bonsefield] – delivered of a son Mrs Stonehouse [also Stonhouse], Mr MacCabe's man, Turner The Native Police <u>Tuesday January 16th</u> Mr MacCabe's man Watson Mr MacCabe's man Berry Feeney, constable – headache – constipation <u>Wednesday January 17th</u> Berry – a prisoner – dysentery Carter, constable – Gonorrhoea [as it is] Connors son Bonsfield's child [p 142] <u>Thursday January 18th</u> Berry <u>Friday January 19th</u> Berry - dysentery Mrs Bullock – severe frontal headache <u>Saturday January 20th</u> Berry – a prisoner Mrs Macintyre Mrs Bonsfield & child <u>Sunday January 21st</u> Berry Mr MacCabe's man, Turner Mrs Bonsfield & child [p 143] <u>Monday January 22nd</u> Berry, a prisoner Mr MacCabe's man, Turner <u>Tuesday January 23rd</u> Mrs Bonsfield & child <u>Wednesday January 24th</u> Mr MacCabe's man, Turner A visit at the Police Camp</p>		

SRNSW REF NO	CS REF NO	DATE RECD	TO	FROM	DATE OF DOCUMENT	CONTENTS	QSL REEL	PAGE
	55/05564					<p>Mr Birch, Mr Stutchbury's Assistant A visit at the Camp <u>Thursday January 25th</u> Mrs Bonsfield, Mrs Bullock <u>Saturday January 27th</u> Native policeman John Reid – ophthalmia <u>Sunday January 28th</u> N Policeman John Reid A visit at the Police Camp Mr Birch – A visit [p 144] <u>Sunday January 28th</u> Mr MacCabe's man, Turner A visit at the Camp Jenkins, boatman – feverish cold <u>Monday January 29th</u> Jenkins, boatman Mrs Bullock, Mrs Stonehouse <u>Tuesday January 30th</u> Jenkins, boatman <u>Wednesday January 31st</u> Mrs Bonsfield <u>Thursday February 1st</u> Mrs Bonsfield Macintyre's boy <u>Sunday February 4th</u> A visit to the Police Camp [p 145] <u>Monday February 5th</u> Lilly, boatman - excoriations <u>Friday February 9th</u> Bonsfield, coxswain – hemorrhoids <u>Monday February 12th</u> Bonsfield <u>Thursday February 15th</u> Mrs Bullock <u>Friday February 16th</u> Mr Surveyor MacCabe's men – replenishing their medicines for a journey into the interior <u>Tuesday February 20th</u> Feeney, constable Sarah Lutton [p 146] <u>Friday February 23rd</u> Feeney, constable Sarah Lutton <u>Monday February 26th</u> Feeney, constable Robert's wife (bullock driver) <u>Tuesday February 27th</u> John Pershouse, carpenter – gastric irritation Feeney, constable</p>		
	55/05564							

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	57/05564					<p><u>Wednesday February 28th</u> Mrs Bonsfield</p> <p><u>Thursday March 1st</u> John Pershouse Feeney Connors, labourer – applying two sutures to an incised wound of the leg [p 147]</p> <p><u>Friday March 2nd</u> Feeney, constable</p> <p><u>Saturday March 3rd</u> Robert's wife (bullock driver)</p> <p><u>Monday March 5th</u> Mr Birch, Mr Stutchbury's Assistant – indigestion Mrs Stonehouse Mrs Stonehouse Woman servant Mrs Stonehouse Manservant</p> <p><u>Tuesday March 6th</u> The native police A visit to Calandoon [as it is – also Callandoon] (hepatitis)</p> <p><u>Wednesday March 7th</u> The native police A visit to Calandoon Feeney, constable</p> <p><u>Thursday March 8th</u> The native police Conway Native woman, Sally Mr Murray Connors, labourer – dressing the ankle [p 148]</p> <p><u>Thursday March 8th</u> Feeney, constable A truss for an inguinal hernia of the right side</p> <p><u>Wednesday March 14th</u> Robert's wife – menorrhagia</p> <p><u>Thursday March 15th</u> Robert's wife Calandoon Native policeman</p> <p><u>Sunday March 18th</u> Finnigan, constable - for child</p> <p><u>Tuesday March 20th</u> Conway, native police Bonsfield, coxswain</p> <p><u>Wednesday March 21st</u> Robert's wife</p> <p><u>Thursday March 22nd</u> Mrs Stonehouse Mrs Stonehouse woman servant [p 149]</p> <p><u>Friday March 23rd</u> William Pershouse for daughter Elizabeth</p> <p><u>Tuesday March 27th</u></p>		

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						<p>peculiarity in the tone of it I had drawn upon myself the rebuke which Governor General addressed to me – as it was certainly very far from my intention to arrogate to myself the assumption of having power to fill up any vacancies in public service of my own authority</p> <p>Para 2: I presume paragraph which has given offence is that wherein I stated that "I should be careful in filling up the vacancy caused by removal of Mr Mylrea to secure the services if possible of a gentleman of honourable <u>character</u> & steady conduct" – I must explain that as Sir Charles Fitzroy had in first instance very courteously left appointment of my clerk in my own gift, I thought on occurrence of a vacancy, he would have followed the same rule & that a household appointment such as from circumstances this is would not have been filled up without my recommendation. Moreover I had been unfortunate in my original selection & I determined to use utmost care in recommending appointment of a successor to Mr Mylrea</p> <p>Para 3: This was all that I intended to convey but on reading over my letter I perceive that my meaning is not clearly expressed & I can only therefore assure His Excellency I had not the slightest intention to affect the assumption of a power I am quite conscious I do not possess</p> <p>Para 4: At the same time I must not shrink from saying that I felt much disappointment at finding vacancy caused by removal of Mr Mylrea filled up without in any manner consulting my wishes – my Clerk is more properly speaking my private secretary, & the association which such an appointment must necessitate between myself & that officer is of so intimate a nature as to render it absolutely necessary for the advantage of the service & my reasonable comfort that he should perfectly understand the retention of his appointment depended upon performance of his duties to my satisfaction</p> <p>Para 5: I feel that in this instance I have myself to blame for not having had a recommendation when I anticipated a vacancy but gentleman to whom I offered the appointment, if as I anticipated it was my gift, resided at a distance & I had some time to wait ere I received his answer</p> <p>Also at top: "Letter in explanation, in consequence of a misconception of his meaning in a letter dated 17th February 1855"</p> <p>&</p> <p>Notes in margin [Note pinned at top of margin & covering portion of margin]</p> <p>1855 05 12~ This was submitted to Colonial Secretary who asked to see letter to which it is a reply, which was sent to him – but I am not certain that 55/04171 has been laid before Governor General</p> <p>1855 05 12~ In explanation of a portion of a former letter see page 4 of 55/02324</p> <p>1855 05 12 My former Minute expressed my willingness to listen to any recommendation of Capt O'Connell</p> <p>1855 05 23~ Government Resident Port Curtis</p> <p>1855 06 26 55/05067 sent to Auditor General</p>		
	55/02324	1855 03 12	Hon CS	Gladstone	1855 02 17	<p>At top: "Government Resident Port Curtis"</p> <p>Letter re my letter of 13th January (10/55) in which I stated it was my intention to address you again on subject of appointment of a successor to Dr Grey, I have now the honour to represent to you in order to have matter brought under consideration of His Excellency that in this isolated place I feel very much want of assistance of some Officer of Government in whose judgment & conduct I can place sufficient reliance to leave occasionally the</p>	A2.38	167 – 170

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						<p>care of settlement in his hands, & to whose aid & advice I could turn in event of an emergency [No 20/55]</p> <p>Para 2: Clerk of the Bench here is of no use to me for performance of any duties beyond those immediately attaching to his office & person who was until lately my own clerk was more a source of trouble & annoyance than assistance. In addition to these 2 officers, there are here an officer of Survey Department over whom at present I have no control & an officer of the Native Police Lieutenant Murray who gives me all the assistance in his power in performance of his magisterial duties – but whose present cannot of course always be depended upon as services of his Police may at any moment be required at a distance</p> <p>Para 3: Under these circumstances it occurred to me that in selecting a successor to Mr Grey it would be very desirable if person of requisite qualifications can be found to add another £100 per annum to salary of Resident Surgeon & let him aid me occasionally in performance of Magisterial duties of Bench & have charge in my absence as next senior officer in settlement [Margin: Dr Robertson appointed - see 55/01935]</p> <p>Para 4: I shall be careful in filling up vacancy caused by removal of Mr Mylrea to secure services if possible of a gentleman of honourable character & steady conduct, & I trust that if a medical man of the qualifications I have named can be procured much benefit will accrue in establishing a higher tone of feeling & conduct than that which has hitherto existed – at any rate I hope I shall not again see officers in employment of Government as has been the case both with Clerk to the Bench & my former clerk appear as Defendants against informations for illicit sale of spirits & not escape from them without leaving a strong impression on my mind that they had been engaged in this ungentlemanly traffic</p> <p>[Margin notes at para 4: I am quite willing to listen to any recommendation made by Capt O'Connell but appointments are made by the Government – W D 13 March 1855 – Government Resident 23 March 1855 – 55/04171]</p>		
	55/01936	1855 03 01	Hon CS	Parramatta R Greenup, Medical Adviser to the Government	1855 02 28	<p>At top: "Medical Adviser to the Government"</p> <p>Enclosing letter received from Mr Grey late Medical Officer at Port Curtis with 3 weekly medical returns which Government Resident has declined to receive & also a copy of letter from Mr Stutchbury [No 55/84]</p> <p>2. As Mr Grey's dismissal renders any further comment unnecessary, I send in these papers only that all correspondence may be in the hands of Government</p> <p>&</p> <p>Notes in margin</p> <p>6 enclosures: 1 – Mr Grey to Medical Adviser ; 2 – Government Resident to Mr Grey ; 3, 4, 5 – 3 Medical Returns ; 6 – Mr Stutchbury to Mr Grey</p> <p>Read</p> <p>See also 55/01935 [Ref 55/02324]</p> <p>[See printed copy of letter at page 024]</p>	A2.38	171
	55/01936		Medical Adviser to the Government, Sydney	Port Curtis William Grey	1855 01 27	<p>Letter transmitting to you copies of a weekly sick report ...</p> <p>[See printed copy of letter for details at page 024]</p>		172
	55/01936			Gladstone	1855 01 13	<p>"Copy"</p> <p>The Government Resident requests Mr Grey not to address any Official Reports to him, as they cannot be received</p> <p>[See printed copy of letter at page 024]</p>		173

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	55/01374	1855 02 12	Hon CS	Parramatta R Greenup Medical Adviser to the Government	1855 02 10	At top: "Medical Adviser to the Government" With reference to our conversation of yesterday concerning the suspension of Mr Grey, Surgeon to Port Curtis Settlement, by Government Resident there [No 55/61] [See printed copy of letter for details at page 023] & Notes in margin [some notes very faint] Other papers sent to Executive Council 10 th February Enclosures 1 Mr Grey to the Medical Adviser 2 Government Resident to Mr Grey (1) 3 Mr Grey to Government Resident (1) 4 Government Resident to Mr Grey (2) 5 Mr Grey to Government Resident (2) See M12677	A2.38	185 – 186
	55/01374		Medical Adviser to the Government, Sydney	Port Curtis William Grey, Resident Surgeon	1855 01 12	Transmitting to you copies of correspondence which has taken place between Government Resident & myself, in consequence of a reported accident (which turned out to be so very slight as not to require medical attendance) having occurred to Mr Stutchbury ... [See printed copy of letter for details at page 023]		187 – 188
	55/01374		Mr William Grey, Resident Surgeon	Gladstone M C O'Connell, Government Resident	1855 01 10	At top: "Copy No 1" 1. Letter: As you have chosen to neglect express directions given by me to you this day, to visit party of Mr Stutchbury, Government Geologist ... [See printed copy of letter for details at page 021]		189
	55/01374		Government Resident Port Curtis	Port Curtis William Grey, Resident Surgeon	1855 01 11	At top: "(Copy No 1)" Letter informing, in reply to your letter of yesterday's date, that as I am responsible only to the Medical Adviser to the Government, for the performance of my professional duties, I do not acknowledge your authority [See printed copy of letter for details at page 022]		190
	55/01374		Mr William Grey, Surgeon, Gladstone	Gladstone M C O'Connell, Government Resident	1855 01 11	At top: "(Copy No.2)" In reply to your letter of this date, I beg to acquaint you that I have not the least intention of interfering forcibly to prevent the performance of any duties you may choose to carry on. I have acquainted you with your suspension, & I shall recommend that your pay and allowances cease from yesterday [See printed copy of letter at page 022]		191
	55/01374		Government Resident Port Curtis	Port Curtis William Grey, Resident Surgeon	1855 01 11	At top: "(Copy No.2)" In reply to your letter just now received, I beg to state that, having already informed you that I do not acknowledge your power legally to suspend me from my professional duties to Government ... [See printed copy of letter for details at page 023]		192
	55/01240	1855 02 07	Hon CS~	Gladstone M C O'Connell, Government Resident	1855 01 13	At top: "Government Resident Port Curtis" Letter referring to correspondence which I have addressed to you by this Post on subject of suspension of Mr Grey Resident Surgeon, I would seek to bring under consideration of His Excellency the importance to this settlement of filling up this vacancy should His Excellency confirm my act by appointment of some person whose character & standing would render his presence more beneficial in a small society than Mr Greys has been in this place & I think if it were necessary to secure this advantage to add	A2.38	193 – 195

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				<p>"W D"</p> <p>"M F"</p>	1855 02 09	<p>somewhat to salary it would be an expenditure judiciously incurred [No 10/55]</p> <p>Para 2: I am here utterly without assistance or support from any officer upon whose character or standing I can place reliance & in event of my duties requiring my absence for several days there is no person in whose charge I can leave protection of settlement with any confidence</p> <p>Para 3: If Medical Officer appointed were one whose qualifications personal as well as professional would fill up this blank it would be a great support to me & a benefit to the settlement</p> <p>Para 4: Writing in great haste to save the post, will address you again on this subject</p> <p>&</p> <p>Notes in margin</p> <p>I think this request is but reasonable in fact the pay should be such as would induce a competent person to accept the appointment</p> <p>Noted with 55/01238</p> <p>Laid before Executive Council 13th February 1855 – Min No 55/7 [M12677]</p>		
	55/01239	1855 02 07	Hon CS	Gladstone M C O'Connell, Government Resident	1855 01 11	<p>At top: "Government Resident Port Curtis"</p> <p>1. Since commencing my letter to you of this date, No. 5/55, I have received from Mr Grey the enclosed communication [No 6/55]</p> <p>&</p> <p>Note in margin – M12677</p> <p><i>[See printed copy of letter for details at page 021-022]</i></p>	A2.38	196 – 199
	55/01239		Government Resident Port Curtis	Port Curtis William Grey, Resident Surgeon	1855 01 11	<p>At top: "Requested to be returned" "No 1"</p> <p>Letter informing you in reply to your letter of yesterday's date that, as I am responsible only to the Medical Adviser to Government for the performance of my duties, I do not acknowledge your authority ...</p> <p><i>[See printed copy of letter for details at page 022]</i></p>		200
	55/01239		Mr William Grey, Surgeon, Gladstone	Gladstone M C O'Connell, Government Resident	1855 01 11	<p>At top: "Copy" "Reply to Mr G's letter – M O'C"</p> <p>In reply to your letter of this date, I beg to acquaint you that I have not the least intention of interfering forcibly to prevent the performance of any duties you may choose to carry on. I have acquainted you with your suspension, & I shall recommend that your pay and allowances cease from yesterday [No 4/55] <i>[See printed copy of letter at page 022]</i></p>		201
	55/01239		Government Resident Port Curtis	Port Curtis William Grey, Resident Surgeon	1855 01 11	<p>At top: "Requested to be returned" "No 2"</p> <p>In reply to your letter just now received, I beg to state that, having already informed you I do not acknowledge your power legally to suspend me</p> <p><i>[See printed copy of letter for details at page 023]</i></p>		202
				Gladstone M O'C, Government Resident	1855 01 11	<p>Note re above</p> <p>I have of course made no reply to this letter, it entirely precludes the possibility of my continuing to serve with Mr Grey – either he or I must have mistaken our positions very materially</p>		203
	55/01238	1855 02 07	Hon CS	Gladstone M C O'Connell, Government Resident	1855 01 11	<p>At top: "Government Resident Port Curtis"</p> <p>1. Letter enclosing copy of letter addressed by me yesterday to Mr Grey, the Resident Surgeon suspending that gentleman from his duties [No 5/55]</p> <p>.....</p> <p>&</p> <p>Notes in margin <i>[difficult to read in part]</i></p>	A2.38	204 – 209

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	55/01238		William Grey, Resident Surgeon	"C D R" "W D" "W E" Gladstone M C O'Connell, Government Resident	1855 02 09~ 1855 02 09 1855 02 10~ 1855 01 10	Dr Greenup will send in a report on the merits of this case which ... sent to him by Dr Gray [as it is] & do not differ materially from this This will be brought under consideration of the Council on Tuesday next Executive Council – blank cover [M12677] [See printed copy of letter for details at pages 020-021] "Copy" 1. As you have chosen to neglect express directions given by me to you this day, to visit party of Mr Stutchbury, Government Geologist ... [No 3/55] [See printed copy of letter for details at p 021]		210
	57/00136	1857 01 09	Hon CS	Legislative Assembly Offices, Sydney Charles Tompson Clerk Assistant	1857 01 08	At top: "Clerk of Legislative Assembly" Letter requesting enclosed notification of receipt of Election Petition by Hon the Speaker of Legislative Assembly [not filmed here] may be forthwith inserted in Government Gazette pursuant to requirements of 65 th Section of Electoral Act of 1851 [No 57/1] Also at top: "Transmitting Notification for publication in Government Gazette Petition against Election of William Bede Dalley" & Notes in margin Insert Inserted in Government Gazette of 9 January 1857	A2.38	211
	57/00149	1857 01 10	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham Government Resident	1857 01 05 "H W P" 1857 01 10~	At top: "Government Resident Moreton Bay" With reference "to my letter" to Governor General's Private Secretary in early part of last year recommending appointment to Commission of the Peace of George Raff & William Thornton, now recommends these gentlemen be appointed Magistrates as so many gentlemen in Commission of the Peace have left this District - great public inconvenience calculated to arise from want of others to supply their places & above-named gentlemen have signified their willingness to act [No 57/3] & Note in margin - Note	A2.38	212
	57/00194	1857 01 13	Hon CS	Gladstone M C O'Connell Commissioner of Crown Lands	1856 12 31	At top: "Commissioner O'Connell" Letter reporting total loss by shipwreck of Schooner "Sable Chief" on night of Monday 22 nd inst [No 56/113] Para 2: Vessel which has been a constant trader between this place & Sydney since October 1855 had sailed on 6 th inst for River Fitzroy by outer passage round Facing & Curtis Islands & was returning laden with 113 bales of wool & some tallow when she got on some dangerous rocks off eastern coast of Facing Island & has there become a total wreck Para 3: On the first intimation of accident he sent off his boats crew with Capt Lake Commander of the lost vessel, & with aid of a large boat of Messrs Archer's of the Fitzroy (owner of some of the property wrecked) & also of an 8 Ton boat of his own, they succeeded on Wednesday in rescuing from the wreck sails & good deal of rigging of vessel as well as clothes & bedding of crew – on Friday again despatched Government boat with portion of crew & 2 constables to scene of disaster & coxswain reports on his return he has secured & saved 42 bales of wool & 1 cask of tallow Para 4: Mr Archer with Commander of "Sable Chief" returned to Facing Island on Sunday - this party are still absent, trusts they will also have succeeded in saving a good deal of property ship wrecked Para 5: Happy to say no lives have been lost	A2.38	213 – 214

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				"H W P"	1857 01 14~	& Notes in margin – Nothing to be done there - Read		
	57/00198	1857 01 13	Hon CS	Government Resident's Office, Moreton Bay J C Wickham Government Resident	1857 01 08	At top: "Government Resident Moreton Bay" Forwarding 3 enclosures being copy of report from Lieut Ferguson Native Police of murder committed upon German shepherd & consequent collision with blacks resulting in fall of 8 of them [No 57/15] & Notes in margin	A2.38	215
	57/00198		Government Resident Moreton Bay	"H W P" W M Manning, Attorney General	1857 01 13~ 1857 01 13	Refer to Attorney General Magisterial enquiry in nature of an inquest should be held touching the death of the aboriginals stated to have been shot Capt Wickham		
	57/00198		Government Resident Moreton Bay	Wandai Gumbal John D L Ferguson, 2 nd Lieut Native Police	1856 12 11	Enclosure No 1 in letter from Government Resident Moreton Bay to Hon CS dated 8 January 57/15 respecting an affray between Native Police & blacks "Copy" Forwarding report from Sub-Lieutenant Ross relative to recent murder of shepherd on Mr Cardew's Station on the Dawson [Margin: No 1 enclosed] – also forwards statement of Superintendent of Station relative to the murder [No 56/4] Para 2: Draws attention to fact this is second murder within short space of time committed on Upper Dawson – blacks there are numerous & determined & number of Police stationed there is quite inadequate to provide for safety of such an extensive District. At least 12 men should be allotted for Upper Dawson so 2 Patrol parties could be constantly on duty – until increased protection afforded to this District, much fears these outbreaks will continue - blacks can so easily take refuge in broken country at head of Dawson where it is very difficult to follow them with any chance of capturing offenders		216 – 217
	57/00198		2 nd Lieutenant Ferguson, Wandai Gumbal	Palm Tree Creek Thomas Ross, Sub-Lieut Native Police	1856 12 07	Enclosure No 2 in letter from Government Resident Moreton Bay to CS (dated 8 January 57/15) respecting an affray between Native Police & blacks & the murder of a shepherd "Copy" Letter informing that on his return from Wandai Gumbal received information that blacks had murdered one of Mr Cardew's shepherds on 10th ult Para 2: Thomas Boulton, Superintendent of Mr Cardew's Station (Eurumba – as it is) gave information of murder to Corporal Robin Hood & also informed him of direction the Blacks had gone after committing the deed – Robin Hood with assistance of Mr Boulton & several of the neighbouring settlers proceeded in quest of them. On second day they saw the camp smoke, on 3 rd day they succeeded in coming up with them just as they were drawing out of camp. Blacks perceived party advancing, when they were distant about 100 yards & immediately ran away – Police on seeing this immediately pursued them & as they would not stop when called, they fired on them, by which fire 8 were killed & wounded Para 2 (again): Murdered man's clothes were found in camp as well as sundry articles of which they had robbed the tent Para 3: Robin Hood further states it would be useless following them any further, as from very rough nature of country (Head of Palm Tree Creek) &		218 – 220

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	57/00198			Eurombah, Leichhardt District Thomas R Boulton	1856 11 10	<p>from Blacks knowing Police were after them, they would be able to travel much faster than he would, so he consequently returned He joined Robin Hood on 11th ult & patrolled country lying between Juanda [also Juandah], Head of Horse Creek, Owens Creek & Head of the Dawson, but saw no traces whatever of Blacks with exception of one track. Returned to Palm Tree Creek 2nd December, at which place he has for the present established his head quarters & Note in margin – No 1</p> <p>Enclosure No 3 in letter from Government Resident Moreton Bay to CS (dated 8 January 57/15) respecting an affray between Native Police & blacks & the murder of a shepherd “Copy” Mr Boulton’s statement regarding murder of Andrew Volk (shepherd) on 10th November 1856 at Pine Station: On 10th November inst I received information that above mentioned man (Andrew Volk) was missing from his station (Pine Station) – I immediately proceeded to the Station & found where he was killed & from which he was dragged & thrown into a water hole. Many tracks of blacks were seen about the hut & on the spot where he was killed - death resulted from terrible wound in forehead evidently inflicted by a tomahawk or some other sharp instrument. Deceased was unmarried, about 26 years of age, a native of Germany. After committing murder they robbed the hut of everything except 1 blanket & several cumbersome articles which they could not carry away – among articles which they took away was a double barrelled gun & Note in margin – No 2</p>		221 – 222																								
	57/00233	1857 01 15	Hon CS~	Sydney A C Gregory Commander N A Expedition	1857 01 14	<p>At top: “A C Gregory” <u>North Australian Expedition</u> Letter informing horses & equipment of overland section of North Australian Expedition sold by Public Auction at Brisbane 6th inst (ref CS letter of – December last) [No 7/57] – following is Abstract from Account Sales:</p> <table style="margin-left: 40px;"> <thead> <tr> <th></th> <th>£</th> <th>s</th> <th>d</th> </tr> </thead> <tbody> <tr> <td>29 Horses (average £16-15-2 cash)</td> <td>486</td> <td>0</td> <td>0</td> </tr> <tr> <td>Equipment & surplus stores etc</td> <td></td> <td>82</td> <td>10 0</td> </tr> <tr> <td></td> <td></td> <td>568</td> <td>10 0</td> </tr> <tr> <td>Auctioneer’s Commission & Expenses</td> <td></td> <td>30</td> <td>17 6</td> </tr> <tr> <td>Net proceeds</td> <td>£</td> <td>537</td> <td>12 6</td> </tr> </tbody> </table> <p>This amount will be duly credited in my Accounts & Notes in margin Governor General Send to Assistant Commissary General</p> <p>Assistant Commissary General</p>		£	s	d	29 Horses (average £16-15-2 cash)	486	0	0	Equipment & surplus stores etc		82	10 0			568	10 0	Auctioneer’s Commission & Expenses		30	17 6	Net proceeds	£	537	12 6	A2.38	223
	£	s	d																													
29 Horses (average £16-15-2 cash)	486	0	0																													
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Auctioneer’s Commission & Expenses		30	17 6																													
Net proceeds	£	537	12 6																													
	56/09103	1856 12 20	Hon CS	Brisbane A C Gregory Commander N A Expedition	1856 12 17	<p>At top: “A C Gregory” <u>North Australian Expedition</u> Letter informing arrival at Brisbane of land party of North Australian Expedition: as horses not further required for services of Expedition, desirable that they be disposed of without any considerable delay - submits for approval they be sold by Auction at Brisbane together with saddlery etc as this portion of equipment is scarcely of sufficient value to pay freight to</p>	A2.38	224 - 225																								

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				"H W P" "W D" "H W P"	1856 12 20~ 1856 12 20 1856 12 20~ 1856 12 22 1856 20 22~ 1856 12 23	Sydney. Casualties & having killed 2 horses to supply party with meat, reduced horses to 30 at time of reaching out stations, at the first of which was compelled to sell one as it was severely lamed & unfit to travel, only 29 horses now remaining. Not having funds in hand to meet expenses contingent on service of the Expedition, have applied to Government Resident who has arranged to furnish as a temporary loan the required amount which will be repaid as soon as money can be procured from the proper source. As "Boomerang" sails immediately is unable to proceed by her to Sydney but shall embark in next steamer & Notes in margin Governor General Approved Mr Gregory 57/233 Inform Mr Price Assistant Commissary General		
	57/00241	1857 01 15	[no addressee]	W M Manning Attorney General	1857 01 13 1857 01 13 1857 01 14	At top: "Attorney General" "Register" Commission enabling Ratcliffe Pring to prosecute in his own name, on behalf of Her Majesty, at Circuit Court about to be held at Brisbane & Notes re above Immediate Commission prepared Secretary to Law Officers – blank cover	A2.38	226
	57/00312	1857 01 21	Hon CS	Sydney A C Gregory Commander N A Expedition "H W P" "W D"	1857 01 17 1857 01 21~ 1857 01 23	At top: "A C Gregory" <u>North Australian Expedition</u> Transmitting Map of route of North Australian Expedition from Victoria River towards Moreton Bay [map not filmed here] [No 9/57]: Map should have accompanied report of journey dated 7 th inst but could not be completed in time – have in this map adopted same scale as Arrowsmith's large General Map of Australia, with view to convenient reference to those portions of Australian Continent which are beyond the limits of these sheets. This scale of 27 miles to the inch though convenient for general reference is too small for minute details of Country - shall therefore prepare map of the whole route of the Expedition on scale of 4 miles to an inch which is the size of original rough outline plotted in the field & Notes in margin Governor General Map herewith Maps given to the Printer – "Put by"	A2.38	227 – 228
	57/00364	1857 01 23		Lunatic Asylum, Tarban Creek N Heffernan MB - R M O President Donald M MacEwan MD	1857 01 16	At top: "Board" Having examined Elizabeth Wright – Free, admitted into this Asylum labouring under insanity, as well as the several persons to whose care she has been entrusted during her residence therein, we are of opinion she is no longer insane, she is not a dangerous idiot & she may be suffered to go at large with safety & Notes in margin Elizabeth Wright – Free	A2.38	229

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					1857 01 27~	Admitted by Governor General's Warrant dated 8 th September 1856 Warrant herewith for signature [not filmed here] Warrant dated 27 January 1857 - Transmitted to Dr Campbell		
	56/05824	1856 07 05	Hon CS	H M Gaol, Brisbane J C Wickham V J	1856 06 30	At top: "Visiting Justice of H M Gaol Brisbane" Letter informing Elizabeth Wright committed to this Gaol from Bench at Brisbane on 27 th inst as a dangerous lunatic – forwards herewith copy of Warrant of Committal in her case & requests necessary authority for her removal to Lunatic Asylum Tarban Creek – her family now residing in Brisbane are not in position to contribute to her support & Notes in margin M F This is regular - Warrant herewith Government Resident [Ref 57/00364]	A2.38	230
	56/05824		Samuel Sneyd Chief Constable of Brisbane & Keeper of Gaol Brisbane	W A Duncan JP A C Kemball JP	1856 06 27	"Copy" [Warrant of Committal] Whereas Elizabeth Wright was discovered & apprehended at Brisbane under circumstances denoting derangement of mind & a purpose of committing suicide for which if committed Elizabeth Wright would be liable to be indicted & Elizabeth Wright being brought before us 2 of her Majesty's Justices of the Peace we did call to our assistance 2 legally qualified medical practitioners - upon view & examination of Elizabeth Wright & upon proof on oath by said 2 medical practitioners that in their opinion Elizabeth Wright is a dangerous lunatic & upon other proof duly made before us we the said Justices are satisfied Elizabeth Wright is a dangerous lunatic. These are therefore to command that you the said Constable forthwith convey & deliver into custody of Keeper of Common Gaol at Brisbane Elizabeth Wright & we command that you said Keeper of Gaol receive into your custody ... Elizabeth Wright sent as dangerous lunatic, & keep her in strict custody until discharged by order of 2 Justices of the Peace one whereof shall be one of us, or by one of the Judges of Supreme Court or until she is removed to some Public Colonial Lunatic Asylum by order of ... Governor General ... and for so doing this shall be your sufficient Warrant Witness our hands and seals at Brisbane this 27 th day of June 1856 - "W A Duncan JP [SEAL] – A C Kemball JP [SEAL]"		231 – 232
	57/00554	1857 02 07	Hon CS	Court House, Dalby J Meade Swift JP, Chairman on the part of the Bench	1857 01 27	At top: "Bench" Letter calling attention to fact of there being no furniture in Police Office of this Court, furniture that had been previously in this Office being private property has been withdrawn by individuals to whom it belonged, in consequence of which cases have been lately heard in a Public House - Bench seeking 1 platform, 1 Bench, 1 Table for Clerk of Petty Sessions, 1 Bar, 6 Chairs & 4 benches for accommodation of Public – states only builder there will not accept contract for furnishing Court House in consequence of difficulty of obtaining payment of the Public money	A2.38	233 – 234
					1857 03 14~	Notes re above Inform that Bench should apply for what they require to Colonial Architect describing room for which articles are necessary, & sending a List of the latter with Estimate of cost at which they can be obtained in the District Bench		235
					1857 03 19~			

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	57/00618	1857 02 12	Hon CS	37 Harrington Street George Appel, Vice Consul for Hamburgh	1857 02 12 1857 02 12~ 1857 02 13~ 1857 02 13~ 1857 02 14~ 1857 02 16~ 1857 02 17~ [no date]	Note [pinned to p 237] Papers with M350/B Secretary of State 26 August 1856 re Instrument under which Mr George Appel was appointed Vice Consul for Hamburgh [as it is] at South Brisbane - not with records - perhaps at Government House? Note A Notice may perhaps be published of Queen's approval of Mr Appel [as it is] with reference to Notice by which he was provisionally appointed Governor General Yes Noted Mr Appel & [on back of p 236] "4/3352" At top: "George Appell" [as it is] Enclosed has honour to hand you Her Majesty's Exequatur [not filmed here] approving of my appointment to Vice Consulship at South Brisbane, Moreton Bay for free Hanseatic City of Hamburgh [also Hamburg] - having been apprised of my provisional appointment to that post by Government of New South Wales, prays my formal appointment be notified in usual way & Notes in margin [lh side of paper] 57/00618 - 12 th February 1857 - George Appell [as it is] Forwarding Exequatur as Vice Consul South Brisbane Moreton Bay	A2.38	236 237 238
	57/00634	1857 02 13	Hon CS~	Government Resident, Moreton Bay J C Wickham, Government Resident "H W P" "W D" "H W P" Edward C Merewether, Clerk of the Council "W D" "H W P"	1857 02 07 1857 02 14~ 1857 02 14 1857 02 16~ 1857 02 25 1857 02 26 1857 02 27~ 1857 02 27~ 1857 03 02	At top: "Government Resident Moreton Bay" "No 54" Letter informing for approval that, in consequence of ill-health of 2 nd Lieut Ferguson of 2 nd Division Native Police, has granted him leave of absence of 6 weeks; also for re-establishment of health of 2 nd Lieut Walker of 1 st Division has granted him leave of absence for 3 months [No 57/82] & Notes in margin Except in cases of urgent & pressing necessity, leave of absence should only be granted under recommendation, approved by Governor General - under circumstances stated by Capt Wickham perhaps leave granted to these officers may be confirmed - Governor General, & perhaps for the 3 months leave, Executive Council Yes Blank cover - noted Executive Council 57/127 - 16 February 1857 Notes re above Executive Council advise that 3 months leave of absence granted to Lieut Walker be confirmed accordingly No 57/134 Approved Returned Colonial Secretary's Office Government Resident	A2.38	239 240
	57/00642	1857 02 13	Hon CS	Wallaun, Darling Downs John Ferritt JP	1857 01 02	At top: "John Ferritt JP" [as it is] Letter stating for some time has had occasion to feel dissatisfied with proceedings of Magistrates of Wombo [also Wambo] & Condamine Courts,	A2.38	241

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	56/00642 [as it is – should be 57/00642]		His Excellency Sir William Denison, Governor General	Wallaun, Condamine John Ferrett JP	1857 02 13~ 1857 02 13 1857 02 14~ 1857 02 19 1857 02 19 1857 01 02	has in one case applied to Supreme Court New South Wales for Writ of Prohibition & in another suggested to Bench that an act of it tended to retard the ends of Justice; in doing which it would appear he has offended Condamine Court especially Senior Magistrate L E Lester JP. This being the case, would prefer not longer holding Magistrates Commission & especially as his business transactions cause him to be so much absent from Condamine District – therefore tenders his resignation to be laid before Governor General for his acceptance & Notes in margin Governor General Usual letter to be written to Mr Ferrett accepting his resignation Prepare a Supersedeas Herewith for signature Prothonotary, Supreme Court, Mr Ferrett Letter seeking Governor General's acceptance of his resignation of his Commission as Justice of the Peace for Colony of New South Wales		242
	57/00656	1857 02 14	Hon CS	Dalby, Darling Downs James Hall, Clerk of Petty Sessions	1857 02 02 1857 02 14~ 1857 02 14~ 1857 02 18	At top: "Clerk of Petty Sessions" Letter informing left Sydney 14 th January by first steamer after appointment gazetted, arrived there Friday last when he immediately notified same to nearest Magistrate. Owing to flush in river & creeks due to heavy rains was delayed on the way, did not make any unnecessary stop – saw Mr Ravenscroft in Brisbane who promised to be there shortly to arrange Returns in arrear from last year – appears Chief Constable of District holds fines, fees etc collected since September last - seeks instructions how to proceed with reference thereto, if Mr Ravenscroft does not come there soon & Notes in margin He should obtain instructions from Bench of Magistrates who will of course make report to Government if necessary Bench	A2.38	243 - 244
	57/00660	1857 02 04	Hon CS	Wallaun, Condamine John Ferrett	1856 01 20 [as it is]	At top: "John Ferritt" [as it is] Acknowledging CS letter 5 th inst (together with copy of letter L E Lester JP) requesting favour of any observations he may desire to make on charge therein made: states censorious part of letter he treats with silent contempt as <u>previous to the Monday</u> (alluded to in the letter) inst <u>before the 15th day of December last</u> he never was at Condamine Court. Since 25 th June last has not taken a seat on either Condamine or Wambo Bench, having been absent from District nearly the whole time excepting whilst shearing Since 6 th August last has not attended any Court in <u>this District</u> , on which day case of perjury which he had been at great trouble & expense to bring before Court was (in his opinion) illegally dismissed. This & some other acts of Magistrates have brought him to conclusion he cannot act with them, consequently a short time since he resigned. In conclusion his not having visited L E Lester's House for more than 12 months past may probably explain more than anything he could say [Margin: Supersedeas	A2.38	245 – 246

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				"H W P"	1857 02 18~ 1857 02 21~	has been ordered on his resignation – 17] Tendering humble thanks for courtesy shown in this matter Also at top: "2/15~" & Notes in margin 56/09240 Inform Mr Lester that a short time since Mr Ferrett had tendered his resignation as a Magistrate of the Territory Mr Lester		
	56/09240	1856 12 20	Hon CS	Police Office, Condamine Leonard Edward Lester JP	1856 12 15	At top: "L E Lester" Letter reporting on conduct of John Ferrett Magistrate to this Bench: this <u>gentleman</u> has been cohabiting with a black gin for a considerable length of time which circumstance is well known to every resident in District Upon several occasions lately he has been accompanied by said gin when visiting Court - on Monday last he, having missed her at conclusion of Court business, ran about madly in search of her, affording considerable amusement & subjecting himself to derision of hangers on of the Public House & others attending Court – requests case be represented to Governor General as it will be apparent to you that no gentlemen can remain in Commission of the Peace & be subjected to such indignity & Notes in margin Refer to Mr Ferrett Mr Ferrett, Mr Lester "End of February" [Ref 57/00660]	A2.38	247
	57/00722				1857 03 11	<u>List of Children whose admission into Protestant Orphan School has been refused in consequence of crowded state</u> [Register No of Paper / Name of Child / Age / Remarks] 56/08082 / George Cuppage – 5; Eliza Cuppage – 2 / Father dead, Mother living. Recommended for admission by Government Resident Moreton Bay 56/08133 / William Heasman – 9; Amelia Heasman – 4 / Father dead & Mother unable to support them. Revd Dr Lang recommended admission 56/08509 with 57/02335 / Charles Leddington [Liddington?] / 6 / Father dead, Mother cannot support child. Recommended by Revd Mr Meares 56/09192 / Thaddeus McDermott / 7 / Father dead, Mother unable to support him. Recommended by Revd H King 57/00216 with 57/01465 / Robert Sutton / 11 / Mother cannot support him, Father dead. Recommended by Revd A H Stephen 57/00402 / George Evans – 7; John Evans – 5; Charlotte Evans – 4 / Mother unable to maintain them, Father dead. Recommended by Mr D M Maitland & Revd Mr Rusden 57/00407 / Peter Cook – 9; Robert Cook – 4 / Both parents dead. Recommended by J F Downes --- / William Hazlewood / 8 / Father dead, Mother unable to support him. Recommended by Bishop of Sydney. Admission in this case promised if desired 57/00528 with 57/01426 / Henry Hanlon / - / Recommended for admission by A T Holroyd & Notes re above [written over document at bottom of p 249] Letter similar to that written to Bishop of Sydney to be sent to Parties who recommended these children	A2.38	248 – 249
					1857 03 23~			

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				W Elyard	1857 02 04 1857 02 06~	Referred for report of Superintendent of Protestant Orphan School – blank cover – to be returned Noted		
	56/07526	1856 09 20	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham Government Resident	1856 09 16 1856 09 20~ 1856 09 23~	At top: "Government Resident Moreton Bay" Letter re admission of the 2 children of Immigrant Anne Cuppage into Benevolent Asylum (ref CS letter 6 th inst 56/07029) [No 56/371]: encloses Christian names of children, religion of parents & Medical Certificate required & Notes in margin M F Under report contained in Dr Greenup's letter herewith (56/07250) these children cannot now be admitted into Protestant Orphan School unless they have been sent up from Brisbane for that purpose	A2.38	256
	56/07526			"M F"	1856 09 24~ 1856 10 02	Approved Superintendent, Capt Wickham [Ref 56/08082]		
	56/07526			"C C"	1856 09 16	Enclosure No 2 in letter from Government Resident to Colonial Secretary <u>16 September – 56/371</u> Certifies that Anne Jane Cuppage & her 2 children are in good health, & have <u>not</u> been subject of any contagious or infectious disease during their residence in this Depot		257
	56/07526			Immigration Depot W Hobbs, Health Officer		Enclosure No 1 in letter from Government Resident Moreton Bay to Hon <u>CS 16 September – 56/371</u> George aged 5 years – Eliza aged 2 years Children of John & Anne Cuppage - Protestants		258
	56/07029	1856 08 25	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham Government Resident	1856 08 18 1856 08 29 1856 08 30~ 1856 09 01~ 1856 09 03 1856 09 04~ 1856 09 05 1856 09 06	At top: "Government Resident Moreton Bay" Letter re case of Immigrant Anne Cuppage represented to him by Assistant Immigration Agent of this Port with view to admission of her children into Benevolent Asylum [No 56/328] Para 2: Person in question was an immigrant per " <i>James Fernie</i> " in February last, her husband died on voyage leaving her with 2 children aged 4 years & 2 years & this incumbrance prevents her obtaining employment She therefore remains in Depot with children – under circumstances recommends their admission into some Asylum in order to enable mother to enter into service & to relieve Depot from charge of their maintenance & Notes in margin Agent for Immigration – blank cover – to be returned Noted <u>Immigration</u> 56/4091 – 30 August 1856 Submitted Would suggest children be admitted into Orphan School & woman be then placed in service – blank cover – noted Returned Colonial Secretary's Office Approved Government Resident [Ref 56/07526]	A2.38	259 - 260
	57/00772	1857 02 23	Under Secretary Colonial Secretary's Office	Department of Land and Public Works, Sydney Michael Fitzpatrick	1857 02 21	At top: "57-391" Letter re communication from Government Resident Moreton Bay requesting, in anticipation of arrangements that must be made for	A2.38	261 – 262

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						accommodation of Officers of new Courts at Brisbane, that required alterations to Court House there may be at once carried out [No 53]: directed to inform, for information of Capt Wickham, £750 is the only sum on Estimates for present year for repair of Court House there & this sum was intended for general repairs, not for any extensive alterations to adapt building for a Supreme Court Para 2: Attorney General has been requested to state his opinion whether it will be necessary to provide extended accommodation in event of a Resident Judge being stationed at Brisbane & Notes in margin - Read - "Put by"		
	57/00796	1857 02 25	Principal Under Secretary	Department of Land and Public Works, Sydney Michael Fitzpatrick	1857 02 23	At top: "57-601" Letter transmitting in triplicate Annual Reports of Commissioners of Crown Lands beyond Settled Districts on the State of Aborigines for year 1856, with view to their being forwarded to Secretary of State for the Colonies (ref Under Secretary's letter of 9 th December last) [No 55] & Notes in margin Governor General for Secretary of State Forwarded with Sir W Denison's Despatch No 55 - 14 March 1857 Prepare usual abstracts Herewith Reports in triplicate Records "S B W"	A2.38	263 - 264
				"H W P"	1857 03 05- 1857 02 25- 1857 02 27- 1857 03 05- 1857 02 27-	<u>Abstract of Report for 1856 on the Wide Bay & Burnett Aborigines</u> One woman died from illusage experienced at hands of Aborigines & a spear was thrown at Captain of "Waratah" while walking on deck of the steamer at Maryboro Wharf Robberies of all kinds have been perpetrated by them, but on the whole it is considered that Natives have been somewhat more quiet than usual during 1856 - attributed more to circumstances of Native Police having been for some time past in vicinity of Maryboro than to any improvement in overall condition of Natives themselves		265 - 266
	57/00796		Chief Commissioner of Crown Lands, Sydney	Crown Lands Office, Tinana Arthur E Halloran, Commissioner of Crown Lands	1856 12 00-	At top: "Stamp - SURVEYOR GENERAL'S OFFICE-NEW SOUTH WALES - No 14037 / 30 Dec 1856" "Enclosure" Annual report on condition of Aborigines in District of Wide Bay & Burnett for 1856 1. At close of last year was his painful duty to report murder of George Furber & his son in law by Aborigines on Tinana Creek near Maryborough, & as is customary with these Savages after perpetration of such an atrocity, they remained tolerably quiet for some time & only serious offences committed by them in early part of this year were the throwing a spear at Capt Knight of steamer "Waratah" whilst on deck of his vessel lying at the wharf in Maryborough, & an assault on a married woman at East Maryborough who died from effect of illusage she received Robberies of drays & horses were not of such frequent occurrence 2. During 3 or 4 months of latter part of this year, Aborigines have been visiting & receiving visits from Blacks in adjoining Districts. Since their return to Maryboro where they are now in large numbers, they have		267 - 269

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						<p>constantly engaged in plundering houses, gardens & drays, & for the first time, have killed & carried off large number of pigs from Boiling Establishment about 2 miles from Maryborough. For the first time also, for 6 or 7 years, Blacks on Burnett have been troublesome, particularly at Mondure, Station of Capt W B O'Connell, where they destroyed cattle & were not dispersed until Native Police were called out for that purpose</p> <p>3. Blacks now very numerous about Maryborough & robberies by them frequently occur: 2 drays robbed of property of considerable value, & on night of 20th inst they attempted to break into Mr E B Uhr's house at Maryborough - becoming very expert in house robberies, were detected obtaining entrance into store of Mr Dowzer by removing pane of glass enabling them to destroy inside fastenings of windows. They continue to be on Stations as shepherds & bullock drivers, & in Town in getting wood & water - labour is never to be depended on, consequently of little value</p> <p>4. On the whole however, considers Aborigines have been somewhat more quiet than usual during past year but attributes this more to circumstance of Native Police having been for some time past in vicinity of Maryborough than to any improvement in moral condition of the Aborigines themselves</p>		
					1857 02 27~	<p><u>Abstract & Report for 1856 on Darling Downs Aborigines</u> Population estimated at 500 - Natives averse to labour & cannot be induced to remain in one place for more than a day or two. Even townships & public houses are seldom visited by them, although when there they exhibit the same craving for ardent spirits as is noticeable generally throughout the Colony. Only one case of outrage reported & Commissioner believes it was committed in retaliation. Aboriginal Native was committed for murder of a "Gin" but died in Brisbane Gaol previous to trial</p>		270 - 271
	57/00796		Chief Commissioner of Crown Lands, Sydney	Crown Lands Department Darling Downs, Brisbane A W Manning, Commissioner of Crown Lands	1857 02 07	<p>At top: "Stamp - SURVEYOR GENERAL'S OFFICE-NEW SOUTH WALES - No 552 - 13 January 1857"</p> <p>Forwarding Annual Report on State of Aborigines in District of Darling Downs [No 57/1]: states with one exception they have in no way come under his notice during past year - their habits do not bring them into contact with Europeans, as in other Districts. They appear averse to labour of any kind, can seldom be induced to remain in one place more than a day or two. Townships & public houses are seldom visited by them, although when there they exhibit same craving for ardent spirits as is noticeable generally throughout Colony. They appear harmless & quiet - during past year only received 1 report of aggression on part of Blacks upon Europeans - in this case has reason to believe offence committed in retaliation for injuries previously received. Among themselves they exercise reckless barbarous habits of unreclaimed savages, constantly engaged in bloody feuds or in seeking opportunities of revengeful retaliation. One of them was recently committed to trial for murder of a "Gin", an aboriginal female, under most revolting circumstances. He was imprisoned in Brisbane Gaol pending trial but died after a very short confinement. From information received in different parts of his District, is inclined to think number of aborigines belonging to Condamine, McIntyre & Severn Rivers - principal waters of Darling Downs - may be calculated at 500</p>		272 - 273
						[Cover] O H M S		274

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						<p>The Chief Commissioner / of Crown Lands / Sydney Crown Lands Dept., Darling Downs / 7 January 57 [postmarked: BRISBANE – NEW SOUTH WALES / JA*9-1857~]; SYDNEY-NEW SOUTH WALES / -*12-1857 [blurred] 4 stamps still affixed: "NEW SOUTH WALES / TWO PENCE" "POSTAGE" above profile of Queen Victoria</p> <p><u>Abstract of Report for 1856 on the Port Curtis Aborigines</u> Intercourse between the 2 races has been generally of most satisfactory kind – no outrages or disputes have occurred & issue of blankets etc has been commenced – Commissioner thinks these presents are duly estimated & appreciated by the Aborigines</p>		275
			Chief Commissioner of Crown Lands, Sydney	Gladstone M C O'Connell, Commissioner of Crown Lands	1857 01 21	<p>At top: "Stamp – SURVEYOR GENERAL'S OFFICE-NEW SOUTH WALES – No 1278 – 2 February 1857"</p> <p>1. Forwarding, being first opportunity since commencement of present year, his Annual Report on State of Aborigines in Port Curtis District [No 57/10]</p> <p>2. Intercourse between Settlers & Aborigines has during 1856 been generally of most satisfactory description – no outrages have occurred nor have there been disputes of any sort between the 2 races, since those which took place at end of preceding year & in first month of present one</p> <p>3. Commenced this year the issue of blankets, shirts, tommyhawks etc & thinks these presents on part of Government are duly estimated & appreciated by the Aborigines</p>		276
					1857 02 27~	<p><u>Abstract of Report for 1856 on the Leichhardt Aborigines</u> There has been but little change for the better on their state – several depredations attended with loss of life, have been perpetrated by them – Commissioner thinks they should be prevented by Police from assembling in large numbers</p>		277
	57/00796		Chief Commissioner of Crown Lands, Sydney	Crown Lands Office, Leichhardt W H Wiseman Commissioner of Crown Lands	1857 01 07	<p>At top: "Commissioner of Leichhardt District" Also at top: "Stamp – SURVEYOR GENERAL'S OFFICE-NEW SOUTH WALES – No 1644 / 9 February 1857" "Enclosure"</p> <p>Letter re state of Aboriginal population in this District: regrets to say he has nothing more satisfactory to write on subject than is contained in Annual Report of January 1856 which gave a lamentable account of that Savage Race. There has been but little change for the better during 1856: On Upper Dawson there have been 2 murders committed, one a German woman at Juandah Station of Messrs Royds & one at Eurombah Mr Cardew's of a hut keeper. Aborigines came in considerable numbers to attack the Banana an outstation of Messrs Hay & Holt where they wounded 4 or 5 people, killed a horse & carried off 3000 sheep of which however they were obliged to give up possession. At Head Station of Messrs Hay & Holt at Rannes, no wild Natives have during this year made their appearance nor has he been able to see any of them, to ascertain whether they would be peaceable if permitted to come to the Station. Inclined to think they would now abstain from murder & carrying off whole flocks. They are very glad to live near a Station. Jins [as it is] & old men get a living by fetching wood & water & are left in safety whilst younger men are on</p>		278 – 289

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						<p>hunting excursions. There will of course be occasionally a sheep stolen by night out of the hurdles quietly, but this tax a squatter does not begrudge paying. However, should never be allowed to assemble in large numbers or interfered with by the ignorant - thinks Police ought to see to this</p> <p>2. At Gracemere, a station about 50 miles from here on Fitzroy River, Charles Archer & his brothers have succeeded in passing 1½ years in perfect safety, no violence having been offered to their shepherds & no outrage perpetrated on their property. Certainly due to Charles Archer's intelligence & vigilance as well as firmness in not allowing any of the Native Police or his own servants to interfere with or carry away by force wives or daughters of the savages who were encamped near him. Very much depends on firmness of character & rank & position of Proprietor amongst his own country men, on which point Natives have very acute perception [Margin: 57/1644]</p> <p>3. On Messrs Elliott's station [see also Elliot], a temporary one on Mr Archer's Run only 3 miles distant there were frequent collisions which he, in some degree, attributes to circumstance that both the Messrs Elliott were men of easy indolent disposition who could exercise no moral control over their servants either white or black – consequently there were frequent quarrels with Natives who came about the Station. Last attack on Station was made on moonlight night by very murderous force accompanied by jins carrying dillies in which to carry off booty they made sure of securing</p> <p>4. However they were mistaken as they were driven off by very spirited behaviour of Mr William Elliott & 2 or 3 of his German shepherds, but not before they had killed one shearer, none of whose companions attempted to protect <u>him</u> or defend <u>themselves</u>, & not till they had wounded in 5 or 6 places by spears & had broken the jaw of William Elliott who stood amongst them firing revolvers with coolness & courage most remarkable</p> <p>5. This outrage not committed by Tribe at Gracemere but by that inhabiting the Trans-Fitzroy country, a tribe which appears to have been oppressing the former one, which claimed as their country this side of the River – the Gracemere Tribe appears to have been crippled in strength by loss of some fighting men, perhaps from collisions with whites to whom they were contiguous, & while in that state to have been tyrannized over by their neighbours, formed an alliance with the Archers soon after arrival of latter. Their Chief or principal fighting man named Harold, a singularly courageous, intelligent & <u>candid</u> looking savage has with his 3 brothers all fine young men, & with a few of his tribe remained encamped close to Charles Archer's cottage ever since latter has been there - they make themselves extremely useful in fetching wood & water & in collecting the working bullocks & horses every morning</p> <p>6. Last January Harold gave valuable information & truthful, as sequel showed to Lieutenant Murray of Native Police concerning murders of whites at Mr Young's Station about 40 miles from Gracemere - he & a few of his fighting men went over River to lead Police to camping ground of the murderers on the other side of the Fitzroy, where he was very active in the fight which ensued, of course aiding the Police. When for the second time Police went over River to punish aggressors on Mr Elliott's station a month later Harold was again assisting</p> <p>7. By this means his tribe has become more powerful than the Trans-Fitzroy which latter became disposed for peace. Sailed down Fitzroy last Winter [Margin: The "Illida" [as it is] – "Ellida"? – Charles Archer's boat</p>		

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						<p>of 12 tons] savages crowding Northern Bank made signs of peace by waving aloft wisps of long grass – appeared by their looks & gestures to be more than usually hungry - kept striking their bellies & crying out lustily “Plouër Plouër” meaning flour. They were very probably starved as their fears of Police & whites now confined them to an isolated corner surrounded by River & Ocean & a Rocky Range - he gave them about 6 lbs bread as much as he could spare & some tobacco, told them they might come up to Mr Archer’s Station – of course he could communicate only by signs with them. In 2 days 6 men came over - met them & received them in a friendly way, allowed them to stop 1 night & then caused them to return, telling if they pleased a few men of their tribe to come over occasionally & see the <u>whitefellow</u>. Officer in charge of 3 Police stationed at Rockhampton was instructed to allow only a few across at one time. This plan appears to have succeeded as there has been as yet no outrage in those parts & sheep & cattle & life appears now to be more secure there than in places subjected to visit of those hardened outlaws of the Balloon [Balonne?], Maranoa & Upper Dawson</p> <p>8. On his journey during June & July 1856 to country around Broad Sound, met with parties of Aborigines every day. “On seeing us, they fled – whenever we came on them so suddenly that all could not escape, old men & children threw themselves on their faces in long grass whence a few could be induced to rise whilst we remained”. In their camps, found quantities of very strong & neatly made Currijong cord [currajong?] & fishing nets of good size together with o’possum skins & usual arms but nothing to show that they had had any communication with whites. They eat the nuts of the arborescent Francisii [Syzygium francisii?] which are of considerable size, tree growing in considerable quantity – touched nothing, did not molest them. On 2 nights only did they menace with an attack: when approaching his camp & finding them on alert they kept away.</p> <p>9. In conclusion expresses regret he has nothing satisfactory to say with regard to any progress amongst Aborigines to a better condition regarding submission to restraints imposed by civilization, morality & religion</p>		
	57/00796		Chief Commissioner of Crown Lands, Sydney	Crown Lands Office, Surat Henry Boyle Commissioner of Crown Lands	1857 02 27~	<p><u>Abstract of Report on the Aborigines in Maranoa District for 1856</u> No improvement in their condition. Their depredations have been carried on to a greater extent than in preceding year without however being attended so far as is known with any loss of human life. It is not considered likely that they will ever abandon their predatory habits unless it could be effected by means of a Police Patrol. A small intermediate class, between the Station & Wild Blacks, that lives always in vicinity of Stations, are in general peaceable & harmless</p>		290 – 291
					1857 01 03	<p>At top: “Commissioner Boyle” Also at top: “Stamp – SURVEYOR GENERAL’S OFFICE-NEW SOUTH WALES – No 1811 – 14 February 1857” Transmitting his 2nd Annual Report on Condition of Aborigines in this District: states he regrets inability to give any account of their improvement since his last Report</p> <p>2. They have carried on same system of killing cattle & sheep whenever opportunity offered & is sorry to say to a greater extent than in 1855 especially on Lower Balonne</p> <p>3. Not aware however of any loss of life connected with these depredations</p>		292 – 294

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						<p>4. Considering present thinly settled state of District & that it is likely to be the permanent one owing to its unfitness generally for agricultural purposes & considering also its remoteness, it seems quite hopeless to expect that Aborigines will ever abandon their predatory habits except indeed it could be effected by maintenance of Police Patrol - although they are in a few instances brought to partial state of civilization & in some degree reclaimed from savage habits when employed as stockmen or otherwise at various Stations. These means of improvement are obviously very limited owing to character of District as already alluded to. Great bulk of Aboriginal population must remain uninfluenced</p> <p>5. Is however small intermediate class between Station Blacks & Wild Blacks (as they are termed) who live always in vicinity of Stations & are in general harmless & peaceable. To these the present of annual clothing which they receive is very encouraging & beneficial</p> <p>6. In conclusion states no effort shall be wanting on his part to advance their condition & prospects, to secure to them that protection to which law entitles them</p> <p>&</p> <p>Note in margin <i>[very faint]</i> – “G B – 12”</p>		
	57/00827	1857 02 27	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham Government Resident	1857 02 21	<p>At top: "Government Resident Moreton Bay"</p> <p>Letter informing on 2nd inst murder committed by 2 aboriginal blacks upon Peter Grant whilst engaged with another man (Glynn) in Caboolture Scrub searching for cedar - upon deposition of Glynn who lies wounded in hospital, has issued Warrants for apprehension of murderers [No 57/94]</p> <p>Para 2: Inclement weather since first finding of body of murdered man has prevented possibility of Coroner's reaching the spot where it lies, but so soon as practicable, will take necessary steps for holding an inquest upon it &</p> <p>Notes in margin</p> <p>Read</p> <p>For information of Attorney General – blank cover</p> <p>Noted</p> <p>Read – no doubt Capt Wickham will see proper attention is paid to this matter by Coroner. No instructions from me at present stage necessary</p> <p>Returned Colonial Secretary's Office</p> <p>"Put by"</p>	A2.38	295 – 296
				"H W P"	1857 02 27~ 1857 02 27			
				"W M M" - Attorney General	1857 03 09~ 1857 03 13			
				"H W P"	1857 03 13~ 1857 03 14~			
	57/00828	1857 02 27	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham Government Resident	1857 02 23	<p>At top: "Government Resident Moreton Bay"</p> <p>Letter stating from recommendations & testimonials laid before him, recommends James Turner Harris as fit person to be appointed 1st Lieutenant in Native Police whenever increase is made to that Force</p> <p>Para 2: Having no personal knowledge of Mr Harris, has recommended he place his testimonials in your hands in order that they may be submitted to Executive Council at proper time [No 57/100]</p> <p>&</p> <p>Notes in margin</p> <p>Read</p> <p>Inform Capt Wickham it will be for him together with Commandant when appointed, to make selection of duly qualified Officers & to submit their names for approval of Governor General</p> <p>Capt Wickham</p>	A2.38	297
				"H W P"	1857 02 27~ 1857 02 28~			
				"H W P"	1857 02 28~ 1857 03 04~			
	57/00829	1857 02 27	Hon CS~	Government Resident's Office,	1857 02 13	At top: "Government Resident Moreton Bay"	A2.38	298 – 299

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				Moreton Bay J C Wickham Government Resident		Transmitting copy of letter from Member of local Immigration Board of Moreton Bay resigning that office for reasons stated therein: re latter part of 1 st para, suggests as distance from Brisbane to anchorage is so great & entails inconveniently protracted absence from other public duties, would be desirable that Harbour Master be appointed Member of Board at this Port, as that Officer having a boat at his disposal could convey Health Officer & Assistant Immigration Agent to ships on their arrival & assist them in inspection of Immigrants [No 57/89] Para 2: Above arrangement would preclude necessity "of my going down to Immigrant ships as I have on some occasions been away for 2 days on this service & obliged to pass the night on board Immigrant ship" & Notes in margin Request Colonial Treasurer to report upon Capt Wickham's recommendation of Harbour Master for this appointment Blank cover – noted Secretary BC A/69 Stamp: TREASURY – No 69/A - MR-3 - 1857		
				"H W P"	1857 02 28~			
				"A D"	1857 03 04~	I think Lieut Geary R N who I understand is Harbour Master at Moreton Bay is a fit & proper person to be appointed one of the Immigration Board – I regret Mr Duncan's decision~ nevertheless		
				"H L"	1857 03 05~	Under Secretary – BC – A/69		
				"H W P"	1857 03 06~ 1857 03 07~ 1857 03 00~	Returned Colonial Secretary's Office Approved Government Resident, Immigration Agent		
	57/00829		Government Resident Brisbane	Custom House, Brisbane W A Duncan	1857 02 11	"Copy" Letter reluctantly resigning his seat at local Immigration Board Para 1: Convinced all examinations of Immigrants ought to be held, as formerly held, on board ships. In harbour like that of Sydney where ships can be reached in 5 minutes, a simple matter but here where voyage of 50 miles must be undertaken (going & coming) it is very different & requires greater length of time than he can spare from his more immediate public duties Para 2: Each trip costs some little expense, one cost him upwards of £5 & very nearly his life; yet office is an unpaid one as regards him, a duty so dangerous, fatiguing & onerous should if required for public good, be well remunerated. Of all this, however he should not have complained, but - Para 3: The Board, instead of reporting to Governor General or his Minister of State from whom its authority is derived, as is done by all similar commissions that he has heard or read of, reports to Agent for Immigration in Sydney, who has, or at least assumes, authority to comment upon acts of Board & control its decisions in a variety of ways. This has often occurred, but in case of "New Great Britain" Mr Browne has gone so far as to order his representative here to send to Sydney certain unfinished evidence which Board unanimously determined to treat as non-existent, as they totally disbelieved it & founded no decision upon it – discusses - could, if acted upon, only lead His Excellency & his Honourable Council into error & injustice. If Mr Kemball is to be subordinate to Mr Browne, not merely as his Deputy but also as Member of Board, "I am of opinion" he is in a false position, every gentleman who sits with him at such Board is in a false position controlled as he is in minutest points by exterior authority		300 - 303

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						<p>Para 4: Holds Commission of this kind should report directly to Executive Government, without reference either to Local Agent or to any intermediate authority to which Board is in no way subordinate. Its duties are somewhat of a magisterial nature, partly ministerial & partly judicial - if its judgments are to be fettered & its decisions set aside by a note from Mr Browne to one of its Members, "I could not myself with any degree of self-respect continue to act as a Member"</p> <p>Para 5: In case of Dr Langstaffe [see also Longstaff] "need not inform you I have no prejudice in favour of that gentleman, for you know he complained repeatedly of my comparative severity" – does say that evidence taken against him & which Board determined to reject without calling for his defence, ought not to have been known by Mr Browne to exist, ought not to have been called for by him. When called for, ought to have been refused by Board - now that it is in his possession, contrary to Board's decision, cannot be acted upon without great injustice, both to Board & to Dr Langstaffe. It may be said that Board should have sat another 3 or 4 days & heard the hundred or more witnesses that Dr Langstaffe was prepared to call in his defence. Does not mean to say Board has not erred in judgment, would have been better to have finished investigation & sent whole mass of evidence with Report – does assert that Mr Browne should have no power, by a letter addressed to his subordinate officer, to annul a decision of Board whether that decision be wise or unwise, Board should be something more than what they are now reduced to, mere assistant clerks in Immigration Office</p> <p>With these views of what Immigration Board ought to be, & is not, respectfully tenders his resignation of an office, duties of which he has conscientiously & gratuitously performed during last 8 or 9 years & which he should have cheerfully continued to perform, could he have done so consistently with feelings of justice & self respect. As he continues to perform duties of 9 or 10 other unpaid offices, is sure this act will not be attributed by Government to any unwillingness to render it all the service that lies in his power</p>		
	57/00830	1857 02 27	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham Government Resident	1857 02 21	<p>At top: "Government Resident Moreton Bay"</p> <p>Letter informing "Parsee" Immigrant ship arrived in this port on 12th inst having on board 422 Government Immigrants reported by proper officer to be in healthy state [No 57/95]</p> <p>&</p> <p>Note in margin – "Put by"</p>	A2.38	304
	57/00835	1857 02 27	Under Secretary, Colonial Secretary's Office	Department of Land and Public Works, Sydney Michael Fitzpatrick Under Secretary	1857 02 24	<p>[PRINTED FORM LETTER]</p> <p>Referring to his letter of 28th ult applying for information re conditions on which permission it is believed was given to make bricks on Crown Lands on occasion of opening up Moreton Bay: directed to draw attention thereto & request early reply [No 57/3]</p> <p>&</p> <p>Notes in margin</p> <p>Mr A</p> <p>57/00429 Lands & Public Works 28 January relative to occupation of Crown Lands for brick making purposes [<i>very faint</i>]</p> <p>W V</p> <p>Papers are not with me</p> <p>This has now been answered – "Put by" "S B W"</p>	A2.38	305
	57/00429	1857 01 29	Under Secretary,	Department of Land and Public	1857 01 28	Letter re occupation of Crown Lands for brick making purposes [No 24]:	A2.38	306 – 307

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				"H W P"	1857 02 13~ 1857 02 21	him that he should have made his application through him Government Resident [Ref 57/00967]		
	57/01135	1857 03 23	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham Government Resident	1857 03 18	At top: "Government Resident Moreton Bay" Acknowledging receipt of CS letter 26 th ult informing him it has been represented to Colonial Secretary that there was great negligence on part of some authorities at Moreton Bay on occasion of arrival of "Parsee" & desiring him to furnish a full report of circumstances of case [No 57/138] From information he has been able to gather, matter stands as follows: On morning of 9 th February at 4 o'clock, Custom House boat under charge of Mr Sheridan proceeded to Bay on look-out for ships, & returned on same evening; that "Parsee" came to anchorage after that period & on morning of 10 th Master reported his arrival on board "Pearl" (schooner attached to Harbour Master's Department) then lying at mouth of river; man then sent in "Pearl's" dingey [as it is] to convey intelligence to Custom House at Brisbane – owing to very heavy flood in river at the time he did not arrive until too late at night to make his report; that he proceeded to the Custom House on following morning (the 11 th) for that purpose - in the meanwhile Mr Sheridan had again started at 4 o'clock in the morning to look out, & upon reaching mouth of river observed "Parsee" at anchorage, whereupon he returned to Brisbane, informed Health Officer & conveyed him on morning of 12 th to "Parsee" & Notes in margin Copy of this to be sent to Mr Buckley for his information with reference to his personal representation to Colonial Secretary on the subject Mr Buckley	A2.38	313 – 314
				"H W P"	1857 03 23~ 1857 03 26 1857 02 25 1857 02 26	At top: "M13856 – 27 February 1957" "Register – today – 26" It has been represented to me by Mr Buckley M P, that there was great negligence on part of some of the authorities at Moreton Bay, on occasion of arrival there on 9 th inst of "Parsee" emigrant ship from Liverpool. A statement of some of the circumstances complained of appeared also in a letter from Correspondent of the "Empire" newspaper which was inserted in the "Empire" newspaper on Tuesday 24 th instant. Request Captain Wickham to favour me with a report & Notes re above Captain Wickham "On 15 March" [Ref 57/01135]		315 – 316
					1857 09 21 1857 09 22~ 1857 09 22~ 1857 09 22~	<u>RETURNED LETTER</u> The Colonial Secretary [postmarked: SYDNEY-N.S.W. / SP*1857-E] <u>Dead Letter Office</u> & Notes Papers See 57/01136 herewith [Some notes here crossed out – difficult to read] Enquire of Government Resident if Certificate has been issued Have ascertained at Audit Office that fees on this Certificate have been paid into Treasury by Government Resident "Put by"	A2.38	317

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	57/01136	1857 03 23	Hon CS~	Sydney W H CHRISTIE Postmaster-General		[PRINTED FORM LETTER] At top: "E.37 – No. 1 <u>GENERAL POST OFFICE</u> Enclosed letter not having been delivered for reason assigned thereon, was opened here by Officer appointed for that purpose & is now returned to the writer		317 again
	57/01136			Government Resident's Office, Moreton Bay J C Wickham Government Resident	1857 03 07~ 1857 03 23~ 1857 03 24 1857 03 27	At top: "Government Resident Moreton Bay" Forwarding Petition of Lothar Neunsling for Certificate of Naturalization [No 57/120] & Notes in margin Prepared Certificate for approval Herewith for signature Secretary to Treasury, Auditor General, Government Resident Moreton Bay, Prothonotary Supreme Court, Mr Neunsling		319 [no p 318]
	57/01136		His Excellency Sir Charles Augustus FitzRoy, Governor General	Lothar Neunsling [as it is]	1856 03 07 [as it is]	[PRINTED FORM] <u>MEMORIAL, OR APPLICATION FOR A CERTIFICATE OF NATURALIZATION</u> Memorial of Lothar Neunsling of Brisbane, Moreton Bay, New South Wales, native of Deidesheim, Germany – 37 yrs of age, shoemaker – arrived per ship " <i>Commodore Perry</i> " in 1855 – annexed Certificate of character... from respectable persons to whom your Memorialist has been known since his arrival in Colony – desirous of settling in Colony & purchasing land <u>Certificate</u> We the undersigned ... have known Memorialist for about 2 years & believe him to be a person of respectable character – William Carter – W H Geary		320
	57/01136		Mr Lothar Neunsling, Brisbane	Colonial Secretary's Office, Sydney W Elyard	1857 03 27	[PRINTED FORM LETTER] At top: "(4)" "232" Letter informing that in compliance with request in your Memorial of 7 th inst Governor General pleased to direct Certificate of Naturalization to be prepared in your favour under Acts of Council 11 th Victoria No 39 & 17 th Victoria No 8 - same has been forwarded to Prothonotary Supreme Court to be kept amongst records of Court 2. By Act 17 Vict No 8 is necessary for you to take Oath therein prescribed within 60 days from date of Certificate mentioned in margin either before one of the judges of Supreme Court, or before Police Magistrate or Bench of Magistrates assembled in Petty Sessions, or before any person deputed by Judges for the purpose 3. Police Magistrate Brisbane instructed to administer to you the necessary Oath, upon payment to him of fee viz one guinea for Certificate of Naturalization & 15 shillings & six pence for its enrolment in Supreme Court & Note in margin – "W V"		321
	57/01183	1857 03 26	Under Secretary, Colonial Secretary's Office	Department of Land and Public Works, Sydney Michael Fitzpatrick	1857 03 25	Letter re subject of Court and Watch House at Ipswich (ref "my letter of 20 th inst 57/01124) [No 77]: informs Colonial Architect has received instructions to cause former building to be commenced without delay &	A2.38	322 - 323

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					1857 03 26- 1857 03 30-	Notes in margin & on p 323 57.738 Request Government Resident to inform Bench of Magistrates Ipswich with reference to their letter 22 nd December, that communication has been received from Dept of Lands & Public Works stating instructions have been given to Colonial Architect to cause Court House at Ipswich to be commenced without delay Colonial Resident 'Put by"		
	57/01124	1857 03 23	Under Secretary, Colonial Secretary's Office	Department of Land and Public Works, Sydney Michael Fitzpatrick	1857 03 20	Acknowledging receipt of his letter 28 th February, enclosing papers related to erection of Watch House at Ipswich & site for Court House at same place & requesting to be informed whether steps have been taken for erection of latter building [No 57.74]: informs from report received from Colonial Architect, appears Watch House is in progress but no steps have yet been taken for erection of Court House & Notes in margin 57-738 56/04356 Government Resident Moreton Bay - 26 April respecting site for new Court House Ipswich L & P Works 3 March See further letter 57/01183	A2.38	324
	57/00153	1857 01 10	Hon CS	Police Office, Ipswich William M Dorsey JP Colin J Mackenzie JP Louis Hope JP, John Panton JP, John Ranken JP Joshua P Bell JP ..?.. Andrews JP Pollet Cardew JP William Wilson JP	1856 12 22	At top: "Bench of Magistrates Ipswich Letter informing in consequence of repeated applications made to Government at various times by Magistrates of this Bench pointing out dilapidated state & insufficiency of accommodation in present Court House, £3500 was voted by Legislature for erection of new Court House under 18 Vic No 35 – up to this date no part of this grant has been expended – are at present in occupation of small building as temporary Court House for which £100 per annum is paid, accommodation afforded by which is of such limited a nature that on ordinary days when there is at all a press of business, it becomes quite unbearable from great heat & bad ventilation Mr Petrie, at present erecting Lockup there, stated should Government call for tenders for erection of Court House at once, he would be able to tender at much lower figure, has all his staff of mechanics & labourers on the ground & would be able to finish it in a much shorter time – request call be made for tenders for erection of Court House at Ipswich at an early date in order that it may be speedily erected & Note in margin – 57/01124 Note re above - Ipswich Court House - £3500 – Loan Act 18 Vic No 35	A2.38	325 – 328 329
	57/01217	1857 03 28	Hon Henry Watson Parker, Principal Secretary	Brisbane Hospital W A Duncan, Treasurer	1857 03 23 1857 03 30-	At top: "Treasurer, Hospital" Transmitting List of Subscriptions in aid of this Institution for present year – requests £300 voted by Parliament for same may be paid to his credit at Bank of New South Wales Brisbane Para 2: Quantity of blankets etc now being furnished to Hospital by Colonial Storekeeper, price of which may be deducted from Grant & Notes in margin Send copy of this to Secretary to Treasury requesting he will issue amount, deducting cost of articles supplied by Colonial Storekeeper should Colonial Treasurer not see any objection - inform	A2.38	330

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	57/01217			J C Wickham, President W A Duncan, Treasurer	1857 04 08	Secretary to Treasury, W A Duncan List of Subscriptions and Donations in aid of the Brisbane Hospital for 1857 to meet sum of £300 voted by Parliament p 331 – [lh col]: Thomas Jones, F Gerler, J Gray, C Ogg, Mrs Collins, H Wilkes, G Harris, John Griffin, William Mason, -- Tobin, J C Heussler, John Petrie, W Kent junr, F J Barton, C R Haly J Cameron, G Christie, T Grenier, - Bridges, G McAdam, J S Warry, J Daly, G Edmonston, F E Roberts, T P Pugh, W Thornton, J Hanly, J C Wickham, W A Duncan, W A Brown [rh col]: F Milford, R B Sheridan, J Sutherland, N Bartley, J Scanlan, D F Roberts, J Swan, J Thompson, C O'Brien, P Birch, W Pettigrew, R J Coley, E K Yeatman, J Loudon, J Conroy, A W Compigne, J Goode, W T C Richards, J Greenwood, John Jones, William Wilson, J J Galloway, George Raff, J Richardson & Co, T B Stephen [also T B Stephens], St George Gore, St G R Gore, James Orr, P Mayne p 332 – [lh col]: A Cameron, R Douglas, - Blackie, - Pauley, S Peterson, - Hubbard, J Campbell, J S Turner, F Ebsworth, J Innis [also Innes], P Cardew, J Warner, L Zillman, R Creyke, W Shehan [also Sheehan], D Kelly, J Freaney [also Freney], P Maunsell, J Darragh, J Kelly, J Mooney, T Kinsella, Mary Scanlan, J Smith, J Oxenham, J Grogan, J McGillivray, T Boyland, - McArdeell, J Souter [rh col]: J Cooke, Theod Franz, J Fleming, A Young, J Westaway, W Craies, T C Drew, K Cannan, R Little, H Bell, G Jones, J O'Cock, W Piddington, H Jordan, R J Coley, C Windmell, S Scott, S Scott junr, T Mowbray, C Coxen, - Bergen, A Eldridge, G D Webb, T Corbett, T Hartenstein, W Wilson, J Leckie, Margaret Buttenshaw, R R Mackenzie, A Rode p 333 - [lh col]: G Wilson, Richardson & Co, M C O'Connell, James Bartley, Own Tsar? T Biggins, R Smith, R B Sheridan – Regatta Prize, Alex Beazley – Regatta Prize, J Collins, R Davidson, W Carter, T Winship, G H Wilson, P Birch, J Murphy, John Parker, Kiew (Chinaman), J Shea, - Blakeway, J B Polding, Thomas Holt, - Henderson, - Weber, – Chew (Chinaman), Tsar (Chinaman), - Bruton, - Julian, J C Foote, J Fleming [rh col]: J Griffin, G Harris, H Buckley, R R Mackenzie, S Simpson, Eliz Webb, R Atchison, M Moran, - Ford, - Alcock, - Webb, T Biggins TOTAL: £301-4-0		331 – 333
	57/01218	1857 03 28	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham Government Resident "H W P"	1857 03 24 1857 03 30~ 1857 04 06	At top: "Government Resident Moreton Bay" Letter re application from certain merchants & storekeepers of this town re safe custody of gunpowder of which there has lately been great quantity imported & placed in different stores – requests to be instructed in matter & informed whether Government will sanction expense of erection of building a distance from town where gunpowder may be safely stored [No 57/153] Para 2: Has ordered quantity at present stored near one of the wharfs be removed under superintendence of Chief Constable & placed in stone cells formerly used for prisoners - although much more secure & inaccessible than present place of storage, is nevertheless in centre of town & by no means a desirable spot for such a purpose except in absence of any other & Notes in margin For Colonial Treasurer Secretary to Treasurer	A2.38	334 – 335

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	57/01219	1857 03 28	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham Government Resident	1857 03 24	Send copy to be brought under notice of Colonial Treasurer <i>[very faint]</i> At top: "Government Resident Moreton Bay" Forwarding Memorial of John Johnson for Certificate of Naturalization [No 57/154]	A2.38	336
	57/01219		His Excellency Sir William Thomas Denison, Governor General	John Johnson [his mark]	1857 03 24	[PRINTED FORM] MEMORIAL, OR APPLICATION FOR A CERTIFICATE OF <u>NATURALIZATION</u> Memorial of John Johnson of Fortitude Valley near Brisbane, N S Wales ... native of Stockholm, Sweden – 26 yrs. of age, labourer – arrived per "Caroline" 1853 & has been resident therein since that date <u>backwards and</u> <u>forwards</u> – annexed Certificate of character... from respectable persons to whom your Memorialist has been known since arrival in Colony - has married & purchased some land in Moreton Bay & is desirous of settling there ... <u>Certificate</u> Witness to signature of John Johnson – J C Wickham We the undersigned have known Memorialist for about 2 years & believe him to be a person of respectable character – Daniel Roberts - William Anthony Brown		337
	57/01242	1857 03 30	Hon CS	Maryborough, Wide Bay H Palmer	1856 03 23 [as it is]	At top: "H Palmer" Letter re late proceedings in Legislative Assembly that Vote to liquidate debt contracted by late Commandant of Native Police, F Walker was agreed to – further informed by Mr Sandeman M L C that he has kindly brought the subject "of my claim" against Native Police Department before Government & that he anticipated there would be no obstacle to its immediate adjustment & that in drawing attention of Government to the subject "of my claim" he had set down "the sum due to me" as £125 – this sum he stated in conversation with Mr Sanderson in Sydney as being about the amount due to him. Had at the time no means of ascertaining accurately the amount – now inserts items as furnished by him on several occasions, viz – For supplies furnished on account Lt R G Walkers Division £37-14-6 For supplies furnished on account Lt J O C Bligh's Division £ 6-2-5 For supplies furnished on account Commandant Walker and incidental expenses <u>£83-6-10</u> £127-3-9 Making a total £127-3-9 – this sum if now at his disposal should wish it to be paid to his credit at Commercial Bank & Notes re above Referred for report of Auditor General – blank cover Noted Stamp: AUDIT OFFICE-NEW SOUTH WALES / No 226-AP*7 Vouchers for £37-14-6, £82-16-10 and £4-0-11 forwarded to Secretary to Treasury for liquidation £125-2-3 – blank cover 55/10886 – 56/03340 – 56/07193 on same subject returned herewith Returned Colonial Secretary's Office Inform Mr Palmer Mr Palmer	A2.38	338 – 339
	56/07193	1856 08 01	Hon CS	Maryborough, Wide Bay	1856 08 18	At top: "H Palmer"	A2.38	340

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		[as it is]		H Palmer "C C" "W E"	1857 09 02~ 1857 09 05~ 1857 09 10 1857 09 11~ 1857 09 11~	Letter informing 4 months elapsed since receiving CS's last communication in response to his claim against Government for rations etc supplied to former Commandant of Native Police Mr F Walker - again addressing CS on same subject & stating this debt now upwards of 2 years standing - this is 4 th application, once personally, he has made to Government but has received nothing more than evasive answers on all occasions in reply to his solicitations – for last time respectfully submits his former claim hoping to hear of something final & satisfactory being done in matter & Notes in margin 56/03340 W V All claims on Mr Walker late Commandant of Native Police with Auditor General who was recently requested to expedite his reports on them Auditor General – blank cover – to be returned Noted Inform Sept 56 Stamp: AUDIT OFFICE-NEW SOUTH WALES / No 811-SE*11 Mr Barlow [Ref 57/01242]		
	56/03340	1856 04 07	Hon CS	Maryborough, Wide Bay H Palmer	1856 03 03 1856 04 17	At top: "H Palmer" Referring to his letter of September last [Margin 55/10886] re claim of £124-16-11 due to him by Government on account of rations etc supplied to Native Police Force under command of Mr F Walker still unanswered – asking Government as to their intentions re this debt & Notes in margin Sent to Auditor 25 th October 1855 Was Mr Palmer informed of reference on 55/10836 [as it is - 55/10886?] No Mr Palmer [Ref 56/07193]	A2.38	341
	55/10886	1855 10 23	Hon CS	East Maryborough, Wide Bay Henry Palmer "C D R" "W E"	1855 10 01 1855 10 25~ 1855 10 25	At top: "Henry Palmer" Letter stating 12 months have expired & is still without settlement of his account for rations supplied to Native Police & for general business transacted for the Corps: whole amount of his claim is £121-1-4 which he has repeatedly made application for at Head Quarters – is answered in such evasive & unsatisfactory terms that he sees no use in renewing his appeal in that quarter. Under circumstances seeks to be informed what steps Government intend taking re claims of description now stated & Notes in margin For the Auditor General Blank cover – noted Stamp: AUDIT OFFICE~ -NEW SOUTH WALES / No 731-OC*26 Now payable – see 56/03340	A2.38	342
	57/01363	1857 04 07	Hon CS	Colonial Secretary's Office, Auckland Frederick Whitaker in the absence of Colonial Secretary	1857 03 06	At top: "Colonial Secretary" "New Zealand" Acknowledging receipt of Colonial Secretary's Printed letter of 10 th ult No 13 & informing that with view to giving publicity to Notice enclosed therein, as requested, it has been re-published in Government Gazette of this Colony [Margin: Gazette enclosed] & Note in margin – "Put by"	A2.38	343 – 344

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	57/01363			Colonial Secretary's Office, Auckland F WHITAKER In the absence of the Colonial Secretary	1857 02 28	<p>NEW ZEALAND GOVERNMENT GAZETTE <u>Published by Authority</u> WEDNESDAY, MARCH 4, 1857 [No. 6] <i>[Have only transcribed details relating to Lighthouse at Cape Moreton & Sailing directions – i.e. p 348-349, Gazette p 50-51]</i> His Excellency the Governor has been pleased to direct that the following "Notice to Mariners" respecting a Lighthouse erected at Cape Moreton, & containing sailing directions for the North channel into Moreton Bay, should be republished from Government Gazette of New South Wales – <u>By His Excellency's Command</u> NOTICE TO MARINERS DESCRIPTION OF THE LIGHTHOUSE AT CAPE MORETON The Lighthouse at Cape Moreton is situated in – Lat 27° 0' 3" } Long 153° 26' 30" } By Flinder [as it is] and Lat 27° 2' 54" } Long 153° 28' 46" } By Yule It is a white stone tower, 67 feet in height, including the lantern, and shows a white revolving light of the first class, on all points of the horizon seaward, having intervals of 70 seconds between the brightest points The light consists of 21 Catoptric lamps, on 3 faces of 7 lamps each, placed in 3 rows, the upper one containing 2 lamps, the middle 3, and the lower 2 The Lighthouse stands on the summit of the eastern projection of the North-east part of Moreton Island, and a little more than a mile distant from the north extreme of the Island, bearing N.W. by compass The Centre of the light is 391 feet above the sea at high-water, and its estimated range is 26½ nautical miles The following magnetic bearings are taken from the Lighthouse:- Flinder's Rock – N. ¼ E. 3¼ miles Buoy A – W. by N. Light Vessel – W. ¼ N. Variation of Compass – 9¼° E J C WICKHAM, Government Resident</p> <p>----- <i>Sailing directions for the North Channel into Moreton Bay</i> Cape Moreton is the north-eastern point of Moreton Island, and is visible from a ship's deck at the distance of eight leagues When first seen from the southward, it appears to be detached, as the land which connects it with the higher parts of the island is very low The Light House is a conspicuous object on the summit of the Cape With the exception of Flinder's Rock, which bears N ¼ E from Light House & N.N.E. 3 miles distant from the north projection of the Cape, there does not appear to be any outlying danger Vessels entering Moreton Bay by the north channel should, in coming from the southward, pass about a mile from the north projection of the Cape, and steer W. ½ N. until the N. W. extreme of the bushes at point Camboyuro [also Comboyuro] is on with "Ship Patch" and bears S. by E The Light vessel will then bear a little to the Southward of S.W. by W., and the Lighthouse E. by S. ¾ S.; the depth will then be 7 fathoms at low water,</p>		348 – 349 [p 345-347, 350 not part of "Notice"]

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						<p>and the black buoy at A (<i>vide chart</i>) will bear about S.W. $\frac{1}{2}$ W. a mile and a third distant</p> <p>The Glass House Hills [also Glass House Mountains] will be seen (in clear weather) as on the sketch, with the highest (Burwa – Beerwah?) bearing W. 4° S., but too far distant to be used as a leading mark</p> <p>From this point, a course about a degree to the southward of W.S.W. will carry a ship about $\frac{3}{4}$ of a mile to the northward of the Light Vessel; stand on this course until the Light Vessel is on with Mount Tempest, (the highest part of Moreton Island) bearing S. 38° E., you will then be to the westward of the east banks, and may steer a course S.E. $\frac{1}{2}$ S. for Moreton Island, or with Mount Tempest a quarter of a point open on the port bow, keeping a look-out for the effect of the tide on the ship's course. The Light Vessel may be passed on either side; she is moored S. by W. 3 cables distant from the N.W. shoulder of the eastern banks. The breadth of the channel between the east and west banks is about $\frac{3}{4}$ of a mile, and the banks are plainly discernible from a slightly elevated position</p> <p>There is a good anchorage for nearly a mile from the Light Vessel, in a north westerly direction, in from 4 to 5 fathoms, were [as it is] an anchor may be safely dropped in the event of wind or tide failing, or in the event of a vessel reaching thus far before dark, as it would not be safe to proceed further in the absence of daylight.</p> <p>Camboyuro Point is bold of approach and may be passed at a cable's length distant; stand past it until the extreme of the bushes bears north, and then steer south until the "Ship Patch" (sand slope) at Tangalooma Point bears E.N.E. a mile and 3 quarters distant, when a S.W. $\frac{1}{2}$ S. course may be steered to an anchorage off the Bar of the River Brisbane, in 4 and $4\frac{1}{2}$ fathoms, muddy bottom:- the highest trees on "Mud Island" bearing east</p> <p>A direct course S.W. by S. to an anchorage off the Bar may be steered from Cowan Cowan by passing to the westward of the Middle Bank off Tangalooma, but as the distance off shore can be more correctly estimated by passing to the eastward of it, the track shewn in the plan had better be adopted until a Buoy is placed on the Middle Bank</p> <p>The Middle Bank bears W. by S. $\frac{1}{2}$ S., & is $2\frac{1}{2}$ miles distant from "Ship Patch"</p> <p>The shore between Cowan Cowan and Tangalooma is fronted by a narrow bank, upon parts of which there is not more than four or five feet water; the south part of this bank is about a mile off shore, inside which there is anchorage which may be gained by passing between it and the "Ship Patch"</p> <p>There is good anchorage in Yule's Road, off the watering place, about a quarter of a mile from the shore, in 10 or 12 fathoms water, where wood and water can be easily obtained</p> <p>Whalers would find this a most convenient place for taking on board either of these articles, the water is supplied by a never failing stream into the bay, and wood can be cut within fifty yards of high-water mark. An anchorage may be taken in 5 and 6 fathoms water on the bank, opposite the Pilots' Station, and more out of the strength of the tide; but the distance from the watering place would be considerably increased</p> <p>The soundings on the chart are reduced to the lowest water at spring tides; the rise is from three to seven feet; strong south-easterly winds cause the greatest rise, and during the prevalence of strong westerly winds in the</p>		

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						<p>winter; the range of tide is at times scarcely perceptible. [as it is] The general set of the tide is, the flood to the south, and the ebb to the north, but in some places the direction of the stream is varied by shoals In the channel, between the east and west banks, the first of the ebb tide sets strong to the N.E. over the banks, after half-tide it takes a northerly direction, and latterly about N.N.W. it runs E.N.E. through Freeman's Channel Coasters and steamers drawing twelve feet water may use Freeman's Channel with safety, by keeping about a quarter of a mile off the sandy beach on the north shore of the Island; they should not stand to the southward until Cowan Cowan is well open of the extreme of the sandy point at Camboyuro In going out by Freeman's Channel a course should be kept to the northward past Camboyuro, until the north extreme of Cape Moreton is open to the northward of the sandy beaches, but the eye is the best guide for this channel As Moreton Island is entirely of sandy formation, the banks nearest to the shore are constantly undergoing changes in size and position therefore it would not be prudent for a stranger to attempt this channel without having a pilot on board The ship channel should on all occasions be used by large ships; there is a safe channel through the eastern banks, with seldom less than four fathoms water, which is generally used by steamers and other coasters, but should not be taken by a stranger. As the eastern limit of the north bank has not been ascertained, it will be advisable for vessels coming from the northward, that Mount Tempest should not be brought to bear to the eastward of S. by E. until the Lighthouse bears E.S.E., a ship will then be on the channel course, and may steer W. ½ N. and follow the foregoing directions The soundings in the channel between the east and north banks, will decrease gradually from 7 to 5 fathoms, and after rounding the Light Vessel will increase to 10 and 12 fathoms and there will not be less water until <i>abreast</i> of Tangalooma Point From the Pilot Station to some distance beyond Cowan Cowan, the water is much deeper and varies from 15 to 20 fathoms Ships making Cape Moreton late in the evening will find safe anchorage from 2 to 3 miles inside the north extreme of Cape Moreton and about a mile and a half off shore, in 6 fathoms water The bearings are magnetic. The Light Vessel has done away with the necessity for the chequered buoy at B, but in the event of her being temporarily removed that buoy will supply her place. The Light Vessel will show a double light at night, namely, two vertical lights, with an intervening space of about 5 feet. J. C. WICKHAM, Capt. R.N., Government Resident</p> <p>----- NOTICE TO MARINERS The Light will be exhibited at the Lighthouse on Cape Moreton, for the first time, on Saturday evening, the 14th February, of which all persons interested are requested to take notice STUART A. DONALDSON</p>		
	57/01372	1857 04 07	Hon CS	Police Office, Drayton A W Manning, Police Magistrate	1857 03 20	<p>At top: "Police Magistrate" Acknowledging receipt of CS letter of 26th ult enclosing letters relative to</p>	A2.38	351 – 353

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				for the Drayton Bench		<p>charges made against Chief Constable Dolan by James C Pearce & others & instructing Bench to institute enquiries & take such steps as might appear necessary in matter: states General Meeting of Justices held this day & Mr Dolan closely examined on all points</p> <p>Regarding Mr Pearce's complaints: Bench of opinion they are unfounded, has been made evident to Justices that in no instance has any culpable neglect been shown by Chief or Ordinary Constables of Drayton – on the contrary, would appear some of <u>many</u> bolters from Mr Pearce's service have been apprehended - while in special case of lad Curtis, Mr Pearce mistook a younger brother in Teagle's employment for the individual formerly in his own service. Where absconding is so common an occurrence as at "Crows Nest" it is impossible that all can be immediately apprehended - even <u>probable</u> that stray bolter may for a time continue near place from which he absconded without being discovered. Unless some clue is given to a man's whereabouts it is not expected that Police will hunt district in search of him. From system pursued by Mr Pearce, he finds it impossible to keep his men & if entire police force of Drayton were placed at his disposal they would be unequal to duties imposed upon them by this one individual</p> <p>On this very day Mr Pearce's name appears on Police Sheet as summoned to answer charge of violent assault upon one of his servants who claimed a settlement <u>due to him</u>. If this man had bolted & left his wages in Mr Pearce's hands probably no summons would have been taken out. But when men refuse to submit to ill usage & abscond in his <u>debt</u> Police are in immediate requisition & expected to hunt for Mr Pearce's absentees</p> <p>Chief Constable's written statement in answer to charges is enclosed – also letter from Mr Pearce to Mr Dolan [<i>see p 363</i>].</p> <p>The fact of Chief Constable <u>being unable</u> (not refusing) to send constable 25 miles to serve summons & yet "<u>some ten days after</u>" being able to go to "Crows Nest" himself with Supreme Court Writ is no proof of either inconsistency or irregularity - Bench know at that period there was only one man at home in charge of lockup.</p> <p>Latter portion of letter of Mr Irving & other members for Northern Districts appears to Bench most uncalled for – to say the least 3 out of 4 signing that letter cannot possibly <u>know</u> anything of Mr Dolan's conduct.</p> <p>Mr Sandeman alone has come in contact with him, on occasion when Chief Constable's conduct was extremely meritorious – for Mr Sandeman's sake Bench wish to pass over this matter.</p> <p>Charge of drunkenness is one of 2 years date & none but Mr Sandeman could have seen Records. Bench regret extremely to find an old grievance called up so unnecessarily, with no other ostensible motive than that of procuring dismissal of Chief Constable, whose conduct as Police Officer has been most exemplary. Bench are glad to bear record to Mr Dolan's very great efficiency & honesty, though they at same time admit he has on more than one occasion during tenure of his office brought himself unfavourably under notice. They know that occasional imprudence has in no way unfitted him for duty & consequently agree in retaining Mr Dolan as Chief Constable</p> <p>&</p> <p>Notes in margin</p> <p>Conduct of Chief Constable having been investigated at General Meeting of Justices held at Drayton on 20th ult & Bench having expressed opinion</p>		
				"H W P"	1857 04 11~			

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					1857 04 21	that complaints of Mr Pearce are unfounded, that gentleman may be informed that under these circumstances there do not appear to be any grounds for further interference on part of Government Messrs Irving etc		
	57/00329	1857 01 22	Hon CS	Sydney Clark Irving, J Richardson, Gordon Sandeman, Henry Buckley	1857 01 13	At top: "Clark Irving and others" Enclosing copy of letter from James Canning Pearce of Moreton Bay to James Taylor JP a Member of Drayton Bench – subject of Mr Pearce's complaint against Chief Constable Dolan contained in letter referred to is of grave importance & would remark that whether or not there was any ground for Chief Constable Dolan's excuse for refusing to serve summons in question, there was a manifest irregularity & inconsistency in that Officer's conduct, immediately after refusing to cause Summons from Bench to be served, in serving Summons from Supreme Court – a proceeding which, while it was an infringement of his duty, is attributed by Mr Pearce to inducement held out by fee attached to service of Summons Have reason to believe from evidence shown by records of Drayton Bench that Chief Constable Dolan in several respects is unfit for office he holds: he has on at least 2 occasions been severely reprimanded & on both occasions fined £5, highest penalty Bench were enabled to inflict for gross inebriety terminating both times in delirium tremens, under which attacks he was placed in lock up & under medical treatment for several days – under such circumstances have felt it "our duty" to bring subject under notice of Government, believing ample grounds exist for instructing an enquiry into Mr Dolan's conduct & Notes in margin Refer to Bench with request that if charges herein are considered to be well founded, conduct of Chief Constable may be enquired into with a view to his removal if necessary	A2.38	354 – 356
	57/00329		James Taylor JP	Crows Nest J C Pearce	1857 01 23~ 1857 02 26 1856 10 25	Bench Drayton, Parties informed [Ref 57/01372] "Copy" Letter written to you in your magisterial capacity & as Member of Drayton Bench of Magistrates, to lay before you following complaints against Chief Constable of Drayton Mr Dolan, for his apathetic neglect of duty & in refusing to serve or caused to be served, summons which I have obtained from your Bench against parties in my employment for breach of Masters and Servants Act. About 2 months since, I went to Drayton for a summons against servant for neglect of duty – on following morning after summons delivered to him by Clerk of Bench, Dolan came to me refusing to serve the same, observing reason of his inability to do so was want of time, horses & men, yet in some 10 days afterwards, during my absence in Ipswich, he came over here with summons from Mr McAlister in Supreme Court – showing excuses for non-performance of his more immediate duty arose from neither of the reasons he alleged but from fact of charge of £2-17-6 paid for service of Writ, whilst he was not, of course entitled to any money for discharge of his duty in your Courts in the other cases Within these few months past, I have taken out Warrants from Drayton Bench against 9 men for absconding, not one of whom has been apprehended, nor any efforts made for their capture, all of whom are deeply in my debt for their passage money from Europe & Sydney – to extent of £100 – Chief Constable frequently informed of whereabouts of		357 – 360

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						<p>many of these Bolters, but no notice taken of information, or much of them would have been apprehended. Youth called Curtis absconded 6 months ago & has been in employment of Bullock Driver whose name is Tiggie [Teagle?] & who has 4 of my working bullocks in his possession, stolen by this Curtis, & whose team has passed up & down through Drayton, 4 or 5 times during this period driven by Curtis. This is a fact well known to Drayton Constabulary & Chief Constable owing to non-apprehension of these absconders, together with complete impunity with which myself & property is outraged, an impression is through Establishment, & my servants are fully impressed with conviction that if they lose sheep by hundreds, in thinking it expedient to 'bolt', they can do so without slightest apprehension of consequences</p> <p>Therefore asks for enquiry into conduct of Chief Constable & pray for his dismissal from an office he is totally unfit for – 3 months ago, I addressed Bench of Magistrates upon this subject & 10 days since I wrote to Police Magistrate of Drayton, to neither of which complaints I have received any reply [Margin: Send copy of my letter to Pearce to Colonial Secretary – and also Pearce's letter] – now induced to bring matter under Your Worships notice & if no satisfaction offered me, I am to all intents & purposes a <u>ruined</u> man, as I have no control over my servants who destroy my property by wholesale</p> <p>P S Since writing above, 2 other shepherds have absconded after losing <u>four hundred sheep</u> – J C P</p>		
	57/01372		A W Manning, Police Magistrate, Drayton	Drayton Edward Dolan, Chief Constable	1857 03 17	<p>Letter in reply to letter from Crows Nest dated 25th October 1856 signed J C Pearce charging me with neglect of duty & refusing to serve or cause to be served Summonses which he obtained from Drayton Bench against parties in his employment: states has never refused to serve those summonses, facts are as follows:</p> <p>I received summonses for service at Crows Nest, & having no men at home, went to Mr Pearce & stated to him how I was situated, & asked him if he was going home if he would have any objection to get them served as the parties summoned resided on his Station – he said if his serving them would do he would do so – I then gave him the Summonses</p> <p>Mr Pearce states that no effort has been made to capture any of 9 men mentioned in his letter – 2 out of those 9 were, on former occasion, apprehended – one was sent to Brisbane Gaol & the other returned to Mr Pearce's service, & every exertion in my power was made to capture the others, as can be proved by Constables at present in Drayton Police as well as late Constable Neale. But without success & I will add that I never at any time received any information from Mr Pearce without attending to it.</p> <p>As to the youth Curtis, I have gone myself to Teagle's residence at the Swamp, I have met him on the road & have never seen youth Curtis with Teagle, & I have on several occasions sent constables in search of him in particular – & is my belief that Curtis never passed through Drayton with Teagle – the boy Stephen Curtis was, but Richard Curtis I believe never was in Teagle's employment</p> <p>As to 4 bullocks Mr Pearce states are in possession of Teagle, those 4 bullocks I have found & restored to Mr Pearce – 2 of those bullocks I found in possession of John Crouch of Drayton, the other 2 in possession of man named Flanagan – as to servants of Mr Pearce absconding & in debt, that is a circumstance over which I have no control – Your Worship will see by a letter to me from Mr Pearce dated 24th November 1856 that I have not</p>	A2.38	361 – 362

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	57/01372		Edward Dolan, Chief Constable, Drayton	Crows Nest J C Pearce	1856 11 24	neglected my duty Acknowledging receipt of letter of 21 st inst informing him John Crout [as it is] Carrier has found 4 of his working bullocks on Mr Gore's Station & tenders his thanks "for your intelligence". Has sent bearer Mr McMaster to Drayton for them & oblige by delivering them to him – offered a reward of £2 each for these bullocks delivered at Crows Nest & having to send over to Drayton is of opinion that £5 is about the difference arising from the distance of the 2 places, which sum he has given to Mr McMaster to hand over upon possession. These bullocks were brought away from down the country by Richard Curtis who absconded about this time, & which were worked in Tiggles Team & with whom Curtis was hired. Tiggles is most certainly deserving of punishment as the brother of this Richard Curtis (Stephen Curtis) was in his service when some 4 months since he was apprehended for bolting – there is little doubt that Tiggles induced both brothers to abscond & to <u>steal</u> these bullocks – if an enquiry is set afoot, fact of Tiggles working the bullocks in his team can be easily proved. Will give the <u>whole</u> of the Penalty inflicted by Bench for the conviction of Tiggles P S 7 others of his bullocks were lost & very probably in teams of some carrier – Mr McMaster will give you the Brands of some of them		363 – 365
	57/01419	1857 04 11	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham, Government Resident "H W P" "W D"	1857 04 04 1857 04 11~	At top: "Government Resident" Letter informing that has this day received from Lieut Morisset of 2 nd Division Native Police report of death of Sub-Lieut Irving (of same Division) from apoplexy [No 57/180] & Notes in margin Forward for information of Governor General 57/180	A2.38	366
	57/01472 57/01472	1857 04 15	Principal Under Secretary	Department of Land & Public Works, Sydney Michael Fitzpatrick "H W P" Alexander Dawson	1857 04 14 1857 04 15~ 1857 04 16~ 1857 04 22 1857 04 04~	At top: "57-1138" Acknowledging receipt of CS letter of 30 th ult [Margin: 57/01005] re repairs to Post Office Brisbane – directed by Secretary for Land and Public Works to transmit to you herewith copy of report received from Colonial Architect [Margin: 4 th April 1857] Notes re above Enclosed report may be communicated to Capt Wickham & Post Master General Government Resident, Post Master General "Copy" [Report] Not aware that any application had been made for enlargement of these premises. In November last Clerk of Works reported they required repairs to extent of about £200 – he was directed to get performed such as were necessary to render building waterproof which he subsequently estimated would cost £32-10-0. There is no special provision that he is aware of for additions or repairs to this building & any expense incurred will have to be defrayed from Vote for Repairs to Public Buildings generally "S H B"? "S H D"?	A2.38	367 368 369
	57/01005	1857 03 12	Under Secretary to Government	The Treasury, New South Wales Henry Lane	1857 03 12	At top: "Secretary" Letter in reply to his letter of 4 th inst [Margin: 57/1789] returning herewith	A2.38	370

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					1857 03 23~ 1857 03 30	papers connected with Estimate of Repairs to Brisbane Post Office [No 38] & Notes in margin Forward these papers to Secretary for Lands & with request that information may be afforded to this Department whether repairs have been provided for & can be undertaken Secretary for Lands & Public Works "Not to be sent" [Ref 57/01472]		
	57/00824				1857 03 04~ 1857 03 04 1857 03 13~ 1857 03 13~	Notes Write this today. I sent privately from the Record Room but the paper has not been returned Secretary to Treasury Returned? Yes & herewith	A2.38	371 – 372
	57/00824	1857 02 27	Hon CS	General Post Office, Sydney W H Christie, Postmaster General	1857 02 26	At top: "Postmaster General" Forwarding official letter transmitted to him by Postmistress at Brisbane Moreton Bay as to matter that has already been brought under your notice by Government Resident of that District, as notified to him in communication from that Officer dated 8 th May last copy of which he encloses [No 57/22] Para 2: Government Resident in previous correspondence with this office appeared to entertain a strong opinion as to necessity of Government Building being set aside as Post Office at Brisbane, & of expediency of keeping present Government Building in "a state of repair" & making some additions thereto Para 3: States as a precedent that when Melbourne was laid out as a township, ground was reserved for Post Office & building erected for the purpose at expense of Government & Notes in margin 56/839 Letter from Government Resident referred to With 56/06217 – Government Resident 14 July respecting repairs to Post Office – sent to Treasurer 22 July 1856		373 – 375
	57/00824		Postmaster General, Sydney	"H W P" Government Resident's Office, Moreton Bay J C Wickham, Government Resident	1857 02 27~ 1857 03 02~ 1857 03 03~ 1857 03 04~ 1857 03 04 1856 05 08	This matter seems to require immediate attention. Was any instruction given upon Capt Wickham's letter of 8 th May Request Secretary to Treasury to return letter above mentioned Secretary to Treasury [Ref 57/01005] "Copy" Letter re "your letter of 6 March 56/131" respecting proposed repairs & alterations at Post Office at Brisbane [No 56/734]: informs he has this day applied to Colonial Secretary that he will bring matter under consideration of Governor General with request that necessary amount be supplied from Vote for repairs to public buildings, or from "Unforeseen Expenses"; or if neither of these funds available, has requested sum be placed upon Estimates - Plan & specification he has also forwarded to same destination		376 – 377
	57/00824		Hon CS, Sydney	Brisbane Post Office Elise Barney P M (Post Mistress), Brisbane	1857 02 17	Letter as head of Post Office Department, seeking attention to necessity of repairing Brisbane Post Office. Now nearly 8 months since she applied to Postmaster General & Government Resident Capt Wickham saw the house, admitted it required repairs but said he had no funds to meet		378 - 380

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						<p>expense. Major Christie expressed himself most willing it should be done & hoped means would be found when other Government Buildings were repaired, but he had no funds he could appropriate for purpose Since then 4 different Estimates for requisite sum have been made, 1st for partial repairs – 2nd for perfect repairs – 3rd for enlarging & improving the Office – 4th to ascertain possibility of patching roof In meantime leak has extended to every room in house, in one the ceiling has completely fallen in, also walls are saturated, floors are decaying & if house be permitted to remain much longer without repairs it will become a complete ruin. Does not for one moment suppose it will strengthen her application to say that living in a roofless house has already materially injured health of one whose life is only valuable to her children, that those children have been sufferers, that clothes, furniture & valuables have been destroyed, which she can never hope to replace. This therefore she only mentions as apology for troubling you but she may have more claim upon public consideration when she asserts that comparatively trifling outlay even now on building would save expenditure of hundreds hereafter. Trusts he will not think she is intruding too much in bringing this subject under his immediate consideration & requesting that some steps be taken to repair this building now barely habitable</p> <p>[Cover] The Honble / The Colonial Secretary / Sydney</p>		381
	56/06217	1856 07 21	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham, Government Resident	1856 07 14	<p>At top: "Government Resident Moreton Bay Letter re repairs & alterations to Post Office Brisbane (ref CS letter 6th ult No 56/04704) [No 56/313]: brings before notice of His Excellency that from delay in repairing roof of building it is already undergoing considerable deterioration, large portion of ceiling of one of the rooms having given way & is reason to fear if efficient repairs be not immediately applied to building it will fall into state of dilapidation. Requests £200 be placed at his disposal for that purpose - seeks authorisation for it to be paid out of Vote for repairs of public buildings or for "unforeseen expenses" Also at top: "57/01472" "Repairs to Public Buildings" "23" & Notes in margin Colonial Treasurer – blank cover Estimates 1857 / Additions etc to Public Buildings [Ref 57/00824]</p>	A2.38	382 – 383
	56/04704			General Post Office, Sydney "W L"? "W C"?	1856 05 31	<p>Memo Showing the numbers of letters & newspapers passed through Brisbane Post Office during 4 months ending 30th April 1856 Date – Letters / Newspapers 1856: January / Rec'd at Brisbane / 3099 / 2985 Desp^d from Brisbane / 4086 / 2134 February / Rec'd at Brisbane / 3297 / 2813 Desp^d from Brisbane / 4028 / 1665 March / Rec'd at Brisbane / 3788 / 3235 Desp^d from Brisbane / 3355 / 2285 April / Rec'd at Brisbane / 3699 / 3027 Desp^d from Brisbane / 3792 / 2149 <u>Total during 4 months: Letters - 29,144 / Newspapers – 20,293</u> Note: 'Brisbane' exchanges mails with 'Ipswich', 'Drayton', & 'Sydney' Post</p>	A2.38	384

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						Offices, besides with 'Gladstone' & other Sea Ports as opportunities offer		
	56/04704		Hon CS	"W D"	1856 06 06	Notes re above		385
					1856 06 06	Cannot see necessity of adding to a building which from Postmistress's statement appears to be already quite large enough		
				W H Christie P M G	1856 05 30	Government Resident {Ref 56/06217}		
						[Memo]		386 – 387
						Herewith appends Return showing business of Brisbane Post Office during Quarter ended 31 March 1856 – this Return shows that about 90,000 letters & 60,000 newspapers pass through the Office annually – probably 2 rooms 15 feet square might give requisite area for present amount of Postal business. Recommendation of Government Resident is doubtless however based on circumstance that proposed expenditure will be incurred in repair & improvement of Government Building which may in process of time become General Post Office for Northern Districts – blank cover &		
						Notes re above		
					1856 06 02~	Returned Colonial Secretary's Office – noted		
					1856 06 02~	Return omitted – written for		
						Now herewith		
					1856 06 06~	In reply to Minute on 56/04704		
	56/04704	1856 05 20	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham, Government Resident	1856 05 08	At top: "Government Resident Moreton Bay"		388 – 389
						Letter enclosing Plan & Specification for proposed & most necessary repairs & alterations to Post Office in this town [No 56/233]		
						Para 2: High stone building has recently been erected on the side of lane (in the Plan) immediately opposite to Office for receipt & delivery of letters, effect of which not only impedes free admission of air & light into Office, but also conceals Post Office itself from main street (Queen Street)		
						Para 3: To remedy inconveniences to public & those employed at Post Office, would adopt suggestion made by Postmaster General & submit for consideration of His Excellency that sum required for this work be paid out of Vote for repairs of Public Buildings or from that of Unforeseen Expenses - would further seek authority to cause work to be immediately commenced in order to afford necessary accommodation to public & render building more comfortably habitable for resident Officers		
						Para 4: Should His Excellency not be pleased to authorize expenditure from either of funds alluded to, requests £220 be placed upon Estimates for above purpose		
						&		
						Notes in margin		
				"W D"	1856 05 21~	See 2 nd para		
					1856 05 22	Refer in first place to Postmaster General to report as to amount of business at Brisbane Office & space required for its performance. Estimate should have been submitted or prepared by Clerk of Works at Moreton Bay		
				W Elyard for the CS	1856 05 23	Blank cover – to be returned		
					1856 05 27~	Noted		
						Inform Capt Wickham - Informed		
						56/860 – 27 May – General Post Office, Sydney		
	56/04704					At top: "56/131"		390 – 391

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	56/04704					<p><u>Report & Estimate Repairs etc required to be performed on the Post Office Buildings etc Brisbane January 1856</u> What part of building / Description / Remarks <u>No 1 Room</u> Floor / Joists & floor boards require Repairs / destroyed by white ants Skirting / Requires slight repairs Windows / ditto ditto & glass Walls & Ceilings / Repair & Stop plaster on ditto. Walls require colouring. Ceiling whitewashing / Not been done for about 3 years <u>Entrance Hall next Queen Street</u> Skirting / Requires repairs Walls & Ceilings / Stopping & whitewashing / ditto Cupboard / Form ditto in recess of passage 3 feet wide 20 inches deep and 3 feet 6 in high. Shelves, one pair of doors to ditto – Lock etc / Much required <u>No 2 Bed Room</u> Skirting & Floor / a portion of ditto requires renewing / white ant in ditto Door / Lock requires renewing Windows / Repairing & 3 panes of glass Walls & Ceilings / Repair & Stop plaster and white wash ditto <u>No 3 Closet</u> Walls & Ceilings / Repair & stop plaster & whitewash ditto / Ceiling destroyed by Leaky Roof <u>No 4 Business Room</u> Floor & skirting / require slight repairs Doors / require ditto & locks Windows / require ditto & 3 panes of glass Walls & Ceilings / Repair & stop plaster & whitewash ditto <u>No 5 Bed Room</u> Floor & skirting / requires repairing / white ant in ditto Windows / ditto ditto & glass Walls & Ceilings / Repair & stop plaster & whitewash ditto <u>Back Entrance Hall</u> Walls & Ceilings / Repair & stop plaster & whitewash ditto <u>Verandah</u> / Paling & rails require repair, some of the battens renewing <u>Roof</u> / Shingles require repairing, taken out where decayed & replaced with new shingles – Saddle Boards on Ridge & Hip renewing Flat roof over Nos 3 & 5 Rooms / requires stripping & re-shingling / in a bad state, the roof being so flat the shingles soon decay <u>Painting</u> / Whole of exterior & interior woodwork requires painting with two coats common colour / Much required, not been done for some years back <u>Out buildings etc</u> <u>Kitchen & servant Room</u> / Repair & stop plaster on walls & whitewash ditto <u>Stable: Roof</u> / Requires renewing / Battens & shingles completely destroyed owing to the flat pitch of roof <u>Boundary Fence</u> / Present paling fence requires all to be renewed and pair of hardwood gates required / Not repairable, the whole in a dilapidated state completely decayed At end: To execute the above detail of work would cost £130 – one hundred and thirty pounds stg</p>		
						<u>Description of proposed alterations and additions in converting Rooms</u>		392

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	56/04704					<p>6 & 7 into Post Office</p> <p>What part of building / Description / Remarks</p> <p><u>No 6 & 7 Rooms</u></p> <p>Roof / Present roof requires re-shingling, provide & fix new roof over vacant space. Also verandah ditto along front of rooms to join present verandah</p> <p>Provide & Build up front & back walls to enclose vacant space for Entrance Hall</p> <p>Floor / Provide & lay hardwood joists and pine floor boards in No 6 & 7 Rooms. Entrance Hall & verandah to be laid with chiselled stone flagging</p> <p>Doors / Provide make & hang five cedar normal doors. Jamb lining etc and fastenings complete</p> <p>Windows / Enlarge present window opening in No 6 Room. Take out present Post Office window and refix ditto in No 6 Room. Provide & fix pair of Sashes & frame in present office similar to windows adjoining. Make good the brickwork round ditto. Renew two pairs of Sashes & frames in Nos 6 & 7 Rooms</p> <p>Walls & Ceilings / Render float & set with fine Stuff on walls of proposed Hall. Lath plaster float & set with fine Stuff on ceiling of ditto. Repair & Stop Plaster in No 6 & 7 Rooms and whitewash ditto. 2 coats</p> <p>Skirting / Provide & fix Skirting round Hall and Rooms. Ditto Mantel piece</p> <p>Fixtures / Remove Desk & shelving from present Post Office & refix ditto in proposed office</p> <p>Painting / The whole of exterior & interior wood work to have two coats of paint</p> <p>Remarks: These additions and alterations urgently required in consequence of great increase in Postal Communication. Present receiving office is too small and inconvenient being a great way back from the Street</p> <p>At end: To execute & complete the above described alterations & additions would cost £220 – Two hundred and twenty pounds stg</p> <p>At top: "56/131"</p> <p>Floor Plan - Features & Measurements <i>[some measurements difficult to read]</i></p> <p>Lane – Queen Street</p> <p>Verandah: 6 feet wide [Lane] - Present verandah: 6 feet wide & Proposed new verandah [Queen Street]</p> <p>Post Office: 10-6 x 7-6; Large window</p> <p>Back Entrance Hall: 6-6 x 7-6</p> <p>No 5 Small Bed Room: 9-4 x 12-2</p> <p>No 4 Business Room: 17-6 x 13-5</p> <p>No 3 Closet: 9-4 x 6-0</p> <p>No 1 Room: 12-6 x 15-10</p> <p>Entrance Hall: 4-4 x 10-3 / 4-4 x 4-8</p> <p>No 2 Bed Room: 9-4 x 11-10</p> <p>Present vacant space: proposed Entrance Hall</p> <p>No 6 Proposed new Post Office: 10-7 x 6-11</p> <p>No 7 Oven & double fire place: 10-8 x 6-11</p>		393
	57/01483	1857 04 14	Hon CS	Dalby Post Office J Meade Swift JP MD	1857 03 31	<p>At top: "Bench of Magistrates Dalby"</p> <p>Acknowledging receipt of CS Circular No 57 & 75-29 inviting Bench of Magistrates at Dalby to make such arrangements as may ensure attendance of at least one Magistrate to preside at Bench on days of Crown Lands Sales [No 19/57]: informs in consequence of gentlemen</p>	A2.38	394 – 395

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						<p>named in margin having left District, he is only person holding Her Majesty's Commission now attending Bench Margin: J P Bell on his way to England - John Macarthur removed to Leichhardt District – C J Mackenzie on his way to England Providing it does not interfere with his professional avocations, happy to comply with your wishes to preside at next Sale of Crown Lands in District Also at top: "TREASURY No 3081 / AP-16-1857" & Notes in margin To be forwarded to Colonial Treasurer Blank cover – noted & Notes re above This letter has important bearing upon issue of New Commissions of the Peace. Let it be referred again to Chief Secretary with recommendation on my part that 7 or 8 Magistrates be nominated for this District Under Secretary Returned Colonial Secretary's Office</p>		
				"H W P"	1857 04 15~ 1857 04 16			
				"A D"?	1857 04 17~			
				"H L"	1857 04 17~ 1857 04 18~			
	57/00875				1857 03 13~ 1857 03 14~	<p>Notes There is a mistake in Circular but it is not material – are land sales held under direction of Magistrates at all these places? Not at all – but there is no reason why there should not be at an early date A list of Benches at which sales are held has been obtained from Survey Officers & Circulars addressed to them are now submitted herewith</p>	A2.38	396 – 397
	57/00875	1857 03 04	Under Secretary to Government	The Treasury, New South Wales Henry Lane	1857 03 03	<p>At top: "Secretary" Letter informing several cases recently reported to this Department where Sales of Land proclaimed by Government could not take place in consequence of absence of a presiding Magistrate [No 30]: suggested by Surveyor General to authorise Clerks of Petty Sessions in such cases to proceed with Sale notwithstanding such absence. Suggestion did not meet with approval of Secretary for Finance & Trade who is of opinion attendance of Magistrate should not be dispensed with, their presence tends to ensure order & regularity at sales, Magistrates being more competent to decide in cases of dispute or appeal - communication to this effect made to Surveyor General whose reply intimated his concurrence in opinion expressed by Treasurer. Directed to request you will acquaint Principal Secretary with these circumstances & obtain that Minister's sanction to suggestion of immediately addressing Circulars to Benches inviting them to make it the object of their special care to secure attendance of at least one Magistrate to preside on days of Sale & Notes in margin 57/1110 Copy of this to be sent with Circular to Benches of Magistrates to the effect of the last paragraph</p>		398 – 400
				"H W P"	1857 03 04~ 1857 03 05~ 1857 03 13~ 1857 03 13~	<p>Circulars Secretary to Treasury [Ref 57/01483] <u>List</u> Albury – Armidale – Balranald – Bennelong – Bombala – Belgrave –</p>		401

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			G Armytage	Allan	"Saturday"	Cooma – Casino – Deniliquin – Drayton – Dubbo – Dalby – Gayndah – Gladstone – Grafton – Gundagai – Maryborough – Molong – Moulamein – Murrurundi – Moama – Nundle – Tamworth – Tenterfield – Tumut – Warialda – Warwick – Wellingrove – Wogga Wogga [also Wagga Wagga] [Note] Requesting list of places at which land is sold by Clerks of Petty Sessions - writing Circular with view of ensuring attendance of Magistrates to preside on Bench on days of sale - do not know precise Benches the Circular should be addressed to, in some places believe land is sold by Commissioners at Land Offices		402 – 403
				"G J A"	1857 03 14~	[Note]: In haste herewith		404
	57/01569	1857 04 21	Principal Under Secretary	Department of Land and Public Works, Sydney Michael Fitzpatrick	1857 04 20	At top: "57/1134" Referring to "your letter" of 28 th ult No 57/101 stating it would seem to Colonial Secretary desirable in cases such as the one therein alluded to, namely (Mr Gray's application for permission to erect a wharf on the Bremer River) that the necessary communications should be made direct to the parties from this office, instead of through his Department - directed to apprise you for information of Colonial Secretary, that if it be simply intended by your letter that in matters of detail, communications from this Department should be made direct to Government Resident or to any other officer subordinate to CS, Mr Secretary Hay concurs in the arrangement & will cause it to be observed [No 96] Para 2: But if it were intended that this arrangement should embrace matters other than those of simple detail, Secretary for Lands and Public Works is of opinion that there is a great propriety & advantage, so long as there is a Government Resident at Moreton Bay, in making all communications affecting District under his charge through him, so that he may be cognisant of occurrences affecting that District, & have opportunity of reporting & interfering to extent at least of suggestion, & remonstrance. In Mr Secretary Hay's opinion this is essential to good government of such a distant dependency as Moreton Bay Para 3: A communication will accordingly be made from this Department to Captain Wickham &	A2.38	405 – 407
				"H W P"	1857 09 05~	Note in margin – Seen "S B W"		
	57/00673	1857 02 16	Under Secretary, Colonial Secretary's Office	Department of Land and Public Works, Sydney Michael Fitzpatrick	1857 02 12	At top: "56/660" Letter re "your letter" of 24 th November last No 38 [Margin: 56/08022] informing directed to draw attention to Notice in Government Gazette of 16 th December last re Mr Gray's application for permission to erect a wharf on Bremer River & to request you will call upon Government Resident Moreton Bay to request Mr Gray to communicate with Civil Crown Solicitor to whom papers in the case have been forwarded, in order that Bond may be entered into by himself & his sureties for fulfilment of conditions set forth in Notice of 21 st June 1848 relative to formation of wharves [No 43] & Notes in margin In order as far as possible to avoid delay & trouble of circuitous correspondence would seem desirable in cases such as this that communication should be direct – intention of concluding sentence of Para 2 of Administrative Arrangements was I imagine to permit of such	A2.38	408 – 409
				"H W P"	1857 02 18~			

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					1857 03 28	direct communication – perhaps therefore Mr Hay will give directions if he agrees with me, accordingly Under Secretary of Lands & Public Works [as it is] [Ref 57/01569] “S B W”		
	56/08022	1856 10 14	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham, Government Resident “H W P”	1856 10 03 1856 11 21~ 1856 11 24	At top: “Government Resident Moreton Bay” Forwarding copy of application received from Mr Gray of Ipswich for permission to erect a wharf together with necessary Plan & Harbour Master's Report upon same [documents not filmed here] - recommends it to favourable consideration & that usual Notice may be inserted in Government Gazette [No 56/392] & Notes in margin Secretary for Lands and Public Works [as it is] Under Secretary & Note re above – “Put by” [Ref 57/00673]	A2.38	410 – 411
	57/01579	1857 04 21	Hon CS	Court House, Brisbane J C Wickham, Police Magistrate for the Bench	1857 04 17	At top: “Bench of Magistrates Brisbane” Letter re CS Circular letter of 23 rd ult [Margin: 57/368 – 32] requesting them to instruct Clerk of Bench to forward to Auditor General duplicate Return of Sheep which Return is by law sent to Treasury [No 57/92] Para 2: Informs duplicate thereof forwarded to Audit Office 21 st January last & Note in margin – “Put by” “W A B” [Cover] H M S / The Honorable / The Colonial Secretary / Sydney / Brisbane Bench [postmarked: SYDNEY-N.S.W. / AP21-1857/C ; BRISBANE-N.S.W. / ?17-1857] Stamp affixed: “NEW SOUTH WALES / TWO PENCE” “POSTAGE” above profile of Queen Victoria	A2.38	412 413
						PAPERS RELATING TO IRREGULARITIES ON BOARD GOVERNMENT SHIP “NEW GREAT BRITAIN” – p 414-461 [see also p 298-303]	A2.38	
	57/01618	1857 04 24	Hon CS	Government Immigration Office, Sydney H H Browne “H W P”	1857 03 31 1857 04 25~ 1857 04 27~	At top: “Agent for Immigration” Forwarding report from Local Immigration Board Moreton Bay with reference to irregularities alleged to have occurred on board Government Ship “New Great Britain” as also Minutes of Evidence taken in the case & letters of remonstrance submitted by Dr Longstaff Surgeon Superintendent of that vessel [No 57/16] Para 2: Having at request of Dr Longstaff delayed submission of report with view of enabling him to disprove evidence of his Hospital Assistant in respect of his allegation to effect that he drank in the Hospital with Dr Longstaff & was also in habit of smoking there, thereby showing that a degree of intimacy existed between Surgeon & Emigrants not consistent with his position as their Superintendent & as Dr Longstaff has failed to satisfy me that was not the case, cannot see any reason for suggesting any alteration in report of the Board Para 3: Under circumstances recommends Dr Longstaff be fined £20 for his improper conduct in this respect as well as in allowing unmarried Female Emigrants to drink wine in Captain's Cabin & Notes in margin Approved In acknowledging this say dated 31 st March received on 24 th inst – copies	A2.38	414 – 417

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	57/01618		Immigration Agent, Sydney	Immigration Office, Moreton Bay J C Wickham, W A Duncan, A C Kemball – Assistant Immigration Agent	1857 04 30 1857 05 08 1857 01 20	<p>to be sent to Commissioners Agent for Immigration Mem 30 April "On 15th May" Secretary to Commissioners</p> <p>Letter reporting Immigrants per ship "<i>New Great Britain</i>" underwent customary inspection "before us" as Members of Local Immigration Board on 12th inst – with exception of 2 complaints relative to Ship's provisions which were dismissed as frivolous, Immigrants were unanimous in expressing themselves satisfied with treatment they experienced throughout the voyage [No 56/3 – as it is] Charles Stratford a married immigrant complained Dr Longstaff Surgeon Superintendent had unjustly dismissed him from Office of Constable, upon Longstaff's stating Stratford's indulgence in bad language was cause of such dismissal the latter recriminated by accusing Surgeon of having been frequently intoxicated during voyage Alfred Ellingham a single man also represented that he had on one occasion seen Dr Longstaff to the best of his belief in a state of intoxication From want of evidence to substantiate this serious charge, all but unanimous declaration of Immigrants refuting it & satisfactory manner in which Surgeon Superintendent appears to have performed his duties generally – as freely admitted by large body of Immigrants and confirmed by Assistant Immigration Agent, whose visit to "<i>New Great Britain</i>" during 2 days afforded him every facility for enquiries on this point – Board has acquitted Dr Longstaff Subsequent Enquiry has been held re statement made to Assistant Immigration Agent of wine or spirits having been given on 2 occasions to all the single women, on one of which they were assembled in Poop Cabin Evidence taken on this Enquiry is herewith forwarded from which he will perceive that on Captain's birthday, & also on arrival of vessel at her anchorage, single females were supplied with glass of wine each & on first mentioned period in the Cuddy, Captain, First Officer, Surgeon & Matron with an elderly female berthed among single women being present From various concurrent circumstances submitted to Board & candid admission of all parties concerned in transaction, & agreeing in every particular, Board is satisfied no motives of an improper nature were associated with this breach of discipline – and that it was intended, and considered solely <u>as an act of kindness</u> - & although in placing the most stringent construction on that Clause of Charter Party under which all intercourse whatever between Captain, Officers & Crew, and single women is prohibited, they can but consider the permission of this Act as very injudicious on part of the Surgeon tending to evil results – Board fully acquits Captain & Surgeon of having allowed any conduct on this or any other occasion during voyage admitting of immoral construction Opinion of Board that habit of giving additional luxuries of any kind, unless strictly as medical comforts, is attended with most pernicious consequences on board immigrant vessels, always leading to jealous & suspicious, & sometimes, especially when single women are made objects of favour, to irregularities. In every case of enquiry which has come before Board, these effects in a greater or lesser degree, have been too manifest, impossibility of eliciting truth either from those who have been favoured or</p>		418 – 425

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						<p>the disaffected being the most serious. These observations however are by no means intended as peculiarly applicable to case under consideration - & as fact does not appear in this written evidence, it may be added that Captain of <i>New Great Britain</i>" issued to married people certain extra provisions on occasion referred to</p> <p>Charges against Dr Longstaff are reducible to the following: That he allowed all single women to assemble in the cuddy on evening of 12th October, being Captain's birthday & to receive a glass of wine each to drink his health. Such being violation of 27th Clause of Charter Party, Board suggests that, if His Excellency deems it of so serious a nature as to call for the infliction of punishment on Dr Longstaff, sum of £20 be deducted from his gratuity, & that half Matron's gratuity be forfeited also. Board can not avoid adding that they consider her a most unfit person for the office she held</p> <p>& Note in margin – "<i>New Great Britain</i>"</p> <p>[Statements] <u>Sarah Fawcett states:</u> I was Matron on board "<i>New Great Britain</i>" – On the Captain's birthday all single women were invited into the cabin to drink Captain's health – I was present all the time, Surgeon part of the time – it was about 7 o'clock & he remained there about half an hour Mrs Browne, a married immigrant, remonstrated with someone on poop deck against her daughters being there – Mrs Brown [as it is] was at that time acting as nurse. I heard Captain say "Mrs Browne your daughters are quite safe they are with the Matron, & are soon coming up" – I know she was dismissed as nurse afterwards or left, I don't know which – shortly afterwards the single women had ... that I am aware of, wine or spirits given them at any other time during the voyage than the one stated, but after we anchored single females & myself had a glass of wine in hospital, given by Surgeon & Captain, each providing the bottle. I remember the morning 6 or 7 o'clock coffee was brought down into single women's apartment by the Immigrant's steward, he did not enter the apartment but coffee was passed through an opening, in a pannikin [as it is] - I am certain there was no spirits in the coffee, as I tasted it myself I told the Doctor that I had left the doors open on one occasion – as I was fussed & accidentally did not lock the door, I never heard any thing of a girl being pulled by the hair of her head by the person who brought coffee down – Mary Browne never told me so The Captain – first & second Mate, & Mr Kerr were present when the wine was given in the cabin – I have never seen any familiarities whatever between Captain & Officers, & single women – I was always on the poop with them in the evenings. I was present when wine was served out to single women on last occasion – at the Hospital – "Sarah Fawcett" Some drank it at the time, others carried it away in tins – a wine glassful [as it is] being given to each – the Doctor & Chief Mate were present – "S F" Witness: "A C K" Cross examined by the Surgeon: You were present all the time, at entrance of the Hospital & called their names over – Mrs Ginnis [as it is - McGuinness?] an aged person berthed with single women, received wine also on both occasions referred to – "Sarah Fawcett"</p>		426 - 431

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						<p><u>Catherine McDonald states:</u> I was an immigrant by "New Great Britain" all single girls were invited into Cabin to drink glass of wine on his birthday – Matron, Captain, Chief Mate & Doctor were present – it was ... tight, we were there about half an hour Two or three nights before we landed we had a glass of wine in hospital, given us by Captain's steward – we were called in one by one, we never had it at any other time. Matron went with us – "Catherine McDonald" [her mark] Witness: A C Kemball By Dr Longstaff: <u>James Beaham states:</u> On the occasion of single females being treated with wine – after ship anchored wine was supplied by Captain, & not from the medical stores – "James Beaham" By the Board: I never did give porter or made a promise of it to any immigrant who would sign a testimonial to the Surgeon – "James Beaham"</p> <p>At top: "Immigration / 57/654" <u>Before the Local Immigration Board, Moreton Bay – 13th January 1857</u> [pages also numbered 1-21] <u>William Fawcett states:</u> I was school master of "New Great Britain" On December 13th to best of my recollection about half past ten pm I saw Doctor go into single men's apartment & there was great noise from several of them crowing & I am of opinion that on that occasion he was intoxicated, he smelt uncommon strong of spirits, & did not appear to be capable of walking without supporting himself by the pillars as he went along. At about 4 o'clock next morning he took away wife's stays & exhibited them in the Cabin, as I was informed by Becham the Hospital Assistant [also spelt Beaham] – about 7 the same morning he came from the poop whilst several [p 433] of the men were waiting to have their rations served out – when he requested them to give another crow & asked several to do it before they complied. He certainly was worse for liquor on that occasion. It is not the only instance by many that I have seen Doctor worse for liquor. Hospital Assistant James Becham frequently gave away hospital stores including spirits, tapioca etc to persons not requiring them. I received spirits from him, I believe without the knowledge of Surgeon – this partiality created remarks & dissatisfaction among Immigrants. I wish to explain reason why vote of thanks presented by Immigrants was signed by me – when first presented to me I positively refused putting my signature to it because I considered it a fictitious character – the next day [p 434] Becham the Hospital Assistant called me into surgery & requested me to sign it, which I again refused to do – a few days afterwards I asked him if he would sign vote of thanks to the Captain. He told me he would not sign one without my signing the other. I was at last induced to sign it because I reflected that Doctor might injure me from getting a situation. I was threatened by Doctor's Assistant that he could do so. Cross examined by Dr Longstaff [looks like "Langstaff"] When I saw you pass by me at half past 10 on night of 13th December, I think you spoke to me but am not certain, but made the remark afterwards</p>		432 – 453

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						<p>"how strong the Doctor's breath smells of spirits". I recollect that your breath smelt because I made a memorandum at the time. You told me that my signature was [p 435] so unsatisfactory to you that you would dash your pen through it. You told me I & my wife could receive medical comforts at any time if I put it down on paper with my initials – I made requisition three times & received comfort only once - on one occasion you told me I could not have spirits because you had sent Requisition book in – "W Fawcett" <u>Charles Stratford</u> an Immigrant by the "New Great Britain" – Surgeon was in habit of frequently coming down between decks in the night in state of intoxication waking us out of our sleep - I have seen him frequently go into single girls apartment as late as 12 o'clock intoxicated. About 3 weeks</p> <p>[p 436] ago I saw him very much intoxicated about half past 7 in the morning, he was requesting men to give him a crow – on the same evening he was staggering on the poop. He was assisted to come down the ladder & fell & we did not see anything of him for 3 or 4 days after. Sometimes we did not see him down for a week – when people wished to see him he was often in bed & Hospital Assistant had to attend for him</p> <p>Cross examined by the Surgeon: I was constable of the single females, I made a complaint to Matron of your going there all hours of the night. I have frequently said I thought he had no business there unless someone was ill. You sent for me into your Cabin a fortnight before</p> <p>[p 437] you discharged me from situation of Constable but you did not reprimand me for swearing but for exempting myself from Church Service which I explained was on account of excessive heat – I was removed a fortnight after this by a note from you (note produced – see p 438)</p> <p>Additional statement – The Hospital Assistant Becham has administered medicines to several sick - my wife included - which nearly killed her. She was not out of her berth for nearly 3 weeks after taking it – we were often a week or fortnight without seeing the Doctor at all – unless in the night</p> <p>Cross examined I did not apply to you after my wife had been made ill by the medicine, because you were not to be seen – but my wife did [contd p 439]</p> <p>[p 438] [Note] "New Great Britain" at sea – October 27th, 1856 In consequence of the disorder prevailing amongst single women I have thought it my duty to appoint another person as their Constable. I shall not therefore require your further services – Mr Stratford - Edgar Henry Longstaff MD, Surgeon Superintendent [p 439] [continued from p 437] apply to you through the Hospital Assistant, who gave her some spirits – you were not to be seen for eight or nine days after this period – Chas Stafford [as it is] <u>Alfred Ellengham</u> [as it is] states – I was an Immigrant by ship "New Great Britain" – one night Mr Longstaff came out of the surgery, went up poop ladder, when he got up at the top he caught hold of the rails then the Captain took hold of his hand and led him to top of Cabin stairs. I saw him staggering about – I have no doubt he was drunk – a little while after when he came down the poop ladder, he fell down – it was fine weather</p>		

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						<p>Cross examined</p> <p>I do not know the date, but I recollect the night well – I was [p 440] standing behind the after hatchway about 12 feet distant from you, it was the same night you fell with Mary Brown tripping her up in your fall – Alfred Ellingham</p> <p>[p 441] <u>Sarah Fawcett</u> – Matron [margin: wife of Schoolmaster] states – I have never seen the Doctor under the influence of liquor. At one time I saw him when I suppose he was ill. I was Matron during the whole voyage. I have not known the Doctor to enter the single female department but once without me & then the Doctor said I need not get up, he came on that occasion to see about some leak, & returned very quickly. I recollect a man on board of the name of Charles Stratford, he was constable over female ward during portion of voyage. He never complained to me of the Doctor frequently going to single female department at all hours of the night</p> <p>There was occasional sickness among females during voyage, the Doctor attended them, the Assistant brought them their medicines some times. I have taken the medicine from the surgery myself sometimes. I have been in the ward when Assistant brought medicines. One night I heard that he had been down among passengers. I am not aware of Doctor going down to young men's berths & waking them up & making them crow to him.</p> <p>[p 443] There was a girl of the name of Mary Browne on board ship – I never heard of Mary Brown [as it is] been thrown down by any person falling – I never heard the Doctor knocked her down by his own fall. I've had no conversation with anyone since commencement of this investigation. I have not spoken to my husband on this subject</p> <p>By the Doctor: I think you have done your duty, as far as my knowledge</p> <p>By the Board: I am not aware of the Hospital Assistant of having given away spirits or tapioca – he gave me some spirits</p> <p>[p 444] once, but I understood it came with Doctor's sanction. I have heard that there were complaints in the ship, I heard it from Mrs Stratford that Hospital Assistant gave away tapioca. I heard of some dissatisfaction by 2 persons talking of the giving away of tapioca, I have never known Doctor to be invisible for a week at a time. I heard that the Doctor was unwell at one time. I have seen the Doctor during some portion of the day during the voyage, except the time he was unwell</p> <p>By the Doctor: Orders for Medical Comforts were given at 4 o'clock & never after except in case</p> <p>[p 445 – p 13] of emergency. I recollect Doctor getting possession of a pair of stays of mine. I suppose he took them off the deck. I enquired about them & heard he & Captain had some sport over them. I was told so by Behan [as it is] the Hospital Assistant – I said if they were not fetched down to me, they might throw them overboard. I was angry at the time – they were taken away the morning that the Doctor was said to have come down early – his breath always smelt of smoke & cigars to me & not of spirits. The Doctor was a strict disciplinarian</p> <p>[p 445 again – p 14] in preservation of the moral character of the single women – Sarah Fawcett</p> <p><u>John Armstrong</u> states: I am an Immigrant of ship "New Great Britain". I never knew the Doctor</p>		

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						<p>under the influence of liquor – never knew him to be absent from his duty, nor to be absent for days together. I considered him most attentive. I heard in the ship that he was under the influence of liquor, but I did not believe it. Never knew the Hospital Assistant to issue Medical Comforts without the Doctor's orders. I have myself [p 446] received some comforts as also my children when they required them – John Armstrong [his mark]</p> <p><u>James Behan</u> [see also Becham, Beaham] – Hospital Attendant states – I have never seen the Doctor under influence of liquor during voyage. Doctor was to be seen at all hours, by myself, the Constable etc he visited between decks regularly, except the 2 or 3 days he was unwell. I do not know of his wakening the passengers at night to crow to him – on one occasion when I accompanied Doctor to young men's department at night he reprimanded them for</p> <p>[p 447] making noises & disturbing children & threatened to deprive them of their lights. One of the single men in corner of his berth crowed, & Doctor said he would remedy that by making him crow in the dark. Never knew of any of the Immigrants to be smoking in the surgery with the Doctor. <u>I have smoked there myself I have been drinking with the Doctor</u> I was not in the habit of carrying a bottle of spirits, I never gave spirits or tapioca without an order from the Doctor</p> <p>X Examined by the Doctor:</p> <p><u>I was introduced to you by the Agent at Southampton</u> & clergyman of the [p 448] depot, both gentlemen were personal friends of mine, you could not go to the female hospital without passing through my department. I have considered that you have done your duty in promoting good order & morality. There was an omission of Church Service on Sunday 14 December in consequence of rough state of weather as Immigrants could neither stand nor sit comfortably. You have been in the habit in bad weather of going between decks during the night to see that nothing was rolling about the place. You have brought up articles found thrown about & placed them in the female</p> <p>[p 449] Hospital. You have to pass through my department in taking those things to the hospital & you have told me when doing so. At 4 o'clock on the morning that you brought up the stays, you were perfectly sober, & spoke quite distinct & correctly – you told me that you found a stay, & that if any person enquired about them not to give them until they had seen the Doctor, as you intended to reprimand them for being careless. I never represented to Fawcett or his wife that the stay had been exhibited in the Cabin, nor that there was a joke made about it by Captain & Doctor</p> <p>[p 450] Benjamin Babbidge states –</p> <p>On the occasion the Doctor appeared to me to be under influence of liquor, it was the time he fell after he got on to the poop, there were several of the Immigrants by at the time, they laughed on the Doctor getting the fall – he was laid up for some time after the fall – Immigrants cry at the time of his falling was "there's the Doctor drunk". Mary Brown was near the Doctor when he fell & she was down also. I never on any other occasion saw the Doctor drunk – the general report through the ship that the Doctor was in the habit of getting drunk –</p> <p>X Examined by the Doctor:</p> <p>You have complained</p> <p>[p 451] once of the dirty space behind my berth – you ordered my hose? to</p>		

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			Capt Wickham & Members of the late Board of Enquiry	Brisbane Edgar Henry Longstaff MD of Paris, MD of Edinburgh 1848, Fellow of the Royal College of Surgeons of England 1853, Member of the same College 1833, Licentiate of the Apothecaries Company 1833	Saturday night	<p>be taken down to the hold. Your conduct on that occasion did not cause any unkind feelings towards you from me - Benj H Babbidge <u>Browne Woodehouse</u> [as it is] states – I never saw the Doctor drunk on any occasion during the voyage. I never heard it spoken of in the ship that the Doctor was in the habit of drinking – B Woodhouse <u>Andrew Glover</u> states – I cannot say if the Doctor was at any time during the [p 452] voyage the worse of liquor – there was a general report through the ship that Doctor was in the habit of drinking, but on one occasion he threatened to put a bullet through my head for neglecting my watch, which I concluded at the time he must have been under the influence of drink or he would not have made such a threat X Examined by the Doctor: I am certain you made use of the expression of putting a bullet through my head – Andrew Glover [p 453] [Cover sheet] <u>Evidence taken before the Local Immigration Board upon charge preferred against Dr Longstaff / "New Great Britain"</u></p> <p>[Letter] [written on both sides of thin paper, very difficult to read] Pardon my addressing you for believe me I am hurt & distressed at the conclusion you came to respecting the wine – On land regulations may be framed for Surgeons & Emigrant Ships, those only who have to carry them out know how difficult it is to do and to the letter, that I have done so in their spirit, the condition, order, cleanliness and health of the "New Great Britain" & her passengers will testify. Mr Kemball who was two days and nights on board must I am sure have noticed this as also my manner of conducting the Sunday Service. By a dismissed nurse, a statement is made which having two truths about otherwise with falsehoods, this is made in my absence, & before I am informed of it, she has started off from the Town, that I gave on Capt Kerr's birthday & also on the ship's casting anchor a glass of wine to poor Mrs Maginness [as it is – McGuinness?] her grandson & all in hers the single women's department. I at once admitted it may be an error of judgement but it cannot amount to more for no one has ventured to impugn my moral conduct towards any female on board my ship nay all speak to the converse – I called Mr Kemball's particular attention to the too confined apartments for the single women and to the only access for air being from a small trellis work above, from a certain hour on the evening to next morning these young persons had to be confined and looking back on our voyage I do not hesitate to say they have suffered far more than any others. My conduct towards them is before you, had they been my own daughters I could not have watched over them with more anxiety. It is little more than a year since I was last in N S Wales since that I have been sent by a department of the English [p 455] Government to North America on my return I was offered the "Medway" which I declined preferring unfortunately the "New Great Britain". I deliver to Her Majesty's Officer here, in good health, every soul entrusted to my care when leaving England. And with all reverence I would appeal to my God as to my utmost having done my duty. Gentlemen as husbands perhaps fathers I respectfully ask you to</p>		454 – 455

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						<p>reconsider your decision, have you in my case felt that mercy that you hope to meet with yourselves at the Bar of one common God – consider gentlemen you are sending me back branded to join my wife & little daughters. I would give every six pence I might claim to save this disgrace I ask, sirs, with every respect – your obedient servant</p> <p>[NEWSPAPER CLIPPING] THE NEW GREAT BRITAIN, IMMIGRANT SHIP This fine ship arrived, under command of Captain Kerr, off Moreton Bay on 4th inst., after a passage of ninety-eight days from the Lizard. The “<i>New Great Britain</i>” brings 264 passengers, (embarking 262) all of whom appear in perfect health: two births occurred on the passage. She had very severe weather down channel, which, with head winds, continued until she met the trade winds, crossing the Line October 29, at a longitude of 27.15 west; rounded Cape of Good Hope November 26, & on 25th ultimo was off Hobart Town, Van Diemen’s Land; between Sydney & Newcastle she had a strong gale. Spoke the “<i>Pioneer</i>”, bound for Sydney, & standing off from Newcastle. Her passage has been delayed by calms & adverse winds. The passengers speak in the highest terms of Captain Kerr, & of Dr Longstaff, surgeon-superintendent. To each of these gentlemen addresses have been presented, expressive of passengers’ esteem, & which they appear most justly to have deserved. The “<i>New Great Britain</i>” is, without doubt, one of the cleanest ships that has ever arrived from England. The beautiful order & condition of everything between decks, reflects the highest credit upon Dr Longstaff, & proves how much he must have attended to this important part of his duty, & how well the passengers have conformed to his orders, for the ship has more the appearance of one about to commence her voyage than one having come so many thousands of miles with 300 human beings. We understand Dr Longstaff’ speaks in high terms of Captain Kerr, & of the cheerful assistance he always afforded him [from “<i>The Moreton Bay Courier, Saturday 10 January, 1857 – p 2</i>”]</p>		456
			Capt Browne	Freemasons Hotel, York Street Edgar Henry Longstaff MD	1857 01 29	<p>[Letter] I think it a duty I owe to my wife & daughters to address a few remarks to you upon the subject under your consideration: 1st I enclose you a part of a newspaper published three days before I ever saw Brisbane & given me by Mr Kemball on his boarding our ship - except the Officer of Health & a tall gentleman who came with him I allowed no person to approach until Mr Kemball’s arrival. I landed on 12th, you will see the paper is two days before. Next may I ask your careful perusal of my letter to the Board now in your possession which induce & envoke Mr Duncan / who is well known as one who would desire a complete change in Emigration affairs & officers to work for nothing / to propose to Mr Kendall to reduce the amount Mr Kendall told him he was sure that was not what I desired, it was my character I desired to preserve spotless, & which a shilling fine would not leave so. Mr Ebsworth of this Town has known me many years, his brother was the Vicar in the Town in which I practiced my profession 15 years, & was my most intimate friend. Ebsworth will I am certain answer any questions you wish to ask him of me. Lastly this decision will cause me to decline my North American mission which otherwise I should be sent out upon next July – I have the honour to</p>		457

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			Capt H H Browne	Newcastle Edgar Henry Longstaff MD	1857 03 06	be Sir, Yours obediently [Letter] I have done my utmost to find my late Assistant but in vain. All that is left me is to offer to refer you to either Mr Ebsworth of Sydney, or Mr Bolton & Dr Bowker here each of whom I am confident will tell you they have neither seen or heard anything detrimental to my character. Indeed I am now about to join Drs Bowker & Stacey as one of the Firm, my family coming under Capt & Mrs Leask's care in the "Granite City" by which I had paid my own passage to London. I will do myself the honour of calling upon you at the Depot on Tuesday next at one o'clock, if upon doing so I find you engaged, I will call again on Wednesday morning but as I must be back here on Thursday I shall leave Sydney on Wednesday night. I am Sir, Your obedient servant		459 – 460 [no p 458]
				Colonial Secretary's Office, Sydney "W V"	1857 04 30	[PRINTED FORM LETTER] MEMORANDUM The Agent for Immigration is requested to furnish the Colonial Secretary with copies in duplicate of his <i>Report</i> dated 31 st March 1857 No 57/16 respecting irregularities alleged to have occurred in the Immigrant Ship <i>Great Britain</i> [as it is] to <i>Moreton Bay</i> for transmission to the Emigration Commissioners & Note written in margin: Let copies be made as usual – 1/5/57 Copies herewith "J M C" Immigration Office, Sydney, 6 th May 1857		461
	57/01767	1857 05 02	Hon CS	Police Office, Dalby J Meade Swift JP	1857 04 21 1857 05 09~ 1857 05 21~	At top: "Bench of Magistrates Dalby" Letter in reply to CS letter 28 th ult No 57/00930 referring Bench of Magistrates here to former communication dated 27 th December last, informing has no recollection of such letter having been received nor can Mr Hall Clerk of Petty Sessions find any reference to such letter on books of Court House [No 30/57]: Mr Hall had not been appointed at that period & had but just arrived in this part of country Also at top: "Respecting remuneration to Chief Constable for performing duties of Clerk of Petty Sessions" & Notes in margin Send Bench a copy of letter referred to Bench	A2.38	462
	57/00930 57/00930	1857 03 07	Hon CS	Dalby J Meade Swift JP John McArthur JP	1857 02 03 1857 03 07~	At top: "Bench" Letter recommending this application for consideration of His Excellency & at the same time, that duties were most efficiently performed, also to refer to our letter of 8 th December 1856 (56/09139 with) & Notes in margin W V 56/09139 with 57/00383 are herewith – See 57/00936 also [Cover] O H M S / To / The Bench of Magistrates / Dalby Court House, Dalby, 3 Feb 1857	A2.38	463 464

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	57/00936	1857 03 07	Bench of Magistrates	Court House, Dalby Charles Douglas Eastaughffe Chief Constable	1857 02 28 1857 02 03	Police Magistrate Dalby [Ref 57/00930] At top: "Bench" Letter stating on 1 st June 1856 was requested & appointed by Bench to collect Electoral Roll for Police District of Dalby & at same time was promised by Bench that his services for such should be rewarded as Governor General determines – was 28 days collecting same with heavy expenses for horse hire – has applied to late Clerk of Petty Sessions for forms of Abstracts to fill in for same, has often promised to forward them but has to this date failed to do so – seeks recommendation to His Excellency that his services may be remunerated according to promise by Bench & Notes in margin W V Referred for report of Auditor General – blank cover – to be returned Noted Stamp: AUDIT OFFICE-NEW SOUTH WALES / No 161-MR*11 [blurred] This paper was mislaid – subsequent reference on same subject from Treasury was answered to effect that it being the duty of Chief Constable by law to collect Electoral Roll, claim of Chief Constable Eastaughffe is considered to be inadmissible – blank cover Returned Written over: 57/00930 & other notes .. [very faint, unable to read] & Notes re above What is 57/00930? With 57/01767 herewith Inform Bench according to report on 1 st page - to be communicated to Chief Constable Bench [Ref 57/01767]	A2.38	470 – 471
				"W E"	1857 03 07~ 1857 03 09 1857 03 10~			
				W C Mayne, A G Audit Office	1857 05 21			
					1857 05 23~			
					1857 05 28~ 1857 05 29~ 1857 06 08~			
			Hon CS	Dalby J Meade Swift JP John McArthur JP	1857 06 08~ 1857 02 03	Letter recommending this application, stating duties were most efficiently performed, also referring to their letter of 8 th December 1856 & Note in margin – Papers with 57/00930 [Cover] O H M S / To / The Bench of Magistrates / Dalby Court House, Dalby, February 3 rd , 1857		472 473
	57/00107	1857 01 07	Hon CS	Sydney James Hall	1857 01 07	At top: "Clerk of Petty Sessions Dalby" Letter submitting for approval 2 gentlemen willing to be his surety to amount of £100 for due & faithful discharge of duties as Clerk of Petty Sessions, Dalby, Darling Downs: Mr Thomas Webb, 142 Palmer Street, Sydney, Manager for Mr Lenehan Mr Henry William Strong, 66 Castlereagh Street, Sydney - Foreman Cabinet Maker & Notes re above 57/00021 James Hall 31 December for advance of 3 months salary as Clerk of Petty Sessions Dalby – Auditor 2 nd January	A2.38	474

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				"H W P"	1857 01 07~ 1857 01 08~ 1857 01 08~ 1857 01 08 1857 01 08 1857 01 08~ 1857 01 10	Notes re above W V Mr Hall has entered into accompanying Bond [not filmed here] - not acquainted with either of the sureties but understand Mr Webb is ample in himself. If approved Warrant may be ordered for the advance 56/09139 Auditor General Bench, Mr Hall, Notice 57/00936 Inform Bench at Drayton Bench Bond executed for Iron Chest		475
	57/00021	1857 01 02	Hon CS	Central Police Office, Sydney James Hall	1856 12 31	At top: "James Hall" Letter sending Certificate from Mr Dowling Police Magistrate having reference to his ability to fill situation to which he was nominated 29 th ult – requests Colonial Secretary's consideration to following: Distance from here to Dalby is, he learns, over 500 miles & rather an expensive journey, add to which expense incurred while probationist acquiring knowledge of duties of situation, & that Treasury do not but once every 3 months forward the salary of Clerk of Petty Sessions – living at a distance, will he fears leave him in a pecuniary way very backward Seeks order for advance of 3 months salary - believes it is not unusual in like circumstances, would benefit him & Notes re above Auditor General requested to report whether there are precedents for this? – blank cover Stamp: AUDIT OFFICE-NEW SOUTH WALES / No 3-JA*2~ [part obscured] Noted 57/00107	A2.38	476 – 477
	57/00021			W C Mayne, Auditor General	1857 01 01 1857 01 02~ 1857 01 03~	There are precedents but making such advances is open to objection that in case of death, resignation or dismissal before amount of advance has actually accrued as salary, Public may be subjected to loss - under no circumstances should such applications be complied with until proper security has been given by the parties – blank cover		478
	57/00021		Hon CS	Central Police Office, Sydney James S Dowling, Police Magistrate	1857 01 06~ 1857 01 06~ 1856 12 30	Notes Have this day personally informed Mr Hall that advance requested by him cannot be made, unless proper security is given as suggested by Auditor General Act on the other portion of the letter At top: "Police Magistrate Sydney" Letter informing James Hall, nominated for appointment of Clerk of Petty Sessions at Dalby, has been instructed to attend daily at this Office for one month for purpose of enabling him to become acquainted with ordinary duties of the office (ref CS letter 29 th ult): states Mr Hall has attended regularly at this office for time stated - considers him competent to perform ordinary routine of duty specified in Regulations forwarded to him [No 56/47]		479 – 480

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	56/09139	1856 12 23	Hon CS	Police Office, Dalby J Meade Swift JP John A McArthur JP	1856 12 08	At top: "Bench Dalby" Letter calling attention to inefficient manner in which duties of Clerk of Petty Sessions appointed to this Bench are conducted: Mr Ravenscroft received written notice by express that his services would be particularly required "today" - enclose copy of his reply to Chief Constable in consequence of his non-attendance - services of a clerk were procured - seek information re proper means of remunerating those services - consider it impossible that duties of Clerk of Petty Sessions can be carried on efficiently by one appointment for Drayton & Dalby & Notes in margins p 481 & 482 Other papers Enclosed	A2.38	481 - 482
	56/09139		Mr Eastaughffe Chief Constable Dalby	Drayton A G Ravenscroft	1856 12 23~ 1856 12 23	Clerk has been appointed for Dalby (Mr James Hall) now serving his probation at Sydney Police Office - if any allowance is made to person who acted for Mr Ravenscroft it will have to be paid from his salary. Bench should state what they propose "On 1 st January" Bench Dalby [Ref 57000/21~]		
				Executive Council Office, Sydney Edward C Merewether Clerk of the Council	1856 12 05	Letter informing he will be up "on Tuesday or Wednesday" without fail - perhaps case can be adjourned to that day - Mr Fritz is at Dalby - at great loss through my horse - "Yours in haste to save post" "True copy - John A McArthur JP"		483
				"W D" "H W P"	1856 11 25	At top: "M13777 - 28 th November 1856" Proceedings of Executive Council on 20 th November 1856 with respect to appointment of Mr J Hall as Clerk of Petty Sessions at Dalby - <u>Minute No 56/61 - confirmed 24 November 1856</u> Referring to Proceedings on 27 th October last re appointment of separate Clerk of Petty Sessions for Dalby, Darling Downs, Council being invited thereto by His Excellency the Governor General, now advise James Hall will be appointed such Clerk & that he serve usual month of probation in Police Office Sydney No 56/867 & Notes in margin Approved		484
					1856 11 26 1856 11 27~ 1856 11 29	Police Magistrate Sydney, Mr J Hall [Ref 56/09139]		
					1857 01 08	[BOND - PRINTED FORM] <u>James Hall</u> of Dalby, Clerk of Petty Sessions <u>Thomas Webb</u> No 142 Palmer Street, Sydney, Cabinet maker and <u>Henry William Strong</u> No 66 Castlereagh Street, Sydney, Cabinet maker are jointly & severally held & firmly bound ... in penal sum of £100 to be paid to Her Majesty for which payment ... we bind ourselves & each of us ... firmly by these presents sealed with our seals dated 8 th day of January 1857 The condition of above written Bond: James Hall to perform duties of Clerk of Petty Sessions at Dalby & account for & pay over to Colonial Treasurer on 1 st day of every month & every 15 th day of every month in every year while James Hall holds office of Clerk of Petty Sessions ... & at other times		485

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			Hon CS	Sydney James Hall	1856 10 14	... all such sums of money as shall be received by James Hall as Clerk of Petty Sessions <u>Signed, Sealed & Delivered, by the said</u> James Hall - Thomas Webb – H W Strong in the presence of: - W Vallack At top: "M13777" Letter submitting following: On leaving Ireland for this country, Sir Richard Bourke, a very kind friend who knew me for some years, gave me introductions to gentlemen here with view to assist me attaining employ in a Government Department – at time of arrival in Melbourne, Mr Lonsdale Colonial Treasurer of Victoria had left for England & I learned Mr Deas Thomson had also left Colony. Having come to Sydney on Friday last I waited on Mr Thomson who kindly allowed me to make reference to him should you be so good as to appoint me to any situation here. Has had large experience in office work connected with Poor Law Commissioner & Public Works Department at home, can produce testimonials from Sir Richard Bourke, Earl of Clare & other gentlemen of rank & influence as to character, ability & faithfulness in discharge of duty. Should I be given employment, it will be my steady endeavour by a strict attention & diligence in performance of duties of the office to merit your approval &		486 – 487
				Cap Scott, H W P	1856 10 16	Note re above [on cover sheet] [Cover sheet] October 17 th 1856 James Hall applying for employment / Care of Mr Lenehan / Character certified by the late Sir Richard Bourke and application recommended by Mr Deas Thomson		488
			Hon E Deas Thomson	Sydney James Hall	1856 10 15	At top: "M13777" Letter informing addressed letter to Hon Colonial Secretary & was told to call this forenoon today – received message that probably would not have answer for a few days. Write "to you" respectfully soliciting your influence which must operate greatly in my favour with Mr Parker when convenient opportunity offers – depend entirely on your kindness – if fortunate to obtain employment, I am bold to say you will not have cause to regret having interested yourself in my behalf, fully determined to gain your approval by steady & consistent course of conduct		489
				Capt Scott – "H W P"	1856 10 18	Notes re above Applicant certified by late Sir Richard Bourke to be man of excellent character – recommends him to favourable consideration of Ministry		490
					1856 10 18	<u>Executive</u> 56/881 – 20 November 1856 [Cover sheet] October 20 th 1856 / Honble E D Thomson recommending J Hall for employment		491
	56/08257	1856 10 22	Hon CS	Dalby, Darling Downs Joshua P Bell JP, Colin J MacKenzie JP	1856 09 30	At top: "Bench Dalby" Letter in reply to CS letter 20 June last [Margin: 56/05303] enclosing copy of Inspector General's report on our letter addressed to you 5 th May last, re	A2.38	492 – 493

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					1856 02 29	"On 1 st February" 56/00995 Sureties not yet received		
	55/11310	1855 11 05	[No addressee]	Court House, Maitland J H Crummer, Police Magistrate	1855 11 02	At top: "Police Magistrate" Transmitting enclosed application [see p 515] addressed to him by Mr Ravenscroft requesting he apply for 3 weeks leave of absence from date of his appointment at Drayton & Dalby, to enable him to arrange his affairs in this town: solicits assent to Mr Ravenscroft's application – also states since retirement of Mr Minter from office of Clerk of Bench at this place until appointment of Mr Briggs to that duty, Mr Ravenscroft has performed all requirements of Police Office & has rendered him every assistance in that capacity – recommends he be allowed a half months salary of Clerk of Petty Sessions as small gratuity for his services & Notes in margin If it does not imply double payment for same duty – Mr Ravenscroft seems entitled to half a months pay for having done duty at Maitland – presume leave of absence will be given Leave of absence for fortnight may be given & he may have the half pay 55/12875	A2.38	511 - 512
				"C D R"	1855 11 06~			
				"W D"	1855 11 06			
					1855 11 08	Auditor General, Police Magistrate		
	55/10996	1855 10 26	Hon CS	Court House, Maitland A G Ravenscroft	1855 10 24	At top: "A G Ravenscroft" Acknowledging receipt of CS letter handed to him by his wife on his return from Sydney: in reply states Certificate forwarded to that lady by Major Crummer Police Magistrate to effect that he was competent to fulfil & undertake duties of Clerk of Petty Sessions in any District or Town in Colony, having been prominently engaged in Police Office Maitland for considerable time - Certificate has been forwarded by Mrs Ravenscroft to your Office & Notes in margin 55/10776 Mrs Ravenscroft forwarding Police Magistrates Certificate – submitted yesterday Presume this is sufficient to enable Mr Ravenscroft to proceed to Court of Petty Sessions to which he has been appointed Yes Auditor General, Bench Drayton, Bench Dalby, Bench for Bonds, Mr Ravenscroft, Notice [Ref 55/11310] & Notes re above "On 1 st December"	A2.38	513 – 514
					1855 10 26~			
				"C D R"	1855 10 27~			
				"W D"	1855 10 27 1855 10 31			
					1856 02 29	56/00995 referred to Inspector General of Police		
	[no CS number]		Police Magistrate, Maitland	Court House, East Maitland A G Ravenscroft	1855 11 02	Letter informing received "this morning" his appointment as Clerk of Petty Sessions at Drayton & Dalby & shall be required to report himself as early as practicable to Bench of Magistrates at those places – under circumstances seeks he will lay before the notice of His Excellency his application for leave of absence for 2 or 3 weeks to enable him to arrange his affairs in this Town & having a family to accompany him. Has been doing duties of Clerk of Petty Sessions at Maitland for short period during absence of paid Clerk & seeks to be allowed <u>one half</u> month's pay for the same - would not make claim on Government but being in limited circumstances & his expenses in proceeding to his new appointment very	A2.38	515 – 516

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						heavy, in justice to his family he thought it advisable to do so & Note at end: Colonial Secretary – 5 th [see p 511]		
	55/10776	1855 10 18	Hon CS	East Maitland M J Ravenscroft "C D R" "W E" "J S"	1855 10 16 1855 10 25~ 1855 10 23~ 1855 10 23~ 1855 10 23~ 1855 10 24~ 1855 10 24 1855 10 25~	At top: "M J Ravenscroft" Letter in absence of Mr Ravenscroft forwarding Certificate from Police Magistrate as to Mr Ravenscroft's fitness to fulfil duties of Clerk of Petty Sessions & Notes in margin 55/10515 Precis Proposed for Drayton & Dalby In Auditor General & Governor General's Minutes on 55/09936 herewith Blank cover – to be returned Noted Stamp: AUDIT OFFICE–NEW SOUTH WALES / No 725-OC*24 Provision is made on Estimates 1855 for Salaries of Clerks of Petty Sessions at <u>Drayton</u> & <u>Myall Creek</u> respectively – from the latter the £50 extra may be paid to Clerk at Drayton – blank cover See 55/09934 Returned Colonial Secretary's Office [Ref 55/10996]	A2.38	517
	55/10515	1855 10 08	Private Secretary, Sydney	East Maitland Alfred G Ravenscroft "Rec'd 6 th – CR" "C R"	1855 10 04 1855 10 06	At top: "A G Ravenscroft" Acknowledging receipt of letter 2 nd inst stating His Excellency pleased to offer him office of Clerk of Petty Sessions at Drayton & Dalby: gives thanks & in accepting seeks instructions re taking duty immediately or whether he could have time to make arrangements as to removal of his family so long a distance, his wife in delicate health from her confinement & having 3 very young children to look after. Should Governor General have him Gazetted to the office, would proceed as early as possible, but would still seek indulgence for time "to settle my family here or to enable them to accompany me" & Notes re above Colonial Secretary with reference to His Excellency's late instructions as regards Clerks of Petty Sessions	A2.38	518 – 519
	55/09936	1855 09 19	Acting Hon CS	Audit Office John Stirling "W D" "C D R"	1855 09 17 1855 09 20 1855 09 20~ 1855 09 24	At top: "Acting Auditor General" Letter informing Clerk of Petty Sessions at Dalby has furnished no accounts to this Office for Quarters ended 31 December 1854, 31 March & 30 June 1855 [No 258]: letters addressed to Mr Dowling from this Office receive no answer – on August 1854 payment of his salary was suspended but this has not produced any beneficial result & Notes in margin Mr Dowling to be dismissed as matter of course & for the future it ought to be understood any neglect to send in necessary accounts will be punished by suspension & if not properly accounted for, by dismissal Appears Clerks of Petty Sessions when their salaries are suspended help themselves out of fees & fines collected by them - Bench to be asked to inquire & report Auditor General, Bench Dalby – "Resubmit"	A2.38	520
						Notes re above		521

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				"W D"	1855 09 25- 1855 09 28	Is any appointment to be made in room of Mr Dowling at present I understand the Drayton Clerk of this Bench could easily do Dalby work if small addition made to his salary – appointment will be made to Dalby but new Clerk at Drayton may have £50 extra for doing the duty See 55/10515		
	55/09934	1855 09 19	Hon Acting CS	Audit Office John Stirling	1855 09 17	At top: "Acting Auditor General" Letter informing attested account of Clerk of Petty Sessions Drayton for March Quarter of this year was returned to him 29 th May for correction & has not since been received – accounts for Quarter ended 30 th June have not been furnished – payment of Mr Moncrieffe's [also Moncrieff] salary was suspended 7 th May without any beneficial result [no 257] & Notes in margin Mr Moncrieffe to be dismissed It is not stated in this case that the money collected has not been transmitted to Treasury This is another case of delinquency in a Clerk of Petty Sessions – Bench to be called upon to enquire & report "No 403" Auditor General, Bench Drayton – See 56/09936	A2.38	522 – 523
				"W D" "C D R"	1855 09 20 1855 09 26-			
				"C D R"	1855 09 20-			
					1855 09 24			
				"W D"	1855 09 25- 1855 10 06	Notes re above Any other appointment to be made at present? Let enquiry be made as to whether any payment has been made into Treasury on account of these fines		
				"C D R" "W E"	1855 10 06- 1855 10 06	Colonial Treasurer to report Blank cover – noted		
				Francis L S Merewether	1855 10 08- 1855 10 10	Rev Br Mr Moncrieff remitted in April last £24-17-2 on account of his collections for March Quarter but Vouchers by which remittance was accompanied were imperfect, as they showed an amount of £21 only. Correct Vouchers have not yet been rendered & Mr Moncrieff's salary has in consequence been stopped. Mr Moncrieff has rendered to this Office Vouchers for his collections for June Quarter & has transmitted an order for payment of the amount out of his salary. These Vouchers were received on 29 th ult, are also imperfect. Amount of his collections for this Quarter according to his statement was £29-9-6. Salary withheld from Mr Moncrieff amounts to £58-1-7 from 15 February to 31 May 1855 – blank cover - No 403		524
				"C D R"	1855 10 11- 1855 10 12-	Returned Colonial Secretary's Office It appears payments have been made but Vouchers are deficient – Bench must be written to for their report why they have not enforced Sect III of 4 William 4 No 5. They, the clerks, are required to sign & swear to Returns of fees & fines collected quarterly- & Magistrates should see that this is done		
				"W D"	1855 10 12 1855 10 19	Let attention of Bench be called to their own neglect, refer to Section of Act Bench		
	57/00936			Police Office, Dalby Colin J MacKenzie JP John A McArthur JP	1856 06 01	[Note] We hereby appoint Mr Charles Douglas Eaughstafte [as it is] Chief Constable of Dalby as Collector of Electoral Roll in Police District of Dalby [also Charles Douglass Easthauffe - Charles Douglas Eastaughffe] <i>[see also related correspondence at p 470-473]</i>	A2.38	525
	57/01794	1857 05 04	Hon CS	Brisbane School of Arts John Innes, Secretary	1857 04 27	At top: "Secretary" Letter informing requested by Committee of Brisbane School of Arts &	A2.38	526

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				"H W P"	1856 10 14 1856 10 16 1856 10 16	Request Auditor General to report Auditor General Informed - Original cheques were written for - on their receipt at this office amounts will be sent to Messrs W Gray & Co [Ref 57/01137]		
	57/01880	1857 05 08	Hon CS	Royal Hotel, Sydney John Ferrett	1857 05 06~ 1857 05 11~	At top: "J Ferrett" Acknowledging your requisition to assist Board appointed to examine prisoner John Garbutt & in reply states will most willingly comply provided time & place be such as not to delay him longer than next steamer to Moreton Bay Also at top: "Expressing his willingness to examine John Garbutt respecting Dr Leichhardt" & Note in margin <u>57/1577</u> Police	A2.38	536
				"W E" J McL – Inspector General	1857 05 08 1857 05 11~ 1857 05 12~	Notes re above Inspector General of Police – blank cover – noted Mr Ferrett attended Examination of Garbutt held Cockatoo Island on 8 th inst – blank cover Returned Colonial Secretary's Office "Put by"		537
	57/01915	1857 05 11	Hon CS	Supreme Court House, Brisbane William K Macnish, Registrar	1857 05 07 1857 05 12~ 1857 05 13~ 1857 05 14~ 1857 05 16~	At top: "Registrar of the Supreme Court at Moreton Bay" Letter requesting Government Printer be instructed to forward for use of his Department Government Gazettes from beginning of this year & to continue to send same as published – also Acts of Council, commencing as far back as it is in his power to supply & Notes in margin W V For approval Printer, Mr McNish [as it is]	A2.38	538
	57/01930	1857 05 12	Immigration Agent	Immigration Agents Office, Moreton Bay A C Kemball	1857 05 07	At top: "Immigration Agent" Letter referring to your copy letter transmitted to me on 22 nd ult, together with letter from Hon CS relating to, same from Mr Hood explanatory of a paragraph which appeared on his authority in "Sydney Morning Herald" stating that pardoned convicts had been introduced into this District in two Immigrant Ships then lately arrived [No 57/164] Having already reported to you on this subject in letter dated 18 th November 1856 No 56/209 [Margin: See enclosure to 56/08774] presumes you now only require me to supply you with any information I may be able to gather in answer to the <u>concluding</u> statement in Mr Hood's letter that "upwards of twenty men of same class arrived by the last Immigrant Vessel at Moreton Bay" of course alluding to the "Parsee" Result of my enquiries though confined to examination of 2 or 3 creditable Immigrants by that vessel strengthens supposition that Mr Hood's statements are unfounded, & confirming, submits opinions offered in my former report & conclusion arrived at. Notwithstanding Mr Hood's attention that "It was commonly spoken of at the time as an undoubted fact", I was wholly ignorant at any such ... till directed to paragraph in question If respectable portion of Immigrants had ever suspected introduction of convicts among them, they would unquestionably have made it a subject of	A2.38	539 – 541

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				H H Browne "H W P"	1857 05 11 1857 05 13~	complaint to local Board Also at top: "57/01438" & Notes in margin Colonial Secretary's letter herewith returned - transmitted for information of Hon CS - blank cover - to be returned Read		
	57/01438 57/01438	1857 04 14	Hon CS	Oatlands, Parramatta J H Hood "H W P"	1857 04 10 1857 04 14~ 1857 04 20 1857 04 00~ 1857 04 15~	At top: "J H Hood" Letter in reply to CS letter 2 nd inst re statement in "Herald" newspaper, that I had asserted no less than 60 convicts came out in an Emigrant vessel to Moreton Bay: states he presumes writer alluded to in letter of his published in the same paper in October last, in which I mentioned 40 or 50 Ticket of Leave men (who had received free pardons on condition of their emigrating to Moreton Bay) had arrived at that Port by the 2 last Emigrant ships - unable to personally prove that such was the case, but it was commonly spoken of at the time as an undoubted fact - has been told by several persons during last few days that there is no doubt that upwards of 20 men of the same class arrived by the last Emigrant vessel at Moreton Bay & Notes in margin Refer to Agent for Immigration with a view to enquiry of local authorities at Moreton Bay as to statement in concluding part of Mr Hood's letter Agent for Immigration "On 15 May" [Ref 57/01930] Notes re above Referred for further report of Immigration Agent with reference to his letter of 28 November last - blank cover - to be returned It will be better to send a copy & ask for a report - Immediate	A2.38	542 - 543 544 - 545
	56/08774 56/08774	1856 11 29	Hon CS	"H W P" Government Immigration Office, Sydney H H Browne	1857 04 02 1857 04 02 1856 11 28	At top: "M13907 - 6 th April 1857" It is stated in the "Herald" newspaper of 1 st April that Mr Hood has asserted that "no less than 60 convicts came out in one Emigrant vessel to Moreton Bay" - let a letter be written to Mr Hood with reference to this statement & request him to inform whether newspaper is correct in its assertion, & if so, whether he has any objection to place Government in possession of facts upon which allegation alluded to has been grounded & Notes in margin Mr Hood "On 15 April" [Ref 57/01438] At top: "Agent for Immigration" Letter stating his attention having been drawn to a paragraph in letter from Mr Hood, Member of Council in "Sydney Morning Herald" of 27 th ult asserting that considerable portion of single men who arrived by last 2 ships at Moreton Bay had been convicts in England & were allowed their pardon on condition they emigrated to Australia [No 56/386]: deemed it advisable to communicate with Assistant Immigration Agent there on the subject, to ascertain correctness or otherwise of statement circulated by Mr Hood - now transmits herewith copy of correspondence between that Officer & himself relative to matter, from which it will be perceived Dr Kemball considers Mr Hood's statement as applied to either vessel	A2.38	546 - 547 548 - 551

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	56/08774		Assistant Immigration Agent, Moreton Bay	"H W P" Government Immigration Office, Sydney H H Browne	1856 12 01~ 1856 10 28	unjustifiable & Note in margin - Read [Ref M13907] "G W N" Enclosed referred to in Immigration Agent's letter to Colonial Secretary of <u>28th November 1856 – No 56/386</u> Letter drawing his attention to paragraph in letter from Mr Hood, Member of Council, which appeared in "Sydney Morning Herald" of yesterday's date in which that gentleman states considerable portion of single men who arrived by last 2 Ships at Moreton Bay had been convicts in England & were allowed their pardon on condition they emigrated to Australia Para 2: Requests he report to him at earliest convenience whether any such information as that alluded to by Mr Hood has come under his notice & if not, that he cause a searching enquiry to be made to ascertain correctness or otherwise of report circulated by Mr Hood		552 – 553
			Immigration Agent, Sydney	Immigration Office, Moreton Bay A C Kemball	1856 11 18	Letter referring to "your letter of 28 th ult No 56/440" alluding to letter published by Mr Hood, Member of Council, representing that considerable number of single men who arrived in the last 2 Immigrant Ships at Moreton Bay, were pardoned convicts, & calling for a searching enquiry relative to the truth or otherwise of the same [No 56/209]: states that from no information he has been able to collect can any such conclusion be warranted & from his experience in the Service, adds his belief that it would be impossible to conceal from body of the Immigrants the introduction of even 1 or 2 convicts among them, notwithstanding his investigation relative to ship "Persia", one of the vessels adverted to, were necessarily very limited, she having left this Port. Persuaded that no suspicion was entertained of her bringing out such objectionable characters, & Mr Hood's statement, as applied to either vessel, is unjustifiable		554 – 555
	57/02002	1857 05 16	Hon CS	Police Office, Dalby J Meade Swift JP "H W P"	1857 05 04 1857 05 18~ 1857 05 18	At top: "Bench" Forwarding letter from Chief Constable Dalby [not filmed here] to Bench of Magistrates which should have accompanied their report of 29 th ult Also at top: "Forwarding letter from Chief Constable complaining of James Hall Clerk of Petty Sessions" & Notes in margin Acknowledge receipt & place with other papers J M Swift JP – See 57/02003 also	A2.38	556
	57/02032	1857 05 18	Hon CS	H M Gaol, Brisbane J C Wickham, Visiting Justice "H W P"	1857 05 12 1857 05 18~ 1857 05 19~ 1857 05 21~ 1857 05 25~	At top: "Visiting Magistrate" Letter informing William Teagle prisoner in this Gaol awaiting trial for murder of his wife had requested him to make an application: that His Excellency would be pleased to make an order for reception of his 3 children (as named in margin) with Roman Catholic Orphan Institution in Sydney – children are at Drayton unprovided for & quite destitute Also at top: "W & Mary Teagle & an infant" & Notes in margin W V This may it is concluded be authorised under the circumstances Committee, Government Resident Note: William Teagle aged 5 years, Mary Teagle aged 3 years & infant boy	A2.38	557

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				J C Wickham, Government Resident		<p>[PARTICULARS / APPROPRIATED FOR 1857 / PROPOSED FOR 1858] <i>[Amounts are noted]</i> CONTINGENCIES: Provisions etc as per Separate Return Stationery as per Separate Return Incidental Expenses etc: In lieu of Forage & for Travelling Expenses Postage TOTAL CONTINGENCIES TOTAL PROBABLE EXPENDITURE for 1858: £983-0-0</p> <p>RECAPITULATION [SERVICE / APPROPRIATED FOR 1857 / PROPOSED FOR 1858 / INCREASE / DECREASE] <i>[Amounts are noted]</i> TOTALS: £980-0-0 / £983-0-0 / £3-0-0 /</p> <p>At top: "Moreton Bay" NOMINAL RETURN of the ESTABLISHMENT of the Government Resident on 30th April, 1857 [NAME / Date of Appointment / Situation / Salary: Authorised for 1857 – Proposed for 1858 / Remarks] John Clements Wickham / 1853 – January 1 / Government Resident / £700-0-0 - £700-0-0 Ralph Edward Godschall Johnson / 1856 – January 1 / Clerk / £200-0-0 / £200-0-0 [see also R E G Johnson] TOTALS: £900-0-0 / £900-0-0 Signature of Head of Department: J C Wickham, Government Resident</p>		564 – 565
				J C Wickham, Government Resident		<p>At top: "Moreton Bay" ESTABLISHMENT OF Government Resident Return of the Probable Expenditure on account of PROVISIONS, FUEL AND LIGHT, AND FORAGE, for the Year 1858 [PARTICULARS / AMOUNT / REMARKS] FUEL, LIGHT, ETC, viz 12 Loads of firewood @ 8/- per load / £4-16-0 Candles / 19/- 30 loads of Water @ 1/6 / £2-5-0 At end: £8-0-0</p>		566
				J C Wickham, Government Resident		<p>At top: "Moreton Bay" ESTABLISHMENT OF Government Resident RETURN of the Probable Expenditure for INCIDENTAL EXPENSES, for the Year 1858 [PARTICULARS / AMOUNT / REMARKS] Allowance in lieu of Forage & for Travelling Expenses / £50-0-0 TOTAL: £50-0-0</p>		567
				J C Wickham, Government Resident		<p>At top: "Moreton Bay" ESTABLISHMENT OF Government Resident RETURN of the Probable Expenditure on account of STATIONERY for the year 1858</p>		568

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	57/02035			J C Wickham, Government Resident		<p>[PARTICULARS / AMOUNT / REMARKS] Paper, Pens, Ink, Books etc / £10-0-0 Postage / £15-0-0 / It has been found necessary to make an increase of £3 in this item beyond the allowance for 1857 in consequence of the increased correspondence under the head of Native Police</p> <p>At top: "Moreton Bay" ESTIMATE of the PROBABLE EXPENDITURE of the Coroner – Health Officer – Vaccine - for the YEAR 1858 [SALARIES / APPROPRIATED FOR 1857 / PROPOSED FOR 1858] Coroner [Note: For the Law Officers] / 1 / £20-0-0 / 1 / £20-0-0 Health Officer / 1 / £100-0-0 / - / £100-0-0 Vaccine / 1 / £25-0-0 / - / £25-0-0 SALARIES carried forward: £145-0-0</p> <p>[PARTICULARS / APPROPRIATED FOR 1857 / PROPOSED FOR 1858] SALARIES carried forward: £145-0-0 CONTINGENCIES – Nil</p> <p>RECAPITULATION [SERVICE / APPROPRIATED FOR 1857 / PROPOSED FOR 1858 / INCREASE / DECREASE] SALARIES / £145-0-0 / £145-0-0 / Nil / Nil CONTINGENCIES - Nil</p> <p>NOMINAL RETURN of the ESTABLIEHMENT of the Coroner, Vaccine Officer, Health Officer on 30th April 1857 [NAME / Date of Appointment / Situation / Salary: Authorised for 1857 – Proposed for 1858 / Remarks] Kearsey Cannan / 1853-Sept 12 / Coroner / £20-0-0 / £20-0-0 Kearsey Cannan / 1853-Oct / Vaccine Officer / £25-0-0 / £25-0-0 William Hobbs / 1853-Sept 12 / Health Officer / £100-0-0 / £100-0-0 TOTALS: £145-0-0 / £145-0-0 Signature of Head of Department: J C Wickham, Government Resident</p>		569 – 570
				J C Wickham, Government Resident		<p>NOMINAL RETURN of the ESTABLIEHMENT of the Coroner, Vaccine Officer, Health Officer on 30th April 1857 [NAME / Date of Appointment / Situation / Salary: Authorised for 1857 – Proposed for 1858 / Remarks] Kearsey Cannan / 1853-Sept 12 / Coroner / £20-0-0 / £20-0-0 Kearsey Cannan / 1853-Oct / Vaccine Officer / £25-0-0 / £25-0-0 William Hobbs / 1853-Sept 12 / Health Officer / £100-0-0 / £100-0-0 TOTALS: £145-0-0 / £145-0-0 Signature of Head of Department: J C Wickham, Government Resident</p>		571 – 572
	57/02036	1857 05 18	Hon CS	Sheriff's Department, Moreton Bay William Anthony Brown, Sheriff	1857 05 11	<p>At top: "Sheriff at Moreton Bay" Letter forwarding Estimate for Gaol Establishment at Brisbane for 1858 showing decrease of probable expenditure & recommends salary of Clerk be £120, amount [he is informed] allowed Clerks of Gaols in Southern Districts [Margin: This is I think a mistake] [No 57/16] Para 2: Item for provisions is greater than last year but must be expected as population increases Para 3: Decrease on amount required for Stores & Clothing - Estimate has been prepared with care Also at top: Stamp: Treasury / No 5618 / JN 24 / 1857 & Notes in margin W V Do not see sufficient ground for increasing Clerk's Salary For Colonial Treasurer Secretary to the Treasury – blank cover</p>	A2.38	573 – 574
				"H W P"	1857 05 23– 1857 06 15–			
				"W E"	1857 06 23			
						[PRINTED FORMS]		

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				William Anthony Brown Sheriff		<p><u>GAOLS</u> ESTIMATE of the PROBABLE EXPENDITURE of the ESTABLISHMENT at <u>Brisbane for the YEAR 1858</u> [SALARIES / APPROPRIATED FOR 1857 / PROPOSED FOR 1858] <i>[Rates & amounts are noted]</i> Visiting Magistrate /1 Gaoler /1 Matron/1 Surgeon /1 Clerk /1 Dispenser / - Principal Turnkey /1 Turnkeys & Constables / 6 Messenger / - C E Chaplain / 1 R C Chaplain / 1 TOTAL SALARIES: £1284-18-9 / £1296-18-9</p> <p>CONTINGENCIES <i>[Amounts are noted]</i> Provisions, as detailed in Separate Return Fuel and Light, as detailed in Separate Return Buildings and Furniture, as detailed in Separate Return Stationery, as detailed in Separate Return Stores and Clothing, as detailed in Separate Return Medical Comforts, Medicines & Surgical Instruments Escort Expenses Postage Other Contingencies TOTAL CONTINGENCIES: £1035-1-0 / £988-16-6</p> <p>RECAPITULATION [APPROPRIATED FOR 1857 / PROPOSED FOR 1858 / INCREASE / DECREASE] <i>[Amounts are noted]</i> TOTAL: £2319-19-9 / £2285-15-3 / £12-0-0 / £46-4-6</p>		575 - 576
				William Anthony Brown Sheriff		<p>ESTABLISHMENT of Gaol at Brisbane Return of the Probable Expenditure on account of <u>PROVISIONS, FUEL AND LIGHT, AND FORAGE, for the Year of 1858</u> [PARTICULARS / AMOUNT / REMARKS] <i>[Amounts noted]</i> PROVISIONS, viz – 7300 Rations No 4 - 10,950 Rations No 5 - 100 Rations No 6 - 365 Rations No 7 - 150 Rations No 8 TOTAL: £711-10-0</p> <p>FUEL, LIGHT ETC, viz- 110,000 lbs of Firewood - 50 Gallons of oil - 350 heads of Water TOTAL: £90-0-0</p> <p>FORAGE etc – NIL</p>		577

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				William Anthony Brown Sheriff		ESTABLISHMENT of Gaol at Brisbane Return of the Probable Expenditure on account of STATIONERY for the Year 1858 [PARTICULARS / AMOUNT / REMARKS] <i>[Amounts noted]</i> STATIONERY, viz- A Sheet Almanack - 1 ream Foolscap - 2 quires of ruled Foolscap – 2 quires of blotting paper - 2 quires of cartridge paper - 12 lead pencils - 6 boxes of steel pins - 100 goose quills - 2 boxes of wafers - 12 pieces of red tape - 4 ozs pins - 6 packages of black Ink powder - 2 packages of red Ink powder - 1 piece of Indian Rubber - 1 Office knife - Printed Forms TOTAL: £4-1-6		578
				William Anthony Brown Sheriff		ESTABLISHMENT Gaol at Brisbane Return of the Probable Expenditure on account of STORES for the Year 1858 [PARTICULARS / AMOUNT / REMARKS] <i>[Amounts noted]</i> STORES, viz- Blankets – NIL Clothing, viz- 80 Suits of clothing for male prisoners – 4 suits of female clothing Arms, viz- NIL Ammunition, viz-100 Rounds of Ball cartridges & 125 percussion caps Saddlery, viz- NIL Accoutrements – NIL Other stores: 30 stone hammers – 2 sledge hammers – One set of Coopers tools TOTAL: £85-5-0		579
				William Anthony Brown Sheriff		ESTABLISHMENT of Gaol at Brisbane Return of the Probable Expenditure on account of INCIDENTAL EXPENSES for the Year 1858 [PARTICULARS / AMOUNT / REMARKS] Incidental Expenses - £14-0-0 / TOTAL: £14-0-0		580
				William Anthony Brown Sheriff		ESTABLISHMENT of Gaol at Brisbane Return of the Probable Expenditure on account of FURNITURE for the Year 1858 [PARTICULARS / AMOUNT / REMARKS] Furniture, viz – NIL		581
				William Anthony Brown Sheriff		NOMINAL RETURN of the ESTABLIEHMENT of the Gaol at Brisbane on 30 th April 1857 [NAME / Date of Appointment / Situation / Salary: Authorised for 1857 – Proposed for 1858 / Remarks] <i>[Amounts detailed]</i> William Bergan / 1 August 1856 / Gaoler Ellen Bergan / 1 August 1856 / Gaoler Kearsey Cannan / 1 Oct 1850 / Visiting Surgeon John Piercy / 14 June 1855 / Clerk		582 – 583

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						Charles Keys / 19 July 1853 / Principal Turnkey William Gillin [also Gillan] / 20 July 1853 / Turnkey Edward Armstrong / 17 December 1853 / Turnkey Patrick Bradley / 1 January 1854 / Turnkey George Bagnall [also Bagnell] / 6 February 1854 / Turnkey Robert Loague / 10 November 1855 / Turnkey John French / 24 September 1856 / Turnkey Elizabeth Bradley / 1 March 1854 / Female Turnkey Edward K Yeatman / 1 August 1855 / C E Chaplain James Hanly / 1 January 1850 / R C Chaplain Remarks: Small increase in salary of Clerk is proposed as his duties are quite as onerous as Principal Turnkey's whose pay it will be seen is £123 TOTALS: £1284-18-9 / £1296-18-9 Signature of Head of Department: William Anthony Brown, Sheriff		
	57/02106	1857 05 22	Hon CS	Civil Crown Solicitor's Office, Sydney W W Billyard, Civil Crown Solicitor	1857 05 00~ [as it is]	At top: "Civil Crown Solicitor" [see also papers re Hong Lein at p 769-775] Letter informing he has laid application for removal of Hong Lein from Gaol Brisbane to Lunatic Asylum, also depositions that accompanied it, before Solicitor General – in returning papers to you herewith, also sends copy of Opinion given by Solicitor General [No 57/36] & Notes in margin	A2.38	584
	57/02106			J B Darvall, Solicitor General	1857 05 22~ 1857 05 25 1857 05 21	Copy of enclosed opinion to be sent to Capt Wickham with request to forward usual Medical Certificate to effect that Hong Lein is insane etc Capt Wickham <u>In the Matter of the Application for Removal of Hong Lein to Lunatic Asylum Copy Opinion</u> The second Certificate is worse than none as it studiously avoids real question & only certifies to an immaterial fact & as First Certificate takes case out of the operation of 7 Vic: No 14:S.11 & 13 Vic: No 3:S.2 & does not alone bring case within 7 Vic: No 14:S.2. I do not think Governor General can direct removal of prisoner until a second proper Certificate is obtained		585
	57/02033			W Elyard	1857 05 18	Note "Urgent" Forwarded to Civil Crown Solicitor with request he will obtain advice of Solicitor General whether these documents are sufficient to warrant an order being given for removal of Hong Lein to Lunatic Asylum – blank cover – noted – to be returned [Ref 57/02106]	A2.38	586
	57/02033	1857 05 18	Hon CS	H M Gaol, Brisbane J C Wickham, V J	1857 05 12	At top: "Visiting Magistrate" Letter informing Hong Lein (a Chinese) committed to this Gaol from Bench Brisbane under Warrant dated 18 th March last to 3 calendar months imprisonment, that on several occasions since his committal he has behaved himself in violent manner & exhibiting symptoms of insanity, so much so that he caused enquiry to be instituted on the man by 2 qualified medical practitioners who on examination have certified that "Hong Lein" is a dangerous lunatic. Forwards copy of Warrant of his Committal as a vagrant, together with Certificates of the 2 Medical Practitioners & requests necessary authority for his removal to some public Colonial Lunatic Asylum – adds "Hong Lein" has no family or connexion in this Colony &		587

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					1857 05 18~ 1857 05 18~	Notes in margin W V Statements on oath of Medical men do not seem to be sufficient under 2 nd Section of Act 7 Vict. No 14 to justify prisoner's removal to a Lunatic Asylum - Immediate See Medical Certificates [Ref 57/02106]		
				K Cannan	1857 05 06	New South Wales / Brisbane / To Wit: Kearsey Cannan Visiting Surgeon of H M Gaol Brisbane on his oath saith: That since commencement of last February "Hong Lein" has been an inmate of this Gaol, that since which period his case, as to his state of mind, has been constantly under consideration & has caused considerable difficulty not being able to converse with him in his native language But from his general conduct & various acts which he has committed without being able to trace any existing cause, & appearing to be entirely beyond his own control, there does not appear to be any doubt that he is a dangerous lunatic "Sworn before me this 6 th day of May 1857 – J C Wickham JP" At end: See Second Certificate & Note in margin: Act requires that he shall be certified by two Medical Practitioners that the party is insane		588
				W Hobbs	1857 05 11	[Certificate] That this deponent William Hobbs on oath saith as follows – I am a legally qualified Medical Practitioner – I have visited Hong Lein alias Hong Tan a prisoner in Brisbane Gaol – I consider him <u>a dangerous savage & unfit to be at large</u> "Sworn before me at Brisbane 11 th day of May 1857 – J C Wickham JP" & Note in margin – Not in terms of the Act		589
	57/02033			H M Gaol, Brisbane Robert Loague	1857 02 07	New South Wales / Brisbane / To Wit: Investigation into charges against "Hong Tan" (A Chinaman) at present a <u>prisoner confined in H M Gaol Brisbane</u> <u>Robert Loague</u> turnkey on his oath says: On 6 th inst between 12 o'clock & 1 o'clock pm I went to No 3 Ward to let prisoners out for exercise & to clean the ward, one of the prisoners named Smith was cleaning the Ward at the time, I called on the Chinaman to take sweepings in lid of night tub - as he did not thoroughly understand me, I instructed prisoner named Church to show him where to deposit sweepings, the chinaman "Hong Tan" threw contents he had on lid at Church & threatened to strike or throw lid at Church – I seized it from him, he then ran & took up the tub itself & held it up in threatening manner towards Church & myself. I then seized him & held his arms behind his back, & called for assistance from Gaoler or Principal Turnkey. He was then placed in the cells by order of the Gaoler Dated H M Gaol Brisbane this 7 th day of February – Robert Loague "Sworn before me in Brisbane Gaol this 7 th day of February 1857 – J C Wickham JP"		590 – 592
				Michael Connor [his mark]	1857 02 07	AND This deponent on his oath saith: That yesterday morning about 7 o'clock prisoner "Hong Tan" was under my charge while employed at hard labour in Queen Street, when he raised		

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					1857 02 07	<p>shovel with which he had been working & threatened to strike Michael Slavin another hard labour prisoner. I ran towards him with musket I had in my hand & desired him to drop the shovel, he then ran at some children who were in the street & threatened to strike them also, he then threw a stone at a boy passing on horseback, he then ran at me apparently with intention to take musket from me, & as far as I could understand from his manner towards Slavin, he threatened to use it against him if he had succeeded in taking it from me. One of the police came to my assistance & I brought prisoner back to Gaol</p> <p>"Sworn before me in Brisbane Gaol this 7th day of February 1857 – J C Wickham JP"</p> <p>New South Wales / Brisbane / To Wit: Investigation in case of "Hong Tan" a Chinaman at present a prisoner confined in H M Gaol Brisbane <u>Thomas Church</u> a prisoner confined in H M Gaol Brisbane on his oath states: That I have known "Hong Tan" about 5 years & he always went by the name of the Cranky Chinaman. About 3½ years ago he struck Mr Withan [also Witham] with a quart pot filled with hot water on occasion when he Mr Withan had enquired of him where sheep were, he the prisoner "Hong Tan" at the time acting as one of his shepherds. Mr Withan had him arrested by Drayton Police, when he "Hong Tan" was sent to Brisbane Gaol for 3 months. After his imprisonment I happened to come to Ipswich for rations to take to Mr Withan's station, where he requested me to take chinaman "Hong Tan" back with me. I took him with me & one morning at the camping at Gatton I observed him taking sugar out of one of the bags, & when remonstrating with him for so doing, he seized an axe & chased me round the drays. I am certain he would have struck me had he got near enough, but I was certain he was not in his right mind. Also on another occasion when I rode to his hut with rations he came out with a knife & cut the girths of my saddle, he also then appeared to me to be cranky. Dated Brisbane this 7th February 1857 "Sworn before me – J C Wickham JP"</p>		593 – 594
				Robert Loague	1857 05 06	<p>New South Wales / Brisbane / To Wit: "Hong Lein" alias Hong Tan (a Chinese) in H M Gaol Brisbane charged by <u>Robert Loague turnkey</u> on his oath saith: That on or about 20th March last I was on duty in No 2 Yard, Cummins a prisoner was employed removing bedding out of Ward when Hong Lein another prisoner ran at him & shoved him off the verandah. Hong Lein then ran back to the ward, got the lid of the night tub, I immediately ran in after him & with assistance of 2 other prisoners had great difficulty in wresting it from him, as he was making towards Cummins to strike him. A quarter of an hour afterwards Hong Lein ran down the Yard after Cummins when, after saying something in Chinese, he laid hold of Cummins & pulled him up to the yard door. When Hong Lein is by himself he is tolerably quiet with exception of shouting at night & is in the habit of laughing to himself during the day. But when in company with other prisoners I consider him dangerous as he seizes whatever comes in his way for the purpose of striking them "Sworn before me in Brisbane Gaol this 6th day of May 1857 –</p>		595

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				James Cummins	1857 05 06	J C Wickham JP" New South Wales / Brisbane / To Wit: <u>James Cummins</u> prisoner in H M Gaol Brisbane on his oath saith: That on or about 20 th March last "Hong Lein" who was confined in same Ward made an attack on me whilst I was in act of stooping cleaning the Ward, he took 2 stones which he used for scrubbing the ward & threw them violently at my head, one of them struck me on the shoulder. I afterwards went down the Yard to wash when he followed me up & seized me by the shirt & endeavoured to tear it off my back. I laid hold of him & brought him back to verandah as I was afraid he might take up some loose stones which were lying about at the time in the Yard. I told Principal Turnkey who came in immediately after, that it was not safe to have him among the men, when Principal Turnkey had him remedied. I consider the man out of his mind because he is in habit of laughing to himself, at times he goes up to any of the prisoners & after grinning at them will seize hold of them & try to tear their clothes off them. "Sworn before me this 6 th day of May 1857 – J C Wickham JP"		596
				Hugh Jones [his mark]	1857 05 06	New South Wales / Brisbane / To Wit: <u>Hugh Jones</u> prisoner in H M Gaol Brisbane on his oath saith: A short time ago I was walking on one side of No 2 Yard, "Hong Lein" a chinaman who was also confined in same Yard ran at me with his mouth open & tried to bite me. I hove him down on the ground & held him for a short time, when I let him go, he ran towards the Water Closet & took the lid of the night tub, he came towards me & tried to strike me with it. I took it away from him, then Hong Lein is quietly disposed he sits down by himself & laughs, but will take sudden fits & seizes the first thing that comes in his way & attacks nearest person to him. I never had any words with him & I never saw any prisoners quarrel with him. I do not consider it safe to have him among the men. "Sworn before me this 6 th day of May 1857 – J C Wickham JP"		597
				George Allstock	1857 05 06	New South Wales / Brisbane / To Wit: <u>George Alstock</u> [as it is] prisoner in H M Gaol Brisbane on his oath saith: A short time ago "Hong Lein" a chinaman made an attack on me in No 2 Ward without any provocation with one of the stone rubbers - I threw him down & took it from him, he then flew at me & tore the shirt off my back. I had no words with him previous to this. From his conduct in Gaol I don't think he is in his right mind "Sworn before me this 6 th day of May 1857 – J C Wickham JP"		598
			Chief Constable of Brisbane and Keeper of the Gaol Brisbane	J C Wickham Police Magistrate	1857 03 19	"Copy" At top: "11 & 12 Vic Cap 43" <u>Warrant of Committal on Conviction where Punishment is by Imprisonment</u> Whereas "Hong Lein" (a chinaman) late of Brisbane was this day duly convicted before undersigned one of Her Majesty's Justices of the Peace in and for said Colony of New South Wales for that he said Hong Lein on 17 th day of March 1857 at Eagle Farm ... was found by James Frederick in company with aboriginal natives ... & being unable to satisfy me that he had a lawful fixed place of residence in Colony, it was thereby adjudged that said Hong Lein for his said offence should be imprisoned in Gaol of		599 – 600

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						Brisbane ... & kept to hard labour on public roads ... for 3 calendar months These are therefore to command you ... Constable of Brisbane to take ... Hong Lein & safely convey him to Gaol at Brisbane & there to deliver him to Keeper together with this precept & does hereby command you ... Keeper of the Gaol to receive Hong Lein into your custody in Gaol there to imprison him & keep him to hard labour on public roads of Colony for 3 calendar months & for your so doing this shall be your sufficient Warrant "Given under my hand & seal this 19 th day of March 1857 at Brisbane – John C Wickham P M" [seal]		
	57/02140	1857 05 26	Principal Under Secretary	Dept of Land and Public Works, Sydney Michael Fitzpatrick "H W P" "H W P"	1857 05 22 1857 05 27~ 1857 05 27~ 1857 06 02~ 1857 06 05~ 1857 06 06	Letter re instructions issued to Surveyor General to furnish technical descriptions of boundaries of Police Districts of Rannes & Gladstone for publication in Government Gazette (ref "your letter 30 th March last No 104" – Margin: C S 56/07354): I am directed to transmit to you a copy of report [Margin: dated 16 May 1857] which has been received from that Officer explanatory of present state of the matter [see p 605] [No 138] & Notes in margin 57/1137 Read W V As Electoral Lists are now in course of collection, it would be too late, even if such a course were otherwise desirable, to Gazette temporary boundaries to Rannes & Gladstone Districts Inform Resubmit 1 September Under Secretary	A2.38	601 – 602
	56/07354	1856 09 13	Hon CS	Surveyor General's Office, Sydney George Barney, Surveyor General	1856 09 12 1856 09 17~ 1856 09 25~ 1856 09 27~ 1856 11 06~	At top: "Surveyor General" Letter with reference to CS letter 20 th ult requesting him to furnish technical descriptions of boundaries of Police Districts of Rannes & Gladstone for publication in Government Gazette [No 56/455]: necessary to apply to Leichhardt Commissioner for information in this matter &, pending receipt of his report, preparation of descriptions is deferred Also at top: "56/8607 – S G" & Notes in margin M.136...? Executive Council 25 August advising respecting the above M F - "End of October" Papers Given out with 56/7317 Bench Queanbeyan for appointment of a Police Magistrate Resubmitted "H N"?	A2.38	603 – 604
	57/02140			Surveyor General's Office, Sydney George Barney	1857 05 16	<u>Report</u> "Copy" "57/1137" The present state of the matter is that, from further report from Mr Wiseman, Commissioner of Crown Lands, Leichhardt District, there appears to be no room for doubt that Rannes is not a suitable site for Petty Sessions of Leichhardt District & that to all appearance, Rockhampton on Fitzroy River in settled County of Livingstone is most convenient & suitable site. Reports have been called for from Captain O'Connell & Mr Wiseman on selection of boundary between Police Districts having their Petty Sessions respectively at Gladstone & at either Rannes or Rockhampton &	A2.38	605 – 607

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						that so soon as these reports have been received recommendations will be made relative to permanent selection of Petty Sessions for Leichhardt District & boundaries for the 2 Police Districts If however it be essential formally to proclaim Police Districts at once, to admit of carrying out of Electoral arrangements, boundaries of Squatting Districts of Port Curtis & Leichhardt may be adopted as Police boundaries, Districts of Maryborough & Gayndah being reproclaimed at the same time but this would of course be only a temporary arrangement, and on this account objectionable, as a delay of 2 or 3 months would render practicable the proclamation of Districts of a more permanent character		
	57/02183	1857 05 29	Hon CS	Brisbane Hospital J Innes, Secretary	1857 05 20	At top: "Secretary" Forwarding Petition from Alexander McCommity with Medical Certificate & Certificate that Alexander McCommity is unable to pay for his wife's maintenance in Lunatic Asylum: shall be obliged if you will obtain necessary Order for her admission into Lunatic Asylum sanctioned by one of the Judges, should His Excellency comply with prayer of the petition, & forward it to this Institution. Medical Certificate shows Helen McCommity is a dangerous lunatic & the other Certificate that neither she nor her husband are able to pay for her maintenance in Asylum, he being only a common labourer having an infant to support & Notes in margin W V This is regular	A2.38	608
	57/02183			"H W P" "W D" "H W P"	1857 05 29~ 1857 05 30~ 1857 05 30~ 1857 06 01 1857 06 01~ 1857 05 30~	Approved Order		
	57/02183			Alexander M Conomy [McConomy?]	[no date]	To His Excellency Sir William Thomas Denison ... Governor in Chief New South Wales Petition of Alexander McCommity of North Brisbane Moreton Bay – Labourer regretfully shows that Helen McCommity of North Brisbane & wife of Petitioner has been examined & found to be of unsound mind as will appear from annexed Certificate; & Petitioner who is husband of said Helen McCommity is desirous of procuring her admission into the Lunatic Asylum in order that she may there have such medical care & attendance as may be most likely to ensure her eventual recovery And Petitioner prays that said Helen McCommity may be admitted to such Lunatic Asylum at public cost he being a labourer & having an infant child to support & being unable to for her maintenance your Petitioner therefore prays that Your Excellency will direct that said Helen McCommity may be received into such Lunatic Asylum as you may think fit to appoint Memo: There is a slight difference in spelling of husband's name in Petition & his signature but as he is very illiterate, former spelling is supposed to be correct – "W B" At end: Upon reading Petition of Alexander McConony [as it is] & the annexed Certificate of 2 duly qualified medical practitioners I sanction & approve of this application		609 – 610
	57/02183			R Therry	1857 05 30			
	57/02183			Brisbane Hospital	1857 05 20	<u>Medical Certificate</u>		

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	57/02183			F Milford Frederick James Barton Frederick James Barton, House Surgeon Brisbane Hospital		We the undersigned being legally qualified Medical Practitioners do hereby certify that we have examined Helen McCommy of Brisbane at present patient in this Hospital & that we find her to be of unsound mind & a dangerous lunatic & a proper object for reception into the Lunatic Asylum; & we further certify that in our opinion the said Helen McCommy would be benefited by treatment in such Asylum <u>Certificate</u> I Frederick James Barton of Brisbane Surgeon do hereby certify that to the best of my knowledge & belief neither Alexander McCommy nor Helen McCommy who are described in foregoing Petition has the means of paying for maintenance of Helen McCommy in Lunatic Asylum & that Helen McCommy has not any relative or friend who can be reasonably expected to maintain her [BLANK]		611 612 612 again
	57/02188	1857 05 29	Hon CS	Government Resident's Office, Moreton Bay J C Wickham, Government Resident	1857 05 19 1857 05 29 1857 05 30~	At top: "Government Resident, Moreton Bay" Forwarding copy of letter from Surveyor of Roads re action commenced against him by certain Contractors for works in his Department & to request instructions may be forwarded to Crown Law Officers Moreton Bay to defend the action, if circumstances of case are judged by competent authority to warrant that step [No 57/282] & Notes in margin Forward accompanying letter to Under Secretary for Lands and Public Works to be laid before Mr Secretary Hay as relative to matter under his Department – inform Captain Wickham that this has been done Immediate Under Secretary, Captain Wickham	A2.38	613 – 614
	57/02189	1857 05 29	Hon CS	Supreme Court, Brisbane William K Macnish, Registrar	1857 05 15 1857 05 29~ 1857 06 01~	At top: "Registrar of Supreme Court at Moreton Bay" Referring "to my previous letter" of 7 th inst transmitting Notices in Insolvent Estates of James Canning Pearce & Henry Watson, now enclosing like Notice in Estate of Frank Dawson Mercer, requesting Government Printer be instructed to insert in earliest publication of Government Gazette [No 57/16] & Notes in margin Insert. Refer Registrar to letter before written to him Mr McNish [as it is]	A2.38	615
	57/01914	1857 05 11	Hon CS	Supreme Court House, Brisbane William K Macnish, Registrar	1857 05 07	At top: "Registrar of Supreme Court at Moreton Bay" Letter enclosing 2 Notices in Insolvent Estates of James Canning Pearce & Henry Watson both of this District, requesting you will instruct Government Printer to publish once in Government Gazette in its earliest publications [No 57/14]: Mr Justice Milford directs me to state that although it is only necessary under Section 34 of 5 Victoria No 17 to publish these Notices in Government Gazette, is of opinion that publicity thereby given is not sufficient for parties residing in this remote District & that Notices should also be published in local papers here. Should you coincide with this opinion requests that you will authorise me to publish all such Notices here as well as in Government Gazette, & to pay for the same out of moneys that may be placed to credit of my public account for payment of incidental expenses – adds that no such advance has yet been made, but applied on	A2.38	616 – 617

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					1857 05 12	16 th ult to Attorney General for advance of £100 for this purpose. In strictness should have sent enclosed Notices direct to Government Printer but as not aware what his charge may be for their insertion as well as on account of difficulty of transmitting sums under £1 & of my not having any authority or fund from which to make payments, I am under necessity of sending them through you. At same time, seeks to submit for consideration the advisableness that Government Printer should for future be instructed to debit this Department with all claims which he may hereafter have against it, & to send in the same at stated periods for liquidation instead of requiring cash payments & Notes in margin Notices to be inserted in Gazette & Government Printer to inform Mr Macnish of regulation with respect to advertisements. Registrar to be informed, & that his communications should be addressed to Crown Law Officers & not to this Office. His Notices for Gazette may be sent direct to the Printer		
				"H W P"	1857 05 14~ 1857 05 14	Government Printer, Registrar [Ref 57/02189]		
	57/02191	1857 05 29	Hon CS	Supreme Court, Brisbane William K Macnish, Registrar	1857 05 22	At top: "Registrar of Supreme Court at Moreton Bay" Letter referring to "my letter of 15 th inst" [Margin: 57/02189] transmitting Notice in Insolvent Estate of Frank Dawson Mercer for insertion in Government Gazette [57/19]: encloses like Notice in Estate of John Stevens which he requests you will instruct Government Printer to insert in earliest publications of Government Gazette & Notes in margin 57/02189 Insert Mr McNish [as it is]	A2.38	618
	57/02230	1857 06 01	Hon CS	Gladstone M C O'Connell, JP	1857 04 15	At top: "M C O'Connell" Forwarding enclosed application from L B Young, Clerk of Petty Sessions to be allowed to draw his pay & allowances from date of his appointment to his present situation [see p 627] & seeks to recommend Mr Young's request to favourable consideration [No 57/48] Para 2: Can fully corroborate Mr Young's assertion that he has considerable trouble in arranging Papers & Records of Police Office & adds that he has performed satisfactorily this duty which he never could induce Mr Stonhouse to attend to & Notes in margin See 57/02229 also This may perhaps be allowed – observing that 2 persons are not paid for the same period	A2.38	619 – 620
				"H W P"	1857 06 03~ 1857 06 03~ 1857 06 15~ 1857 06 10	Bench Gladstone Police Magistrate, Auditor General, Secretary to Treasury		
	57/00481	1857 02 02	Hon CS	Sydney Lindsay B Young	1857 02 02	At top: "L B Young" Letter re CS letter of --- ult, directing him to attend at General Police Office Sydney for one month in order to qualify for appointment of Clerk of Petty Sessions at Gladstone, Port Curtis: seeks relaxation of this regulation in present instance, & submits following reasons for indulgence:	A2.38	621 – 622 624 – 626 [see p 623 below]

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				Executive Council Office, Sydney Edward C Merewether, Clerk of the Council No 57/29	1857 01 21	1 st Having been for several months in Colonial Secretary's Office, is well acquainted with method of conducting official correspondence & other matters of ordinary routine 2 nd A few days attendance at Police Office already commenced will give a general insight into Police business 3 rd Capt O'Connell, Police Magistrate at Gladstone being thoroughly conversant with Police Office business will be able to direct him in all matters with which he is unacquainted 3 rd again Port Curtis being so distant from Sydney, & so few vessels trading thither, should he miss opportunity of embarking in vessel now in Port (the "Sea Belle") & about to sail in a few days, he should be compelled to wait for an indefinite period, perhaps more than 2 months – under these circumstances trusts his case may receive favourable consideration At top of page 626: "On 1 st April"		623
				"W D"	1857 01 22 1857 01 00~ 1857 01 27	M13828 – 28 th January 1857 Extract from Proceedings of Executive Council on 12 th January 1857 – <u>Minute No 57/2</u> The Council advise that Mr L B Young be appointed Clerk of Petty Sessions at Gladstone in the place of Mr Stonehouse [as it is] & Notes in margin Approved Auditor General, Secretary to Treasury, Bench Gladstone, Bench for Sureties Names Police Magistrate Sydney, Mr Young [Ref 57/00481]		
	57/02230		Hon CS	Gladstone Lindsay B Young, Clerk of Petty Sessions	1857 04 08	At top: "Clerk of Petty Sessions Port Curtis" Letter applying to be allowed to draw salary from date of his appointment as Clerk of Petty Sessions at Port Curtis to that of his arrival at Gladstone [No 21]: there has not been any person employed during that period to perform duties of Clerk of Petty Sessions & has experienced considerable difficulty in arranging papers & records of Police Office which he found in a state of great disorder	A2.38	627 – 629
	57/02229	1857 06 01	Secretary to the Government	Gladstone M C O'Connell	1857 04 17	At top: "Police Magistrate Port Curtis" Letter with reference "to your letter of 28 th February last" re security required from Mr L B Young Clerk of Petty Sessions for due performance of his duties in respect to Public Monies passing through his hands [No 25]: transmits enclosed copy of letter received from that gentleman [Margin: 15 April 1857] submitting names of his proposed sureties as required Para 2: Proposed sureties are considered sufficient - requests Bond may be prepared & forwarded for execution by the several parties & Notes in margin Approved 57/10 Civil Crown Solicitor is requested to procure execution of necessary Bond – Blank Cover See also 57/02230 [very faint - written over] Noted It is requested that this letter be returned when Bond has been executed - No 355 Bond executed here according to instructions – Blank cover Returned Colonial Secretary's Office	A2.38	630 – 632
				"H W P" W Elyard William W Billyard, Civil Crown Solicitor	1857 06 01~ 1857 06 10 1857 06 11 1857 09 07 1857 09 08~			

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	57/02229		Police Magistrate, Port Curtis	Gladstone Lindsay B Young, Clerk of Petty Sessions	1857 09 19~ 1857 04 15	Note "Copy" Letter in compliance with your request – submitting names of undermentioned persons who are willing to enter into Bond jointly with me, for due performance of my duties in respect to all public monies passing through my hands as Clerk of Petty Sessions, viz- Maurice Charles O'Connell JP, Gladstone, Port Curtis John Murray JP, Gladstone, Port Curtis		633 – 634
	57/02314			W Elyard	1857 06 06	[Memo] Civil Crown Solicitor requested to cause necessary Bond of G H Loveday as Clerk of Petty Sessions Drayton to be prepared & executed as directed by Minute of Executive Council No 57/7 dated 3 rd March 1857 in respect to Bonds generally - letter of 4 th June from Mr Loveday naming his Sureties ... requested may be returned when Bond has been executed – Blank Cover - noted & Notes re above This Bond is duly executed and lodged with me	A2.38	635 – 636
	57/02314	1857 06 05	Under Secretary	W W Billyard, Civil Crown Solicitor, Sydney Sydney G H Loveday "H W P"	1857 06 06 1857 06 06~ 1857 06 04 1857 06 05~ 1857 06 06~	Returned Colonial Secretary's Office At top: "G H Loveday, Clerk of Petty Sessions, Drayton" Letter submitting for approval, names of 2 gentlemen willing to join him in the Bond to be entered into by Clerks of Petty Sessions: Henry Osborne Rich of Ryde Sylvester Warburton of Pymont & Notes in margin W V Proposed Sureties seem to be sufficient Approved All Bonds to be prepared by Civil Crown Solicitor & then executed, recorded & returned by him		637
	57/02315	1857 06 05	Hon CS	Sydney G H Loveday "H W P"	1857 06 05 1857 06 06~ 1857 06 06~ 1857 06 08 1857 06 11	At top: "Clerk of Petty Sessions, Drayton" Letter requesting sanction to his obtaining advance of 3 months salary as Clerk of Petty Sessions Drayton in order to meet expenses of journey there & to give authority to Auditor General to prepare Warrant for that purpose & Notes in margin W V There are precedents for this see 57/752 herewith [not filmed here] Mr Loveday's Bond has been executed as appears by report of Civil Crown Solicitor on 57/02314 Secretary to Treasury Inform Bench Bench Drayton	A2.38	638
	57/02361	1857 06 09	Principal Under Secretary	Department of Land and Public Works [as it is], Sydney Michael Fitzpatrick	1857 06 04	At top: "Lands & Works" Letter re registration of Deeds of Grant at Moreton Bay under Act of the Local Parliament 20 th Victoria No 25 (ref CS letter 16 th April last) [No 144]: directed to transmit herewith for information of Colonial Secretary copy of a	A2.38	639 – 640

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	57/02361		Surveyor General	"H W P" Department of Land and Public Works [as it is], Sydney Michael Fitzpatrick	1857 06 09~ 1857 06 10~ 1857 06 04	letter of instructions in this respect [Margin: dated 4 th June 1857] which has been addressed to Surveyor General Also at top: Stamp: TREASURY / No 4763 / JN-6-1857 & Notes in margin 57/1285 For information – nothing required At top: "57/4763" Letter drawing attention to 29 th clause of Moreton Bay District Court Act (20 th Victoria No 25) which provides for registration in that Court of Deeds of Crown Lands situated in Moreton Bay District: directed to convey following rules which have been laid down for your guidance in bringing this system into operation namely: 1 st That you will supply Registrar at Moreton Bay with Registers, similar to those at present supplied to Registrar General corresponding of course with those in your Department 2 nd All Deeds for Lands in Moreton Bay District must be forwarded for Governor General's signature separately, accompanied by lists & numbered as is now done in forwarding ordinary Deeds for signature; a separate arrangement of distinctive numbering being used for Moreton Bay 3 rd When returned executed & after being entered in your Office, Deeds will be forwarded by you to Registrar at Moreton Bay for enrolment & delivery to parties entitled to receive them 4 th In any cases where fees are chargeable that is to say fees, irrespective of Deed (e.g. Court of Claims fees) you will apprise Registrar of the fact P S In forwarding first batch of Deeds to Moreton Bay might be convenient if you would explain to Registrar the course dictated by experience which is adopted in the issue of Deeds of Grant to the Grantees or to others – "M F"		641 – 643
	57/02458	1857 06 15	Under Secretary, Sydney	Drayton A G Ravenscroft "H W P"	1857 05 28 1857 06 23~ 1857 06 23~ 1857 06 24~ 1857 06 29	At top: "A G Ravenscroft late Clerk of Petty Sessions Drayton" Letter requesting all his testimonials, which were left "in your Office" prior to his receiving his appointment at Drayton in November 1855, be forwarded to him & Notes in margin Only testimonial that can be traced is attached to 55/10776 with papers herewith [not filmed here] This may it is concluded be returned to him A G Ravenscroft	A22.38	644
	57/02524	1857 06 22	His Ex Sir Thomas William Denison, Governor General ...	Gayndah R H Strathdee, Grazier William Strathdee	1857 05 21	At top: "Inhabitants of Gayndah & Burnett District" Memorial of undersigned residents of Township of Gayndah & the Burnett District: That your Memorialists are free-holders & residents in Township of Gayndah & Burnett District That owing to paucity of Magistrates in District, nearest Magistrate residing 50 miles from this township & never attending Court, it is very rarely that Court can be held at all in Gayndah & scarcely ever in cases requiring presence of 2 Magistrates can such cases be adjudicated upon That in consequence the utmost inconvenience results to Memorialists & course of Justice is impeded	A2.38	646 – 646 again [no p 645]

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						<p>Memorialists therefore pray that in accordance with Act of Council 20th Vict. 32 your Excellency will with advice of Executive Council extend to Commissioner & Police Magistrate of the District special powers heretofore exercised of acting in cases which required presence of 2 Magistrates</p> <p>Signatories Douglas Stewart – Edward Nelson Lack, Grazier – Joseph Berry, Grazier - A Strathdee, Grazier [A W Strathdee?] – W W Stevenson – M Power – Francis G Connolly – John Connolly – Henry Harper – Alexander Walker – Charles Smith, Storekeeper – Charles Chaney – William McPhail – G Pullen – Robert Walker – W H Green - ? Philpott – D Emmerson – Charles Emmerson – John Jennings Sewell – Jeremiah Murphy – Donald Hood – Henry Browett</p> <p>& Notes in margin Request Attorney General to favour me with his opinion – Blank Cover</p> <p>Noted Secretary to Crown Law Officers I think a case is made out for this extension of power to the P M Under Colonial Secretary – Blank Cover Returned Colonial Secretary's Office Governor General & Executive Council</p> <p>Blank Cover Executive Council 57/558-30 July 1857 Noted & Notes re above Seen Executive Council express their opinion that inconvenience complained of in this Memorial, which was adopted prior to issue of new Commission of the Peace, will be remedied by additional appointments to the Magistracy thus made in Burnett District, & that it will not therefore be necessary to adopt the course suggested by Memorialists</p> <p>Approved Returned Colonial Secretary's Office</p> <p>Applicants</p>		
				"H W P"	1857 06 23~ 1857 06 23~			
				...? A G "W E P"	1857 07 25 1857 07 27 1857 07 27			
				"H W P"	1857 07 29~			
				"W D"	1857 07 28			
				"H W P"	1857 07 30~			
					1857 07 30~			
				"E D T" Edward C Merewether, Clerk of the Council No 57/552	1857 08 02~ 1857 08 10			
				"W D"	1857 08 11			
				"H W P"	1857 08 13~ 1857 08 18			
	57/02639	1857 06 29	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham, Government Resident	1857 06 24	<p>At top: "Government Resident Moreton Bay" Letter informing Mr Sandeman "this day" placed in my hands a sketch of amended Estimate for Native Police for 1858 – will forward it by next mail, it being quite out of my power to prepare it for this [No 57/320]</p> <p>& Note in margin – Read</p>	A2.38	647
				"H W P"	1857 06 30~			
	57/02634	1857 06 29	Hon CS	Ipswich John Blaine, Secretary	1857 06 21	<p>At top: "John Blain" [as it is] Letter informing instructed by Committee of "Ipswich Subscription Library & Reading Room" to enquire whether they are correctly informed that <u>Literary Institutions</u> are supplied gratuitously with <u>Government Gazette</u> & if so, whether there exist any obstacles to extension of privilege to this Institution</p> <p>& Notes in margin W V Gazette is supplied to Australian Subscription Library & to the Sydney,</p>	A2.38	648
				"W V"	1857 06 29~ 1857 06 30~			

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	57/02827			Brisbane Hospital Frederick James Barton House Surgeon	1857 07 06	[Certificate] Patrick MacConnomy aged 2 the infant child of Alexander & Helen MacConnomy both lunatics, has been in this Institution for protection having no friend, since June 27 th 1857 – he is in good health & his parents are of the Roman Catholic religion		665
	57/02917	1857 07 18	Hon CS	Crown Lands Office, Darling Downs A W Manning Commissioner of Crown Lands	1857 07 05	At top: "Bench" "No 57-111" Returning enclosed letter from Mr Hall late Clerk of Petty Sessions at Dalby wherein he makes certain charges against Chief Constable, Mr Eastaughffe: informs that many circumstances have prevented my personal investigation of matter at Dalby but that Mr Eastaughffe has been called on to reply to charges - has done so by letter herewith transmitted Further state I have been in communication with Chief Constables of Brisbane & Ipswich whose replies quite exonerate Mr Eastaughffe from charge of drunkenness, although Mr Sneyd of Brisbane admits that on the particular occasion referred to by Mr Hall he certainly did hear Mr Eastaughffe address Mr Hall rudely & that he left the room in consequence. My knowledge of the parties however satisfies me that some irritation must have occasioned Mr Eastaughffe to forget himself for the moment In former communication dated 18 th May last, I spoke of Mr Eastaughffe's general character, nothing has occurred to lower him in my estimation & I only regret that Mr Hall should have shown so much vindictiveness as to prefer charges which it is impossible to substantiate [Margin: 56/02257 with 57/02842 – A W Manning reporting on charges brought against Dr Swift – submitted ? July – 18 July] <i>[very faint]</i> Also at top <i>[very faint]</i> : "Groundless – not drunkard/ Mr Hall removed" & Notes in margin Mr Hall may be informed that report having been received from Bench upon charges preferred by him against Chief Constable, it appears his imputations are altogether groundless Mr S? Mr Hall accordingly	A2.38	666 – 667
	57/02917		Bench of Magistrates	Chief Constable's Office, Dalby Charles Douglas Eastaughffe Chief Constable	1857 07 28- 1857 07 28- 1857 07 29 1857 05 11	At top: "Chief Constable" Letter in obedience to your commands & in reference to letter of Clerk of Petty Sessions preferring charges against me [Margin: Police Office Dalby, April 3 rd 1857 – to Honourable Colonial Secretary Sydney 57/01523] State I am at a loss almost to answer any part of this letter otherwise than thus which is to say it is totally a compilation of untruths but in the 1 st place the man alluded to was not at large till 3 rd of March 2ndly it was 11.40 am when the Court closed instead of "advanced in the afternoon" 3rdly I called upon Mr Hall many times during the day by order of Bench for recognizances & Warrant 4thly Mr Hall had not to write the forms out, printed forms were used & there are plenty left 5thly Griffiths was detained a prisoner until 11.30am on the 4 th 6thly I never employed a prisoner in my life for any private use 7thly On my first visit with Mr Hall at Brisbane he commenced abusing the Magistrates – I remonstrated with him saying I would not allow it 8thly The following day at Ipswich I became affected with "Coup de Soliel" the day on which several persons lost their lives by same - at night I		668 – 670

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	57/02917			Dalby Police Office Colin J McKenzie JP Joshua P Bell JP John McArthur JP J Meade Swifte JP [see also Swift]	1857 02 19	<p>became worse & went to constable at 11.30 pm soliciting him to go for a Doctor for me, I also called up Mrs Newton landlady of the Hotel who kindly attended me 9thly I am 50 years of age & never drank 50 "nobblers" of brandy in the whole course of my life 10thly From Mr Hall's gross intemperance & his low degrading associates added to his general low deportment, I could not possibly perform my public duty without annoying him & bringing his conduct under notice of the Bench & Government Lastly I sincerely trust that a copy of Certificate from the whole of the gentlemen of this Bench is a sufficient guarantee against Mr Hall's ungrounded & malicious falsehood – "C D E - C C"</p> <p>[Certificate] <i>[Duplicate at p 704 – CS Ref 57/02564]</i> We the undersigned Magistrates resident in Police District of Dalby state that conduct of Mr Charles D Eastaughffe in his capacity of Chief Constable of Dalby Bench, which office he has filled since establishment of said Bench now 3 years, has given us every satisfaction & that we consider him to be a highly active, efficient & meritorious officer & we have to add that as the Chief, if not the entire magisterial duties of the said Bench has fallen upon us during said period, we have had every opportunity of informing a correct judgment upon this subject Note at end: The original of this Certificate was forwarded to Inspector General of Police Sydney</p> <p><i>Note: From p 671-726 Dr Swift's surname [Jacob Meade Swift] appears as "Swifte" in many places including his signatures</i></p>		671
	57/02842	1857 07 14	Hon CS	Crown Lands Office, Darling Downs A W Manning, C C L, Police Magistrate	1857 06 29	<p>At top: "A W Manning, Commissioner of Crown Lands" Letter informing CS letter 18th May No 57/02003 addressed to Bench of Magistrates Dalby on subject of certain charges preferred against Dr Swifte by late Clerk of Petty Sessions at Dalby has been forwarded to me, I presume on account of my being the only other Justice acting for District of Dalby: states an earlier reply should have been made had I been at home when it was forwarded to me [No 57/104] Para 2 States that as charges preferred by Chief Constable Eastaughffe against Mr Hall were referred to Dalby Bench, & their report required thereon, I had no alternative but to call upon Dr Swifte for assistance in investigation – I was not & still am not aware of any ill feeling on part of Dr Swifte towards Mr Hall which would have made his interference objectionable, & I am sure that no symptom of any such prejudice manifested itself during enquiry, I preferred having assistance of another Magistrate & therefore requested attendance of the only one in the District Para 3: The witnesses whom Mr Hall asserts are "men of the very lowest character" were the Chief Constable of Dalby & an ordinary constable in same force, who had been called upon to attend Mr Hall during his drunkenness – no one also was examined. I have no hesitation in saying that these 2 men are persons of <u>good</u> character & their word to be relied on. Their statements were taken simply because they were eye witnesses of the misconduct of the Clerk Para 4: Mr Hall's statement that my early adoption of unfavourable report against himself made him believe it had been prepared beforehand is too absurd to notice. I will therefore only say that the report was written by</p>	A2.38	672 – 675

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						<p>myself in my own room at the Hotel, & never seen by Dr Swifte till next day when I requested his signature to it.</p> <p>Para 5: As to the charge of drunkenness brought by Mr Hall against Dr Swifte I state that I arrived at Dalby on afternoon of 26th April & that Dr Swifte was my guest at the Inn till nearly 10 o'clock, when he went away <u>without the slightest sign of liquor upon him</u>. He had no opportunity of being otherwise. He assisted me at the Land Sale the next morning when he certainly showed me a cut on his hand which he said was caused by a fall the previous night (after leaving me) when returning home from visiting a sick black fellow at the Camp. I heard nothing & saw nothing to lead me to suspect that the accident was caused otherwise than as stated, on a very dark night.</p> <p>Para 6: With reference to accusation of <u>general interference</u> made by Mr Hall against Dr Swifte I regret to say that I am not in a position to deny it as fully as I could wish – my acquaintance with Dr Swifte commenced on 26th April before alluded to. I have seen him several times since then but have never <u>known</u> him to be intoxicated, or at all the worse for liquor but I certainly <u>have heard it asserted</u> by others that he <u>is</u> of intemperate habits. On calling to mind who were my informers, I question very much whether any of them have ever had an opportunity of judging for themselves – Dr Swifte has only <u>very</u> recently come into the District, & is little known to any one in these parts. I cannot but admit that a <u>prevalent</u> report commonly has some foundation but although I may on the whole be inclined to give it credit, I should hesitate to take such report as my only authority for condemning any one.</p> <p>Mr Hall's vindictiveness is apparent in his letter & I cannot help thinking that he has distorted facts to the prejudice of the gentleman who has been instrumental in causing his dismissal from office.</p> <p>&</p> <p>Notes in margin In reference to investigation of charges of Mr Hall - Mr Hall removed Dr Swift not in the Commission [<i>very faint</i>] Nothing further need be done in this matter – Mr Hall has been removed, & Dr Swifte was not included in the new Commission - See 57/02917</p>		
	57/02003	1857 05 16	Hon CS	Police Office, Dalby James Hall	1857 05 04	<p>At top: "James Hall"</p> <p>Letter with reference to report against me signed A W Manning P M & J Meade Swifte JP dated 28th ult [Margin: 57/01903 Bench Dalby – 28 April – sent to Executive Council 12 May] & sent to me by Dr Swifte on 30th ult to enter in the letter book [No 32/57]</p> <p>In reply to that report will only say I objected to enquiry being held on that day & expressed hope Mr Manning would have an <u>open enquiry</u> to enable me to produce evidence to falsify charges <u>preferred against me</u> by Chief Constable there X I considered also that it was not right Dr Swifte should act in this case at all, as from his known character & duplicity with which he for some time past acted towards me, I feel indignant that he should sit in judgment. The high esteem in which Mr Manning is held by Public, & which I have frequently heard expressed, made me assured he would not countenance any such proceedings, & the un-sworn statement of my accusers (two men of very lowest character) being taken as sufficient to criminate me makes me believe this report was prepared beforehand & that Mr Manning too readily adopted it, I cannot avoid (though I do so with regret) saying Mr Manning must possibly have heard Dr Swift was so drunk</p>	A2.38	676 – 679

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	57/02003		James Hall	"H W P" Dalby A P Gayler	1857 05 18- 1857 05 18 1857 04 22	<p>on night of Sunday 26th ult near Black's Camp that he floundered about, hurting himself his right hand shows signs of his mishap - & this gentleman who is spoken of in all places about, as a confirmed intemperate man, Mr Manning permitted 2 days after to investigate charges of a like nature against me X [X-X bracketed]</p> <p>Will not follow the very strong language made use of in the report - I am not the vile person that report would make me & appeal to your very generous feeling to support a persecuted man. I had never seen Mr Manning till day previous to this report being written, & it much surprises me how a gentleman could lend himself to adopt charges emanating from men for whom it is not possible an honest man can have respect - if Mr Manning enquired of any respectable person living here, as to my general character, & whether I at any time used language unbecoming, is sure he would have been told I was not known to do so</p> <p>As to my capability to fill my situation on 28th ult, leaves it to Mr Manning's own conscience. I do not believe it will justify his harshness to me on that occasion - the only time he could have thought any ill of me I remained in Court in attendance all day</p> <p>Report states Magistrates would dispense with my services in Court, it is with pleasure I mention Mr Manning this morning required my services. I would call your attention to straight-forward honest & punctual manner in which I have fulfilled my duties which can be best known by reference to Curator of Intestate Estates, Audit & Treasury Departments. I can safely say (without injurious intention) that at no time previous has the Accounts, Returns, & all other business connected with this office been so well attended to, & would beg you to ascertain truth of what I say by enquiry at these Departments. Encloses letter received 22nd ult fully proving conspiracy of Police against me - records of this Court & sworn informations filed in this office show such conduct on part of Chief Constable that his capacity for doing any wrong causes no surprise. Hoping you will not allow a man who has acted honestly & faithfully to Government be made victim of prejudice & ill will</p> <p>&</p> <p>Notes in margin</p> <p>Case of Mr Hall having been decided upon by Executive Council the decision of Council will be conveyed in the usual official form but the serious charge herein made against Dr Swift renders necessary a reference to Bench upon the subject [this written over "See also 57/02002, 57/02013"]</p> <p>Mr Hall informed, Bench Dalby [Ref 57/02842]</p> <p>Letter informing received "this day" information that there is a plot forming against you as follows: Chief Constable has made use of following words to his men, viz I am given to understand Mr Hall leaves Mr Gayler's house 5 nights out of 7 so drunk that he cannot get home without taking a nap on the road. I want you to look out for him & if you meet him & he is out drunk, knock him down & I will drop £5-0-0 if it is done before Land Sale. One of the parties is prepared to come forward & swear to the fact but does not wish any disturbance until after the sale, but merely wishes to put Mr Hall on his guard</p>		680
	57/02013	1857 05 16	Hon CS	Dalby A P Gayler, Contractor & Builder	1857 05 05	<p>At top: A P Gayler"</p> <p>Letter apologizing for writing to Colonial Secretary - feels assured motive</p>	A2.38	681 - 683

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						<p>for so doing will exonerate him from all blame – best explained by facts as follows: On Tuesday 28th April during land sale then taking place, there occurred an unpleasant scene between A W Manning P M and James Hall Clerk of Petty Sessions who was acting as auctioneer, when Mr Hall was dismissed from the office, & Chief Constable took his place. Mr Hall was accused of being drunk & unfit for his duties. It has since been rumoured that report had been forwarded to you calculated to procure his dismissal from office he holds here – that is reason why I take liberty of writing to you. Mr Hall has been boarding with me & been an inmate of my family since 16th March & during that time I have had every opportunity of observing his conduct, & I feel myself called upon to say in justice that I have never seen him drunk or conducting himself otherwise than as a gentleman. No doubt from what I have heard that there were persons inclined to act against him from the first as I heard him very disrespectfully spoken of within a day or two of his arrival here by other Government officers. Public here have long felt want of capable person to fill office of Clerk of Petty Sessions & I think, from the way Mr Hall has conducted his public business, he is in every way fitted to supply that want. I am writing this (as a private individual) entirely unknown to Mr Hall & do not know whether it is called for or not – but <u>this</u> I do know Mr Hall has shown himself willing at all times to perform his duties, & has gained respect & esteem of all inhabitants of this place. Although this is a personal communication yet I have procured signatures of a few of the most respectable inhabitants of this town, under my own, to corroborate my statement</p> <p>P S On second consideration I have decided not to solicit signatures of any other parties – A P Gayler</p> <p>&</p> <p>Notes in margin</p> <p>Acknowledge receipt & state grave charges made against Mr Hall have received deliberate consideration of Executive Council</p> <p>See 57/02003 also</p> <p>Answered – see 57/02003</p>		
	57/01644	1857 04 25	Hon CS	Court House, Dalby J Meade Swifte JP	1857 04 10	<p>At top: "Bench of Magistrates Dalby"</p> <p>Acknowledging receipt of CS letter of 18th March enclosing communication addressed by Chief Constable of Dalby to this Bench preferring charges against Mr Hall & requesting that Bench enquire into same: states as I am only Magistrate at present in this District, considered it advisable to postpone all enquiries until I have assistance of Commissioner Manning to whom I have written on subject</p> <p>&</p> <p>Notes in margin</p> <p>57/01523 Clerk of Petty Sessions Dalby 3 April respecting charges made against him by Chief Constable – sent to Bench</p> <p>"Put by" [Ref 57/02003]</p>	A2.38	684 - 685
	57/02565	1857 06 24	Hon CS	Police Office, Dalby J Meade Swifte JP	1857 06 01	<p>At top: "Bench of Magistrates Dalby"</p> <p>Letter informing regrets to report again misconduct of Mr Hall Clerk of Petty Sessions: on 26th ult, was called upon to hold Magisterial enquiry in case of William Hallett, found drowned on Jimbour Run. Mr Hall considered it his duty to accompany me in his capacity of Procurator of Intestate Estates – he was so much under influence of drink he fell from his horse about 8 miles from here – was consequently obliged to camp out with him to obviate his meeting with any accident, as it was then late at night</p>	A2.38	686 – 687

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						<p>Following morning he accompanied me to residence of widow where I am informed that during my absence he demanded an inventory of all her goods, as also two percent upon all property in possession & further £5 for burial of deceased which burial was conducted at expense of her friends. Mrs Hallett, by my advice declined answering any questions relative to her property stating that he was not in a fit state to receive any information upon subject. As Mrs Hallett continued to refuse giving him any satisfaction he threw himself on her bed, where he became most disgustingly sick. As soon as he had sufficiently recovered from effects of his intemperance he was advised to return to Dalby</p> <p>&</p> <p>Notes in margin</p> <p>1857 06 24~ It will be perceived on reference to 57/01903 with 57/02364 herewith that Mr Hall has been dismissed the Public Service – see also 57/02364 & 57/02366</p> <p>1857 07 02~ As Mr Hall has been removed nothing more seems necessary on this [Ref 57/02917]</p>		
	57/02364	1857 06 09	Hon CS~	Government Immigration Office, Sydney H H Browne	1857 06 08	<p>At top: "Agent for Immigration"</p> <p>Letter in answer to CS letter of 3rd inst: informs he is not aware that any sums received by Mr Hall late Clerk of Petty Sessions at Dalby, under the Remittance Regulations, remain unaccounted for</p> <p>&</p> <p>Notes in margin</p> <p>57/01903</p> <p>1857 06 09~ W V</p> <p>Nothing required [Ref 57/02565]</p>	A2.38	688
	57/01903	1857 05 09	Hon CS	Police Office, Dalby A W Manning P M J Meade Swifte JP	1857 04 28	<p>At top: "Bench of Magistrates Dalby"</p> <p>Acknowledging receipt of CS letter 18th ult [Margin: 57/01031] enclosing for their report letter addressed to this Bench by Chief Constable Eastaughffe (& by them transmitted to CS) bringing charges of serious nature against Mr Hall, Clerk of Petty Sessions [no 57/-]: inform that we have this day investigated the matter & given Mr Hall the opportunity of explanation – regret to be called on to report that in every particular charges preferred against Mr Hall have been substantiated. Further state that from our own experience of Mr Hall's character & general deportment he is totally unfit for office he holds – habits of grossest intemperance have been most shamelessly indulged in, language of the most disgusting import has been addressed on various occasions by Mr Hall to Police generally & distinct orders of a Magistrate set at defiance. In addition would state we were at Land Sale held today, were compelled to remove Mr Hall who was intoxicated in Court, & utterly unfit to discharge his duties. Could name many more instances of gross misconduct but refrain from so doing under impression that sufficient has been addressed to prove his incapacity</p> <p>In conclusion we state it is our intention from this date to dispense with Mr Hall's services to ourselves in Court, though of course we do not take it upon ourselves to suspend him</p> <p>&</p> <p>Notes in margin</p> <p>1857 05 11~ Governor General and Executive Council</p> <p>1857 05 11</p> <p>1857 05 12~ Blank cover</p> <p>1857 05 10 Noted</p>	A2.38	689 – 691

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				"E D T" Edward C Merewether, Clerk of the Council "W D" "H W P"	1857 05 18~ 1857 05 11~ 1857 05 29 1857 05 30 1857 06 01~ 1857 06 02~ 1857 06 03	Ex Council 57/351 - 13 May 1857 57/01523 – Clerk Petty Sessions Dalby respecting charges against him – sent to Bench 23 rd April - See also 57/01924 Notes re above Under this report Council advise Mr Hall be at once dismissed from the Public Service - No 57/357 Approved Returned Colonial Secretary's Office 57/01924 – 57/02003 Bench, Secretary to Treasury, Curator, Immigration Agent [Ref 57/02364]		692
	57/01924	1857 05 11	Hon Colonial Treasurer	Police Office, Dalby A W Manning, Commissioner of Crown Lands "H L" "H L"	1857 04 28 1857 05 09~ 1857 05 11~	At top: "Colonial Treasurer forwarding letter from Commissioner of Crown Lands, Darling Downs" Letter transmitting by this days post under separate cover Sale Lists connected with Land Sales held at this place 27 th & 28 th inst – deposits will be forwarded at this same time by Chief Constable Mr Eastaughffe [no 57/78] Cannot however allow such discreditable documents to come in any way from my hands without explaining frequent erasures were rendered necessary by incompetency of Clerk of Petty Sessions Mr Hall. You will perceive these erasures occur chiefly in Sale List of 27 th – on <u>this</u> days date was compelled to remove Mr Hall & call upon Chief Constable to act as Auctioneer, after only a very few Lots had been offered for sale by Mr Hall, whose conduct has been reported by Bench to Colonial Secretary [Margin: 57/01903] As Chief Constable discharged Mr Hall's duties on this day, have told him to put in claim for usual commission allowed to Auctioneer at Government Land Sales – trust it will be allowed him Also at top: "Stamp: TREASURY No 3883 / MY-9-1857" & Notes in margin See 57/01903 Let me see the Sale Lists There are several erasures in Sale List of 27 th April & application has had to be made to Clerk for further information as to the names of Purchasers Refer to Under Secretary - to be returned	A2.38	693 – 694
	57/02257	1857 06 03	Hon CS	Crown Lands Office, Darling Downs A W Manning, Police Magistrate	1857 05 18	At top: "Police Magistrate" Letter informing has received from Dr Swifte JP of Dalby copy of your letter 23 rd April [Margin: 57/01523] forwarding for Bench report on letter from Mr Hall, Clerk of Petty Sessions, wherein serious charges are brought against Mr Eastaughffe Chief Constable of Dalby– have also received copy of letter addressed to you by Dr Swifte on behalf of Dalby Bench giving his views upon Mr Hall's statements [No 57/87] As our letter of 28 th ult has reached you since your last communication, relative to Chief Constable's charges against Mr Hall, I am disposed to think little importance will be attached to Mr Hall's accusations, more particularly as I fully concur in favourable report made by Dr Swifte upon general conduct of Chief Constable – of this I cannot give better evidence than by stating I have recently offered Mr Eastaughffe situation of Chief Constable of Drayton (the Senior Bench) rendered vacant by resignation of Mr Dolan. Have known Mr Eastaughffe longer than Dr Swifte, & can bear testimony to his great efficiency & trustworthiness – of his sobriety I am also fully convinced, never having known him on a single occasion to give	A2.38	695 – 697

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	57/02257		A W Manning	Dalby J Meade Swift	1857 06 04~ 1857 07 01~ 1857 07 02~ 1857 05 11	<p>way to intemperance. In fact, during portion of time alluded to by Mr Hall, attendance at Brisbane Assizes by Chief Constable, I was in daily personal communication with Mr Eastaughffe, & never had reason <u>even to suspect</u> that he was drinking – I am satisfied he would not do so.</p> <p>By a letter now in my possession Mr Eastaughffe has fully replied to Mr Hall's statements but as your letter of 23rd ult directs an enquiry into charges I shall of course enter upon that duty as soon as state of country will admit of travelling & shall forward my report, retaining in meantime Mr Hall's letter of accusation. I enclose note received from Dr Swifte by which it will be seen that Mr Hall's intemperate habits have not been checked by any desire of amendment since the investigation & report of the 28th April [Margin: Mr Hall has been removed]</p> <p>&</p> <p>Notes in margin 57/01523 Clerk of Petty Sessions Dalby 3 April respecting charges made against him by Chief Constable – sent to Bench 23rd April This will remain for a further report respecting Chief Constable. Clerk has been already removed Mr V "On 15 June" Resubmitted "On 1 August" – see 57/02917</p> <p>Letter forwarding copy of letter from Colonial Secretary with List of charges brought by Mr Hall against Chief Constable, also copy of my answer as well as copy of our last report to Government. I really scarcely think it is worthwhile going again into Mr Hall's case. On Saturday he called on me with copies of letters, he was so drunk I could not admit him even into my verandah & could not understand all he said. I should have perhaps written officially to your Bench but I have no person at present that I can entrust with copying of letters into letter book - some I have sent to Court House cannot be found nor have they been copied in to the book P S Chief Constable has just handed me a letter in answer to Mr Hall's charges which I enclose with the others. Chief Constable starts tomorrow for Brisbane so that should Bench require his attendance he could be ordered to attend on his return from the Assizes – "J M S"</p>		698 – 700 [p 700 dup of p 699]
	57/02564	1857 06 24	Hon CS	Police Office, Dalby J Meade Swifte JP for the Bench	1857 05 09	<p>At top: "Bench of Magistrates of Dalby" Acknowledging receipt of CS letter 23rd April, No 57/01523 [Margin: 57/01523 sent to Bench Dalby 23 April & not yet returned – 24 June] enclosing letter from Clerk of Petty Sessions here preferring charges against Chief Constable & directing that said charges be enquired into by this Bench with the assistance of Drayton Bench In reply informs that I have forwarded copy of correspondence to Mr Manning P M with request that he would act as he considered proper. With respect to some charges in Mr Hall's letter of 3rd April, I can perhaps answer them without reference to Drayton Bench: Mr Hall states that I was in habit of visiting him at his Hotel 3 or 4 times per day – Mr Hall is a gentleman whom I never visited, I might have called at the Public House on professional business. Mr Hall accused Chief Constable with employing prisoners from lock-up on his private business. Chief Constable only employed man named Griffiths after he was admitted to bail & by consent of Bench & charge that Mr Hall would make against</p>	A2.38	701 – 703

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	55/02564			"H W P" Dalby Police Office Colin J McKenzie JP Joshua P Bell JP John McArthur JP J Meade Swifte JP	1857 07 01 1857 07 02~ 1857 08 01~ 1857 02 19	Chief Constable for detaining proceeds of sale of a horse £16-15-0 is by the order of the Bench, as on second day subsequent to the sale, a horse answering description of the one sold, was reported to Chief Constable as lost - money was therefore impounded, pending an inquiry into same & as soon as fully investigated, amount will be forwarded by Bench to Treasurer I have further to remark that I am a tenant of one of the Chief Constable's houses, & have opportunities of seeing him at various times during the day & even occasionally at night & I never once noticed the slightest appearance of drink on him. I regret I cannot say the same for Mr Hall. I have always heard Chief Constable spoken of by Magistrates who formerly sat on this Bench, as a most active, efficient & meritorious officer in proof of which I enclose a copy of Certificate given to him by Gentlemen in question previous to their leaving this District & Notes in margin This may now wait the report of Mr Manning with respect to Chief Constable, Mr Hall has been already removed See also 57/02565 "On 15 July" [Ref 57/02917] [Certificate] <i>[Re conduct of Charles D Eastaughffe - see duplicate at p 671 for details - has CS Ref 57/02917]</i>		704
	57/02566	1857 06 24	Hon CS	Police Office, Dalby James Hall Clerk of Petty Sessions	1857 06 02	At top: "Clerk of Petty Sessions" Letter re continued persecution of Dr Swifte JP & Chief Constable of this District to me - their combined course of action too plainly showing their determination to stop at nothing likely to do me injury while I have used my best endeavour to perform my public duty satisfactorily to all, they by the most unworthy means try to deprive me of what I am at, namely confidence of Government & public [No 47/57]: Dr Swifte's proceedings here have caused general distrust, in so much that people will not appeal to the law while administered by him & it is at request of several inhabitants that I state this for information of Government. As investigation ordered by you touching conduct of Chief Constable & myself has not yet taken place, I will before making further communication await that enquiry, hoping at same time that if Government are of opinion that I am a person who will do his duty uprightly, they will be pleased to remove me to an adjoining District & Notes in margin See 57/02565 & 57/02564 also - See 57/02564	A2.38	705 - 706
	57/02564		Bench of Magistrates, Dalby	Chief Constables Office, Dalby Charles Douglas Eastaughffe Chief Constable	1857 05 11	At top: "Constable" Letter in obedience to your commands & in reference to letter of Clerk of Petty Sessions preferring charges against me <i>[see duplicate at p 668-670 for details - has CS Ref 57/02197]</i>	A2.38	707 - 709
	57/01523				1857 04 20	Notes This letter should perhaps be forwarded to Magistrates at Dalby with request they will point out to Clerk of Petty Sessions that he should have brought the communication from this office under their notice & have submitted through them any explanation he had to offer. Their attention	A2.38	710 - 712

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	57/01523	1857 04 18	Hon CS	Police Office, Dalby James Hall, Clerk of Petty Sessions	1857 04 21~ 1857 04 25 1857 04 03	<p>may also be drawn to charges herein made against Chief Constable & their report requested both with reference to his conduct & that of the Clerk. As it is desirable that investigation should be made by a full Bench, Magistrates at Drayton may perhaps be requested to afford their assistance should the absence of Justices of Dalby render this necessary</p> <p>Benches Dalby & Drayton "On 15th May" [Ref 57/02917 – <i>very faint</i>]</p> <p>At top: "Clerk of Petty Sessions" Letter with reference to CS letter dated 18 March No 57/01031 directed to Bench of Magistrates & enclosing charges made by Chief Constable of this District against me which letter I opened in absence of any Magistrate [Margin: No 57/02917] as is usual with me for purpose of attending to any directions contained in letters from Government. In justice to myself, necessary to enter into detail: Letter of Chief Constable purporting to be written in Court House is wrong, he never penned this letter in Court House, he never presented his letter containing charges against me to Bench at sitting of Court; consequently I was entirely ignorant that such charges were preferred, it never having been intimated to me by the only Magistrate (Dr Swifte JP formerly of Brisbane, late of Gayndah, now of Dalby) who at present resides at this place – I entirely deny truth of these charges, they are false & malicious Re my incapacity to perform my duty, I never had slightest hint from Magistrates of such & I can with confidence appeal to them. With exception of 3 Court days when J Macarthur in the first, Thomas De Lacey Moffatt [also Thomas de Lacy Moffatt], Frs Nicoll [see also Francis Nicoll] & Edmund M Royds on the second, & Francis Nicoll on third occasion sat on Bench, Dr Swifte was the only Magistrate who attended sittings of Court, & from none of these gentlemen have I had slightest word that I did not perform my duty to their full satisfaction – indeed I have been highly spoken of for the way in which I have filled my office. I have used my best endeavour to do my duty faithfully to Government & the Public As it is my desire you should be informed, will state my entire conduct since I came to Dalby. On arriving I put up at the Hotel. I must confess that sitting at table with gentlemen to & fro from their stations I joined them in whatever drink was called for, but in no case to excess – invariably while I lived at the Hotel I had 2 or 3 visits per day from Dr Swifte when at times I partook with him a glass of wine or whatever else he would desire. It being my intention to stop at the Hotel only so long as to enable me to provide a more private residence, I did not mind a small extra expense. I soon made application to Magistrates who at the time (about 6 days after I came) were residing in District to allow me to occupy small room in Court House as an office & a sleeping room – it was sanctioned & I at once got it fitted up. When ready I immediately left Hotel, taking board with most respectable private family in town whose residence is close to Court House from that time (1st week in March) to the present. I have not associated with anyone who would be likely to indulge in drink & no one could possibly be more careful than I have been. I believe I have confidence of Public & Magistrates who a few times presided at this Court. I have established office hours as at Sydney – I have not absented myself an hour since I came here & have used every possible means to have public business (so</p>		713 – 724

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						<p>far as I am concerned) transacted in a proper & becoming manner. I have provided accommodation for Bench, so public duty is now discharged in the Court House & not as before, sometimes in Public House & sometimes in private room of Chief Constable's house.</p> <p>As respects the case of Queen v Griffiths for uttering forged cheques, which charge was ultimately dismissed, I forward you copy of the depositions which I had for the greater part prepared in case the man would be sent for trial. Griffiths was for 3 weeks chained in Lock up previous to my coming. On 5th February he was remanded to 14th entering into recognizance. On 14th he was again remanded to 28th. No Magistrate being on the Creek on this date, the man was at large till 3rd March when he appeared before the Court, & fresh recognizance was ordered – there was a good deal of business done on this day & it was advanced in the afternoon when Court closed. On coming to Hotel to get dinner, Dr Swifte was there & I had with him 2 glasses of porter which was all I had that evening – late in evening Chief Constable called, & in a most insolent and imperious way, demanded the recognizance & Warrant. I told him it was too late to go to the Court house as I would have to write them all through in the absence of printed forms but that he should have them at an early hour in the morning. Next morning about 7 o'clock on my return from Court house Dr Swifte was at my Hotel. I handed him the papers calling his attention to want of a seal attached, as I had no wafers in the office – he told me he would complete Warrant at Chief Constable's house.</p> <p>Chief Constable states in his letter that Griffiths was detained in custody – this is a false statement, Griffiths was not in the lock up as a prisoner from the time of his first being bailed 5th February to the present. On the contrary, he was working every day for Chief Constable whose practice it has been to take prisoners from lock up & have them work publicly at the building of his house etc. Chief Constable makes it appear in his letter that there were Magistrates presiding on 3rd March – this is very wrong, there was only one Magistrate, namely Dr Swifte, who left me that evening a few minutes before Chief Constable called</p> <p>As to my intercourse with Chief Constable, I would respectfully submit for your consideration the following:</p> <p>On arriving at Brisbane from Sydney, I heard Chief Constable of Dalby was attending Assizes there. I called on him & invited him to my Hotel for the purpose of learning how the office here was supplied with requisites, etc., he came in company with Chief Constable of Brisbane (Mr Sneyd) & another gentleman – his conduct to me on that occasion was so disgraceful that these gentlemen left in displeasure. The following night at Ipswich, Chief Constable got delirium tremens – he frightened the family of the house, police had to be sent for to call the Doctor, who attended him during his stay. Chief Constable of Drayton (Mr Dolan) who was at the house took charge of him till the following Sunday morning, when he left for his District. I then took his place, & journeyed with Mr Eastaughffe to Dalby, paying him all attention in my power during the time. Mr Eastaughffe told me (and I believe Mr Dolan) that he must have taken about 50 nobblers of brandy the day before he left Brisbane. After all my kindness to him, Chief Constable done all he could to thwart & impede me in performance of my duty. I have repeatedly applied both to Dr Swifte & Chief Constable for the stationery & books belonging to the Court which he had in his house, to be handed over to me, & it was not till some days after 16th March when the 3 Magistrates</p>		

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						<p>above named, ordered them to be given up without delay, that I got possession. Fines for January last I did not get till the 29th ult – a horse confiscated to the Crown was sold by Public Auction at Police Office here on 14th March for £16-15-0. I have officially written to Chief Constable for the money to forward to Treasury but have not to this time received it. On the whole his demeanour towards me has been most annoying & very improper. As to the language stated by Chief Constable as used by me, I declare most solemnly I never in my life heard or read such an expression, I could not use such words under any provocation.</p> <p>I have been told by a respectable member of the Constabulary that Chief Constable of this District was dismissed a few years since from the Police force for making unfounded charges. I do not know what has so indisposed him to me, but believe it arises from disappointment in the Government sending a Clerk of Petty Sessions to this District. People here are loud in their complaints as to his procedure for some time past, & if only part of what they say is true, Chief Constable's conduct has been most arbitrary & illegal – he has been twice convicted for assault in this Court, & at the present, there is a similar charge pending which could not be heard this day in consequence of no Magistrates attending the Court.</p> <p>I greatly regret that Dr Swifte JP should have lent himself to so unbusiness-like proceeding as to forward such charges to Government touching the character & future prospects of a person whom he daily visited, without any intimation, & as he resides with Chief Constable, I would ask most respectfully (if further enquiry will be instituted) you will have the goodness to direct Police Magistrate of Drayton to preside. I beg to express my sorrow for troubling you with so long a letter</p>		
	57/01031	1857 03 14	Hon CS	Court House, Dalby J Meade Swifte JP	1857 03 04	<p>At top: "Bench" Letter forwarding enclosed & states complaints therein mentioned having more than once come under my immediate notice & being an eye witness to present complaints, says they are strictly true, also states office of Clerk of Petty Sessions cannot be fulfilled in an efficient manner by a gentleman of such intemperate habits & Memo The Chief Constable has heretofore done duties of Clerk, & he is a person in whom Magistrates of Dalbey [as it is] have every confidence & as far as I can judge I believe him to be an efficient & trustworthy officer – J Meade Swifte JP & Notes in margin Mr Hall should be called upon to afford an immediate explanation of serious charges preferred against him</p>	A2.38	725 – 726
	57/01031			"H W P"	1857 03 16~ 1857 03 18~ 1857 04 01~ 1857 04 14~ 1857 04 16~	<p>Bench "On 1st April" 57/01523 Resubmitted May be reminded</p>		
				"H W P"		<p>[Cover] O. H. M. S.</p>		727

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	57/01031		Worshipful Bench of Magistrates	Court House, Dalby Charles Douglas Eastaughffe Chief Constable	1857 03 03	To the Worshipful / The Bench of Magistrates / Dalby Court House Dalby / March 3 rd , 1857 Letter stating that manner in which duties of Clerk of Petty Sessions to this Bench are performed at this time, call for your & the Government's most serious attention – since Mr Hall's arrival he has been so repeatedly inebriated thereby incapable of fulfilling duties of his office Further states that Thomas Griffiths having this day appeared before the Bench on bail for attempting to utter a forgery was again remanded & ordered by Bench to re-enter into his & his sureties recognozances [as it is – also recognozances] for his appearance on 14 th inst & although the order was given by the Bench to Clerk of Petty Sessions at 12 o'clock this day to prepare the recognozance required by law to be entered into. Prisoner having been in confinement since 9 th of January last, James Hall Clerk of Petty Sessions required Chief Constable to wait one hour & then to await upon him for purpose of drawing out the recognozance. Chief Constable did so & waited yet another hour, when on application to Mr Hall for the recognozance & warrant ordered by the Bench to be against this principal witness for his non-attendance, he was told by Mr Hall who was then lying drunk in Johnson's Inn at Dalby to go to "hell and pump thunder" – go to hell out of my way. Chief Constable then left him but was again sent by one of the Magistrates of the Bench for the necessary forms to fill in, when he was refused nor allowed admittance to obtain the same, & in consequence prisoner Griffiths is again detained by Police in custody up to this moment 9 P.M. although he had obtained his sureties to the satisfaction of the Bench & they all waiting in attendance to the hour above named		728 – 730
	57/02992	1857 07 23	HENRY WATSON PARKER, ESQUIRE Colonial Secretary, New South Wales	FORT WILLIAM R B CHAPMAN, ESQUIRE Offg Under Secretary to the Government of India	1857 03 30	[PRINTED LETTER] No. 424 HOME DEPARTMENT, Marine I am directed by Right Hon'ble Governor General in Council to acknowledge receipt of your letter of 10 th ultimo, purporting to enclose a copy of a notification upon the subject of a Light House erected at Cape Moreton on the coast of Sydney, etc etc, and to inform you that the enclosure did not correspond with the advice which your letter conveyed 2. The document, which seems to have been transmitted, is a notice of the establishment of a depot of provisions on Booby Island for use of ship-wrecked mariners, and being of public interest it will be republished as usual in Official Gazettes of the several Presidencies of India 3. The notification with regard to Cape Moreton and Moreton Bay will receive a like publicity when it reaches this Government & Notes in margin - Put by – since received see 57/02993	A2.38	731
	57/02993	1857 07 23	HENRY WATSON PARKER, ESQUIRE Colonial Secretary, New South Wales	FORT WILLIAM R B CHAPMAN, ESQUIRE Offg Under Secretary to the Government of India	1857 04 24	[PRINTED LETTER] No. 595 HOME DEPART. Marine In continuation of my communication No 424 dated 30 th ultimo, I am directed to inform you that the notice respecting the erection of a Light House at Cape Moreton, has now been received with a Memo dated Sydney 10 th March 1857, and will be re-published in all the Official Gazettes in India. The usual publicity will also be given to the Notice in the Marine Department &	A2.38	732

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	57/03026	1857 07 24	Hon CS	Government Immigration Office, Sydney H H Browne	1857 07 22	Notes in margin – Put by – see also 57/02992 At top: "Agent for Immigration" Forwarding herewith copy of Report [Margin: 30 June 1857] received from Local Immigration Board at Moreton Bay relative to Immigrant Ship "Hastings" which arrived at that port on 27 th May last 2. Draws attention to remarks contained in second paragraph of Report above referred to, as well as to entries in Surgeon's Journal [Margin: Herewith / Requested to be returned] with reference to a leak which it appears vessel sprung after crossing the line, perusal of which induces me to coincide with Board's opinion on subject & Notes in margin To be forwarded to Emigration Commissioners 1857 08 13~ 1857 08 14 1857 08 15~ 1857 10 01~ 1857 10 02~ 1857 10 05 Memo for copies "On 1 st September" Resubmitted May be reminded – Yes Immigration Agent "On 15 th October" Mr Walcott	A2.38	733 – 734
			Immigration Agent, Sydney	Government Immigration Office, Moreton Bay John C Wickham, Government Resident A C Kembal, Assistant Immigration Agent W Hobbs, Health Officer	1857 06 30	"Copy" <u>Enclosure to Immigration Agent's letter to Colonial Secretary 22nd July 1857</u> Letter informing that Immigrants who arrived at Moreton Bay on 30 th ult per ship "Hastings" were inspected by Local Immigration Board on 4 th inst, having also been carefully examined, prior to their disembarkation by Assistant Immigration Agent. Result of those investigations proved satisfactory in every particular so as to justify conclusion that the various stipulations of Charter Party have been duly fulfilled [No 57/274] Deem it requisite to call your attention to certain entries in Surgeon's Journal referring to a leak which vessel sprung after crossing the line, causing much inconvenience to immigrants & extraordinary pumping; but we are decidedly of opinion that such unfortunate casualty could not have been foreseen or provided against, & for which, consequently, the owners are not to be held accountable		735 – 737
				J Mathew Cashman, Chief Clerk Government Immigration Office, Sydney	1857 10 14	Note At top: "W V" Forwarded in accordance with instructions contained in Colonial Secretary's letter of 5 th inst		738
	57/03040	1857 07 25	Hon CS	Sheriff's Department, Moreton Bay William Anthony Brown	1857 07 17	Letter referring to CS Circular of 3 rd inst, informing I have been appointed a Magistrate for Territory of New South Wales & enclosing a copy of new Commission [not filmed here] 2. Informs of omission for "Brown, Anthony" – it should be Brown, William Anthony, Sheriff, Moreton Bay" & Notes in margin W V New Commission prepared Prothonotary, Supreme Court	A2.38	739
	57/03044	1857 07 25	Hon CS	Brisbane, Moreton Bay W Hobbs	1857 07 21	At top: "Health Officer" Letter enclosing copy of document received from Audit Office relative to	A2.38	740

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	57/03044			W C Mayne, Auditor General	1857 09 05~ 1857 09 05	salary as Health Officer – also requests you will be pleased to favour Auditor General with special authority or letter of intimation referred therein Notes re above Inform Government Resident who certified Abstract in which pay is charged, that being provided for on the Estimate it has been authorised, but request him to draw the attention of Dr Hobbs to the 3 rd para of Circular from this office of 30 th March 1857 which was sent to Captain Wickham Secretary to Treasury, Government Resident		741
				Colonial Secretary's Office, Sydney	1857 03 30	“Copy” Audit Office <u>Reference to the Account</u> Salary Abstract of the Health Officer, Moreton Bay £50 <u>Observation on Query</u> Salary of this officer last year was £50. Can salary of £100 voted for him for present year be passed without a special authority? I think Dr Hobbs should be asked for a copy of letter intimating to him his increase of salary for 1857 <u>Explanation or answer</u> I have always considered the Vote of the Council as a sufficient intimation to use, & never thought or troubling any one for a special authority – W Hobbs		742
						[PRINTED CIRCULAR] No. – Letter informing directed by Colonial Secretary to transmit for information & guidance, accompanying statement of the provision which has been made by Parliament to meet the expense of your Department for the present year 2: You will bear in mind that whilst it is expected that every possible saving will be made on Estimates which have been voted, no Estimate is, on any account, to be exceeded; & that all claims will be rejected by Auditor General which may not be provided for in Appropriation Act, and duly authorised by Regulation or by this office 3. You will also understand that where any new appointment, addition to salary, or new expense may be provided for, proposed alteration must be applied for & sanctioned by this Department before it can take effect 4. Stores, stationery, clothing etc, for which provision has been made, are to be obtained by requisition, in conformity with existing regulations, as heretofore		743
	57/03049	1857 05 25 [as it is]	Hon CS	Police Office, Drayton A W Manning P M for the Bench “H W P”	1857 07 13 1857 07 25~ 1857 07 27~ 1857 07 28~ 1857 08 05	Letter re Mr Loveday newly appointed as Clerk of Petty Sessions for this District having made application to them to be allowed pay from date of his appointment & salary for that officer not having been otherwise appropriated, recommend Mr Loveday may be permitted to draw pay from 8 th June accordingly [57/ -] & Notes in margin W V For approval as no double payment will be occasioned Secretary to Treasury, Bench Drayton	A2.38	744

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				Edward C Merewether, Clerk of the Executive Council No 57/346	1857 05 28	At top: "M13961 – 1 st June 1857 Extract from Proceedings of the Executive Council on 20 th May 1857 <u>Minute No 57/25</u> Council advise George H Loveday be appointed Clerk of Petty Sessions at Drayton vice Mr Ravenscroft dismissed & Notes in margin		745
				"W D" "H W P"	1857 06 08 1857 05 29 1857 05 30	Auditor General, Secretary to Treasury, Bench Drayton, Mr Loveday, Notice Approved [Ref 57/03049]		746
					1857 05 20~	Note At top: "M13961" <u>Mr Loveday</u> To be Clerk of the Bench Drayton		
	57/03050	1857 07 25	Hon CS	Police Office, Brisbane J C Wickham Police Magistrate	1857 07 18	Letter certifying that Arthur Algernon May who was appointed & gazetted Clerk of Petty Sessions at Brisbane on 6 th May 1857, has during his probationary month & since conducted himself & fulfilled duties of his office to my satisfaction – advise that Mr May be permitted to draw his salary from 19 th May 1857 & Notes in margin W V	A2.38	747
				"H W P"	1857 07 25 1857 07 27~ 1857 07 28~ 1857 08 05	For approval on understanding that no double payment will be made Secretary to Treasury, Police Magistrate Brisbane		
	57/02206	1857 05 30	Hon CS	Brisbane, Moreton Bay Arthur A May, Clerk of Petty Sessions	1857 05 27	At top: "Clerk of Petty Sessions" Acknowledging receipt of CS letter of 6 th inst No 57/01697, acquainting him with his appointment as Clerk of Petty Sessions at Brisbane together with enclosure therewith transmitted, states that he communicated accordingly with Police Magistrate & entered on his duties on 19 th inst & Notes in margin W V	A2.38	748
				Edward C Merewether Clerk of the Council	1857 05 02	"On 15 June" - resubmitted "On 1 st August" [Ref 57/02206] Notes re above At top: "M13928" - 5 th May 1857" <u>Arthur Algernon May for Clerkship of the Bench at Brisbane</u> Executive Council advise that Arthur Algernon May be appointed Clerk of Petty Sessions at Brisbane - No 57/290 55/02206 Approved		749 – 750
				"W D" "H W P"	1857 05 30~ 1857 07 02~ 1857 05 04 1857 05 04~ 1857 05 04~	Gazette		751
					1857 05 05~ 1857 05 05~	Notes M13928 Is Mr May to serve the usual months probation Yes – at Brisbane		

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					1857 05 06	Bench Brisbane, Notice, Mr May "On 1 st June" [Ref 57/02206]		752
				W E Plunkett	1857 04 08	Note I do not exactly understand the 2 nd para – 4 th At top: "M13928" Letter in reference to your note just received, I would observe Mr Brown was appointed Sheriff for District of Moreton Bay with understanding he should resign Office of Clerk of the Bench, though possibly such intimation may not have been formally communicated to him		753 – 754
	57/01697	1857 04 28	Hon CS	Government Resident's Office, Moreton Bay J C Wickham, Government Resident "H W P" "W E"	1857 04 22 1857 04 28~ 1857 04 28	At top: "Government Resident Moreton Bay" Letter pointing out that late Clerk of Petty Sessions at Brisbane having been recently sworn in as Sheriff of Moreton Bay & no successor to him having as yet arrived, great inconvenience is calculated to arise at this Bench in consequence of absence of said officer who is alone empowered to make certain returns to Government & perform other duties – requests the office of Clerk of Petty Sessions at Brisbane may be fulfilled as early as convenient [No 57/208] & Notes in margin Appointment of Mr May has already been approved Minute not yet received Clerk of Executive Council – blank cover – noted [M13928]	A2.38	755 – 756
	57/03166	1857 08 04	Hon CS	Government Resident's Office, Moreton Bay J C Wickham, Government Resident "H W P"	1857 07 30 1857 08 05~ 1857 08 06	At top: "Government Resident Moreton Bay" Transmitting application forwarded to me for that purpose from Mr Harris of Native Police for appointment of Police Magistrate at Gayndah & whilst I have nothing to urge against that officer obtaining it, I have no knowledge of Mr Harris which would warrant me in recommending him for appointment [No 57/408] & Notes in margin Not aware of it's being in contemplation to make any such appointment Government Resident	A2.38	757
	57/03166		Hon CS	Head Quarters Wide Bay Maryborough James Turner Harris, Lieutenant Native Mounted Police Force "J C W"	1857 07 13 1857 07 31	Letter requesting his name be placed amongst list of candidates for appointment of Police Magistrate at Gayndah which he believes it is in contemplation to make the appointment. Application forwarded through Captain Wickham R N Government Resident Moreton Bay & trusts should he recommend the application that Governor General & Executive Council would take it into their consideration. Certificate & Testimonials are with Captain Wickham. Seeks to refer to His Honour the Chief Justice Sir Alfred Stephen's recommendation for further employment in Government service which is in your office & Notes in margin Mr Harris' Certificate & Testimonials were forwarded by me to Commandant of Native Police with his application for employment in force		758 – 759
	57/03212	1857 08 07	W Hanson, Government Printer	Police Office, Dalby Frank Bowerman, Clerk of Petty Sessions	1857 07 21	At top: "Clerk of Petty Sessions" Letter by direction of Bench of Magistrates informing no volume containing various Acts of Council passed in 16 year of Reign of Queen Victoria has ever reached this office – requests volume be sent at earliest convenience	A2.38	760

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				"W H"	1857 08 07 1857 08 10~ 1857 08 11~	[No 57/40] & Notes in margin Forwarded to Principal Under Secretary for instructions – blank cover XVI Copy of the book Acts of 16 Vict. to be furnished Bench, Printer		
	57/03345	1857 08 18	Hon CS	Audit Office, Sydney W C Mayne, Auditor General	1857 08 17 1857 08 29~ 1857 09 02	At top: "Auditor General" Letter informing enclosed account of Australian Steam Navigation Company for passage from Wide Bay to Sydney in steamer "Waratah" of E V Morisset Commandant Native Police [Margin notes written over here: '19 April 1857'] amounting to £8-5-0 being of an unusual nature, is submitted for decision Para 2: Account is accompanied by Requisition from under the hand of Mr Morisset upon which the passage was furnished; and in which the object of the journey is stated to be duty in Sydney & Notes in margin Mr Morisset having been required to attend in Sydney with reference to the arrangements for re-organization of Native Police Force, it is considered expense of his passage should be paid provided charge made for it does not appear unreasonable Auditor General [Ref 57/03693]	A2.38	761 – 762
	57/03404	1857 08 24	Hon CS	Government Resident's Office, Brisbane J C Wickham, Government Resident	1857 08 18 1857 08 24~ 1857 08 25 1857 08 25~ 1857 08 27~	At top: Government Resident at Moreton Bay" Forwarding enclosed letter from Sheriff of Moreton Bay re his being appointed to act as Police Magistrate for Police District of Brisbane; & as there appears to have been a mistake made in his name as inserted in Commission of the Peace lately issued, & that he cannot act until it is rectified, suggests he be again gazetted as a Magistrate of the Territory [No 57/434] & Notes in margin For report Mistake rectified by issue of New Commission – as in other similar cases, was not considered necessary to notify correction in Government Gazette Inform Government Resident	A2.38	763 – 764
	57/03404		Hon CS	Sheriff's Department, Moreton Bay William Anthony Brown, Sheriff	1857 08 17	Letter referring to Government Gazette 7 th inst in which it is notified that Governor General with advice of Executive Council pleased to appoint him to act as Police Magistrate for Town & District of Brisbane – points out omission in new Commission of the Peace, issued 1 st July last, in which he was mentioned as "Anthony Brown" in place of <u>William</u> Anthony Brown 2. As Moreton Bay District Court Act provides that "It should be lawful for the Governor, with the advice of the Executive Council, to appoint the Sheriff of Moreton Bay to be a Justice of the Peace <u>and</u> also a Police Magistrate", submits that before he can act as a Police Magistrate he must first be appointed Justice of the Peace & as he is not correctly named in the Commission, will be necessary in order to prevent any objection that may be raised by any Advocate in the Police Court, for William Anthony Brown to appear in Gazette as a Justice of the Peace [No 57/60]		765 – 766
	57/03445	1857 08 27	Hon CS	Vicar General's Office	1857 08 25	At top: "Revd Dr Gregory"	A2.38	767

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				H G Abbot Gregory V G "H W P" "W D" "H W P" Edward C Merewether, Clerk of the Council - No 57/622 "W D" "C C"	1857 08 27~ 1857 08 28 1857 08 28~ 1857 09 08 1857 09 09 1857 09 10~ 1857 09 22	Letter by direction of His Grace the Archbishop to request Governor General to sanction the following appointments: Very Revd Dean Rigney to Moreton Bay in place of Revd J Hanly; to date from 15 th inst Revd J Hanly to Singleton in place of Very Revd Dean Rigney; to date from 15 th inst also Also at top: "Ex CI 57/632 – 28 August 1857" & "For appointment of Revd Mr Rigney to Moreton Bay & Revd Hanley [as it is] to Singleton" & Notes in margin Governor General and Executive Council Blank cover – noted Notes re above Executive Council advise that within appointments be approved accordingly Approved Rt Rev Dr Gregory, Secretary to Treasury		768
	57/03462	1857 08 28	Under Colonial Secretary	Civil Crown Solicitor's Office, Sydney W W Billyard Civil Crown Solicitor	1857 08 28 1857 08 28~ 1857 08 28~ 1857 08 29	At top: Civil Crown Solicitor" [see also papers re Hong Lein p 584-600] Letter re CS Blank cover Minute of 25 th inst in which you request that opinion of Crown Law Officers may be taken as to whether Hong Lein can be ordered to be admitted into a Lunatic Asylum on documents forwarded to him with such Minute: conferred with Solicitor General on subject & he is of opinion that Warrant to remove the prisoner to a Lunatic may be issued – returning all the papers herewith & Notes in margin W V Immediate Warrant herewith Visiting Justice, Brisbane Gaol – blank cover	A2.38	769
	57/03409 57/03409		 His Ex Sir William Thomas Denison Governor General	"W V" W Elyard William Bergan	1857 08 24~ 1857 08 25	Notes As Hong Lein is a <u>prisoner</u> I do not see that an order can be granted for his removal to Tarban Creek on these papers. To ensure his admission a copy of the Warrant under which he is detained together with Medical Certificate that he is insane should be submitted <u>Immediate</u> Forwarded to Civil Crown Solicitor for opinion of Crown Law Officers whether Lein can be ordered to be admitted into a Lunatic Asylum on these documents – blank cover – noted [Ref 57/03462] Petition of William Bergan of Her Majesty's Gaol Brisbane, Gaoler: Hong Lein at present a prisoner in Gaol at Brisbane has been examined & found to be of unsound mind as will appear by annexed Certificate, & that your Petitioner who has actual protection & care of said Hong Lein & is therefore his guardian under 13 Vict No 3 S2, is desirous of procuring his admission into Lunatic Asylum in order that he may there have such medical care & attendance as may be most likely to ensure his eventual recovery. Your Petitioner therefore prays Your Excellency will be pleased to direct that said Hong Lein may be received into such Lunatic Asylum as	A2.38	770 – 771 772

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				William Bergan		Your Excellency may think fit to appoint [Ref 57/03462] I William Bergan of Her Majesty's Gaol at Brisbane, Gaoler do hereby certify that to the best of my knowledge & belief Hong Lein who is described in foregoing Petition has not the means of paying for his maintenance in the Lunatic Asylum, & that he has not any relative or friend who can be reasonably expected to maintain him & Notes in margin W V - Rec'd 25/8/57		
	57/03409			Brisbane Samuel Frederick Milford, Resident Judge	1857 08 24~ 1857 08 19	I sanction & approve of the annexed application by William Bergan for the admission of Hong Lein into a lunatic asylum		773
	57/03409			W Hobbs K Cannan	1857 08 18	[Certificate] We the undersigned being legally qualified Medical Practitioners do hereby certify we have this day examined "Hong Lein" (A Chinese) & we find him to be a dangerous idiot, & a fit and proper object for reception into Lunatic Asylum, and we further certify that in our opinion said Hong Lein would be benefitted by treatment in such Asylum Dated Her Majesty's Gaol Brisbane this 18 th day of August 1857 - W Hobbs, K Cannan		774
				Edward Armstrong	1857 08 18	New South Wales, Brisbane - To Wit Examination at Brisbane Gaol of Edward Armstrong turnkey against Hong Lein (a Chinese) for assault - On Saturday 15 th inst, Hong Lein with the other prisoners in the yard struck "Jackey" (an Aborigine) with his fist. He had a stick in his hand which I took from him. He is in the habit of striking prisoners. He flies at them without any provocation. He has on several occasions made attempts with his clenched hands on myself. From his general behaviour I consider him of unsound mind - Edward Armstrong - J C Wickham JP <u>Charles Keys</u> Principal Turnkey being sworn says that on yesterday "Hong Lein" with the other prisoners wheeling stones refused to go on with his work. I went towards him & told he must go on when he made a rush at me with the barrow. I have frequently seen him knock his head against the stones which the Hard Labour prisoners are employed at. On other occasions he has knocked his head against the flags in the ward. I do not consider him of sound mind, & he would be dangerous if he had any weapon within his reach - I consider it unsafe to have him employed with the Hard Labour prisoners - Charles Keys Dated Her Majesty's Gaol, Brisbane this 18 th day of August 1857 J C Wickham JP		775
	57/03487	1857 08 29	Secretary for Lands and Public Works Sydney [see cover p 778]	Francis N Lucas MD	[date obscured]	<i>[Details at top of letter obscured by paper pinned to it]</i> Letter stating land having been granted for Hospital at Ipswich & Trustees having been nominated for the same, has been requested by Committee of the Contributors to seek under 11 th Sect 11 Victoria 59, His Excellency's proclamation in Government Gazette of Ipswich as a town to which provisions of abovenamed Act may be extended & Notes in margin Mr W?	A2.38	776

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				"S B W"?	1857 08 25~	Act alluded to is an Act to enable certain Public Hospitals therein named to sue & be sued in the name of the Treasurer. Ipswich Hospital is not named in this Act & therefore this application that provisions of that Act may be extended to Ipswich, as provided in the XI Section – but is not this a matter for Principal Secretary?		
				"M F"	1857 08 26~ 1857 08 27 1857 08 28~ 1857 08 27	I think so Transmit to Principal Under Secretary - blank cover Inform - noted F N Lucas		
				"H W P"	1857 08 29~ 1857 08 31~ 1857 09 05~ 1857 09 00~	Notes re above For approval It seems doubtful whether this can be done before Hospital has been erected – see form of Proclamation herewith Trustees appear to have been appointed & the Land Grant & it would seem therefore that Proclamation is required as they may make Contracts etc Dr Lucas Proclamation in Gazette of 5 September		777
						[Cover] O H M S The Secretary for Lands and Public Works / Sydney [postmarked: IPSWICH-N.S.W. / AU*12-1857; SYDNEY-N.S.W. / AU*24-1857] Postage stamp affixed: QUEEN'S HEAD / NEW SOUTH WALES / POSTAGE - TWO PENCE		778
					1857 09 05	[PRINTED] PROCLAMATION BY HIS EXCELLENCY SIR WILLIAM THOMAS DENISON, Knight Commander of the Most Honorable Order of the Bath, Governor General in and over all Her Majesty's Colonies of New South Wales ... Whereas by an Act of the Governor of New South Wales, with the advice of the Legislative Council, passed in 11 th year of Her Majesty's Reign, intituled "An Act to enable certain Public Hospitals to sue and be sued in the name of their Treasurer, and to provide for the taking and holding of real property belonging to such Hospitals respectively", it is amongst other things enacted, that whenever the Governor shall deem it expedient to extend the provisions of the said recited Act to any Hospital thereafter to be established in any town in the said Colony not mentioned in the said Act, it shall and may be lawful for the said Governor to declare the same by Proclamation to be published in the Government Gazette: Now therefore, I, SIR WILLIAM THOMAS DENISON, the Governor aforesaid, do by this my Proclamation hereby extend the Provisions of the said recited Act to the Hospital at Ipswich, which Act from the day of the date hereof, shall be deemed and taken to apply to the said Hospital, at Ipswich, to all intents and purposes as fully and effectually as if the said Hospital were specially named in the said recited Act Given under my Hand and Seal, at Government House, Sydney, the fifth day of September ... eighteen hundred and fifty seven, and in the twenty-first year of Her Majesty's Reign W Denison [SEAL]		779

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						By his Excellency's command Henry Watson Parker GOD SAVE THE QUEEN		
				Surveyor General's Office George Barney, Surveyor General	1857 03 30	Notes At top: "57/3408" A site has been marked out on the authority conveyed in Colonial Secretary's letter alluded to above & a copy of Surveyor's description will be immediately inserted in Half Monthly Return for approval, & record in the meantime the parties interested need not delay their building Entd 57/77 fol 355 vol 5	A2.38	780
				"M F"	1857 04 01~ 1857 04 01	Returned L P W What is it they are to take possession of – ask Surveyor General for a description or sketch of allotment to forward to parties for their guidance – blank cover – noted Stamp: SURVEYOR GENERAL'S OFFICE – NEW SOUTH WALES / No 3408 – 2 April 1857		
				Surveyor General's Office George Barney, Surveyor General	1857 04 16	If land which has been already measured & marked out, containing 5 acres, & of which description is enclosed in Half Monthly Return forwarded <u>herewith</u> - 59.1302 Entd 57/84 fol 358 vol 5		
					1857 04 18~ 1857 05 30	L P W Appropriation of land as site for Hospital at Ipswich finally approved 21 st May as appropriation No 57/51 – Surveyor General apprised [57/03005]		
				"M F"	1857 02 26	[Cover sheet?] At top: "57/668 – 26 th February 1857" For Authority to take possession of land granted to provisional Committee [Margin: 56,10733] Also at top: "Hon Secretary Ipswich Hospital" & Notes Surveyor General requested to report with reference to papers forwarded to him by Colonial Secretary on 25/29 August last – blank cover - noted 57/3061 ; Galloway / 57/260 / March 5 Also at top: Stamp: SURVEYOR GENERAL'S OFFICE – NEW SOUTH WALES / No 2230 – 27 February 1857		781
	57/00784	1857 02 24	Hon CS	Ipswich, Moreton Bay H V Hassell, Hon Secretary	1857 02 12	At top: "Hon Secretary Hospital" Letter informing Provisional Committee for Ipswich Hospital now in position to commence building on land granted to them for that purpose by Government, intimation of which was conveyed to them in CS letter dated 25 August last – adds that Committee is now awaiting authority of Government to take possession of the land in order to commence operations & Notes in margin 56/06039 Secretary Ipswich Hospital – 7 July Forwarding list of Subscriptions – Surveyor General 29 th August		782
				"H W P"	1857 02 24~ 1857 02 25~ 1857 02 25~	Refer to Secretary for Lands and Public Works, with reference to Papers sent to Surveyor General 29 th August – blank cover – noted Informed [Refs 57/668, 57/03487]		

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	56/06039	1856 07 14	Hon CS	Ipswich, Moreton Bay Thomas Rowlands pro Secretary	1856 07 07	At top: "Secretary to the Hospital" Letter in reply to CS letter 56/04449 – 1207 requesting list of subscriptions to the Hospital about to be established in Ipswich be forwarded, in order that land may be granted for a site for such Hospital. Encloses List [see p 788 for Subscription List] & informs amount of subscriptions already received as £540, & as subscriptions are daily coming in, hopes to be able to forward amended list showing a larger amount at an early opportunity if required Also at top: "56/7204 – 28 July 56" "Cat., 128.1207" & Notes in margin	A2.38	783
	56/06039			"A D"? W Elyard – "M F"	1856 07 19- 1856 07 23- 1856 07 26	Reference may now perhaps be made to Surveyor General respecting site applied for in 56/04449 Forwarded to Surveyor General for this purpose accordingly – blank cover – noted – to be returned 57/00784		
				"G B"	1856 07 26	The Secretary What land is available prepare sketch		
				Surveyor General's Office, Sydney George Barney, Surveyor General	1856 08 01	Notes re above Although 5 acres is a large area than it has been usual to grant for such a purpose, circumstance that site applied for is three quarters of a mile distant from nearest measured building allotments may warrant the appropriation. It is no doubt also desirable that a free circulation of air is preserved in vicinity of hospital, & that there should be a space for exercise at disposal of convalescent patients Entd No 56/205 fol 257 Vol 5		784
				"A D" "W E" "W D"	1856 08 05- 1856 08 08- 1856 08 12- 1856 08 13-	Returned Colonial Secretary's Office Governor General & Executive Council Blank cover		
				Michael Fitzpatrick Clerk of the Council "W D"	1856 08 21	Noted 56/8729 <u>Executive</u> 56/614 – 14 August 1856 Council advise that the site selected be granted – No 56/612		
					1856 08 22 1856 08 22- 1856 08 23-	Approved Returned Colonial Secretary's Office Surveyor General, Secretary		
	56/04449	1856 05 12	Hon CS	Ipswich, Moreton Bay Thomas Rowlands pro tem to Provisional Committee of the Ipswich Hospital	1856 05 05	At top: "Secretary to the Hospital" Letter informing Provisional Committee of Ipswich Hospital having received an intimation through Captain Wickham, Government Resident, that Government would grant land upon which to erect an Hospital in this town, have selected a piece of land measuring five acres near line of Road continuous with East Street, & opposite Police paddock, & have instructed him to request that you will at your earliest convenience obtain His Excellency's directions for same to be surveyed & Notes in margin	A2.38	785
					1856 05 13-	Any former papers respecting land for a site for this		

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				"M F"	1856 05 14~ 1856 05 21~ 1856 05 29~	I cannot trace any Are there not certain Regulations requiring specific sum to be subscribed & paid up before land is granted for a purpose of this kind There are no special Regulations I believe in this respect but see decision on 50/06961 under which applicants were required to show that sufficient funds for erection of a proper building were subscribed		786
				"W D"	1856 05 29 1856 06 07	Notes re above Let secretary be informed I have no objection to grant sufficient area of land as soon as funds for erection of the building are subscribed T Rowland [as it is] [Ref 56/06039] <u>Description of Grant of 5 acres for Hospital at Ipswich</u> 5 acres – County of Stanley Parish of Ipswich Town of Ipswich Commencing at intersection of Southern side of Court Street, with Western side of East Street & bounded on the East by East Street southerly, at right angles to Court Street. 5 chains 56 links, to its intersection with Grey Street; on the South by Grey Street Westerly, at right angles to East Street 9 chains to its intersection with Nicholas Street, on West by Nicholas Street Northerly, at right angles to Grey Street. 5 chains 56 links to its intersection with Court Street; & on the North by Court Street, Easterly at right angles to Nicholas Street 9 chains to point of commencement		787
	56/06039					[PRINTED] <u>SUBSCRIPTION LIST FOR THE ESTABLISHMENT OF A PUBLIC HOSPITAL IN IPSWICH</u> GEORGE FAIRCLOTH, Esq, Treasurer [Subscription paid is noted] [lh col – printed] George Thorn; John Smith; R J Smith; Arthur Macalister; W M Dorsey; G and W Davidson; E B Cullen; Patrick O'Sullivan; George Faircloth; Louis Hope; John Panton; James Walsh; Dr Rowlands; William Vowles; John McDonald; Henry Kilner; Joseph Fleming; John Ranken; Charles Watkins; Samuel Shenton; Edward Quinn; James England; Thomas Laffey; George Vowles; Alpin Cameron; Alexander Beattie; Messrs Bays; Thomas H Jones & Co; Godfrey O'Rourke; James McIntosh; Joseph Moore; John Smith – carrier; Walter Gray & Co; Christopher Gorry; Richard H Bannan; Charles Wallis; Thomas Given [lh col- hand written] Francis J Ivory [also F I Ivory]; John Deuchar, George H Wilson jr; C B Daveney; F C Heussler; James Fletcher; A Femister; Jacob James; John Murphy; Thomas Holt (Colonial Treasurer); John Dwyer; George Dowden; Thomas Hinds; F & F Bigge; Allan Gow; John Smith; E Fraser; James Raper [rh col – printed] Henry Newton; William Thompson; Martin Byrnes; R P Whitehouse; John Murphy; Daniel Collins; John P Nahar; George P Betts; John Johnston; George Frost – carrier; Joseph J Carrick; Owen Connor; John Ford; M Gill; Hugh Maxwell; Andrew Reygan [also Regan]; Peter Connell; John Hanran; John Lynch; John Smith, Wyvenhoe [as it is]; John Sullivan; Charles George Gray; William McGinty; Henry Challinor; H M Reeve [also Henry M Reeve]; C Wheeler [also Charles Wheeler]; -- Elliott; Michael Ford; H S Hassell [also H V Hassell]; Alexander Balbi; William Bell; Thomas Stanley; James Leith Hay (half of Gentle's fine); Edward Griffiths; Richard Lovell; John Moran; Kelly McKeon	A2.38	788

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						[rh col – hand written] John Pettigrew; James Baillie [also Bailie, Baily]; D Campbell; Miss Coutts; John Binstead; Henry Brooks; W Yeates [also Yates]; M Fox; John Campbell; James Lane; Vaughan & Fraser; Richard Harvey; More & Laidley; G Walker; John Smith junr; A Macdonald; Mat Farley; E E Griffiths		
	57/03495	1857 08 31	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham Government Resident "H W P"	1857 08 28 1857 09 01~ 1857 09 02	At top: "Government Resident Moreton Bay" Letter enclosing copy of communication from Dr Hobbs (member of Immigration Board at Brisbane) desiring to resign his seat at the Board, in consequence of circumstances alleged to have taken place at last meeting [No 57/450] 2. Having been occupied at Police Office presiding at revision of Electoral Roll, was unable to be present at Immigration Board meeting referred to, has therefore deemed it expedient to call upon Mr Kemball for explanation, & upon Capt Geary (another member of the Board) for any information he might be able to afford – herewith submit the whole of the correspondence for consideration of Government Also at top: "Enclosures numbered 1,2, 3" [not filmed here] & Notes in margin This controversy arising out of local circumstances can scarcely be determined in Sydney, without some definite opinion from Government Resident. Refer again, with my hope that some course of mediation may render unnecessary any further interference Government Resident	A2.38	789 – 790
	57/03509	1857 08 31	Hon CS	Government Resident's Office, Brisbane J C Wickham Government Resident "H W P"	1857 08 19 1857 09 01~	At top: "Acknowledging receipt of parcel of "Tapioca Root" Acknowledging receipt from CS Office of parcel containing a tuber of the "Jatropha manihot" which I have placed in hands of Superintendent of Botanic Garden for cultivation [No 57/437] P S Not aware where this tuber was procured but it is similar to that common in Brazil from which Casava bread [as it is] is made, & Farinha used by the Slaves – Tapioca is prepared from the juice – Mr Hill thinks it the same - "J C W" & Note in margin Governor General – "W D"	A2.38	791
	57/03565	1857 09 03	Hon Stewart A Donaldson M P [as it is] Colonial Treasurer	Police Office, Dalby Leonard Edward Lester JP John Ker Wilson JP "W H"? "N H"? "H L" "A D"	1857 08 01 1857 07 28 [as it is] 1857 08 28~ 1857 09 02~ 1857 09 03~	At top: "Bench Dalby" Forwarding Pay Abstracts of Frank Bowerman Clerk of Petty Sessions for June & July [not filmed here]: state Mr Bowerman Gazetted to his present office 5 th June last, he arrived here 8 th July following Mr Bowerman assures he lost no time in coming here to commence his duties as soon as was practicable after he was appointed – expenses entailed upon him travelling from Sydney to Dalby were very considerable. Request matter be brought before Governor General in hope he may permit Mr Bowerman to draw pay from date of his name appearing in Gazette, instead of from date of his commencing his duties Also at top: Stamp: TREASURY-NO 7505 / AU-15, 1857" & Notes in margin No action appears to have been taken in this case & I presume that this letter has been returned to Records in error This should perhaps have been referred to Principal Secretary? Yes W V	A2.38	792 – 793

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				"H W P"	1857 09 04~ 1857 09 04~ 1857 09 05 1857 09 05~ 1857 09 05	For approval – on understanding that no double payment is made Secretary to Treasury Inform Bench Bench Dalby		
	57/03570	1857 09 03	Under Colonial Secretary	Attorney General's Office, Sydney W E Plunkett, Secretary to Law Department "H W P"	1857 09 03 1857 09 03~ 1857 09 04~ 1857 09 04	At top: "Secretary to Law Officers" Letter in reference to within letter from Civil Crown Solicitor & other papers respecting defalcation of A G Ravenscroft late Clerk of Petty Sessions at Drayton & your Memo thereon [No 57/48]: under B C 15 th ultimo & your letter of yesterday No 258, directed by Attorney General to state he thinks correspondence with Civil Crown Solicitor at Brisbane should proceed from Office of Civil Crown Solicitor in Sydney, whose instructions will be more complete than such as would proceed from any other Department & Notes in margin Papers recently returned by Civil Crown Solicitor in this case to be again forwarded to him with reference to opinion herein given which may be mentioned in writing to him Civil Crown Solicitor [Ref 57/03620]	A2.38	794 – 795
	57/03226	1857 08 08	Under Colonial Secretary	Civil Crown Solicitor's Office, Sydney W W Billyard Civil Crown Solicitor W Elyard	1857 08 07 1857 08 15 1857 08 18	At top: "Civil Crown Solicitor" Letter in reply to CS letter of 5 th inst [Margin: 57/02916] enquiring whether money due to Government by Mr Ravenscroft late Clerk of Petty Sessions at Drayton has been paid by him - informs only communication received from Mr Ravenscroft is dated 19 th June last, sent copy to you 29 th of that month, the day I received it [No 57/57] Adds CS letter to me of 1 st ult received 4 th ult - by next mail wrote to Mr Ravenscroft informing him a short time would be allowed to elapse before taking legal proceedings against him – on 27 th ult (not having heard from Mr Ravenscroft) again wrote to him urging immediate attention to business & informing that unless matter satisfactorily settled on or before 10 th inst (Monday next), process would be issued against him Considering if Mr Ravenscroft had to be sued, Writ of Summons must be issued out of Supreme Court Moreton Bay & the Action carried on in that Court, would have been better if Civil Crown Solicitor at Brisbane had been instructed, rather than myself. As papers were forwarded to me, saw no objection & indeed thought it would save trouble if I could by negotiation get matter settled & therefore, have acted up to present time - should I not hear from Mr Ravenscroft on or before 10 th inst (time allowed to him by my letter of 27 th ult, already referred to) I will that day, return papers to you, in order that necessary instructions may be sent to Civil Crown Solicitor at Brisbane, to recover amount due from Mr Ravenscroft to the Government & Notes in margin [p 796 & 797] Forwarded to Secretary to Crown Law Officers with view to its being laid before Attorney General. Appears to Colonial Secretary that course herein proposed would prove very inconvenient that when proceedings are required to be taken against persons in Moreton Bay District, communication would be made to proper office at Brisbane by Civil Crown Solicitor, who would be best judge of information required for the purpose - blank cover Noted	A2.38	796 – 798

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			Civil Crown Solicitor	<p>"H W P"</p> <p>Drayton A G Ravenscroft</p>	<p>1857 07 01~ 1857 07 01 1857 06 29</p>	<p>Ravenscroft threatening to commence proceedings against him unless he forthwith made return of his collections & paid amount found due from him to Government. In reply to this letter, has today received letter from Mr Ravenscroft, copy annexed – presumes matter may be allowed to remain open for a short time – seeks directions so he may reply to Mr Ravenscroft & Notes in margin Matter may remain for a short time as requested but time should be fixed & strictly adhered to Civil Crown Solicitor</p> <p>"Copy" Letter informing only received his letter of 19th ult yesterday per Overland Mail, no doubt arising through late floods: states his Returns shall be completed without delay & balance paid to Treasury – further states does not wish to put Government to any trouble re his accounts which as before mentioned shall be satisfactorily settled as soon as possible. Adds there is about £300 more or less due to him by Government for arrears of salary, & other fees connected with various offices he has hitherto filled</p>		805
	57/03625	1857 09 08	Hon Henry Watson Parker M P Principal Secretary	<p>Brisbane Hospital W A Duncan, Treasurer</p> <p>"C C"</p> <p>"R J"</p> <p>"H L"</p>	<p>1857 08 28 1857 09 22 1857 09 23~ 1857 09 23 1857 09 23~</p>	<p>At top: "Treasurer" Letter informing that at meeting of Committee of this Hospital held yesterday, Resolution was passed on Motion of Dr Milford, seconded by E S Ebsworth to the effect: "That Treasurer of the Hospital be instructed to apply to Government for a sum of £800 to be placed on Supplementary Estimate for 1858 for repair of hospital buildings; for erection of additional ward & dividing wall, to provide means for proper classification of patients & separating them from Asylum cases". In accordance with this Resolution requests this matter may receive favourable consideration & that you will have goodness to comply with the wish of Committee so far as it may be practicable Also at top: Stamp: Treasury-No 8933 / SE-23-1857" & Notes in margin Sum of £300 is placed on Estimate for 1858 in aid of Hospital at Brisbane but this is for repairs & additions to building & if granted will have to be placed on <u>Additional</u> Supplementary Estimate – similar assistance has been given to Infirmary in Sydney & is proposed for Maitland – that is for a Fever Ward etc - refer first to Treasurer as Estimates are under revision - blank cover Noted & Notes re above Think it would be well to say that if on preparing Supplementary Estimates for 1858 state of finances will admit of this application being entertained, it will be favourably considered subject of course to same conditions as these grants are in other cases Inform & give me this letter</p>	A2.38	806 – 807
	57/03651	1857 09 09	Government Printer, Sydney	Brisbane Bryce T Barker J P for the Magistrates	1857 08 19	<p>At top: "Bench Nanango" Letter informing Magistrates in neighbourhood of Nanango in Wide Bay & Burnett District request that copy of Government Gazette be forwarded for their use to following address: Goode's Inn Post Office, Burnett [also Goode's Burnett Inn; Goods Inn]</p>	A2.38	808

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				W Hanson "W V"	1857 09 07 1857 09 10~ 1857 09 10~ 1857 09 14~	Notes re above Should have been sent to Principal Under Secretary – now forwarded for instructions – blank cover See Minute on 57/02239 enclosed [not filmed here] - Mr Baker [as it is] may be informed if Bench is established at Nanango, Gazette will be furnished for use of Magistrates, not usual to supply Gazette except to Benches of Magistrates Yes Mr Barker [Cover] Mr William Hanson / Government Printer / Phillip Street / Sydney Postmarked: SYDNEY-N.S.W. / AU-31-1857 Postage stamp affixed: QUEEN'S HEAD / NEW SOUTH WALES / POSTAGE - TWO PENCE		809 810
	57/03658	1857 09 09	His Ex Sir William Thomas Denison, Governor General	Maryborough Wide Bay Philipp Weinheimer	1857 09 01 1857 09 09~ 1857 09 11 1857 09 14	[PRINTED FORM] At top: "P Weinheimes" [as it is] <u>MEMORIAL OR APPLICATION FOR A CERTIFICATE OF NATURALIZATION</u> To His Excellency Sir William Thomas Denison, ,, Governor General: Memorial of Phillip Weinheimer of Maryborough, Wide Bay - Native of Ober Heimbrach [Oberheimbach?] in Prussia – 29 years of age, Gardener – arrived per "Mayes" ["Marbs"?] in 1855 – annexed Certificate of character ... from respectable persons to whom your Memorialist has been known since his arrival in Colony – intends to settle in this Colony - requests Certificate ... conferring upon him privileges of natural born British subject <u>Certificate</u> We ...certify as to correctness of statements - have known Memorialist for several months past – believe him to be a person of respectable character – Edmund B Uhr J P; H Knight? – Pymont & Notes in margin Prepare Certificate for approval Certificate prepared Secretary of Treasury; Auditor General; Prothonotary, Supreme Court; Bench, Maryborough; P Weinheimer	A2.38	811
	57/03715	1857 09 14	Hon CS	Government Resident's Office, Moreton Bay J C Wickham Government Resident	1857 09 09	At top: "Government Resident Moreton Bay" Upon recommendation of Commandant of Native Police, nominates Officers Frederick T Powell & Cameron Ross who are now Sub-Lieutenants in above force for appointment of 2 nd Lieutenants & to recommend they be allowed seniority to those officers who have been appointed to the force since date of their first appointment [No 57/463] 2. Further requests to be informed if it is intention of Government to allow those Sub-Lieutenants who have been appointed 2 nd Lieutenants, to receive pay of 2 nd Lieutenants from 1 st January 1857 from which period they have been doing duty [Margin: This was not stipulated - but subject to concurrence of Colonial Treasurer may perhaps be allowed – 5 th] Also at top: "Ex Cl 57/718 – 5 October 1857"	A2.38	812 – 813

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				"C C"	1857 10 05~	& Notes in margin Governor General & Executive Council As Estimate provides only for 2 nd Lieutenants & not Sub-Lieutenants there may be no objection to this on recommendation of Commandant & Government Resident		
				Edward C Merewether Clerk of the Council No 57/682	1857 10 07	& Notes re above Executive Council advise that Messrs F J Powell [as it is] & C Ross [crossed out?] Sub-Lieutenants in Native Police Force be appointed 2 nd Lieutenants in that Corps with seniority over those officers who have been appointed to Force since the date of their first appointment		
				"W W B" – "J H P" – C C"	1857 10 16	Approved Notice, Inspector General of Police, Government Resident Moreton Bay, Secretary to Treasury		
	57/03805	1857 09 21	Hon CS	Brisbane Hospital Frederick James Barton	1857 09 10	At top: "Committee of Brisbane Hospital" Letter stating directed by Committee of above named Institution to enclose application in due form to Governor General & Medical Certificate in due form for admission into a Lunatic Asylum of patient Catharine Gleeson who is of unsound mind & destitute of means to pay for her maintenance – should Governor accede to prayer of Petition, Committee will be obliged by you transmitting at your earliest convenience necessary order for woman's admission into a Lunatic Asylum	A2.38	814
	57/03805			"W W B" – "J H P" – C C"	1857 09 21~ 1857 09 22~ 1857 09 22~	& Notes in margin W V This is regular Order Approved		
	57/03805			Brisbane Hospital F Milford MD Frederick James Barton	1857 09 10	<u>Medical Certificate</u> (B) We the undersigned being legally qualified Medical Practitioners certify that we have examined Catharine Gleeson, pauper in Brisbane Hospital & we find her to be of unsound mind & a proper object for reception into Lunatic Asylum - further certify in our opinion Catharine Gleeson would be benefitted by treatment in such Asylum		815
	57/03805		His Ex Sir William Denison	Supreme Court, Sydney J N Dickinson	1857 09 22	Upon reading Petition of Frederick James Barton & Certificate above signed by F Milford & Frederick Janes Barton – being legally qualified medical practitioners – I do sanction & approve of the application contained in the said petition		
	57/03805			Brisbane Hospital Frederick James Barton	1857 09 10	(A) Petition of Frederick James Barton House Surgeon of Brisbane Hospital: That Catharine Gleeson a pauper in Brisbane Hospital has been examined & found to be of unsound mind as will appear by annexed Certificate - your petitioner, by direction of Committee of Brisbane Hospital as Guardian of Catharine Gleeson is desirous of procuring her admission into Lunatic Asylum in order that she may there have such medical care & attendance as may be most likely to ensure her eventual recovery & I, Frederick James Barton House Surgeon of Brisbane Hospital do hereby certify that to the best of my knowledge & belief Catharine Gleeson has no means of paying		816

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						for her maintenance in Lunatic Asylum, & having been admitted into this institution as a pauper, has no relatives or friend who can be reasonably expected to maintain her – Petitioner prays Your Excellency will be pleased to direct that Catharine Gleeson may be received into such Lunatic Asylum as your Excellency may think fit to appoint		
	57/03807	1857 09 21	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham Government Resident "C C"	1857 09 14 1857 09 22~ 1857 09 23~	At top: "Government Resident Moreton Bay" Letter re CS letter of 4 th September 57/03330 No 73 respecting payment of salary of gaoler & matron of Gaol at Brisbane for period 19 th June to 3 rd August [No 57/482]: informs has suggested to Sheriff that as principal turnkey performed duties of gaoler & incurred all responsibility of that office, he is entitled to pay of gaoler & that the difference between that & his pay as principal turnkey, should be made up from the salary of Mr Bergan for the time during which he was under suspension, that officer receiving the balance & Notes in margin Acting Gaoler ought to receive remuneration which regulations provide for, thinks Gaoler was properly suspended – he deserved that punishment & loss of salary during suspension Government Resident	A2.38	817
	57/03330			Audit Office W C Mayne, Attorney General	1857 08 25	Note I am not aware of any rule except that established with regard to Metropolitan Police Force, the principle of which I consider is applicable to cases of suspension - following is a copy of the rule referred to – 204. Men of the force when committed to prison or suspended, will be struck off pay from the day of their being so committed or suspended, & will not receive any pay during the period of their imprisonment or suspension; & if found guilty & dismissed from force for the crime for which they were committed or suspended, will not be entitled to pay for any part of the time they may be in confinement or under suspension, but if acquitted of the charge & not dismissed from Force in consequence of evidence which shall have appeared, they will be entitled to pay for time they were imprisoned or suspended – blank cover Returned Colonial Secretary's Office	A2.38	818 – 819
	57/03330	1857 08 17	Hon CS~	Government Resident's Office, Moreton Bay J C Wickham Government Resident "H W P" Audit Office W C Mayne A G	1857 08 26~ 1857 08 14 1857 08 18 1857 08 21	At top: "Government Resident Moreton Bay" Forwarding copy of letter received from Sheriff respecting payment of salaries of gaoler, matron & principal turnkey lately acting as gaoler [No 57/429]: not prepared to assume responsibility of giving Mr Brown advice upon the matter, requests instructions re wishes of Government upon subject at the same time as the whole responsibility of safe keeping of prisoners in a very insecure gaol has devolved upon Mr Keys (principal turnkey), considers that officer is entitled to pay of gaoler, if claimed by him & Notes in margin Refer to Auditor General – blank cover – noted – to be returned Stamp: AUDIT OFFICE-NEW SOUTH WALES / No 547-AU*19 It is not stated in these papers whether it was intended that suspension of Mr & Mrs Bergan should deprive them of their salary during its continuance, or whether on their being reinstated they were to be allowed their pay for period while suspended from their respective duties. With regard to payment of Principal Turnkey as Gaoler it has been usual to allow		820 – 821

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	57/03330		Government Resident, Brisbane	<p>“W E”</p> <p>Sheriff’s Department, Moreton Bay W A Brown, Sheriff</p>	<p>1857 08 22</p> <p>1857 08 22</p> <p>1857 08 13</p>	<p>Acting Officers half of their own pay & half that of the office they temporarily filled provided that latter was not paid in full to holders of it – blank cover Returned Colonial Secretary’s Office [Ref 57/03807] & Notes re above Information required was as to issue of salary to persons whilst under suspension or for period of such suspension after being reinstated. Perhaps this can now be furnished Auditor General - blank cover - noted Stamp: AUDIT OFFICE-NEW SOUTH WALES / No 538-AU*24 [faint]</p> <p>“Copy” Letter re Colonial Secretary having been pleased to accept Mr & Mrs Bergan’s apology for their late misconduct as Gaoler & Matron of this Station, seeks instructions respecting their salaries [No 57/55] 2. Last payment made to them was for month of May, they were suspended on 19th June & reinstated, in obedience to your directions on 3rd August – queries whether he is of opinion that any salary should be paid to them from 19th June to 3rd August? or is principal turnkey who was acting gaoler during the period entitled to full pay as Gaoler? Seeking instructions in order to adjust my accounts</p>		822 – 823
	57/03057	1857 07 25	Hon CS~	<p>Government Resident’s Office, Moreton Bay J C Wickham Government Resident</p>	1857 07 21	<p>At top: “Government Resident at Moreton Bay” Acknowledging receipt of your letter of 6th inst, enclosing Sheriff Brown’s letter to you complaining of the conduct of Gaoler & Matron at Brisbane Gaol, & that he had suspended them from duty accordingly [No 57/387] 2. In accordance with marginal note in Mr Brown’s letter I called the gaoler before me yesterday in presence of the Sheriff, & he then expressed his sorrow for what had taken place, & has this day forwarded to me enclosed apology to Mr Brown 3. Mr Bergan appears in bad health, & to have been suffering under some bodily infirmity when he forgot himself in manner mentioned by Sheriff. At same time, would remark that, previous to this occurrence, he had given me & the sheriff entire satisfaction in performance of his duties & therefore should His Excellency consider it consistent with proper maintenance of discipline in the public service, to continue Mr Bergan in his situation, the Sheriff has no wish to deprive him of it & Notes in margin Upon this expression of Gaoler’s contrition & Sheriff’s acceptance of it, suspension may be removed Government Resident [Ref 57/03330] ‘Returned’</p>	A2.38	824 – 826
	57/03057		W A Brown, Sheriff	<p>H M Gaol Brisbane William Bergan</p>	<p>1857 07 27~</p> <p>1857 07 29~</p> <p>1857 07 21</p>	<p>Letter informing heard from respectable friends that you acknowledge that I have done the duties of Gaoler in a satisfactory manner & that you suspend me for stubbornness & want of respect to you personally: in reply can only say that I never intended any disrespect to you but quite the contrary, & that those observations of which you complain was made when smarting under ..?.. of mind. I therefore have no hesitation in expressing my regret & am exceedingly sorry for having made use of any observations to you of an offensive nature. Mrs Bergan also expresses her regret for the part she had taken in the matter & begs that you will accept her apology for so doing</p>		827 – 828

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	57/02644	1857 06 29	Hon CS	Sheriff's Department, Moreton Bay William Anthony Brown, Sheriff	1857 06 19	<p>At top: "Sheriff at Moreton Bay"</p> <p>Letter reporting for information of Governor General that on account of misconduct of William & Ellen Bergan, Gaoler & Matron at Brisbane, has been compelled with very great reluctance, to suspend them from their respective offices until the pleasure of His Excellency be known [No 57/31]</p> <p>2. Since taking charge of the Gaol in Brisbane in April last, has observed a disinclination on part of the Gaoler to acknowledge or respect my authority; although I took care that he should be present in the Supreme Court when my Commission was read, and I was sworn in</p> <p>3. I have received many insolent answers from him when visiting the Gaol from time to time, & I even overlooked direct disobedience of orders on 17th inst, but on this day (the 19th) his conduct was so very bad, that I considered he was unfit to have charge of such an Establishment</p> <p>4. Submits conversation between Sheriff & his officer the Gaoler, which will I apprehend, induce Governor General to approve of the step I have taken: <u>Extract</u></p> <p>5. On 17th June I visited the Gaol at Brisbane, & had some conversation with the Gaoler about the descriptions of prisoners being taken when they were received in the Gaol; I told him it was my opinion each man's descriptions should be taken by him, or his deputy the principal turnkey & handed in to the Clerk for registrations. Mr Bergan replied in a most insulting style – "Well I shall not do it" at the same time, putting his hands under his coat, and walking backwards & forwards. I reprimanded him, & took no further notice of it. On this day, the 19th, between the hours of twelve and one, I visited the Gaol, Mr Bergan was walking to & fro outside the walls, he took no notice of my entry. I sent a Turnkey to call him, I had some vouchers for Contingencies supplied to the Establishment, I gave them to him, & told him they wanted a signature, he answered in his usual disrespectful manner – "I suppose you think I am going to tell the Clerk to do this. I shan't speak to him" – I said Mr Bergan, you are my officer & I expect you to obey my instructions; he replied, "I shall not." I cautioned him to mind what he said, he again replied "I'll see about it – I'll write to Sydney – I'll see whether you are to order me." Mrs Bergan, the Matron then interfered - I told her I was addressing her husband, she said "You are no gentleman, you are not fit to speak to my husband."</p> <p>6. They were both exceedingly abusive in presence of the subordinates & within hearing of some prisoners, losing all control of their tempers and tongues; I therefore suspended them, giving authority to Principal Turnkey Keys, to take charge</p> <p>7. Regrets exceedingly that such a flagrant breach of discipline on the part of a public officer has compelled me to resort to this extreme, such behaviour from a man placed in charge of a Gaol is, I think without precedent, & I can only attribute it to ignorance, irritability of temper, & his dislike to a superior officer exercising that surveillance which I considered my duty</p>	A2.38	829 – 834
						CORRESPONDENCE RE IRREGULARITIES ABOARD SHIP "Mary Pleasants", p 835 - 867		
	57/03817	1857 09 21	Hon CS	Government Immigration Office, Sydney H H Browne	1857 09 19	<p>At top: "Agent for Immigration"</p> <p>Letter submitting for consideration of Government, correspondence between Assistant Immigration Agent Moreton Bay & myself re irregularities which occurred during voyage on board ship "Mary Pleasant" [as it is]</p>	A2.38	835 – 836

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	57/03817		Immigration Agent, Sydney	Government Immigration Office, Moreton Bay pro Local Immigration Board A C Kemball Assistant Immigration Agent	1857 09 21~ 1857 09 23 1857 10 06 1857 10 08 1857 08 19	<p>2. Result of correspondence has led to recommendation on part of Local Board that an exception should be taken in Certificate of Arrival to violations of 27th Clause of Charter Party, but "that no penalty should be inflicted on the owners of the vessel", & for permitting such violations Surgeon & Master should be mulct in sum of twenty pounds & ten pounds respectively out of their gratuities. With these recommendations I express my concurrence & Notes in margin See recommendations at the close of this letter Approved Immigration Agent "On 15th October" – resubmitted Copies now herewith Secretary to Commissioners</p> <p>Forwarding evidence taken before Local Immigration Board on 18th inst in investigation of complaint preferred by immigrant per ship "<u>Mary Pleasants</u>" [Margin: John Stack / ship "<u>Mary Pleasants</u>"] No 57/300 Deemed it advisable to adjourn Board without collecting opinions of other members in the case in question, to enable me to confer with Captain Wickham <u>whose duties will seldom admit of his tendering me his assistance in these Enquiries</u> – was <u>one</u> of the motives which activated me in adopting what may, at first, appear to you a very questionable procedure – may however add - sanctioned by other Members; [p 838] who have deputed me to submit circumstances of the case which has been the object of Enquiry. Holding as I do a very ...? position in this Board, & subordinate to you in my capacity of Assistant Immigration Agent – begs to be allowed <u>present opportunity</u> for pointing out difficulties which have been encountered in these Examinations – resulting from utter impracticability of conducting them, as they unquestionably should be, on board the vessels; in consequence of distance of Anchorage & difficulty in reaching it, various obstacles I allude to must be too obvious to you Board have been in habit of examining Immigrants according to form in the Inspection lists - either immediately upon their landing, or following morning; first plan has been preferred, when practicable, in order to ensure attendance of the Immigrants, [p 839] but even then difficulty of collecting them has been considerable, some have within an hour of their arrival been in an unfit state to appear from drunkenness. When deferred to following day, exertions of police have been relied on to muster the absentees. These occurrences together with disorderly scenes around the Office urged me to make a proposal to Government Resident as Chairman of Board, which appeared to me to meet all the graver objections to the above system, & meeting with <u>his</u> sanction has been carried out in the three last vessels. This consists in conducting examinations myself on board vessel, assisted by a clerk (provided on these occasions) Any complaints made are carefully noted down without any particulars, or explanation of any kind admitted on either side. Copy of the respective complaints made, if any, is given to Master & Surgeon, & all parties? are noticed to attend before Board, & without any reference to individual complaints – all Immigrants holding office on</p>		837 – 846

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						<p>board the vessel also</p> <p>[p 840] to answer any general or particular enquiries that may be made. I have thus minutely detailed these circumstances to you, that you may be better enabled to comprehend the course which has been adopted in reference to case now presenting itself for report</p> <p><u>Charles Slack</u> [as it is – Stack?], a married man, complained of having been “shaved & ducked” by the crew, on crossing the line, against his will. Secondly of having been separated from his wife by Surgeon’s orders, for 14 days, on the accusation of having beaten her.</p> <p>Other complainant was John Heywood who stated that boatswain had violently assaulted him between decks – it was admitted that neither Captain, Surgeon or Officers had been implicated in the affair & consequently, though <u>invited</u> to appear before the Board, he was referred to the only mode of redress open to him, having obtained an engagement, he has apparently abandoned the charge; this case is entered in Surgeon’s Journal - page 31 – unfortunately</p> <p>[p 841] Board was obliged to adjourn for attendance of Surgeon detained in the “<i>Mary Pleasants</i>” with sick cases</p> <p>John Slack [as it is] having also obtained employment, was about to leave vessel, & discovering that his charge implicated the <u>Captain</u>; expressed his wish to withdraw – which I could not permit, without taking his evidence as entry in Surgeon’s Journal with reference to his case – <u>which I have numbered 2</u> – page 11; leaves no doubt in my mind as to its merits; on the meeting of Board, Stack was sent for, at the desire of the Captain – I have pointed out these circumstances, to account for the irregularity in Stack’s Examination; a laboured attempt having been made, as you perceive by the examination, & over which I could exercise but little control though some irrelevant questions were suppressed to palliate, if not to defend this breach of Charter Party on the ground of its having been a mere joke; permitted with no bad intentions, followed by no serious injury to anyone, & that the ceremony was “got up” among</p> <p>[p 842] Immigrants themselves, which is a most extravagant supposition. I have been anxious to point out to you that such is not the view which I can take of a very plain & practical case. It may even appear to you comparatively immaterial whether Stack was ducked etc, willingly or not, though preponderance of evidence is that he was forced - & entry in Surgeon’s Journal conveys to me the impression that he foresaw the probability of an enquiry in the matter & fact of his having sent for Stack the next morning convinces me that latter <u>had</u> complained. The fact too of his having been an object, & I believe <u>deservedly</u> so, of hatred on board – is one of the strongest arguments that can be advanced against permitting a ceremony that affords an opportunity to crew of indulging in vindictiveness. Neither Captain or Surgeon have been taxed with any “ill will” or feeling in the matter – the charge is? to having <u>permitted</u></p> <p>one act</p> <p>[p 843] prohibited in Charter Party & for the results of which Captain & Surgeon are, though perhaps not to an equal extent – responsible, I will not presume to suppose my observations will influence you in your decision in this case – but as charge is considered proved, I am anxious in justice to parties affected, to point out to you circumstances which entitle them to a favourable consideration. Captain is unquestionably a man of most benevolent disposition – he has, as far as I can ascertain, conducted</p>		

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				Government Immigration Office, Moreton Bay	1857 08 11	<p>himself with strict propriety on board, rendered Surgeon every assistance, & I believe would not countenance any immorality & I am equally satisfied would not have permitted act complained of had Surgeon interdicted it With regard to Surgeon, who is also a well disposed, well conducted, & by no means inefficient officer, he has, in like manner shown a great want of judgement in this – & it appears to me in perusing his Journal, other instances - to facilitate your reference to his entries I have marked against certain of them – numbering the more important ones [p 844] which will be found in pages 3 – 11 – 12 – 13 – 15 – 21 – 24 – 31. He has evidently taken great pains to perform his <u>various</u> duties - & an interest in them - & shown much kindness to Immigrants under his charge – with respect to his repeated details of their petty quarrels there is both taste? & judgment wanting. And I may be permitted to add that if discipline is to be attained by stopping provisions, it must have reached a very efficient state on board the “<i>Mary Pleasants</i>” An application has been made to me by Captain to reopen investigation, for the purpose of admitting the evidence of another witness – but there being no circumstances to justify such a departure from ordinary rules – & as Government Resident declared his determination not to sign Ships papers unless sanctioned by authority – I refused – I shall esteem it a favour if you will be good enough to inform me <u>as soon as you can</u> whether permission will be granted [p 845] or not, for Government Resident to sign “<i>Mary Pleasants</i>” papers. I have paid Surgeon Superintendent Dr Gun twenty pounds [Margin: 297 immigrants landed at 10/-? per head / (£20.00)] on account of his gratuity his receipt for which I enclose [not filmed here] a step which I hope you will not disapprove of. It has appeared to me very desirable that he should have opportunity afforded him of giving you any explanation you may require. Local Immigration Board considers the first part of charges preferred by John Stack to have been substantiated; the second was not persisted in & Surgeon satisfactorily explained his conduct? in the transaction – they will refrain from offering any suggestions, unless you require them, in that case, another meeting will be [p 846] convened – I have the honour to be ...</p> <p>[EVIDENCE] [p 847] <u>John Stack</u> states – I was an Immigrant on board “<i>Mary Pleasants</i>” on 28th May about ten or eleven o'clock A.M. Some crew took me by force chucked me into a large sail having water in it, & shaved me with an iron hoop – I struggled all I could – others were shaved & ducked besides myself, I believe some of them of their own free will; Neptune visited the tween decks the night before, & on same morning that shaving was performed. I did not see the Captain [p 848] on deck whilst I was ducked – I think Captain must have been aware of it – Surgeon was in the poop whilst I was ducked; he sent for me next morning by one of the Constables – & asked me how it was that I was ducked, I told him I was forced up there - Captain was on deck when Neptune went round 2. I was placed in single men's apartment by Surgeon's order, given to one of the Constables in writing –</p>		847 – 858

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						<p>[p 849] I read the order - & was separated from wife fourteen days. Surgeon placed me there because he charged me with beating my wife. At the end of above period Surgeon sent a Constable to tell me I could go back when I liked – John Stack Witness: John Callum? - J McCallum? <u>James Pocock</u> states – I was a constable on board “<i>Mary Pleasants</i>” I saw Neptune visit tween decks the night before ducking stated by Stack & again on deck, drawn upon a Gun Carriage. I did not see Stack ducked & shaved, but I saw him come out of the sail dripping with water. Others were ducked [p 850] & shaved of their free will – but I did not see them. I saw Captain & Surgeon on the poop when ducking & shaving was going on, but I could not tell who was being ducked or shaved – I only saw the crew James Pocock X his mark Witness: J McCallum? Above evidence was taken before Assistant Immigration Agent exclusively</p> <hr/> <p>[p 851] Members present: Mr Kemball – Captain Geary – Dr Hobbs <u>August 18th</u> <u>John Stack</u> cross examined by Captain Slawson: I did not see Captain (you) when I was ducked – Neptune was down between decks the night before – he went through & examined passengers, I mean to see if their hands & faces & clothes were clean. [Margin: A.C.K] About five of the crew ducked me, but I could not tell who they were, two or three of them afterwards told me they were sorry for it. [pp 852] I can not tell whether they shaved me out of spite or not. I did not complain to Captain (you) neither at the time nor afterwards – I always received kind treatment from Captain (you) I don't know names of crew who shaved me, I don't know names of more than two or three out of the whole crew <u>By the Surgeon Dr Gun</u> I did [p 853] not express a wish that morning to be shaved along with the others who volunteered <u>By Dr Hobbs</u> I think ceremony was performed as a joke & not for annoyance. I think there were about forty shaved & ducked but I can not say whether all of their own free will or not. I did not call out for Doctor & Captain, but I struggled to get away from crew. They hurt me by sticking pins in my nose & [p 854] [Margin: John Stack] making it bleed. I was not so seriously hurt as to complain to Surgeon <u>By Captain Slawson</u> Francis Robinson [as it is] states – I was an immigrant on board “<i>Mary Pleasants</i>” I saw Stack shaved when we crossed the line. I don't know whether it was of his own free will or not. All the others were ducked of their own free will. I did not hear Stack say that he wished to be shaved <u>Cross examined by Dr Hobbs</u> I was shaved – there were about twenty [p 855] shaved for the novelty [A.C.K.] of the thing. I did not see Neptune go down the decks the night before, I saw him on top beck – ceremony was intended as a joke – I did not hear of any one being hurt by it</p>		

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			Assistant Immigration Agent, Moreton Bay	Government Immigration Office, Sydney H H Browne	1857 08 26	<p><u>By Mr Kembal</u> When Neptune went down the night before I did not see any ducking going on nor pails of water thrown over the people - Francis Robertson [as it is]</p> <p><u>By the Captain</u> <u>George Harris</u> states - I was an Immigrant on board "<i>Mary Pleasants</i>"</p> <p>[p 856] I did not see Stack shaved. I saw several of the Immigrants shaved of their own free will, as well as myself – I heard no one complaining after the shaving was over – there was no row or riot during the time</p> <p><u>By Dr Gun</u> I saw Neptune go down between decks the night before – walk a little way & go back again he was not many minutes</p> <p>[p 857] between decks. I saw Stark after he was shaved he was wet, but he did not complain further than observing it was a nasty taste in his mouth</p> <p><u>By Mr Kembal</u> There were women on deck whilst the duckings was going on but I can not say whether they were single or married – He, Neptune did not enter single women's apartment - George Harris</p> <p>[p 858] [Cover sheet] Evidence/ <i>Mary "Pleasants"</i></p> <p>"Copy" Acknowledging receipt of your report of 19th inst [see p 837] relative to certain irregularities which occurred on board "<i>Mary Pleasant</i>" [as it is] Immigrant Ship on her voyage to Moreton Bay: informing you that after careful review of evidence taken by Local Board, it appears usual Certificate cannot be granted in this case, but an exception should be taken in Certificate to the effect that 27th Clause of Charter Party had been violated by Master of the vessel permitting one of the emigrants to be molested on crossing the line</p> <p>2. Entirely concur in view taken by Board that willingness of Stack to undergo the ordinary ceremony on crossing the line was no reply to the impropriety of offence committed, & it is only therefore for Board to decide what amount of penalty should be inflicted on parties implicated for the offence, & whether such penalty should fall on Charterers of the ship, in conformity with provisions of Charter Party, or on Master & Surgeon, who gave their tacit assent to irregularity being carried out</p> <p>3. Should decision of Local Board be in favour of latter course, it will be necessary that you should inform me what amount of penalty Board desire to record, & in what proportions the same should be deducted from gratuities of Surgeon & Master of the vessel</p> <p>4. In conclusion adds that although you bear testimony to the fact that evidence is before you to prove that Surgeon & Master have possessed during the voyage characters much to their advantage, I am still constrained to the opinion that they are both to blame for consenting to a violation of any of the Clauses of the Charter Party, & more particularly to the one under notice, which was framed by Commissioners, no doubt after mature consideration, to prevent possibility of any disturbance on board</p>		859 – 862
			The Immigration Agent	Government Immigration Office, Moreton Bay	1857 09 09	Letter enclosing copy of decision which Local Immigration Board have arrived at respecting charge preferred by John Stack an Immigrant per		863 – 864

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				A C Kemball Assistant Immigration Agent		<p><u>"Mary Pleasants"</u> [No 57/313] <u>Captain Geary</u> having declined coming to any conclusion in the matter without assistance of Chairman, Captain Wickham, true gentleman, at his special request, attended. As Chairman had not been present during any period of Enquiry in question, my report to you of 19th ult was read to him & your reply to the same, together with Minutes of Board, & Dr Gun's letter addressed to him from Sydney, were likewise submitted to his consideration Ships papers (of <u>"Mary Pleasants"</u>) have been signed by Government Resident with a qualification in Certificate according to your suggestion I shall refrain from pressing upon your consideration certain circumstances which have arisen out of Enquiry referred to, until decision of Government is made known to me relative to Dr Hobbs resignation, as member of Board & Notes in margin <u>"Mary Pleasants"</u> Acknowledge receipt of this decision & say I will now recommend report for approval of Governor General. Let report be now transmitted for approval of Government & as soon as Governor General's decision is received let balance of the several gratuities be paid as Noticed by recommendation of Local Board</p>		
				Government Immigration Office, Moreton Bay	1857 09 14 1857 09 08	<p>"Copy" Referred to in letter dated Sept.9, 1857, No 57/312 [as it is] – from the <u>Assistant Immigration Agent Moreton Bay to the Immigration Agent Sydney</u> At an adjourned meeting of the Local Immigration Board held this day, present – Captain Wickham, Chairman - Captain Gearey [also Geary] – Mr Kemball "The Board expressed their opinion relative to charge preferred by John Stack, immigrant per <u>"Mary Pleasants"</u> against Master & Surgeon of that vessel for their having permitted the ceremony of shaving & ducking on crossing the line, on which occasion he, John Stack, was molested, viz – First – That no penalty should be inflicted on the owners of the vessel Secondly – That in consideration of satisfactory manners in which Master & Surgeon conducted themselves, & performed their respective duties, generally, a deduction of twenty (20) pounds from gratuity of Surgeon Superintendent, & of ten (10) pounds from that of Master, will be sufficient to convey their disapprobation of breach of Charter Party which has been proved in the present case" (signed) J C W, W H G, A C K True copy – A C Kemball, Assistant Immigration Agent [57-312]</p>		865 – 867
	57/03872	1857 09 24	Under Secretary to the Government	The Treasury, New South Wales Henry Lane	1957 09 24	<p>Letter in reply to your B C reference on letter from Treasurer of Brisbane Hospital of 28th ult [Margin: 57/03625 submitted – see p 806 -807] applying for insertion on Supplementary Estimates of £800 for repairs of Hospital Buildings & erection of additional ward, etc {No 167}: instructed by Treasurer to state that, if, on remodelling these Estimates, it be found that Finances admit, application will be favourably considered, subject of course to condition under which grants in aid of Charitable Institutions are usually entertained by Government [Margin: Communication may perhaps be made to Treasurer of Brisbane Hospital to this effect – 24th – "C C"] Letter of 28th August is retained [57/03625] for purpose of being again submitted to Hon Minister of Finance and Trade</p>	A2.38	868 – 869

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					1857 09 29	& Note in margin - Treasurer Brisbane Hospital		
					1857 10 31	Notes re above Note has been sent to Treasury to know what has been done in this case, as it does not appear on additional Supplementary Estimate See enclosed note. This appears to be intended to be provided for in Estimates for 1858 – Put by for Treasurer [<i>very faint & crossed out</i>]		870
			W Elyard	Treasury Henry Lane	1857 11 02-	Note informing sum of £800 "Repairs & additions to the Brisbane Hospital" is included in revised Estimate for 1858 about to be sent down to Assembly		871
						CONTINUED ON REEL NO A2.39		

NOTES

~ Have used this symbol throughout when I have “assumed” details which have not been provided – e.g. “Hon CS” has been omitted on document
See also “Dates”

CS REF NUMBERS

For **SORTING** purposes, I have entered CS Reference Numbers to five places 00001 - 10000

For **FINDING** purposes I have inserted 0s in the Contents where CS ref Numbers have been cited

DATES

Format used throughout is **YEAR MONTH DAY** – one space between

~ Used to indicate dates which are incomplete on document, usually in Notes e.g. 31 Mar - assumption made as to year

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