

# The Present Picture of New South Wales

Mann, D. D. (David Dickenson), (b. 1775? )

A digital text sponsored by  
Australian Literature Gateway

University of Sydney Library  
Sydney

2003



<http://purl.library.usyd.edu.au/setis/id/manpres>  
© University of Sydney Library. The texts and images are not to be used for  
commercial purposes without permission

**Source Text:**

Prepared from the print edition published by John Booth London 1811 99pp.

---

All quotation marks are retained as data.

First Published: 1811

*Australian Etext Collections at prose nonfiction Early Settlement*

**The Present Picture of New South Wales**  
**London**  
**John Booth**  
**1811**

## To John Hunter, Esq.

VICE-ADMIRAL OF THE BLUE,  
AND LATE  
CAPTAIN-GENERAL AND GOVERNOR IN CHIEF IN AND OVER HIS  
MAJESTY'S  
COLONY OF NEW SOUTH WALES AND ITS DEPENDENCIES,  
&c. &c. &c.  
SIR,

DURING the period of your government, the settlements of New South Wales beheld the sunshine of their prosperity. The liberal and enlightened measures adopted by you, consolidated the happiness, and increased the security of the colony; and the tears which were shed at your departure were the most grateful tributes which could be paid to your exalted worth.

These considerations justify my selection of you as the Patron of this sketch; but, if a stronger motive were necessary, I have only to retrace the numerous and weighty instances in which you have displayed the most marked attention to my personal interests, and which will ever induce me to avow myself,

With every sentiment of respectful admiration,

SIR,

Your very obliged, and faithfully devoted servant,

D. D. MANN.

35, *Queen-Street, Edgware-Road,*

*Oct. 13, 1810.*

# Contents

CHAPTER I.	PAGE
<i>Discovery of New South Wales. — Arrival of a Colony there from England. — Obstructions calculated to retard the Progress of the Settlement. — Departure of Governor Phillip. — Intervening Governors, until the Arrival of John Hunter, Esq. and his Assumption of the Government. — Printing Press set up. — Cattle lost, and Discovery of their Progeny in a wild State. — Playhouse opened. — Houses numbered. — Assessments for the building of a County Gaol. — Town Clock at Sydney. — Natives. — Convicts. — Improvement of the Colony. — Seditious Dispositions of the Convicts. — Departure of Governor Hunter. — His Character and Government. — Comparison of Stock, &amp;c. — Governor King assumes the Command of the Settlement. — Table of Specie. — Vessel laden with Spirits sent away. — Earthquake. — Inundation at Hawkesbury. — First Criminal for Forgery executed. — Atlas struck by Lightning. — Tempests. — Desertions of the Convicts. — Newspaper established. — Murders. — Singular Execution. — Lieutenant-Governor Collins forms a new Settlement. — Insurrection of the Convicts. — The Introduction and Progress of Vaccination, and its subsequent Loss. — Influx of the Sea at Norfolk Island. — Limits of Counties defined. — Ship overset in a Tempest</i>	1–16
CHAPTER II.	
<i>Abstract of General Orders. — Arrival of Governor Bligh. — George Barrington. — Blue Mountains. — Journey thither. — New Market at Sydney. — Vessels seized and carried away by the Convicts. — Cruelty of the Savages in Bateman's Bay. — Arrival of Masters for the Orphan Schools. — New Store-house built. — Murders</i>	16–37
CHAPTER III.	
<i>Present State of the Colony:-</i>	Page
<i>Agriculture, &amp;c.</i>	37
<i>Prices of Provisions and Ration</i>	41
<i>Trade and Manufactures</i>	42
<i>Population</i>	45
<i>Natives</i>	46
<i>Climate</i>	46
<i>Natural History</i>	49
<i>Religion</i>	52
<i>Morals</i>	53
<i>Amusements</i>	54
<i>Military Force</i>	55
<i>Building; with Reference to the particular Houses, &amp;c. of the Individuals</i>	56
CHAPTER IV.	
<i>Hints for the Improvement of the Colony</i>	62

# The Present Picture of New South Wales 1811

## Chapter I.

*Discovery of New South Wales. — Arrival of a Colony there from England. — Obstructions calculated to retard the Progress of the Settlement. — Departure of Governor Phillip. — Intervening Governors, until the Arrival of John Hunter, Esq. and his Assumption of the Government. — Printing Press set up. — Cattle lost, and Discovery of their Progeny in a wild State. — Playhouse opened. — Houses numbered. — Assessments for the building of a Country Gaol. — Town Clock at Natives. — Convicts. — Improvement of the Colony. — Seditious Dispositions of the Convicts. — Departure of Governor Hunter. — His Character and Government. — Comparison of Stock, &c. — Governor King assumes the Command of the Settlement — Table of Specie Vessel laden with Spirits sent away. — Earthquake. — Inundation at the Hawkesbury. — First Criminal for Forgery executed. — Atlas struck by Lightning. — Tempests. — Desertions of the Convicts. — Newspaper established. — Murders. — Singular Execution. — Lieutenant — Governor Collins forms a new Settlement. — Insurrection of the Convicts. — The Introduction and Progress of Vaccination, and its subsequent Loss. — Influx of the Sea at Norfolk Island. — Limits of Counties defined. — Ship overset in a Tempest.*

THE discovery of the eastern coast of New Holland was the result of that laudable and beneficial spirit of enterprize and investigation, which conferred on the name of Captain Cook so just a claim to posthumous gratitude and immortal renown. Four months of his first voyage round the world, this celebrated circumnavigator dedicated to the exploration of this hitherto unknown tract of the universe, stretching, from the north-east to the south-west, to an extent of nearly two thousand miles, to which he gave the name of *New South Wales*. After hovering about the coast for some time, he at length came to an anchorage in the only harbour which appeared to him commodious; and which, in consequence

of the innumerable varieties of herbage which were found on shore, he called *Botany Bay*. In this spot he remained some days, employing himself in making those observations which suggested themselves to his capacious mind; and, from his report of the situation of the country — of its apparent extent, climate, and surface, the British Government was induced to relinquish those intentions which had been previously entertained, and to fix upon this spot, as the best adapted for the establishment of a settlement, whither those unhappy delinquents might be conveyed, whose offences against the laws had rendered their further residence in their native land, incompatible with the welfare of society.

According to this determination, Governor Phillip was sent to this new continent, where he arrived on the 20th of January, 1788, with eight hundred convicts, and a portion of marines, and laid the foundation of the new settlement, which continued gradually to improve under his government, until the close of the year 1792. Numberless obstructions existed, during this early period, to check the growth of the colony; amongst the principal of which may be remarked: — 1st, the discordant materials of which the settlement was to be constructed; 2dly, the disputes with the natives; and 3dly, the occasional pressure of want, which, for a long time, was unavoidable, on account of its remoteness from the European quarter. The continual disorders amongst the convicts, which no lenity could assuage, no severity effectually check, were injurious to the well-doing of the colony, whose true interests required a combination of reciprocal confidence and mutual exertion; but on men inured to crime, and hardened in guilt — on men almost divested of the common principles and feelings of their species — on those whom a course of depravity had rendered obnoxious to every other pursuit, it was not possible to make impressions of a liberal and enlightened nature. Their intentions uniformly tended to vice, and no good was to be expected from them, except such as was the effect of compulsory measures; so that the task which industry might have achieved with comparative ease, proved, under existing circumstances, a work of difficulty, requiring time and perseverance to bring it to the desired perfection. It was not to the commission of depredations upon each other that the restless and dishonest dispositions of the convicts confined themselves, even the poor and miserable natives of the country were made the dupes of a system of knavery which they could not penetrate; and their spears, their shields, their canoes, and their persons, were equally exposed to the violence of the new settlers. It was easy to foresee the consequences of such conduct: the natives at first discovered symptoms of justifiable reserve, and subsequently adopted steps of an hostile complexion, several unfortunate convicts being found murdered in the woods. In vain did the governor issue order after order, and proclamation after proclamation; insults still continued to be offered to

the natives, and such acts of retaliation ensued as circumstances would allow. Governor Phillip, himself, was wounded by a spear which one of the savages threw at him, under the influence of a momentary apprehension. Another evil to which the colony was subjected, arose from the pressure of occasional scarcity, which relaxed the sinews of industry, where it did exist, or strengthened the pretexts of indolence: when men were reduced from a plentiful allowance, to a weekly ration, which scarcely sufficed to preserve existence; when the storehouses were almost empty of provisions, and the boundless ocean presented no object of relief to the aching and strained eyes of the sufferers; and when the busy mind painted to itself the dangers, inseparable from a voyage of such length, which might intervene to delay the arrival of succours, until horror and wretchedness should have been heightened to the utmost; no inclination to laborious exertion existed, and no hand had the power to wield and employ the implements of toil. The progress of the settlement towards maturity was necessarily retarded; and the operations which proceeded, at these periods of general debility, were compelled to move with a slowness which afforded but a faint promise of speedy perfection. Under this combination of disadvantages, it affords proof of no common perseverance to find, that the settlement had been scarcely established four years, before two towns were formed, and the colony seemed rapidly advancing to the appearance of maturity.

Governor Phillip sailed to England on the 11th of December, 1792, when Lieutenant-Governor Grose succeeded to the government; and, during his period, the improvements in the settlement assumed a more decisive and favourable aspect. The settlers were now enabled to sell corn to the public stores, all of which the commissary received directions to purchase at a given price: passage-boats were licensed and established between the towns of Sydney and Parramatta, and the number of settlers began to increase in a rapid portion. On the 15th of December, 1794, Lieutenant-Governor Grose left the colony for England, and Captain Paterson, of the New South Wales corps, assumed the government until the arrival of Governor Hunter, who came out in the *Reliance*, on the 7th of September, 1795, and entered upon the functions of his important office without delay.

One of the first acts of the new governor was the establishment of a printing-press, the advantages of which soon became obvious, in the more ready communication of all orders for the regulation of the settlement.

The bulls and cows which had been originally brought over to the new continent had, by the carelessness of their keeper, been suffered to stray into the woods, and every subsequent search after them had proved ineffectual until this period, when a fine and numerous herd of wild cattle was discovered in the interior of the country, which was evidently

the progeny of the animals which had been so long lost to the colony. The protection of this wild herd and its increase became a matter of public interest, since it would, hereafter, serve as a valuable resource, in case of necessity; and measures were accordingly adopted to prevent any encroachment on that liberty which it had preserved above seven years.

In the commencement of the year 1796, a play-house was opened at Sydney, under the sanction of the governor, who, while he laboured to promote the public weal, was not less anxious to extend to individuals the enjoyments and privileges which were compatible with the good of the colony. Towards the close of the same year, the houses in Sydney and Parramatta were numbered, and divided into portions, each of which was placed under the superintendance of a principal inhabitant. The county of Cumberland was assessed, a few months afterwards, for the erection of a country gaol; and the peaceable inhabitants of the colony had the speedy satisfaction to perceive a building of such utility put into hand; for such had been the recent increase of crimes, and so greatly had the settlement been annoyed by the desperate and atrocious conduct of the disorderly part of the community, that it became an object of necessity to adopt some stronger measures than those which had hitherto been put in force, to secure the prosperity and tranquillity of a community which was now so rapidly growing in extent and importance. A town-clock was also erected in Sydney, a luxury which had been hitherto unknown, and affords evidence of the gradual maturation of the settlement; and, indeed, the whole of this enumeration is calculated to impress the reader with an idea of the rapid strides which the few last years had enabled the colonists to make in the path of respectability. The natives had been, of late years, perfectly reconciled to their new countrymen; and, although their attachment to their accustomed habits and situations induced them to abstain from taking up new residences, and from mixing indiscriminately with the Europeans, they had become comparatively social, and commenced an intercourse which was calculated to rivet the prosperity of the colony. Those insulting attacks and sanguinary recriminations which had disgraced the earlier years of the establishment, no longer existed, to disturb the tranquillity and excite the alarms of the settlers; many of the convicts had reformed their lives, and, instead of being examples of depravity, had turned to habits of industry, and endeavoured to benefit that society on which they had formerly preyed; while the apprehensions of famine had entirely vanished before the improvements in the agriculture of the country: the stock had increased wonderfully; the granaries and storehouses were amply supplied; and the ground brought forth more produce, as its nature became better understood, and the most advantageous methods of tillage were discovered.

The peace of the colony was threatened, however, in the year 1800, by

the seditious conduct of a number of Irish convicts who had recently arrived in this country, and who had laboured, with ceaseless exertions, to disseminate their pernicious and absurd doctrines amongst the prisoners. They had assembled frequently for the purpose of accelerating their diabolical views, and a Roman Catholic priest, named Harold, who was discovered to be one of the instigators and originators of the scheme of insurrection, was taken into custody. Voluntary associations were embodied, and every measure of prudent precaution was promptly adopted, to prevent the expansion of principles which are totally subversive of all order, and of the best interests of civilized society. It may easily be supposed, that amongst such characters as composed the colony, there must be numbers to whom these sentiments of insubordination must be congenial, and who would eagerly grasp at any projects, however absurd and impracticable, the proposed object of which was their emancipation from the punishment which their crimes had drawn upon them. Men who have obtained a proficiency in crime, and are callous to the voice of conscience, science, are seldom very choice as to the degree of the criminality which they are inclined to commit; and it is highly creditable to Governor Hunter's prudence and skilful management, that the settlement was at this moment preserved from the horrors and consequences of internal commotion.

In September, 1800, Governor Hunter quitted the colony, having exercised the functions of government for the space of five years; during which his attention to the interests of the settlement was most unremitted; his humanity and condescension rendered him inestimably dear to every bosom, which confessed the influence of grateful feelings; and his cheerful vivacity and private worth caused him to stand highly in the estimation of those who were honoured by a participation in his hours of recreative enjoyment. The necessary consequence of his abstracted devotion to the service of the settlement, for a long period, was the obtainment of a thorough knowledge of every subject connected with its welfare; and in the application of that knowledge to the practical improvement of the settlement, no man could have been more happy, none more eminently successful. A more forcible illustration of the truth of this remark will, however, be found in the following statements of the situation of the colony before and after Governor Hunter's residence there, in an official capacity; and I am the more readily induced to give these details, as the reader may thence be enabled to form a judgement, by comparison, of the progressive prosperity of the colony, subsequent to that period, until the commencement of the year 1809, the date and termination of the facts which I shall elicit in the succeeding pages.

At the close of the year 1795, the public and private stock of the colony consisted of 57 horses and mares, 101 cows and cow-calves, 74 bulls and bull-calves, 52 oxen, 1531 sheep, 1427 goats, and 1869 hogs: exclusive

of this statement, the poultry was exceedingly numerous. The total of the land in cultivation amounted to 5419 acres; the quantity of which sown was somewhat below 3000 acres. At this period the storehouses were exhausted so completely, that, on the arrival of Governor Hunter, there were no salt provisions left in store, and the allowance of other food was much reduced; the state of the colony seemed about to assume a retrograde movement, and it was only the speedy arrival of a storeship at this critical and distressing moment, which saved it from destruction, in the eighth year of its establishment.

But at the commencement of the nineteenth century, the state of the settlement was abundantly more prosperous. The live stock at this period, in the public and private possession, amounted to the following numbers: — 60 horses, 143 mares; 332 bulls and oxen, 712 cows; 2031 male sheep, 4093 females; 727 male goats, 1455 females; 4017 hogs — a prodigious multiplication of the means of subsistence in about five years! The quantity of land sown with wheat was 4665 $\frac{3}{4}$  acres, of Indian corn 2930, and of barley 82 acres. In New South Wales and Norfolk Island the numbers of the colony had been swollen to the amount of six thousand, and the general prosperity appeared rapidly increasing.

The moment of the governor's departure was a moment of sorrowful agitation: loved and honoured by all, he was attended by a numerous train of civil and military officers, as well as a long concourse of the grateful inhabitants, who, at this distressing instant, marked in the most unequivocal manner the sense they entertained of his public worth and his private benignity.

On the secession of Governor Hunter, the government of the settlement devolved to Governor King, who had arrived from England in the *Speedy*, a few months previous to this time. Soon after his accession to this dignity, a quantity of copper coin was received from England and put into circulation, upon which occasion the following table of specie was issued: — A guinea, one pound two shillings, a johannes, four pounds; a half ditto, two pounds; a ducat, nine shillings and sixpence; a gold mohur, one pound seventeen shillings and sixpence; a pagoda, eight shillings; a Spanish dollar, five shillings; a rupee, two shillings and sixpence; a Dutch guilder, two shillings; an English shilling, one shilling and one penny; a copper coin of one ounce, two pence; a ditto of half an ounce, one penny; and a ditto of a quarter of an ounce, a halfpenny. No sum exceeding five pounds, in the copper coin, was to be considered as a legal tender; and the exportation or importation of copper coin above that amount, was prohibited under a penalty of thrice its value.

The criminal addiction to the use of spirituous liquors had become so rooted, and was productive of such evil consequences, as to require some vigorous exertion to check its still further increase. In the month of December, 1800, two vessels laden with these destructive cargoes

arrived in the harbour; but the governor, with a spirit and prudence creditable to his resolution and judgment, refused them permission to land the poisons, and forced them to quit the settlement before any evil consequences could ensue from their arrival. The variety of afflicting casualties consequent upon the immoderate use of these pernicious fluids, and their introduction of dreadful and fatal disorders, were considerations sufficient to justify the governor's conduct in this instance, to every rational mind.

On the 17th of January, 1801, the settlement was menaced with destruction by the shock of an earthquake, which was felt severely through the whole colony, but, providentially, produced no injury. A slight concussion had been felt in the month of June, 1788; but never, until this moment, had the alarm been repeated. The affrighted inhabitants rushed out of their houses, in momentary expectation of destruction; nor did they dare to return until the shock had passed by, and the apprehensions which it had produced had entirely subsided.

In the earlier days of the settlement, the settlers on the Hawkesbury (a river of great extent in the interior of the country, the course of which is traced in the annexed chart) had been much annoyed by the frequent overflowings of that capacious river. In the month of March, 1801, the most severe visitation of this nature had occurred, which had destroyed the promise of an abundant harvest, spread desolation through the farms in that district, destroyed numerous habitations, and caused the loss of several of the unfortunate settlers and others. At the melancholy period alluded to, the colony in this quarter was just reaching a degree of ease and comfort, from the judicious plans put into execution by that "father of the people" Governor Hunter, and the assistance he gave them as an encouragement to industrious exertion. Scarcely, however, had they begun to revive after this calamity — scarcely had they repaired the ravages occasioned by this tremendous inundation — scarcely had the desolated lands once more confessed the power of cultivation, before those ill-fated settlers were doomed to experience a repetition of the destructive calamity; and on the 2d of March, 1801, the river again overflowed its banks, and rushed impetuously to renew its former devastations. Flocks and herds were swept away by its irresistible influence; the houses, which had been re-built, were once more levelled to the earth; and a settler was deprived of his existence, after witnessing the catastrophe which had robbed him of the whole of his possessions. The waters of the Hawkesbury, at those periods of inundation, would rise seventy or eighty feet above their accustomed level; and it is easy for the mind to picture to itself the inexpressibly mournful consequences which must necessarily accrue from such a circumstance. Neither was this overflowing an event of rare occurrence, but was to be constantly expected after a long continuance of the rainy seasons, when the torrents

which rushed from the mountainous ridges which overlooked the channel of the river never failed to produce a rapid swelling of its waters, and to cause an inundation of greater or less extent, and injury more or less destructive to the inhabitants of its vicinity.

Amongst the crimes which existed in the settlement, that of forgery had recently made its appearance, and bills of a counterfeit description had been offered in the markets; and, at length, one of these forged draughts was traced to its source, and the delinquent was immediately apprehended and brought to trial for an offence so heinous in its nature, and so fraught with mischief in its consequences. Sufficient proof being adduced to place the prisoner's guilt beyond doubt, sentence of death was passed upon him, and the execution took place on the 3d of July; it being considered an act of necessary justice to make a severe example of the offender, in this case, in order to check in its infancy the growth of a practice, pregnant not only with general evil, but with individual ruin. Of all the different species of delinquency which had found their way into the colony, this might be considered as second to none but murder: the house-breaker and the midnight robber might be guarded against, and counteracted or detected immediately, the mischief was at most limited, and might be calculated; but the introduction of a system of forgery threatened more widely-wasting injuries: it required more than common vigilance, more than common perseverance, to discover a fraud of this description; and it was scarcely possible to ascertain the precise extent which it embraced, or to mark the end of its destructive progress. It was therefore, under this impression, considered expedient to make a severe example of the first offender who had been brought to trial, in order, if possible, to deter others from the pursuit of such an iniquitous career. A solitary sacrifice might prove salutary to future thousands.

The storms of thunder and lightning are sometimes particularly terrific, but have seldom been productive of much damage. In some few instances, indeed, individuals had been killed by the electric fires, but these accidents have generally resulted from the too common and dangerous mode of seeking shelter under trees, which attracted and directed the lightning to its object, instead of affording that security which was sought for. A very singular circumstance happened at the close of the spring of 1802, when the *Atlas*, a ship commanded by Mr. Thomas Musgrove, was stricken by a flash on the 5th of November, and, although the bottom of the ship was immediately perforated by the stroke, not a man on board received any material injury: such a singular instance is almost without its parallel. At other periods, the tempestuous gales which have been experienced surpass the conception of those who have never witnessed the boisterous and tumultuous agitation of nature. Hailstones, exceeding six inches in circumference, have frequently fallen with such violence as to destroy the windows of those habitations which

had neglected the adoption of measures of security, to kill the poultry, and lay level with the earth the shrubs and the corn. In fact, storms of this description never fail to occasion the most extensive devastation, and to commit injuries to the settlers, which the labour of months is scarcely sufficient to overcome.

An absurd notion had uniformly existed amongst the convicts that it was possible, by penetrating into the interior, to discover a country, where they might exist without labour, and enjoy sweets hitherto unknown. This ridiculous opinion had induced numbers, since the establishment of the colony, to desert their employment, and to trust themselves in forests which were unknown to them, and where they generally wandered until the means of supporting further fatigue had failed them, and they perished from want — until they became the victims of the natives who fell in with them — or surrendered themselves to the parties who were sent in pursuit of them. Such was commonly the termination of these chimerical expeditions; yet these consequences were unable to expunge the impression alluded to from the minds of these obstinate people, and, in February, 1803, fifteen convicts once again ventured into the woods from Castle Hill, in search of this undiscovered country. Many of these bigotted fugitives were subsequently re-taken, after enduring every fatigue and privation which human nature is capable of sustaining; after bearing the complicated hardships of want, weariness, and pain; their feet blistered and bare, their hopes destroyed, their perseverance completely worn out, and their restless dispositions perfectly corrected into submission.

The art of printing had been gradually improving from the period of its establishment, by the judicious care of Governor Hunter, and its advantages became daily more and more obvious. On the 5th of March, “The Sydney Gazette” was instituted by authority, for the more ready communication of events through the various settlements of the colony. The utility and interest of such an establishment were speedily and universally acknowledged; and its commencement was soon succeeded by the publication of an almanack, and other works calculated to suit the general taste and increase the general stock of amusement. The general orders were also issued through the medium of the press, and a vigilant eye was kept upon it, to prevent the appearance of any thing which could tend to shake those principles of morality and subordination, on the due preservation of which depended the individual happiness, and the public security of the settlement; and which could be in no danger of subversion, until the press should become prostituted to base designs — a period much and sincerely to be deprecated by every real friend to the colony.

In the month of August, a most inhuman murder was committed on the body of Joseph Luken, a constable, who, after going off his watch at the

government-house, was beset by some villains who still remain undiscovered, and who buried the hilt of his own cutlass very deeply in his head. I was the second person at the spot, where the body of the unfortunate man was discovered; and, in attempting to turn the corpse, my fore-finger penetrated through a hole in the skull, into the brains of the deceased. Every possible search was made to discover the vile perpetrators of this diabolical act, but to no purpose, the measures of escape had been too well planned to be thwarted. Even the governor himself attended, and gave directions for the drums to beat to arms; the military to stop all avenues leading from the town, and different officers to search every house; but, although several were apprehended, no conviction could be brought home. Soon afterwards, another murder was committed on the body of a man belonging to one of the colonial craft, named Boylan. It appeared that he had been in a part of the town, called "The Rocks," and had been struck with some heavy weapon on the head, of which he immediately died. Upon this occasion, I sat as foreman of the jury, which was summoned soon after daylight, and continued to sit until nearly one o'clock the next morning, when two men and a woman were committed for trial; and a third man, in the progress of the investigation, was sent to gaol for prevarication. When the prisoners were arraigned at the bar, they all pleaded "Not guilty;" and, after an impartial trial, were acquitted. The singularity and cruelty of this man's murder appeared to be equal to that of Luken. A third murder was committed, nearly at the same time, by a woman named Salmon, on the body of her own child. It appeared that she wished to conceal her pregnancy; and, after delivering herself, had thrown the infant down the privy, where it was smothered. Suspicions of her situation having, however, been entertained by some persons, an investigation took place, and the body of the child was discovered. The woman was too ill to be brought to trial, and her subsequent dissolution rendered that event unnecessary: before her death, however, she made confession of her crime; and her body was afterwards carried to a grave under the gallows, by men belonging to the jail gang, with the greatest ignominy; nor was it without the greatest exertions of the police, that the corpse was permitted to be carried along the streets, so great was the abhorrence expressed by the inhabitants at the idea of such an unnatural, detestable, and abominable offence.

In the month of September, Joseph Samuels, who had been convicted of a burglary, was three times suspended: the rope first broke, in a very singular manner, in the middle, and the suffering criminal fell prostrate on the ground; on the second attempt, the cord unrove at the fastening, and he again came to the ground; a third trial was attended with no better success, for at the moment when he was launched off, the cord again snapped in twain. Thomas Smyth, esq. the provost-marshal, taking

compassion on his protracted sufferings, stayed the further progress of the execution, and rode immediately to the governor, to whom he feelingly represented these extraordinary circumstances, and his excellency was pleased to extend his majesty's mercy. Samuels was afterwards transported to another settlement, in consequence of his continuance in his dishonest career, and has subsequently lost his life on the coast, in making an attempt to escape from the colony.

In the month of October, Lieutenant-Governor Collins arrived to form and command a settlement at Port Phillip: he was accompanied by detachments of marines and convicts; but the situation being found particularly ineligible, after communicating with the governor in chief, he removed to the river Derwent, where he arrived on the 19th of February, 1804, and a very extensive settlement was speedily formed there; as, in addition to the numbers of persons he took with him, a great many settlers and others went thither from Norfolk Island, since that place had been ordered to be evacuated. In the following April, a new settlement was formed at the Coal River, now called King's Town, Newcastle District, the county of Northumberland, and a short distance to the northward of Port Jackson. Previous to this period, some form of government had been adopted at that place, in order to enable vessels going there to procure cedar and coals with greater facility; but, on account of the increasing trade, the governor considered it expedient to found a regular settlement, and thus to establish a commercial intercourse of greater importance.

At the commencement of the year 1804, the tranquillity of the colony experienced some interruption. I have mentioned in the beginning of this chapter the circumstances of the importation of Irish convicts in the year 1800, and of their attempts to disseminate amongst their fellow-prisoners the seeds of insubordination and riot. The vigilance and prudence of Governor Hunter, at that time, checked the rapid progress of the flame of sedition; but, although apparently extinguished, the fire was only smothered for a time. Discontent had taken root, and its eradication was a matter of more difficulty than could have been foreseen. The most unprincipled of the convicts had cherished the vile principles of their new companions, and only waited for the maturity of their designs to commence the execution of schemes which involved the happiness and security of the whole colony. The operations of these disaffected persons had hitherto been conducted with such secrecy, that no suspicion of their views was entertained, until the 4th of March in this year, when a violent insurrection broke out at Castle Hill, a settlement between Parramatta and Hawkesbury, and the insurgents expressed their determination to emancipate themselves from their confinement, or to perish in the struggle for liberty. Information of the extent and alarming appearance of this mutiny having reached the governor, it was deemed necessary, on

the following day, to proclaim martial law; and a party of the troops, under the command of Lieutenant-Colonel George Johnston, were directed to pursue the rebels. After a long march, the military detachment came up with the insurgents, near the Ponds, about half-way between Parramatta and Hawkesbury, and a short parley ensued, when the Colonel found it necessary to fire upon them; and, after killing several of the misguided rebels, and making prisoners of the principals who survived, the remainder made a rapid retreat. Ten of the leaders of this insurrection, who had been observed as particularly conspicuous and zealous in their endeavours to seduce the rest, were tried on the 8th of March, and capitally convicted. Three were executed on the same evening at Parramatta, since it was justly concluded, that measures of prompt severity would have a greater effect upon the minds of those who had forsaken their allegiance. On the following day, two other rebels were executed at Sydney, and three at Castle Hill: the two remaining criminals were respited, as they were the least corrupted, and had discovered symptoms of sincere remorse for the part which they had taken in the late operations. On the 9th, martial law was repealed; and from that moment no disturbance has again broken in upon the peace of the settlement of a serious nature, although it would be too much to suppose that the seeds of insubordination and disorder were entirely eradicated by the frustrated event of the first endeavour. Men of such desperate characters as are to be found in this colony, are not to be intimidated by punishment, nor discouraged by failure from the pursuit of that career of depravity, which is become dear to them from habit; nothing short of death can destroy, in those minds, the affection for vice, and the determination to gratify their ruling passion, in spite of obstacles, however alarming, or opposition, however strenuous and vigilant. Mr. Dixon, a Roman Catholic priest, who had been sent under an order of transportation from Ireland, for his principles, accompanied Colonel Johnston on this service, and proved to be of some utility in bringing back the insurgents to a proper sense of their duty. It cannot be too much to say, that the conduct of Mr. Dixon, before and after this business, was strictly exemplary.

In May, the blessings of vaccination were introduced into the settlement, and all the young children were inoculated with success; but unfortunately, by some means as yet unaccounted for, the virtue has been lost, and the colony has been once more left without a protection from that most dreadful of all disorders, the small-pox; of the fatal consequences of which the natives have more than once afforded the most dreadful evidence, their loathsome carcasses having been found, while this disorder was prevalent amongst them, lying about the beach, and on the rocks. In fact, such is the terror of this disorder amongst these untutored sons of nature, that, on its appearance, they forsake those who

are infected with it, leaving them to die, without a friend at hand, or assistance to smooth the aspect of death, and fly into the thickest of the woods. Their superstition leads them to consider it as an infernal visitation; and its effects are such as to justify this idea, in some degree, for it seldom fails to desolate and depopulate whole districts, and strews the surface of the country with the unburied carcasses of its wretched and deserted victims.

In September, the limits of Northumberland, and of Cornwall and Buckinghamshire, on Van Diemen's Land, where a settlement had been made during the last year, were defined; and the lines of demarkation were fixed as follow: — The line of demarkation between Cumberland and Northumberland is the parallel of 33. 2. south latitude; and the line of demarkation between Buckinghamshire and Cornwall, on Van Diemen's Land, is the parallel of 42. south latitude. On the 15th of the following month, Lieutenant-Governor Paterson sailed to make and command a settlement at Port Dalrymple; and, in the course of a short period, the colony had the satisfaction to hear of the foundation of two towns, Yorkton and Launceston, which are making their progress to perfection with considerable rapidity.

During the violence of a tempest in this month, a ship of five hundred tons, named the Lady Barlow, and belonging to Messrs. Campbell and Co. whilst lying in the Cove at her moorings, was completely overset by the irresistible fury of the gale; but, with some difficulty, she was raised again. Considerable damage also resulted from this tremendous storm in the interior of the settlement, where trees were rooted up, and the forests were almost depopulated of their most ancient tenants. Huts were blown down and houses unroofed, and the loss to numbers of the inhabitants was such as to afford a serious interruption to their prosperity.

In the month of May, 1805, Norfolk Island experienced a considerable influx of the sea, which, from the extraordinary nature of the occurrence, is worthy of mention. The tide first ebbed to a great distance; when, suddenly, an unusual swell was seen coming in, which occasioned considerable alarm to the colony, to whom such a circumstance was entirely novel: it rose to a great height, and retired to its channel. A second time it revisited the shore, and flowed to a more considerable height than before: a second time it retreated; and once again returned, with a fury surpassing its former efforts; paralyzing the spectators with terror, who were unable to imagine where the extraordinary swellings might pause. For the last time, however, the ocean left the shores, without having caused any material damage; and, in its regress, it opened the secrets of the deep, and displayed to “mortal ken” rocks which had remained until now undiscovered.

About this period, a mare, belonging to a settler named Roger Twyfield, at Hawkesbury, produced a foal, without any fore-legs, or the

least appearance of any: it lived for some time, fed very well, and, exclusive of its natural deficiency, was in every respect a remarkably well-made animal. Such a singular phenomenon in nature has no parallel in my recollection; and I believe it is the only instance of an imperfect or deformed progeny in the settlement. Previous to the death of this singular animal, an appearance of a horn was discovered sprouting from its forehead; assimilating it, in some degree, to the supposed unicorn.

## Chapter II.

*Abstract of General Orders. — Arrival of Governor Bligh. — George Barrington. — Blue Mountains. — Journey thither. — New Market at Sydney. — Vessels seized and carried away by the Convicts. — Natives. — Cruelty of the Savages in Bateman's Bay. — Arrival of Masters for the Orphan Schools. — New Storehouse built. — Murders.*

OF the General Orders which were issued for the government of the settlement, I shall here give the following abridgment, as it will shew to the reader the nature of the regulations which were adopted in the colony: —

*Agreements* — not cognizable, unless written and registered; being witnessed by one person, not a prisoner.

*Apprentices and Deserters* — forbid to be harboured or inveigled, under the penalty of six months hard labour, exclusive of penalties by law ordained, if free; and, if a prisoner, one hundred lashes, with other penalties, at discretion of a bench of magistrates.

*Arms and Ammunition* — prohibited to be landed without permission, under the penalty of forfeiting bond and charter-party.

*Assault.* — Every description of persons to obtain redress by action or indictment; and persons beating prisoners assigned them, to forfeit such future indulgence.

*Assignments* — not cognizable, unless drawn up at the judge-advocate's office and registered.

*Bakers* — to make bread of one quality only; viz. 24lbs. of bran to be taken from 100lbs. of wheat: to charge 4*d.* in money, or 2½lbs. wheat, for a loaf weighing 2lbs. 1oz. when new, and 2lbs. if one day old, under the penalty of 5*l.* and otherwise at discretion of a bench of magistrates. — [Since the above regulations were made, a much more regular system has been adopted to fix the price of bread. On every Saturday morning, a bench of magistrates assemble to hear the price of wheat, and affix that of bread for the ensuing week, according to the rate wheat has been sold at.]

*Bakers* — not to pay more than one shilling per bushel for grinding wheat into flour.

*Barrack Bedding and Furniture* — prohibited to be purchased: penalty — indictment for receiving stolen goods.

*Boats* — belonging to individuals, to land only at the Hospital-wharf, unless by permission; nor must any convey spirits without a permit, under penalty of being seized.

*Boats* — employed in the Hawkesbury trade, not to depart from thence, nor from Sydney, without three days notice of departure. In case of attack, to cut away masts and run on shore; and to be provided with an axe or tomahawk, under penalty of exemplary punishment. Those boats in the Hawkesbury river to be numbered, registered, and chained at night, and not to be rowed about after dark, under penalty of confiscation. No boat to convey any person on board a vessel after notice of departure, without permission from the governor or officer in command, under the penalty of the boat being forfeited to the informer, and five pounds to the Orphan School. And all boats must be registered and numbered, under the penalty of their being forfeited to the Orphans.

*Boats* — forbid being in Cockle Bay or Farm Cove, either ashore or afloat, after sunset, under the penalty of being forfeited to the crown; and all boats to be moored within the Hospital wharf, and hulk.

*Boats conveying Grain from Hawkesbury.* — No grain to be put into an open boat, or one that is not trust-worthy, or no complaint of damage therefrom cognizable; but if more grain be received than is consistent with safety, the master to make good all loss or damage, lose the freight, and pay five pounds for Orphans; and the same sum to that institution, if grain should appear to have been wetted, to increase its weight or measure.

*British Seamen* — forbid shipping in foreign vessels, during the war, under the penalty of fifty pounds.

*Butchers.* — None to vend carcase meat but such as are licensed, under the penalty of five pounds, and one year's imprisonment. Licenced butchers to enter into recognizances to observe as follows: — Not to kill any breeding stock; nor to send live stock, or carcase meat, on board vessels, without permission; to deliver to the governor a weekly return of stock killed, purchased, and sold; not to demand more than one shilling and eight-pence per pound for beef, one shilling per pound for mutton, and eight-pence halfpenny per pound for pork; and not to sell meat by the joint, but by weight, under the penalty of forfeiting their licences and recognizances; the latter to the informer.

*Cedar* — growing at Hawkesbury, not to be cut down or removed without permission, under the penalty of confiscation, with that also of the boat or cart removing it, to public use.

*Centinels* — to oblige every person (except an officer) to advance, when challenged, and to confine every person who presumes to answer "Officer," without authority; and when stores, &c. are to be placed in the

charge of a centinel, application must be made to the serjeant of the guard, from whom he is to receive instructions, otherwise the centinel not to be accountable.

*Certificates.* — No person to be employed unless he produces his certificate, if a freeman, or his ticket of leave, if a prisoner, under the penalty that his employer pays five pounds, and half-a-crown for each day the man has been employed; and should he prove to be a prisoner, without permission, the sum of twenty pounds, and half-a-crown a day to Orphans. Certificates will not be granted to persons about to leave the colony, unless their names be published one week previous to their leaving the Cove.

*Coals (Newcastle) and Timber* — the exclusive property of the crown. Coals prohibited to be worked by individuals, but to be procured by government at ten shillings per ton, and cedar at three halfpence per superficial foot, exclusive of other duties and fines; *viz.* Licence 2*s.* clearance 1*s.* harbour-dues at Sydney at established rates, entrance in and clearance from the river 2*s.* entrance at Sydney 1*s.* King's dues for Orphans: coals for home consumption, or for exportation, 2*s.* 6*d.* per ton; timber for home consumption 3*l.* per 1000 square feet, ditto for exportation 4*l.* per ditto; metage per ton on coals 2*s.*; measure of timber per 1000 feet 2*s.* No vessel to go to Hunter's River without a specific licence; and the masters to enter into recognizances, themselves in 50*l.* and two sureties in 25*l.* each, to abide by the following regulations; *viz.* To take a regular clearance; to observe the orders of the officer in command; not to interfere with people at public labour; not to be riotous or troublesome; not to land until permission be obtained; to use baskets which will contain one hundred weight of coals; to make daily returns to the commandant of the quantity of coals and timber taken in; to give two days notice of departure to the officer in command, and receive his certificate and letters; not to sail between dusk and daylight; to land at the place directed, only; to employ no prisoner without permission, and to pay 3*s.* 6*d.* per day for the ration of each permitted to be employed; to give no strong liquors to any prisoner; not to land any spirits without permit; likewise to enter into further recognizances, the master in 100*l.* and two sureties in 50*l.* each, to take no person on board without sufficient authority.

*Colonial Vessels* — to be registered, and pay fees to Orphans: for register, ten shillings; for permission to go to Botany Bay or Hawkesbury, two shillings; for re-entry, two shillings; and, to go beyond Broken or Botany Bay, five shillings, and the same at re-entry. Colonial vessels clearing for or from any dependent settlement, prohibited taking any person on board, unless authorised, under the penalty of forfeiting bond and recognizances; nor is any colonial vessel to be allowed a clearance with more than eighty gallons of spirits for twenty-six men,

fifty gallons for eighteen men, thirty gallons for twelve men, and eighteen gallons for six men, if going on a sealing or whaling voyage. Persons having families not to enter on board any colonial vessels, unless provision be made by the owners for their families whilst absent; the owners to find security also to return such persons when their engagement expires. The owners must likewise maintain their men while on shore, or the latter may relinquish their contract. The owners must also provide sufficient provisions for the support of their men, or be prosecuted at civil law. Colonial vessels not to depart for oiling and sealing, until bonds be entered into by the owners, binding themselves in five hundred pounds, and two sureties in fifty pounds each (to be renewed annually, for the conduct of masters in their employ), to perform as follows: — To take no person without permission and regular notice of departure; to obtain a clearance; not to navigate beyond the limits, namely, 10.37. and 43.39. south, and 135. east, from Greenwich; not to entice seamen, or entertain deserters; to provide sufficient provisions for the support of their men; not to break bulk, until entered and the fees paid; not to authorize strange vessels taking away British subjects from the gangs; not to purchase or receive more than twenty gallons of spirits from any vessel they may meet, without the governor's permission.

*Constables* — forbid releasing persons taken in charge, until discharged by a magistrate.

*Convicts* — not to employ others to do their work: to which all overseers are strictly to attend, under such punishment as a bench of magistrates may adjudge. Convicts not to strike or be struck by free persons: penalty, two hundred lashes the prisoner, and jail-gang twelve months; a free man to pay two pounds for the first offence, and be bound over; and, for the second offence, five pounds, and security doubled. Those prisoners assigned to individuals to be of no expence to the crown, nor can any convict's person be attached for debt. Those prisoners taken off the stores to be employed on their master's ground only, and in no case be permitted on their own hands, or let to hire: penalty to Orphans; the master to pay ten pounds, and half-a-crown for each day the servant has been absent from public labour. Servants, who are prisoners, are not to be beaten by their masters; who are to complain to a magistrate when necessary, on pain of forfeiting such future accommodation. Those prisoners off the stores who charge exorbitant prices for their labour, or misbehave in any other respect, will be recalled, and such other punishment inflicted according to the nature of the offence. Masters of convicts to clothe and maintain them with a ration equal to that issued by government; to provide for them a sheltered lodging; the servant to work, in his own time, for his master, in preference to any other person, and never absent himself without leave; in case of misbehaviour, the master

is to prefer his complaint to a magistrate, who will order such punishment as the case shall require. Persons secreting or employing such servants during government hours, will be punished for a breach of public orders on that head. Those convict servants indented for, not to be suffered on their own hands; penalty, the master to pay half-a-crown per day, and one shilling for each day the servant shall be discharged before the time indented for expires.

*Copper Coin.* — Importation or exportation, above five pounds, prohibited; penalty, treble the value. Also five pounds, and not above, to be considered a legal tender.

*Cur Dogs.* — Such as are dangerous to stock, or apt to fly at horses, to be destroyed; and if damage be sustained, the owner of the dog to forfeit treble.

*Debts.* — Wheat and live stock, at government prices, to be considered a legal tender.

*Debts of deceased Persons.* — Priority of claims for: 1st, medical attendance; 2d, debts and duties to the king; 3d, judgments; 4th, recognizances; 5th, rents; 6th, obligations, bills final and protested; 7th, single bills; 8th, wages; 9th, book debts, &c.

*Deeds, Bonds, &c.* — to be executed by the judge advocate, as notary public: individuals prohibited the exercise of any part of such office, under the penalty of removal.

*Detainers.* — All applications respecting detainers against persons leaving the colony, to be made at the secretary's office in writing, and to be lodged within ten days after notice of departure; otherwise not cognizable, unless the party about to depart remains twenty days after the notice has elapsed.

*Extortion* — to be punished as circumstances may require.

*Fees.* — High court of appeal before the governor: to provost marshal 1*l.* 1*s.* to secretary or clerk 1*l.* 1*s.* door-keeper 5*s.* *Note.* No appeal is allowed from the verdict of the civil court to the governor, unless the appellant gives good security to prosecute it, and to answer condemnation-money, with costs and damages, in case the verdict of the civil court be affirmed; nor from the governor's award to the King in council, without giving good security in twice the sum sued for, to prosecute the appeal in one year or as soon after as circumstances will admit, to answer condemnation-money, and such costs and damages as shall be awarded by his majesty in council, in case the sentence on judgment of the governor be approved. — Fees to provost marshal, in civil actions, executions, &c.: 5*l.* per cent. on proceeds of auctions in execution; 5*l.* per cent. levy money from 100*l.* downwards, 4*l.* per cent. ditto from 100*l.* to 500*l.*, 3*l.* per cent. from 500*l.* to 1000*l.*, 2½ per cent. from 1000*l.* upwards; and for a man to keep possession, 2*s.* 6*d.* per day for five days. — Fees on civil actions: a writ, or warrant of execution,

above 10*l.* and not exceeding 20*l.*, 10*s.*, to the judge advocate's clerk 1*s.*; ditto above 20*l.* and not exceeding 50*l.*, with 1*s.* to clerk, 16*s.*; ditto above 50*l.* and with 2*s.* to clerk, 1*l.* 2*s.* Capias, for any sum not exceeding 30*l.*, 13*s.*; ditto, above 30*l.* and not exceeding 50*l.*, 17*s.*; and all above 50*l.*, 1*l.* 2*s.* Summonses, under 40*s.*, 4*d.*; above that sum, 6*d.* Witnesses, travelling from Hawkesbury to Sydney, 10*s.*; ditto, from Sydney to Hawkesbury, 10*s.*; to Sydney from Parramatta 5*s.*, and back again the same sum; attending the court each day 2*s.* 6*d.* — Fees to secretary's clerks, receiving no salary: free pardons 5*s.* conditional ditto 2*s.* 6*d.*; and, on each person leaving the colony by certificate, 2*s.* 6*d.*

*Female Stock* — prohibited to be sent from the territory, or its dependencies, under the same penalty as for breach of orders. — Female stock prohibited to be killed, under the penalty of 20*l.* to informer, and two months hard labour for the crown.

*Fires* — No person to fire stubble, until his neighbours are warned and prepared; penalty, by action, remuneration of all damages: also, no person to smoke pipes, or make fires, near a stack, under the penalty of exemplary punishment.

*Fire-arms* — forbid to be discharged between sun-set and sun-rise, under the penalty of a breach of general orders.

*Fines.* — Persons removed to different settlements for misdemeanour, not to return until the expiration of sentence, under penalty of corporal punishment.

*Foreigners* — not permitted to settle or reside in the colony, without permission.

*Forgery* — subject to prosecution on a written, as well as on a printed form of note of hand; and persons concealing such offence, will be subject to the same penalty as persons compounding felony.

*Fort Philip.* — Every person cautioned from purchasing, repairing, or building huts, near the Esplanade, the limits of which are to be explained by the assistant engineer.

*Fustic* — growing at Newcastle, and its vicinity, forbid to be cut without permission from the governor.

*Goats* — not to be suffered to range without a herd, under penalty of being forfeited to Orphans.

*Grants of Land* — forbidden to be transferred within the term of five years, under the penalty of their being cancelled.

*Grants and Leases* — of buildings erected at the public expence, and grounds allotted for public purposes, to revert to the crown, at the governor's discretion.

*Guard* sent on board merchant vessels — instructions to: to suffer no one to board but the pilot, naval officer, or officer authorized by the governor; and no article to be sent on shore, nor any person to go on board except the above, until the flag of admission is hoisted: not to

suffer spirits, wines, or other strong drinks, to be sent from the ship, but by permit; to admit no unauthorized person on board, without a pass, at any time; and to suffer no shore-boats to board after sunset. If insulted or interrupted in their duty, to report the same to head-quarters.

*Hospital Servants* — forbid vending or prescribing medicines; and all applications to be made to the medical gentlemen for relief.

*Hogs* — forbid to be sent on board any vessel without permit.

*Idlers* — loitering about the wharfs, to be sent to hard labour; and if after sunset, to be imprisoned.

*Initials* — of the governor, commissary, and deputies, if forged, to be considered as full signatures.

*Interest* — not more than eight per cent. to be exacted; and any persons demanding more, are subject to the laws against usury.

*King's Stores* — articles granted for the use of families, comprising annual and extra supplies sent for barter, not to be retailed, under the penalty of forfeiting all further indulgences.

*Licensed Persons* — bound by recognizance to the due assize of weight and measure; to permit no gaming, drunkenness, indecency, or disorder; to pay due respect to existing regulations; not to entertain persons from tap-too beating until the following noon, or during divine service, under the penalty of forfeiting licence and recognizances; the latter to informer, and five pounds to Orphans. Nor is any licensed person to credit more than twenty shillings, under forfeiture of debt; nor to sue soldiers, seamen, servants, or prisoners, under the penalty of nonsuit and treble charges. And any licensed person vending or receiving liquors distilled in the colony (that practice being strictly prohibited), they will forfeit their licence and recognizances; and all such persons receiving permits for spirits are to receive it themselves, and not to dispose of spirits on any other person's account, under the before-mentioned penalty, and all such spirits to become the property of the informer.

*Merchandize.* — Not more than twenty per cent. on the importer's prices admitted on the retail; in doubtful cases, to be estimated by courts, if sued for, by allowing from 80 to 100 per cent. on the prime cost of English or India goods, and 20 per cent. on the retail. Notes of hand for debts so contracted not cognizable as evidence, unless the account of articles be produced with prices annexed. All merchandize to be landed at the Hospital wharf, and no where else, under penalty of confiscation; and those articles which are brought from the eastward of the Cape of Good Hope, are to pay five per cent. *ad valorem* on the prices laid in at, exclusive of wharfage and wine and spirit duties. All British manufactures exempt.

*Musters.* — Persons neglecting to attend musters, if free, to be treated as vagrants; and, if prisoners, jail-gang twelve months. Persons returning

false accounts, to be dealt with according to the decision of a bench of magistrates.

*Natives* — not to be treated with inhumanity or injustice, under the penalty of prosecution and indictment; and the natives of Otaheite, New Zealand, &c. are all to be considered as under the protection of the crown; to be properly treated and maintained by their employers, and not to be sent on any voyage without the governor's permission.

*Parramatta.* — Persons passing the barracks to give a satisfactory account of themselves to the commanding officer at that place, when required; and no person to carry a musket without permission from the magistrate.

*Passage-boats.* — Not to convey any person, unless a settler, without a pass; penalty, confiscation. The boats to be kept tight; carry four oars, one mast and sail; boatmen to treat passengers civilly; to give notice half an hour before they depart, by bell ringing; not to stop more than ten minutes by the way, nor to go alongside a vessel, without acquainting the wharfinger; and the proprietors to keep entry-books, under the penalty of forfeiting the bond and recognizances entered into at the time their license was granted. The following charges to be made: Each passenger to pay 1s.; children 6d.; luggage 1s. per cwt.; wheat or shelled maize 6d. per bushel; maize in cob 4d. per bushel; each chair 6d.; sheep and goats 6d. each; pigs and packages, according to their size; liquids 1d. per gallon; porter 3s. per hhd.; planks 2s. 6d. per 100 feet; fowls and ducks 1s. per dozen; geese and turkies 1s. 2d. per dozen; parcels weighing 2lbs. 3d.; and private letters 2d. each. The hire of the whole boat 1l. 1s.

*Passes.* — No person, unless a settler, to leave his place of abode without a pass, which he is to produce to the chief constable at the settlement expressed in it, and return it to the officer who granted it, under the penalty of three months hard labour, if free; and, if a prisoner, corporal punishment, at discretion of one magistrate, not exceeding one hundred lashes.

*Permits* — for removing half a gallon of spirits, &c. to be granted by commissioned officers, superintendants, and licensed retailers; and if any spirits be obtained by fraud and collusion, by any licensed person, if free, he will suffer the penalty of one year's hard labour for the crown, and forfeit his license; and, if a prisoner, he will undergo such punishment as a bench of magistrates may direct.

*Petitions* — signed by more than one person, to be sanctioned by three magistrates, under the penalty of prosecution.

*Prisoners* — not to be conveyed on board any vessel about to depart: penalty for breach of this order, forfeiture of the boat, and the person rowing it to be subject to two months imprisonment. Nor is any prisoner to be seduced or diverted from the public harvest, under the penalty of ten pounds, half of which to be paid to the informer.

*Provisions* — including flour, bread, meat, wheat, &c. not to be sent on board vessels, but by permit for that purpose.

*Public Registers* — applications respecting them to be made to the secretary only.

*Public Roads* — not to be encroached upon: persons aggrieved thereby, to obtain redress by complaint to the nearest magistrate.

*Rations* — allowed to prisoners, prohibited to be purchased or exchanged, under the penalty of being indicted; and, if bartered for spirits, all such found in the house will be staved; if a licensed person, forfeiture of license also: And if the ration is not applied for at the time of issue, it will not afterwards be given.

*Sabbath.* — A strict observance of the sabbath, and general attendance at divine service required; during the performance of which all strollers are to be apprehended and confined.

*School-house and Chapel at Hawkesbury, erected by Government for the Benefit of Settlers in that District.* — Those for whom the benefit is designed, invited to become subscribers, for supporting the institution, and maintaining the chaplain and preceptor, by the payment of two-pence for each acre of land they possess. All regulations to be determined by six subscribers, and two magistrates, one of whom to be the principal chaplain.

*Seamen.* — Any person trusting or retaining any seaman, shall lose his or her money, and be proceeded against; and forfeit five pounds for each day and night (after the first offence), should he be a deserter; but if ignorant of his being such, penalty ten shillings a day, only. And any seaman deserting a ship, and discovered after her departure, shall be subject to thirty-one lashes, and hard labour for the crown.

*Sedition.* — Transgressors amenable to existing laws; in addition to which the following regulations, for the effectual suppression of such crime against his majesty's government, and the public tranquillity, are strictly to be enforced; *viz.* Persons using seditious words or actions to receive exemplary punishment; and all persons knowing but concealing such offence, to be treated as accomplices. Any house in which seditious meetings are held, to be demolished.

*Slop Clothing* — the sale and purchase thereof prohibited, under penalty of indictment for receiving stolen goods.

*Spirits, and other strong Drinks.* — If landed without permit, penalty, forfeiture to informer wherever found, and all such discovered in the house; nor is any to be removed but by permit, penalty from the original vender 5*l.* to Orphans. Nor is any greater quantity of spirits to be removed than half a gallon, but by a permit, signed by a magistrate; penalty, forfeiture. And if spirits be landed by a master of a vessel without license, he will forfeit his bond, and be ordered immediately to depart the port. Persons licensed to retail spirits and other strong drinks,

to pay 3*l.* for each license to the Orphans' fund, and 2*s.* to the clerk. Spirits drawn for domestic purposes, forbid to be transferred; penalty, forfeiture; and, if bartered for wheat, the wheat to be forfeited to the crown, with the spirits and premises. Spirits prohibited to be smuggled, landed without permit, or sold without a license, under the penalty of confiscation. And should any spirits be brought, without the governor's permission, from the eastward of the Cape of Good Hope, the following additional duties are to be paid; *viz.* If permitted to be landed, for every 100 gallons, 5*l.*; not to be charged more than 6*s.* per gallon, including duty of 2*s.* per gallon; 5*l.* per cent. *ad valorem*, and 5*s.* wharfage for each cask or case of 100 gallons. If not permitted to be landed, no colonial vessel within the limits to receive such spirits, under the penalty of confiscation, together with the vessel; half to the informer. Nor are any spirits to be sold or bartered for more than 20*s.* per gallon; penalty, the excess of 20*s.* to be returned, and future indulgence forfeited; and, if licensed, the license to be taken away.

*Stallions* — not to be suffered to run loose; penalty, 5*l.* to informer, and 10*s.* for each night they are held in charge: If not claimed within a week, forfeited to Orphans.

*Stock furnished by Government to Individuals.* — Oxen hired to such approved settlers as procure ploughs or carts, to be paid for in wheat each March quarter, in the proportion of ten bushels a year for two years, when each head is to be purchased for 70 bushels of wheat, or be returned to government; such cattle not to be ill-treated, or applied to any other than agricultural purposes, on pain of being reclaimed. In case of disease or accidental death, the superintendant of stock to be immediately informed thereof, or the settler responsible for the loss. Cows one remove from the Bengal breed valued at 28*l.* per head, occasionally to be bartered for as follows: To be paid for in wheat into the store, on delivery of each cow, or, if accepted, in two half-yearly payments; in failure of payment when due, the stock to be reclaimed, and the payment already made forfeited. The stock and produce to the third generation unalienable, unless by the governor's permission; and no person to purchase any such stock without the governor's sanction. Stock, if impounded, a description to be sent to the nearest magistrate, or constable of the district, immediately; to be properly fed, and, if near a town, made public thrice a week for one month by the common crier, under the penalty of 2*l.* for each head, and all other costs; but owners of stock running at large to pay all damage sustained. Any person who has received stock from government, and obtained permission for the sale thereof, must first tender the same to government at market prices, under the penalty of forfeiture, with twice the value from seller and buyer; the original stock to the crown, the other penalties to informer.

*Stills* — prohibited to be used; penalty, if free, privation of indulgence

and removal; if prisoners, at discretion of a bench of magistrates: Also all liquors and utensils found, to be seized and destroyed.

*Stream running through the Tanks at Sydney* — no person to throw filth into, nor to wash, clean fish, or erect pigsties near; nor to take water up but at the tanks; under the penalty of 5*l.* to Orphans, if free, and the house razed; if a prisoner, imprisonment, and hard labour for the crown for twelve months.

*Strikes.* — No strikes are to be used for measuring grain, but such as are stamped by superintending carpenters, who are to charge one shilling each; and in case of any other strike being used, the person offending to forfeit five pounds, and one shilling for every bushel which has been measured.

*Sureties.* — Persons becoming sureties for individuals of indifferent character, to forfeit the full amount of their recognizance, if such decision is given before a bench of magistrates.

*Swine* — found at large without ring and yoke, will be forfeited to the Orphans.

*Taptoo-beating.* — Persons passing after, to answer centinels when challenged, and to carry a lantern. None but known householders to pass, except officers of vessels, who are to make themselves known, under penalty of confinement.

*Timber* — to be taken, if wanted for government purposes, wherever found growing on grounds located by the crown to individuals. No private individual to damage or remove any timber, but by permission from the owner of the land, or from the governor, upon crown lands; penalty, prosecution. And all timber exported, to be paid for to Orphans 3*l.* per 1000 feet solid; returns of all embarked to be made to the wharfinger, under the penalty of 5*l.* for each neglect. Exotic timbers exempted from the general claim of government, and to be the exclusive property of the owner; but, if disposed of, the crown to have the preference.

*Vagrants, and idle and disorderly Persons* — to be sent to public labour, for a time to be limited by the magistrates.

*Vendue* — no person to sell goods by, unless licensed, those exempt by act of parliament excepted, under the penalty of 50*l.* to the Orphans.

*Vendue Master* — to give a daily account of sales to the treasurer of the Orphan fund, to which institution 1 1/2 per cent. is to be paid from the proceeds of sales. He is also to furnish a list of articles to the treasurer, previous to the auction, under the penalty of forfeiture of recognizances he enters into at the time he is appointed to that situation.

*Vessels* — to pay the following dues and fees on entry: To Orphans, an English merchant ship with merchandize, in government service, 15*s.*; ditto, not in government service, 1*l.* 10*s.*; a whaler, with merchandize, 15*s.*; ditto, with no articles for sale, 10*s.*; a foreign ship 2*l.* 10*s.* General

permission to trade 10s.; each bond 3s. 6d.; to water on Orphan lands 10s.; to wood on ditto, or on government grounds, 10s.; on clearance and bonds being returned 5s.; for every permit to land or remove spirits 6d. To the Gaol fund: For every gallon of spirits landed, or removed from the vessel, 1s.; ditto for wine 6d. and beer 3d. Wharfage for every cask or package 6d. No vessel to break bulk until reported and entered at the naval officer's office; and every ship to hoist her colours on public days; in case of refusal, all intercourse to cease. Vessels taking spirits from hence, not to be allowed communication with any dependent settlement, unless the master produces a letter from the governor, or officer in command (to relieve distress excepted); and no spirits to be landed at the settlement he may touch at, unless the governor's certificate of price, &c. be produced. All commanders are also strictly forbid entering seamen from other ships, under the penalty of 15*l.* for each man; half to the king, and half to the informer. Masters of vessels, not colonial, to give security previous to any communication, themselves in 500*l.* and two sureties in 50*l.* each, to take no person away without regular authority, nor to depart without leave, under an additional penalty of 50*l.* The usual bond, not to lade from hence to India, China, &c. without certificate, to be also exacted. Masters shipping seamen, to make application to the secretary in writing, stating whether such men have been prisoners, and if so, the ship they came in, and where tried; nor is any communication to be held with any vessel after the clearance has been obtained, under the penalty of forfeiture of boat so trespassing, and two months imprisonment. The crews of all vessels to be put on ration, agreeable to existing circumstances. — Vessels not to be built within the limits of the territory, exceeding 14 feet keel, without permission from the governor (unless in case of shipwreck), under the penalty of confiscation. — Vessels under foreign colours not to be cleared for any sealing voyage, or to return hither, but to clear out for a port of discharge. And if any master disregard the colonial regulations, all intercourse to cease; to depart the port immediately, and not permitted to return.

*Vouchers for Grain, &c. furnished the King's Stores* — to be finally settled quarterly, otherwise not cognizable; *viz.* 31st of March, 30th of June, 30th of September, and 31st of December.

*Weights and Measures* — to be true, and stamped as such, under the penalty of ten pounds to Orphans, for every weight or measure which is defective.

The internal regulations, from which the preceding abridgment was taken, are the leading features of the General Orders issued by all those who have administered the government of the colony up to the secession of Governor King, and are frequently altered, or annulled, according to the variations in the local circumstances of the country: since which period, however, a number of other orders and proclamations have been

issued, by those who have subsequently held the command in the settlement; but the notice of which, as well as of all political matters, must unavoidably be deferred until some future period, from the peculiar circumstances under which I am at present placed.

On the 12th of August, 1806, Governor King was succeeded in his command at the settlement by Governor Bligh, who arrived from England for that purpose; at which period the colony was in a state of growing prosperity, notwithstanding the progress of cultivation was considerably retarded by the frequent overflowings of the Hawkesbury, which never failed to produce such extensive injury to the settlers on its banks, as would have been sufficient to discourage men of much more industry and perseverance than many amongst them.

The death of Mr. George Barrington, who, for a long time, was in the situation of chief constable at Parramatta, ought to have been previously adverted to, as his decease took place some time before this period. During his residence in the colony, he had conducted himself with singular propriety of conduct; and, by his industry, had saved some money; but, for a considerable time previous to his death, he was in a state of insanity, and was constantly attended by a trusty person. The general opinion of those around him was, that he brought on this malady, so destructive to the majesty of man, by his serious and sorrowful reflexions on his former career of iniquity. His death, however, was that of a good man, and a sincere christian. He expressed a very considerable degree of displeasure, when he was in a state of sanity, at his name being affixed to a narrative, which he knew only by report, as being about to be published, and which subsequently did appear, under a deceptive mask.

The Blue Mountains have never yet been passed, so that beyond those tremendous barriers, the country yet remains unexplored and unknown. Various attempts have, at different periods, been made to exceed this boundary of the settlement; but none of them have been attended with the wished-for effect. M. Barrallier, a French gentleman, late an ensign in the New South Wales corps, has been further across than any other individual; but he was compelled to return unsatisfied, before he had obtained any knowledge of the trans-mountaneous territory which he longed to behold. I myself made an excursion to these mountains, in the year 1807, accompanied by an European and three natives; but after mounting the steep acclivities for four days, until I found my stock of provisions sensibly diminishing, I thought it most prudent to re-trace my way to the habitable part of the settlement, and to leave the task of exploring them to some person more qualified, mentally as well as physically, for the arduous undertaking. In fine, from the specimen I had acquired during this journey, of the difficulties which surround this task, I think that, after travelling a few miles over them, their appearance (although so amazingly grand) is sufficiently terrific to deter any man of

common perseverance from proceeding in his design.

In the progress of my undulating, I ascended about four or five stupendous acclivities, whose perpendicular sides scarcely permitted me to gain the ascent. No sooner had I attained to the summit of one of these cliffs, flattering myself that I should there find the termination of my toil, than my eye was appalled with the sight of another, and so on to the end of my journey; when, after mounting with the utmost difficulty a fifth of these mountainous heights, I beheld myself, apparently, as remote from my ultimate object, as at the first hour of my quitting the level country beneath. Some of these ridges presented to the eye a brilliant verdure of the most imposing nature, while others had the appearance of unchanging sterility, relieved by the interposition of pools of stagnant water and running streams; there shrubs and trees enlivened the scene, and here barrenness spread its dreary arms, and encircled the space as far as the eye could reach. On my return, in sliding down the steep declivities, I so completely lacerated my clothes, that they scarcely contained sufficient power to cover me. I saw no other animals or reptiles, during this excursion, than those which are common throughout the country.

Were it not for the existence of such insurmountable obstacles, is it to be supposed that persons who have resided above twenty years within sight of this Alpine chain of hills, would have so long suppressed a curiosity, of the existence of which every day gives some evidence, and have remained so totally uninformed as to the nature of a country, from which the most distant part of the settlement is far from being remote? Or is it probable that the settlers, who reside at the very base of the mountains, would so long have remained ignorant of the space on the other side, if such impassable impediments did not intervene.

In the commencement of the year 1808, a new market was established on a part called the Old Parade, near to the Orphan House, and every exertion was made to expedite the building of the shops. The marketdays are Wednesdays and Saturdays, when a considerable number of farmers, from the districts between Sydney and Parramatta, as well as from other quarters, attend with the produce of their lands: they also bring poultry, vegetables, fruit, &c.; and to prevent, as much as possible, the too frequent impositions practised, a clerk of the market has been appointed, to weigh all things that may be required.

Of late years, a number of vessels have been seized and carried away by the convicts, amongst whom there must ever be numbers who will eagerly grasp at any project of emancipating themselves which occurs to their minds. Lately, the *Venus*, a brig belonging to Messrs. Robert Campbell and Co. laden with a quantity of provisions and stores to supply the settlements to the southward, and a very handsome brig, called the *Harrington*, from Madras, were seized and taken off. The

former, when she had reached her place of destination, after coming to an anchor, and landing the master with dispatches for the Lieutenant-Governor, was seized by some convicts who had been placed on board, under confinement, aided by part of the crew, and was carried beyond the reach of re-capture. She has since been heard of, but without a probability of her recovery. The latter was cut out of Farm Cove, and was carried out to sea, before any information was received on the subject. This transaction was planned in a very secret manner, so that all the convicts boarded her about twelve o'clock at night; and, although the vessel lay in sight of some part of the town, and within the fire of two batteries, yet nothing was discovered of the circumstance until the following morning. Upon the representation being made to Colonel Johnston, that officer ordered several boats to be manned immediately, and a party of the New South Wales corps, with a number of inhabitants who had volunteered their services, to use every means to re-take the vessel, put out to sea; but, after rowing and sailing for several hours, they were at length obliged to return, without ever coming in sight of the Harrington. Other means were subsequently tried for the recovery of the vessel, but all to no effect; the convicts had managed their matters with such secrecy, promptitude, and skill, as totally prevented every endeavour to counteract their intention.

The natives and our countrymen are now somewhat sociable, and there are not many outrages committed by either party. I believe that some of the white men would frequently be more severe with the Aborigines, when caught in the very act of committing depredations, but the circumstance of several settlers being capitally convicted of the murder of a native boy, in January, 1800, acts as a check on their violent dispositions, and prevents the recurrence of such sanguinary proceedings. Some years previous to this period, the Europeans at the Hawkesbury suffered considerably from the marauding inclinations of the natives, several of their huts being burned, and themselves severely wounded; their corn-fields were also frequently despoiled, and their future promise blasted. On these as well as subsequent occasions, the settlers, in defence of their persons and property, were compelled to have recourse to arms, the natural and necessary consequence of which was the destruction of some of the plundering tribes; but, in these instances, the circumstances justified the deed, and the governor sent assistance to them, rather than the contrary. In fact, so many atrocious deeds were committed by one of their leaders at Hawkesbury, who had long been a determined enemy to the Europeans, that Governor King found it necessary to issue an order, offering a reward to any person who should kill him and bring in his head. This was soon accomplished by artifice, the man received the reward, and the head was sent to England in spirits by the Speedy. Those practices, however, had now, in a great measure, been done away with,

and it was seldom heard that any steps of violence were pursued on either side. But when thus speaking of the general good understanding which exists between the Europeans and natives, I must be understood to confine my meaning to the vicinity of the principal settlements; for about the remoter coasts they are still savages, as may be gathered from the following narrative of an occurrence in April, 1808: — The Fly, colonial vessel, being driven into Bateman's Bay by bad weather, had occasion to send three of her crew on shore to search for water; and it was agreed, previous to their departure, that in case of any appearance of danger, a musket should be fired from the vessel, as a signal for the immediate return of those who had landed. Shortly after the boat had reached the shore, a considerable body of natives assembled round the boat, and a musket was accordingly discharged. The men returned to the boat with the utmost precipitation, and without any obstruction; but they had no sooner put off from the shore, than a flight of spears pursued them, and was succeeded by others, until the whole of the three unfortunate men fell from their oars, and expired beneath the attacks of their enemies. The savages immediately seized and manned the boat; and, with a number of canoes, prepared for an attack upon the vessel itself, which narrowly escaped their unprovoked fury, by cutting the cable, with all possible expedition, and standing out to sea. The names of the unhappy men who were thus murdered, were Charles Freeman, Thomas Bligh, and Robert Goodlet. This melancholy circumstance affords a sufficient illustration of the dispositions of those natives which are remote from the settlements; and as no such occurrences have taken place amongst the neighbouring inhabitants of the country, it is but a fair presumption to conclude, that an association with Europeans has in some degree polished their native rudeness, has softened the cruelty and natural violence of their dispositions, and inculcated into their breasts some principles of humanity. By observing the conduct of the new settlers, the savages have learned to imitate their actions, and to discard a portion of that barbarity of manners, which allied them to the material creation.

Just before I quitted the colony, two persons arrived; one as master of the female Orphan school, and the other to superintend the boys; but as the school for the latter was not yet erected, an advertisement was immediately given out by government, to ascertain the numbers of the youth of that description, in order that some correct idea might be formed of the extent of the projected building. The female school was established and occupied by the children, who were considered as proper objects of the charity, in the early months of the year 1801, soon after Governor King took the command of the settlement, and is a fine institution; and the late committee have so acted, as to reflect honour on the task which they have so feelingly undertaken. Nor can the children of that institution ever be sufficiently grateful to Mrs. Paterson, and Major

Abbott, as well as to some few others of the several committees, whose judicious measures and well-adapted plans, have not only contributed to their present comfort, but laid a foundation for their being brought up in a life of virtue and industry, instead of becoming the objects of prostitution and infamy. It is supported by different duties levied on merchandize — by fines, fees, &c. (as may be seen by a reference to my abridgment of the General Orders), and is of no expense to the crown. The establishment of these benevolent asylums for the offspring of misery, confers a high degree of credit on their originators, as well as on the people amongst whom they flourish, and afford a powerful argument to combat those weak and obstinate prejudices which have been raised against this colony, by persons of little information and less liberality, who, reasoning on narrow principles, and with obscure views of the subject, are incredulous of the good which exceeds the horizon of their own bounded perspective, and are ever amongst the foremost to exclaim, “Can any good come out of Nazareth?”

About the same period, a complete range of storehouses was completed on the banks of the Parramatta river, and another had been commenced close by the wharf at Sydney. The necessity for some new buildings of this description had been evident for some time, as the chief part of the King's storehouses, which had been previously erected, were unfortunately so remote from the water-side, as to occasion much superfluous labour, as well as to render the unloading of ships extremely burdensome and expensive. These inconveniences have, however, been considerably lessened by the new arrangements; and the pursuance of a similar system will speedily render the port infinitely more commodious, and effectually remove those grievances which were calculated to restrict the influx, *and increase the estimated value of merchandize.*

Some short time also before I left the settlement, two murders were committed, by men named Brown and Kenny; the former of whom had killed several men at the southward, and was brought from thence to Port Jackson for trial, where he was convicted, executed, and subsequently hung in chains on Pinch-gut, a small island in the centre of the harbour leading to Sydney Cove. The latter was arraigned for the murder of a woman named Smith, who, after he had perpetrated the deed, endeavoured to consume the body of his victim, by thrusting it in the fire. He was executed, and hung in chains at Parramatta. — Several other murders have been committed; but as it is my intention to touch only on the most particular occurrences, I have forborne to name more than those I conceived to be the most atrocious.

Such is as accurate a sketch of the progress of the colony as it comes within the compass of my limits or intention at present to depict. I have omitted numerous occurrences of a trivial nature, considering their detail altogether superfluous, as the interesting narratives of Governor Hunter

and Lieutenant-Governor Collins, are sufficient to give the minute inquirers into the rise of the colony a perfect acquaintance with the nature of the general occurrences therein; a continuation of which details would, in fact, be little more than their repetition. I believe I have touched upon the most interesting points in the history of this yet unmaturing settlement, subsequent to the valuable relations of these esteemed officers, except such as relate to politics, and other topics, which may hereafter be subjects of contemplation; and my principal object has been, to carry to the mind of the reader an idea of the progressive maturation of the colony, without fatiguing his eye with *minutioe* which might render the work tedious, and induce him to regret the hour which he has devoted to its perusal. It now remains for me to depict the state of the colony, at the close of the autumn of 1809 (March), when I sailed for England; and, in the execution of this part of my task, I shall endeavour so to arrange my subject as to preserve an interest, unbroken and unfailing, throughout the whole. By a rigid adherence to facts, I shall enable the reader, by a comparison of my various statements with the previous details of the luminous narrators above mentioned, to form just and indisputable estimates of the increase of the settlement; of its growth in population and extent, as well as in the means of supporting its increased members. This division of my subject will also afford the political philosopher new materials for calculation, on a subject so interesting, so important to the civilized world, as the colonization and cultivation of those remote parts of the universe, which may, at some future period, be made the seats of new empires, by draining off from the old world that superfluity of population which, like an insupportable burden of fruit on a tree, unless removed, would tend to depress and destroy the trunk which produced and supported it.

## Chapter III. Present State of the Colony.

### Agriculture, &c.

THE account of land in cultivation, as it appeared at the last muster taken by me, according to direction which I received from his Honour Lieutenant-Governor Foveaux, and making a part of the several tracts granted by the crown to settlers, &c. as described in the survey, stood as follows: —

Belonging to the Crown — 100 acres in wheat.

Belonging to Officers —  $326\frac{1}{2}$  acres of wheat, 178 acres of maize,  $221\frac{1}{2}$  acres of barley, 13 acres of oats,  $13\frac{1}{4}$  acres of pease and beans,  $191\frac{1}{4}$  acres of potatoes, 65 acres of orchard, and 6 acres of flax and hemp.

Belonging to Settlers —  $6460\frac{1}{2}$  acres of wheat,  $3211\frac{1}{4}$  acres of maize, 512 acres of barley,  $791\frac{1}{2}$  acres of oats,  $983\frac{3}{4}$  acres of pease and beans,  $2813\frac{3}{4}$  acres of potatoes, 13 acres of turnips,  $4811\frac{1}{4}$  acres of garden and orchard, and  $281\frac{1}{2}$  acres of flax, hemp, and hops.

Total. — 6887 acres of wheat,  $3389\frac{1}{4}$  acres of maize,  $5341\frac{1}{2}$  acres of barley,  $921\frac{1}{2}$  acres of oats,  $1001\frac{1}{2}$  acres of pease and beans, 301 acres of potatoes, 13 acres of turnips,  $5461\frac{1}{4}$  acres of orchard and garden,  $341\frac{1}{2}$  acres of flax, hemp, and hops.

The following is the general course of cultivation adopted, and justified by experience: —

*January.* — The ground intended for wheat and barley to be sown in, ought to be now broken up; carrots should also be sown, and potatoes planted in this month are most productive for the winter consumption.

*February.* — A general crop of turnips for sheep, &c. should be sown this month, the land having been previously manured, cleared, ploughed, &c. This is also the proper month for putting Cape barley in the ground, for green food for horses, cattle, &c.

*March.* — Strawberries should be planted this month, and onions for immediate use should be sown. All forest land should be now sown with wheat; and turnips, for a general crop, in the proportion of one pound of seed to an acre of land.

*April.* — From the middle of this month, until the end of May, is the best season for sowing wheat in the districts of Richmond Hill, Phillip, Nelson, and Evan, as it is not so subject to the caterpillar, smut, rust, and

blight. Oats may also be sown now for a general crop. Asparagus haulm should also be cut and carried off the ground, and the beds dunged.

*May.* — Pease and beans for a field crop should be sown in this month; but, in gardens, at pleasure, as you may be supplied with them, as well as most other vegetable productions, sallads, &c. nearly at all times of the year.

*June.* — This is the best season for transplanting all kinds of fruit-trees, except evergreens; layers may also be now made, and cuttings planted from hardy trees. Spring barley should be sown this month upon all rich land, three bushels to an acre.

*July.* — Potatoes which were planted in January are now fit for digging. Stocks to bud and plant upon should now be transplanted; cabbage and carrots may be sown; and strawberries should be cleaned, and have their spring dressing.

*August.* — Potatoes must now be planted for general summer use; the ground prepared for clover at this season is best. Cucumbers and melons of all kinds should now be sown, and evergreens transplanted. Vines ought to be cut and trimmed early in this month. Ground may this month also be ploughed for the reception of maize, and turnip land prepared for grass.

*September.* — This is the best season for grafting fruit-trees, and the ground should be entirely prepared for planting with maize. Grass-seed or clover should be sown in the beginning of this month, if the weather is favourable, and there is a prospect of rains.

*October.* — All fruit-trees now in bearing should be examined, and where the fruit is set too thick, it must be reduced to a moderate quantity. The farmer should plant as much of his maize this month as possible, and clean ground for potatoes.

*November.* — In this month the harvest becomes general throughout the colony, and no wheat ought to be stacked upon the ground, as the moisture which arises from the earth ascends through the stack, and tends much, in this warm climate, to increase the weevils, which prove very destructive to the wheat. Evergreens may now be propagated by layers, and cabbage, lettuce, and turnips sown.

*December.* — The stubble-ground is frequently planted with maize in this month, so that it produces a crop of wheat and another of maize in the same year; but the policy of thus forcing the ground is much questioned by many experienced agriculturists, and is supposed to have led to the ruin of some of these avaricious farmers. Cauliflower and brocoli seeds may now be sown.

The prices paid for planting, clearing ground, &c. is as follows, according to the regulations specified in the general orders: — For felling forest timber, 10s. per acre; for burning off ditto, 25s. per acre; for breaking up new ground, 24s. per acre; for breaking up stubble or corn

land, 13s. 4d. per acre; for chipping in wheat, 6s. 8d. per acre; for reaping ditto, 8s. per acre; for threshing ditto, 7d. per bushel; for planting maize, 6s. 8d. per acre; for hilling ditto, 6s. 8d. per acre; and for pulling and husking ditto, 5d. per bushel. — The hours of public labour are from sunrise to eight o'clock, and (Sundays excepted) from nine to three. On Saturdays, on account of the stores being open for the issue of provisions, the hours are from sunrise to nine o'clock.

Yearly wages for servants, with board, 10*l.*; weekly ditto, with provisions, 6s.; daily wages, with board, 1s.; and daily wages, without board, 2s. 6d.

The following is an accurate account of Live Stock, taken at the same time as the preceding statement of land in cultivation: —

Belonging to the Crown — 28 male horses, 19 female ditto; 21 bulls, 1791 cows; 1800 oxen; 395 male sheep, and 604 female ditto.

Belonging to Officers — 81 male horses, 146 female ditto; 38 bulls, 1111 cows; 696 oxen; 2638 male sheep, 5298 female ditto; 40 male goats, 73 female ditto; 486 male pigs, and 537 female ditto.

Belonging to Settlers — 258 male horses, 329 female ditto; 40 bulls, 1906 cows; 1172 oxen; 7449 male sheep, 15,327 female ditto; 799 male goats, 1670 female ditto; 7693 male pigs, and 7435 female ditto.

Belonging to Persons not holding Land — 44 male horses, 35 female ditto; 19 bulls, 307 cows; 103 oxen; 325 male sheep, 1222 female ditto; 97 male goats, 296 female ditto; 1641 male pigs, and 1576 female ditto.

Total of Stock — 411 male horses, 529 female ditto; 118 bulls, 5115 cows; 3771 oxen; 10807 male sheep, 22,451 female ditto; 936 male goats, 2039 female ditto; 9820 male pigs, and 9548 female ditto.

The common lands to the various districts, which were located in perpetuity in 1804, are now felt very serviceable, and were just granted at a period that prevented any of the settlers from being thoroughly enclosed, so that every grazier has now an opportunity of feeding his stock thereon, without confining himself to the quantity of land he chooses to cultivate on his own farm.

From the above statements it will most certainly appear, that the colony is in a very flourishing state, and, no doubt, will soon become independent of the mother country, if those methods are pursued which are best calculated to promote this end. No one step has latterly been taken to facilitate this desirable object more than the measures adopted by Colonel Johnstone and Lieutenant-Governor Foveaux, who distributed the breeding cattle amongst the industrious and deserving settlers; a step which has produced benefits of a two-fold nature — laying the foundation for the more rapid increase of stock, and affording a stimulus to meritorious exertion. In the districts about Hawkesbury, the grain yields abundantly; but at the other settlements it is less productive: The reason of this distinction must be chiefly obvious to

the reader of the preceding sketch, in the liability of the soil at the former settlement to frequent inundations, which serve every purpose of manure, and uniformly keep the ground in a mellow state. It has been erroneously stated, that the average produce of the land in New South Wales is sixty bushels of wheat per acre; but I can take upon myself to say, that twenty-five bushels an acre will be found the full extent of the average produce. When a comparison is made between the present state of the country and its former condition, the improvements will appear considerable in agriculture, and almost incredible in every other respect. The season for the gathering in of the wheat has been gradually accelerated, ever since the commencement of the colony; and the harvest of the last year previous to my departure from the settlement, commenced nearly a month sooner than it did at the first: The fruit seemed also later.

### **Prices of Provisions, and Ration.**

THE following was the current price of Articles of Food, in the year 1809: — Wheat 12*s.* per bushel; maize 5*s.* per bushel; barley 5*s.* per bushel; oats 4*s.* 6*d.* per bushel; potatoes 10*s.* per cwt.; turnips 4*d.* per bunch; carrots 6*d.* per bunch; cabbages 3*d.* each; lemons 6*d.* per dozen; peaches 2*d.* per dozen; apples 2*s.* per dozen; pears 3*s.* per dozen; strawberries 1*s.* per quart; quinces 2*s.* per dozen; water melons 9*d.* each; musk and other melons 1*s.* each; apricots 1*s.* per dozen; mulberries 1*s.* per quart; Cape gooseberries 8*d.* per quart; native currants 8*d.* per quart; oranges, raspberries, grapes, plums, almonds, pomegranates, limes, shaddocks, citrons, pine-apples, nectarines, and guavas, are to be procured; but their prices are variable, some of them being more scarce than others. Cucumbers 1*d.* each, mushrooms 8*d.* per quart, French beans 4*d.* per quart, onions 20*s.* per cwt. peas 1*s.* per quart, beans 9*d.* per quart, asparagus 2*s.* per hundred, artichokes 6*d.* each, spinage 1*s.* per dish, pumpkins 6*d.* each, cauliflowers 6*d.* each, broccoli 6*d.* per dish, figs 3*d.* per dozen. Beet-root, lettuces, raddishes, sallad of all kinds, horse-raddish, samphire, watercresses, celery, endive, and herbs of every description, are extremely plentiful, and to be purchased at reasonable rates.

Animal food is to be procured at the following prices: — Beef 1*s.* 3*d.* per lb.; mutton 1*s.* 3*d.* per lb.; pork 1*s.* per lb.; lamb 1*s.* 3*d.* per lb.; kangaroo 8*d.* per lb. (the flesh of this animal is somewhat similar in taste to English beef, but rather inferior, owing to the want of fat); goat mutton 1*s.* per lb.; turkeys 10*s.* each; geese 8*s.* each; ducks 4*s.* each; Muscovy ducks 5*s.* each; fowls 2*s.* 6*d.* each; wild ducks 2*s.* each; teal 1*s.* 3*d.* each; rabbits 4*s.* each; roasting pigs 5*s.* each; pigeons 1*s.* 3*d.* each; kids 5*s.* each; eggs 1*s.* 6*d.* per dozen; butter 6*s.* per lb.; milk 1*s.* per quart; cheese 2*s.* 6*d.* per lb.; oysters 1*s.* per quart; and lobsters 1*s.* each.

Fish is exceedingly numerous of every description, and is very good as well as moderate in charge. A turtle was caught recently in Broken Bay, with a hook, weighing seven hundred weight, which was retailed to the inhabitants at 4*d.* per lb.

The following is to be considered as a full weekly Ration, which is issued from the stores whenever there is a sufficiency without a prospect of want, to those who are in the employ of government: — Seven pounds of salt beef, or four pounds of salt pork; eight pounds of flour or meal, or an addition of a quarter of a pound of wheat to each pound, if it cannot be ground; pease or other pulse, three pounds; six ounces of sugar in lieu of butter. The same quantity is to be given by their employer to those who are indented to settlers, &c.; but as frequent alterations are necessarily made, according to the pressure of circumstances, the deficiency is generally made up with maize.

## **Trade and Manufactures.**

A MANUFACTORY has been established for coarse woollen blanketing or rugs, and coarse linen called drugget; a linen of a very good quality has also been produced, which has been disposed of to settlers, &c. and issued from the stores to those who labour for the crown. The spinning has been done by the female convicts, and the weaving, &c. by the male. The person who superintended this department, for some time, was George Mealmaker, a well-known political character in North Britain; but he has been dead some years, and the manufactory, which adjoins the goal at Parramatta, has been almost entirely destroyed by fire; consequently, the progress which would have been made in this manufacture has been greatly retarded. When I left the colony, however, a very deserving, respectable, and persevering settler, at Hawkesbury, was about to commence in that way on a very extensive scale; for which laudable purpose he had sown several acres with flax and hemp, and I am hopeful his exertions will tend to benefit the colony, to which the establishment of a manufactory of this description has been long an object ardently to be desired; and it is to be hoped, that the effort of this new speculator will be crowned with that success which it so eminently deserves.

The leather made from the skins of cattle, kangaroo, seal, &c. are extremely good, and are tanned by a bark which grows in the settlement, much sooner than a similar operation is performed in England. The sole leather, in my opinion, cannot be surpassed in point of goodness; and every improvement which can arise from competition may be naturally expected, since there are several persons who follow this line of business both at Sydney and Parramatta.

Several potteries have been established; but the most celebrated

manufacturer of this description, named Skinner, lately died. His dishes, plates, basons, covers, cups and saucers, teapots, and chimney ornaments, were in a very superior style of workmanship; and other useful articles equally handsome.

Tobacco-pipes, which, some years ago, at the cheapest periods cost sixpence each, are now manufactured in the settlement, of a very good quality, and are retailed for one penny each. The great propensity to smoking which prevails throughout the colony, causes an astonishing consumption of this article, and has well repaid the original speculator.

Salt is made in great abundance from salt water; and large salt-pans have been erected at Rose Bay, whence, and at Newcastle, great quantities are made and sent to Sydney. A plan, however, had been proposed to the governor, for making it by evaporation, which it was supposed would be carried into effect; it was in agitation, and was nearly brought to perfection when this statement was made.

Some very palatable beer is brewed in the settlement, at four extensive breweries; one at Sydney, one at Kissing Point, one at Parramatta, and the other at Hawkesbury; and a number of persons brew their own beer. Some improvements here may yet be looked for, since at present the grain is malted very badly in the colony, which I attribute more to the want of proper utensils than any deficiency of ability. In a short time also they will be enabled to grow a sufficiency of hops in the settlement for every purpose, without being compelled, as at present, to have recourse to the mother country for this necessary article.

Eight wind-mills have been erected for the purpose of grinding corn; and a water-mill, which had been erected at Parramatta, has, most unfortunately, been destroyed by a flood, which came on some time previous to my leaving the colony.

There are four auctioneers, or vendue masters, in the settlements; two at Sydney, one at Parramatta, and one at Hawkesbury: They usually charge five per cent. on sales.

The shops are particularly respectable, and decorated with much taste. Articles of female apparel and ornament are greedily purchased; for the European women in the settlement spare no expense in ornamenting their persons, and in dress, each seems to vie with the other in extravagance. The costliness of the exterior there, as well as in most other parts of the world, is meant as the mark of superiority; but confers very little grace, and much less virtue, on its wearer, when speaking of the dashing belles who generally frequent the Rocks, who may often be seen of an evening attired in the greatest splendour, and on the following morning are hid from public view with extremely mean attire.

Spirits are also bought up with astonishing rapidity; and, when prohibited, will ever be obtained by some means or other, and I have known it to sell as high as thirty shillings per bottle; the general price by

the retailer, however, is from ten to sixteen shillings per bottle. Most of the people in the colony, male and female, give way to excessive drinking. Wines are not so eagerly sought after, and are therefore more reasonable than might be expected; but if the rage for luxuries continues to increase in the same proportion as it has done for the last few years, it must soon obtain an enhanced price, and a more rapid sale. The evils consequent upon the unrestrained use of these articles, are such as to justify the most poignant regrets that they should be held in such estimation by all descriptions of persons, since they have proved from their first introduction into the colony, and still continue to be, the fertile sources of social disorder, of domestic misery, of disorders, and of death. It is to no purpose that the higher orders set examples of sobriety and temperance; it is of no avail that the governor uses every prudent exertion to restrain the immoderate traffic in these pernicious liquors; threats, intreaties, and punishments, are equally useless; and while spirits are to be procured, the inhabitants will possess them at the price of every other comfort of life.

While on this subject, I shall just take occasion to advert to a singular circumstance respecting the specie of the settlement. The copper coin which was sent out by government, and was originally issued at the close of the year 1800, has most surprisingly decreased, as very little indeed is now used currently. This occurrence is so strange in itself, that I am totally at a loss to account for it, on any principles whatever. Considering its rapid diminution, I cannot conjecture by what means the circulation is still kept up; nor, on the other hand, can I suppose that the coin is caught up for the purposes of exportation, as it was issued in the colony, in the first instance, at one hundred per cent. above its real value. The scarcity of this specie, at all events, operates as an obstruction to trade; and I think that some steps ought to be taken to remove the cause of complaint, by filling up the deficiency which has so unaccountably taken place.

## **Population.**

THERE are nine thousand three hundred and fifty-six inhabitants in the settlement, out of which number upwards of six thousand support themselves, and the rest are victualled and clothed at the expense of the crown. Most men of a trade or profession pursue their calling; and labourers are either employed by settlers to cultivate their lands, and in various occupations, or work in different gangs, where they can be serviceable.

When a transport arrives with prisoners, their irons are immediately knocked off (if this has not been previously done), unless some powerful reason exists to justify an exception from this rule. The muster is taken by the commissary, who gives receipts for every thing belonging to the

crown; the list, with remarks, is given to the governor, who orders them to what part of the settlement he thinks proper, where the deficiency of hands in agricultural or other employments renders such an acquisition desirable.

The behaviour of the prisoners has recently been much less exceptionable than in the earlier days of the settlement, and they seem to have accommodated their dispositions, in a great degree, to their new situations; those who are guilty of theft have latterly been transported to some remote settlement, and this system of punishment has been found more efficacious than the infliction of castigation, or any other corporal punishment, since they feel an unconquerable repugnance to the idea of a separation from their old connections and companions, and a removal to a solitary scene, where they cannot hope for any opportunities of recommencing those pursuits which are so truly congenial to their dispositions.

## **Natives.**

SPEAKING generally of the natives, they are a filthy, disagreeable race of people; nor is it my opinion that any measures which could be adopted would ever make them otherwise. Their wars are as frequent as usual, and are attended with as much cruelty both towards men and women. They are still ready at all times to commit depredations upon the Indian corn, whenever there is a probability of their attempts being attended with the desired success; and this predatory disposition renders it frequently necessary to send detachments of the military to disperse them; but the utmost care is taken to prevent any fatal circumstances from attending these acts of needful hostility, and orders are uniformly issued never to fire upon the natives, unless any particularly irritating act should render such a measure expedient. They are amazingly expert at throwing the spear, and will launch it with unerring aim to a distance of thirty to sixty yards. I myself have seen a lad hurl his spear at a hawk-eagle (a bird which, with wings expanded, measures from seven to ten feet), flying in the air, with such velocity and correctness as to pierce his object, and bring the feathered victim to the earth. This circumstance will tend to shew how soon the youth of these tribes are trained to the use of the spear, and the dexterity to which they attain in this art before they reach the age of manhood. Indeed, instances are by no means uncommon, where an army of natives is seen following a youthful leader of fifteen or sixteen years of age, and obeying his directions implicitly, because his previous conduct had been characterized by remarkable vigour of body, and intrepidity of mind — virtues which qualify natives of every age and rank for the highest honours and the most marked distinctions amongst these untutored sons of nature. Their attachment to

savage life is unconquerable; nor can the strongest allurements tempt them to exchange their wild residences in the recesses of the country, for the comforts of European life. A singular instance of this fact occurred in the case of Be-ne-long, who was brought to England by Governor Phillip, and returned with Governor Hunter. For some time after his return, it is true, he assumed the manners, the dress, and the consequence of an European, and treated his countrymen with a distance which evinced the sense he entertained of his own increased importance; and this disposition was encouraged by every method which suggested itself to the minds of those of the colony with whom he associated; but, notwithstanding so much pains had been taken for his improvement, both when separated from his countrymen, and since his return to New South Wales, he has subsequently taken to the woods again, returned to his old habits, and now lives in the same manner as those who have never mixed with the civilized world. Sometimes, indeed, he holds intercourse with the colony; but every effort uniformly fails to draw him once again into the circle of polished society, since he prefers to taste of liberty amongst his native scenes, to the unsatisfactory gratification which arises from an association with strangers, however kind their treatment of him, and however superior to his own enjoyments.

Yet there are many of the natives who feel no disinclination to mix with the inhabitants occasionally — to take their share in the labours and the reward of those who toil. Amongst these there are five in particular, to whom our countrymen have given the names of Bull Dog, Bidgy Bidgy, Bundell, Bloody Jack, and another whose name I cannot call to recollection, but who had a farm of four acres and upwards, planted with maize, at Hawkesbury, which he held by permission of Governor King; and the other four made themselves extremely useful on board colonial vessels employed in the fishing and sealing trade, for which they are in the regular receipt of wages. They strive, by every means in their power, to make themselves appear like the sailors with whom they associate, by copying their customs, and imitating their manners; such as swearing, using a great quantity of tobacco, drinking grog, and other similar habits. These natives are the only ones, I believe, who are inclined to industrious behaviour, and they have most certainly rendered more essential services to the colony than any others of their countrymen, who, in general, content themselves with assisting to draw nets for fish, for the purpose of coming in for a share of the produce of others toil.

The general pursuits of the natives, their manners and customs, have been so accurately described by preceding writers on the subject, that I shall forbear from entering into more minute particulars, which would swell my sketch far beyond its intended limits, and could add nothing to the knowledge of which the well-informed reader is already possessed. It will be sufficient to remark, that such as the inhabitants of the interior of

New Holland were represented ten years since, they still remain, as the antecedent remarks must sufficiently illustrate: The jealousy of the new settlers, which originally existed, has indeed entirely vanished; but the proximity of a civilized colony has not tended in the least to polish the native rudeness and barbarism, which mark the behaviour of the original inhabitants of this remote spot of the universe.

## **Climate.**

ALTHOUGH the climate is variable, yet it is very healthy, and uncommonly fine for vegetation. Most of the disorders which exist in the settlement are the fruits of intemperance and debauchery, the necessary result of that fatal addiction to drunkenness, which produces mental imbecility and bodily decay. Frost is known but little; at least, ice is very seldom seen; and, I believe, snow has never yet appeared since the establishment of the colony: Yet on the highest ridges of the remoter mountains, to which I have had occasion to allude as never yet having been passed, snow is to be seen for a long time together; and this circumstance is a proof of their elevation. The usual weather in New South Wales is uncommonly bright and clear, and the common weather there, in spring and autumn, is equal to the finest summer day in England. This purity and warmth of atmosphere, it may be naturally inferred, must be particularly favourable to the growth of shrubs and plants, which flourish exceedingly, and attain to a degree of perfection and beauty which is unknown to the inhabitants of this country. The woods and fields present a boundless variety of the choicest productions of nature, which gratify the senses with their fragrance and magnificence; while the branches of the trees display a brilliant assemblage of the feathered race, whose plumage, "glittering in the sun," dazzles the eye of the beholder with its unmatched loveliness and lustre, and presenting, on the whole, a scene too rich for the pencil to pourtray — too glowing and animated for the feeble pen of mortal to describe with half the energy and beauty which belong to it, and without which description is unfaithful.

## **Natural History.**

THIS subject has been so well treated, and the various species of animals, &c. have been so accurately described, by those who have treated on the history of this colony, that it would be superfluous in me to re-tread the ground which has been already so ably trodden. I shall therefore content myself with describing the few natural productions of the country of New Holland, which have been discovered subsequent to the latest publication on the subject, and concerning which, consequently, no information of an accurate and public nature has yet

been transmitted to this country. The exploration of the works of nature in this immense tract of the universe, is however still incomplete; and I have no doubt but the lapse of a few years will tend greatly to the augmentation of the knowledge we now possess on this interesting subject, and will prove the fertile source of new delight and instruction to the mind which can derive enjoyment from that pure source, the contemplation of nature in her varied and astonishing works.

The Koolah, or Sloth, a singular animal of the Opossum species, having a false belly, was found by the natives, and brought into the town alive, on the 10th of August, 1803. This is a very singular animal; for when it ascends a tree, at which it is astonishingly expert, it will never quit it until it has cleared it of its leaves. It is mostly found in the mountains and deep ravines to the southward and northward of Broken Bay, and the natives instantly discover its concealment by observing the leaves of the Gum-tree eaten off, this being the tree which it usually selects. It is astonishingly indolent, and is uniformly found with a companion, locked in each other's arms, as it were. Its claws are very strong, and are of material service in assisting it to climb trees; its length from eighteen inches to two feet; and two stuffed specimens are to be seen in Mr. Bullock's Museum.

Latterly also, a species of the Hyena has been found at Port Dalrymple, which is extremely ferocious in appearance, has a remarkably large mouth, is striped all over, very strongly limbed, and its claws strong, long, and sharp. This animal is likewise of the Opossum kind, having, like the generality of subjects found in New Holland, a false belly. Notwithstanding its apparent ferocity, it has never yet ventured to attack any human being, but has confined its ravages to sheep and poultry, amongst which it has committed frequent and very serious depredations. No one of these animals, I believe, has hitherto been brought over to England, either alive or dead, since their native fierceness renders them less easy of capture than the Koolah.

Flying Mice are likewise found, in considerable numbers, in this country, of a very handsome appearance, and also of the Opossum species. The tail of this interesting little animal resembles a feather; its belly is white, and its back brown; and it is covered with a down as soft as satin. It flies like an Opossum. This subject is much regarded for its beauty.

The Porcupine Ant-eaters are found in most parts of the country, and are esteemed very good eating; they burrow in the earth, and have a tongue of remarkable length, which they put out of their mouth, and the ants immediately crowd upon it, as if lured by some particular attraction, and when it appears to be pretty well covered, it is drawn in with rapidity, and the insects are expeditiously swallowed. — Stuffed specimens of these are also to be seen in the Museum of Mr. Bullock.

Black and white mottled Fern tree was found at the head of Lane Cove, by Colonel Paterson, about five years since; but it does not run to any considerable size. It is esteemed a very handsome wood for the purposes of veneering.

The Spice tree has also been found to the southward: It is a very strong aromatic, and possesses a more pungent quality than pepper. This tree produces a berry, which, as well as the bark, is of a very powerful spicy nature.

Fustic has been discovered at Newcastle — a wood which makes the finest yellow dye; but it has been hitherto confined to New South Wales. Indigo was also found in different parts of the country; but, after a thorough trial of its properties by a French gentleman of much patience and experience, as well as by some other individuals of research, it was found impossible to derive any benefit from it.

Native green currants grow wildly, and make an uncommonly fine jelly. A wild cherry is also found in the settlement, growing with the stone on the outside, of a red colour, but nearly unfit to eat; as also a wild fig, equally nauseous, full of seed, but eaten by the natives. Strawberries grow to fine perfection; but no English currant, gooseberry, or cherry trees, are to be seen in the country: Some were brought from England by Captain Kent, of the royal navy, and were in a flourishing state, with some gingers, from Rio de Janeiro, when a fire happened upon that gentleman's farm, and consumed the whole, which has been a very great loss to the colony. Pines, far exceeding in size those of England, are now growing there, but they are scarce; melons, on the contrary, are very large and plentiful. Botany Bay greens are procured in abundance; they much resemble sage in appearance, and are esteemed a very good dish by the Europeans, but despised by the natives. The bark of a tree called Carajong, which grows like a willow, is manufactured into ropes of considerable strength. A single nectarine tree only has been known to bear fruit, which is in the Government Garden. Some coffee trees were planted by a Frenchman (Mons. Declambe), but he unfortunately died before he could bring them to perfection.

The shrubs and plants of this country are all evergreens, and numbers of them are to be seen, covered with beautiful blossoms, at all seasons of the year. Jeraniums flourish in such abundance, that, in various parts of the settlement, they are made into hedges, and are so thick as to be almost impenetrable; they are always in leaf and flower, and emit an odour of the most fragrant nature, perfuming the surrounding atmosphere.

Cedar, and coals, of a very fine quality, are the produce of the Newcastle district, and are procured with very little trouble. Manna has also been found near Port Dalrymple, made by the locusts on the trees, from which it drops in very considerable quantities. But the most

prizable subjects which have been discovered here are, the valuable stones; of which the white, yellow, and large brilliant Topazes, are considered of far greater worth than those which are produced in any part of the Brazils; since I was informed, when at Rio Janeiro, in the month of August, 1809, by a number of gentlemen of the best information, amongst whom were the Marquis de Pombal and the Judge Consalvadore, that none which had been found on that coast, could bear a comparison with those of New Holland.

The other animals of this country; the numerous, curious, and beautiful birds, which abound there; and the various reptiles which have been discovered, have been already sufficiently described: More of the latter, however, have subsequently been discovered to be of a venomous nature than was formerly conjectured; and the bite of several species of the Coluber, or Snake, have proved, in various instances, fatal, in the course of a very few minutes after the wound has been received. It is to be wished that some mode of cure could be discovered. — It is worthy of remark, that at Norfolk Island, a spot where a settlement was made, and which has been subsequently evacuated, about three hundred leagues from the nearest coast of New South Wales, no reptiles of any description are to be found; while at Phillip Island, only seven miles from Norfolk Island, several species of reptiles exist in abundance, such as the Centipede, Tarantula, &c.

## **Religion.**

THE religion most generally followed in the colony of New South Wales, is that established according to the usage of the Church of England; and it is a subject of satisfaction to observe that the churches are, generally speaking, well attended. A great part of the military corps, with their officers, uniformly attend divine service. — A Roman Catholic priest (the Rev. Mr. Dixon) was formerly allowed by government to preach in public, but this indulgence has been subsequently withdrawn from some cause or other; and I am somewhat inclined to attribute this alteration to the seditious conduct of the Irish prisoners, some years since, in which it was proved that another priest (Mr. Harold) bore a conspicuous part, upholding and encouraging the designs of those who entertained schemes inimical to the existing government, and subversive of the welfare of the colony.

Some of the Missionary Society preach at the out-settlements, frequently on a Sunday, with various success; and it is much to be lamented, that in the selection of these men, who are sent out to enlighten and instruct the ignorant, greater attention is not paid to their qualifications; and the abuses which are practised under the cloak of religion, in these remote parts of the world, call loudly for a close

investigation, and a total reformation of the system. That there are amongst these Missionaries men of strict fidelity, whose hearts are engaged in the task they have undertaken, and whose conduct has justly gained them the esteem and veneration of all classes, is a fact which no dispassionate observer can deny; but it is also equally notorious, that there are too many of an opposite description, who practise every vice, and do the most serious injury to that sacred cause to which they have been delegated, and have engaged to support. If greater pains were taken in the choice of servants, the Missionary institution might tend to the more rapid promotion of the knowledge of religion; but the work will be retarded while improper instruments are used. A Missionary, of irreproachable character, was unhappily murdered a few years since, by some persons whom he had served, and who adopted this new and inhuman method of repaying the obligation which had been conferred upon him.

The natives are in general very superstitious, and entertain some singular notions respecting their deceased friends and countrymen, of which very ample accounts are given in Lieutenant-Governor Collins's interesting publication. Their funeral ceremonies are extremely impressive, and every mark of respect, which suggests itself to their untaught minds, is paid to the body of the deceased. A barbarous custom, however, prevails, which is sanctioned by their rude ideas of religion: — When a mother dies, while giving suck to an infant, the living babe is uniformly thrown into the grave of the parent, and the father having cast a stone upon it, the earth is cast into the pit, and thus the innocent offspring is immolated to an erroneous and superstitious prejudice.

Amongst the convicts the influence of superstition is less prevalent, although, amongst many of the lower orders of Irish, the traces of it are to be discovered; it leads, however, to no injurious consequences, and deserves encouragement, in preference to those totally irreligious principles which might naturally be expected to shew themselves amidst a body of men, of characters and dispositions so hostile to every thing which is virtuous, dignifying, and good.

## **Morals.**

THE morals of the colony are by no means so debauched as the tongue of prejudice has too frequently asserted; on the contrary, virtuous characters are not rare, and honourable principles are not less prevalent here than in other communities of equal extent and limited growth. The instances of drunkenness, dishonesty, and their concomitant offences, are not more common than in the mother country; and those amongst the convicts who are disposed to return to their old habits, and re-commence their depredations upon society are deterred by the severe punishment

which awaits their detection: There are many also amongst the prisoners themselves, who are now striking examples of probity, industry, temperance, and virtue; and some have obtained a remission of the punishment which occasioned their residence in the settlement, in consequence of the signal and radical change which had taken place in their inclinations and behaviour. Where there is society their must exist offences; but, on the whole, considering the nature of the colony of New South Wales, the morals of the people are as free from glaring defects, as those of any other tract of equal population in the habitable world; and the characters which are celebrated for their virtues are as numerous, in proportion, as those which are to be found in other countries, where civilization and prosperity have made greater progress, and where individuals have greater inducement to labour, and the prospect of a brighter reward for their industrious exertions.

### **Amusements.**

The erection of a play-house was noticed in the preceding part of this sketch; the abuses which were uniformly committed on the nights of performance, subsequently rendered that a nuisance which was originally intended for an innocent recreation. When the inhabitants were engaged in this enjoyment, their property was left unwatched, and there were ever numbers of dishonest individuals who were ready to seize upon these opportunities to gratify their vicious dispositions. It was also a common practice to give provisions to obtain entrance, if money was scarce; and thus, by the frequent privations of their regular food, many of the convicts were unable to pursue their labour with proper energy and activity. Other abuses also resulted from the establishment of the theatre, which induced the governor to recal the permission which had been given for the performances, and the playhouse itself was soon afterwards levelled to the ground.

Since the destruction of this building, the sources of amusement have been confined to cricket, cards, water-parties, shooting, fishing, hunting the kangaroo, &c. or any other pleasures which can be derived from society where no public place is open for recreations of any description. The officers of the colony have also built a private billiard-room, by subscription, for their own use; and if these amusements possess not that degree of attraction which is attached to dramatic representations, they cannot, on the other hand, be liable to those abuses, and produce those injurious consequences, which previously existed.

Amongst the convicts, indeed, gaming is carried, too frequently, to the most deplorable excesses; and, in some cases, the most abandoned of the prisoners have actually staked the clothes which they wore, and when those were lost, stood amongst their companions in a state of nudity, thus

reducing themselves to a level with the natives of the woods. The most severe measures were called for by this unprincipled practice, and the most gross part of the custom was done away; but it was impossible to put a total stop to the gratification of this gaming disposition, which is still pursued with equal avidity in some way or other, and which may be said, next to drinking, to constitute the chief pleasure and amusement of the lowest classes of the prisoners.

The amusements of the natives need no recital here, as they have been fully detailed in other publications.

### **Military Force.**

THE whole of the military in the colony consists of the New South Wales corps (now the 102d regiment), two volunteer associations, and a body-guard of troopers for the governor, commanded by a serjeant. In fact, the inutility of a larger military force must be obvious to every man of common reflection, since it is merely required for the purposes of preserving domestic peace, which might be in danger of continual interruptions, in case of the absence of military power altogether, from the turbulent dispositions of many of the convicts. This inclination to revolt, however, is repressed by the appearance of a few organized troops; and a sufficient check is kept upon the natives, who still continue to make occasional incursions, and commit their depredations upon the India corn of the settlers, whenever an opportunity offers itself: At these periods the soldiers are called in, and a few of them are found sufficient to drive back the plunderers, who hate and fear the approach of a soldier.

### **Buildings.**

THE buildings are of stone, brick, and lath and plaister; weather-boarded; and the houses are durable. There are two churches; one, St. Philip's, which possesses a very handsome service of communion plate, presented by his Majesty, and received by the Calcutta, on the 8th of October, 1803; and the other, St. John's, at Parramatta: There are likewise a school and chapel at Hawkesbury, where divine service is performed. Two jails have also been erected in the colony. A house has been built for the governor at each of the principal settlements; which also possess several very commodious barracks, with many other public buildings, and a great number of extensive and handsome houses, the property of private individuals. There are a stone bridge, and several very substantial wooden ones, which, if not celebrated for beauty, are found extremely serviceable, and well calculated for all the present purposes of the colony, which is not yet sufficiently advanced in prosperity to prefer ornament to use. A new stone citadel is in a course of building, on which

the Royal Standard, for the first time in these settlements, was hoisted on the 4th of June, 1803; and several batteries are erected. — For a more particular account of the buildings at Sydney, I must refer the reader to the following explanation of the Views of Sydney, the principal seat of government, which accompany this sketch: —

In the View of Sydney, from the East side of the Cove, No. I. the house under two birds, as *xx*, is the Residence of the Governor in Chief, which is built of brick, plaistered over; has very convenient stables and outhouses, and is a very pleasant and comfortable residence; the garden and shrubbery extend to about four acres. The Flag-staff near the gardenhouse bears the Union on holidays, and different signal-colours are used there to form a communication between the shore and the king's vessels in the Cove. The Pine tree growing in the garden is from Norfolk Island, and runs to an amazing height and thickness; the knots from this tree are used instead of flambeaux, and burn remarkably well. The buildings under three birds, as *xxx*, extending some distance right and left, and forming a square, are the Military Barracks, built of brick, the largest of which was erected by Lieutenant-Governor Foveaux: This is an extensive well-built place, and was finished in far less time than any building ever begun upon by government in that settlement, considering its magnitude. The White House and Warehouses, which appear immediately under that building, although a considerable distance on this side, belong to Mr. Simeon Lord; they are built of stone, and the dwelling-house is by far the most magnificent in the colony. The road leading through Barrack-square is the high road to Parramatta. The house at the head of Government-wharf, shewing four windows on the ground floor, is a Dry Storehouse belonging to the crown, and is used for depositing articles for barter, &c. in, which are sent out by government for that purpose. The small yellow house behind it belongs to government, and is inhabited by Mr. John Gowen, one of his majesty's store-keepers in that settlement. The yellow house, on the right of the Barrack-square, and having nine windows in front on each floor, is an extensive Government Granary, and was built of brick, plaistered over, under the direction of his excellency Governor Hunter. Attached to this building, on the right, is a very useful Military Store; and, on the left, a Store for the issue of Provisions. The red house, to the right, built of brick, with two wings, is the Female Orphan-house, which is a very convenient building, and was purchased from Captain Kent, of the royal navy, but great additions have been made to it subsequent to its purchase. The long building above the Orphan-house, of which only a part of the front is seen, is built of brick, and belongs to Garnham Blaxcell, Esq. whose zeal for the colony, and whose industry, have equally entitled him to the esteem and praise of all. The house a little to the right of the Orphan-house, and appearing to have a wing, is the Dwelling, and,

attached to it, are the Warehouses of Mr. James Underwood; they are built of brick, and are extremely commodious and comfortable. The building above is the Church, as the tower denotes; it is built of stone, and has a peal of eight bells therein, but they are not very harmonious. On the right of the one road leading to the church, the building with four windows and two doors in front, and the erection above it, are two Government Store-houses, built of brick and plaister; the first is generally used for bonding of spirits in, for naval stores, &c.; and the other for the reception of salt provisions, when any arrive from England. The Windmill on the hill is built of stone, and belongs to government; and the building on the right, which is continued in View, No. II. with a wall round it, is built of stone, and forms part of the County Gaol. In the fore ground, six of the Natives are in the attitude of throwing the spear; two with spears; one with a spear and helemon, or shield; and two sitting down. — Of the dexterity with which they hurl this weapon, some notice has been taken in a preceding part of this sketch.

In View, No. II. taken from the East side of the Cove, the long building, with a flight of steps, is the County Gaol, of which a part is seen in No. I. The White Building, to the right of the Prison, of which only three windows in front, and the warehouses around it, are discovered, belongs to Mr. Henry Kable, who, with Messrs. Lord and Underwood, have been very industrious and enterprising men in the oil and sealskin trade, &c. and possess a number of vessels and considerable estates in the colony. The two small Houses, rather to the right, below the Gaol, built of brick, are used for the boats' crews. The Warehouses which hide part of these huts, and the House above, belong to Mr. Isaac Nichols; they are very extensive and commodious, and are built of stone. The House, still further to the right, with a door, four windows, and two side-lights, in front, and kitchen detached, belongs to Mr. Thomas Moore, the principal shipwright, a man of unshaken integrity and large property. The wharf near this part, is called the Hospital Wharf, where all merchandize, &c. is directed to be landed. The Road leading on the hill, takes different directions to the houses and streets on the rocks. The three long buildings, on the right of the road, are the General Hospitals; and in the front of them is the Government Dock-yard. Next, to the right of the Hospitals, one building with eight windows and two doors in front, and the other with four windows and a door, with side-lights, in front, are the Barracks occupied by the Medical Staff. The two next buildings are not tenanted by their late possessors. The large buildings to the right, at the water's edge, are the House and extensive Warehouses of Robert Campbell, Esq. a merchant, where a ship of large dimensions can load or unload, with any tide, alongside his wharf. Near this place a vessel belonging to that gentleman some time ago caught fire, and after a great deal of trouble she was sunk, by which means the fire was extinguished;

she was afterwards got up, and underwent such repairs as soon enabled her to proceed on her voyage. Where the yellow flag is seen flying, on Dawes's Point, there is a Battery, and Lookout-house, to communicate with the signals for ships in the offing at South Head. The River round the point leads to several agricultural and farming districts, and to Parramatta. On the hill is the Citadel, with the union flag flying, and two Government Wind-mills, one built of wood and the other of stone, the latter of which is unserviceable. The other buildings belong to individuals indiscriminately. The Canoes, with fires in them, belong to the natives.

In View, No. I. taken from the West side of the Cove, on one side of the land which is farthest seen, is the Harbour; and on the other, is an amazing expanse of sea. There is a carriage-road made from Sydney to the extreme point, which is South Head, and a great many carriages and horsemen frequently go down there to spend the day, or to see any vessels which may appear off the land. On South Head are, a Flag-staff, a Lookout-house, and an Obelisk; and betwixt it and the North Head, is a narrow entrance, by which vessels enter the port, about seven miles from Sydney. The small island in the centre is called Pinch-gut, which name originated from some persons being placed there on an allowance of provisions for some offence, where they built an oven, the remains of which are yet to be seen: At this time there is a man named Brown, before spoken of, hung in chains on this spot, for committing several murders. The other islands, between these and the heads, are called Garden, Shark's, and Clark's Islands. On the land to the right of Pinch-gut, called Be-ne-long's Point, the native of that name, who was once in England, had a hut built by government; but he soon left it, and it was destroyed: There are also the remains of a battery there. Under two birds, as , are two Houses on a point of land leading from Farm Cove, the next cove to the eastward of Sydney. Under a large flight of birds, are three Wind-mills, and an extensive Bakehouse; two of which, and the bake-house, belong to John Palmer, Esq. and the other to Mr. Henry Kable. Beneath them is Government House, and part of the offices, and grounds. To the right of the Government wharf are the Dry Stores spoken of in No. I. from the east side. The building above that, of brick, is the Main Guard-house, and is a very convenient place for that purpose. The Stone-house, and offices, to the right of the Dry Stores, with five windows on a floor, belong to Mr. Thomas Reiby; the brick House, nearly adjoining, to Mr. Andrew Thompson; and the large Stone-house and Warehouses, to Mr. Simeon Lord, spoken of in No. I. of the other Views; in the front of which buildings is the principal road leading to Government House, where are houses and offices for the Judge Advocate, Commissary, Clergyman, and Surveyor-General; but they are mostly hidden in this View by the trees and large buildings before them.

The stone building at the stern of the Sloop, comprises the Warehouse and part of the House belonging to Mr. Isaac Nichols, spoken of in No. II. of the other Views, and continued in the next of this. The buildings concealed by part of the long shed near, but on this side Mr. Nichols's, is the back part of the Assistant-Surgeon's Barracks. The house behind the trees is the back of the Barracks of the principal Surgeon. The house near the Natives, who are fighting, is not occupied by any person of particular consequence; and the one, partly hidden by the rocks, was occupied by Mr. Moore, but is going to decay.

In View, No. II. taken from the West side of the Cove, the lofty House of which a part is seen, and which was spoken of in No. II. of the other Views, and I. of this, belongs to Mr. Isaac Nichols; and the buildings on this side are the back of the General Hospital. The Bridge, the only one built of stone in the whole colony, is a very bad structure; the walls on each side of the arch inclose the grounds belonging to the Orphan-house and Mr. Simeon Lord. The road seen on the other side of the bridge is called Spring-row; it leads to several streets, and joins the main road to Parramatta, &c.; below the paling of which there are very large Tanks, cut in rocks, to supply the town and shipping with water; but there is another watering-place for ships on the north side of the Cove, very commodious, and the permission to use which produces a small annual income to the Orphan fund. The rows, commencing above the foot of the Bridge, on the east side, are called Chapel, Pitt's, and Serjeant-Major's rows, the latter of which, under the two birds, runs to the Brick-fields, towards Parramatta. The House on the right, at this end of the longest street, seen in this View, with three windows and a door visible, belongs to Garnham Blaxcell, Esq. spoken of in No. I. of the other Views. The building, the eastern end of which is partly covered by a tree, is the most southern Military Barrack. The two lofty red houses at the west foot of the Bridge, in the rise, are side-views of the Orphan-house and Mr. James Underwood's, spoken of in No. I. of the other Views. The houses on the right, a spot called the Rocks, belong to different individuals, and some of them are very comfortable habitations.

Over the south creek at Hawkesbury a floating-bridge has been erected, which has proved greatly beneficial to the public; since, previous to its completion, every person who had occasion to go to that settlement, and in many cases from one farm to another, was obliged to pass to and fro in a boat. As this bridge was constructed by an individual (Mr. Andrew Thompson, a settler) at his own expense, the following tolls are allowed to be demanded: — For every foot-passenger, four-pence, or ten shillings per annum; for each horse, single or in draught, two shillings and sixpence, or two pounds ten shillings per annum; for waggons, or other four-wheel carriages, with not more than half a ton lading, one shilling and sixpence, or one pound ten shillings per annum; for carts, or

carriages with two wheels, laden or not, each one shilling and sixpence, or one pound ten shillings per annum; for sheep, under a score, two-pence each, and by the score two shillings and sixpence, or two pounds ten shillings per annum; swine and goats, the same as sheep. Passengers, horses, carts, and carriages, are allowed to pass and re-pass, during the same day, with one ticket; and a considerable income is derived from this toll.

THE children born in this colony from European parents, are very robust, comely, and well made; nor do I recollect a solitary instance of one being naturally deformed. They are remarkably quick of apprehension; learn any thing with uncommon rapidity; and greatly improve in good manners, promising to become a fine race of people.

The Duke of Northumberland has sent over some Teeswater sheep, and one stallion, very recently, to Colonel Johnston, which have greatly improved the breed of both. Mr. Mac Arthur took over some Merino sheep, from the King's flock, which are thriving, and the wool of which is extremely fine; several samples have been produced in England. The deer in this colony (originally, I believe, from India) thrive very well, but are of the Rein species, and rather inclined to be small: I have seen some very good venison, and of a superior flavour to any I ever eat in England, though not so fat; the breed might be much improved by a few being sent of a larger quality. Some time ago several made their escape from a park belonging to Mr. Harris, who has for many years been surgeon of the regiment there, and before I left the colony, they were breeding and running wild in the woods.

Several foreign vessels have within these few years arrived here on discovery; but nothing material has resulted from their observations, with which the reader has not been made acquainted.

## **Chapter IV. Hints for the Improvement of the Colony.**

HAVING thus touched upon the progress of the Colony and its present state, I shall now beg to add such Hints respecting its future improvement, as have suggested themselves to my mind during a residence of ten years in the settlement, in which period I have been enabled, from the nature of the various situations I have held there, to render myself intimately acquainted with all those particulars which are essential to the formation of a correct opinion on this interesting subject. And to the execution of this task I feel the more particularly urged, since I have beheld, with pain, that those who seem to be most deeply impressed with the necessity which exists, for the adoption of some measures to further the interests of the colony, have entirely mistaken the line which ought to be followed, and have marked out to themselves a course of procedure, which is founded on a total misconception of the nature of the colony, and a very superficial knowledge of its present state. That a period of twenty-two years has not been sufficient to render New South Wales independent of the mother country, is a reflection which must produce strong and ungenial suspicions of the prudence of those methods which have been pursued to accelerate such a desirable end; and the continuance of the late system, the inefficiency of which has been amply illustrated by recent events, and facts which are incontrovertible, is, of all evils, the most sincerely to be deprecated and guarded against. Of the capability of the settlement to produce adequate means for the subsistence of its members, there can be but a single opinion amongst persons who are enabled, from experience, to judge of the nature and fertility of the soil; and it must, consequently, form an evident conclusion, that some unnatural check must have sprung up to impede the ordinary course of proceedings. My object, however, is not to deprecate the opinions of others, but to give to the public those ideas of improvement which have arisen in my own mind, and which have been confirmed by the approbation of others, who are equally as well or better qualified to decide upon this important subject.

Complaints having been made by the government of the expenses of the colony, which have accumulated, rather than diminished, with the increasing growth of the settlement, I shall first enter into a statement of the causes of this augmented expense, part of which, as I shall hope to

demonstrate with clearness, has arisen out of the nature of things, and the other part may be attributed to various causes.

1st, As to the retarded progress of public buildings, and the diminution in the labour of the convicts. — This decrease in the quantity of labour performed, is to be attributed to the natural falling-off in the strength of the convicts employed in government labour, from deaths, desertions, and their becoming free. Those who were first sent to the colony, and had been originally transported for seven and fourteen years had served their times, the former in 1793, and the latter in 1800; numbers had been released from their servitude on account of their exemplary behaviour, or of services done to the colony; and all who became settlers being allowed one, two, or more convicts to assist in the cultivation of the tracts assigned to them, the reduction in those who laboured for the crown must necessarily have been very considerable, and must still continue in an increasing degree, owing to the great numbers of free settlers who have been allowed to go out from England, many of whom have only been a great expense to government, and an hindrance to the settlement. From a correct estimation taken in the year 1800, it was ascertained that three-fourths of the convicts employed in the service of government at the close of 1792, had been subsequently discharged. From that period to the year 1800, 1259 new male convicts arrived, effective and non-effective, a number which was insufficient to fill up the deficiencies occasioned by those who had obtained their liberations in consequence of having completed their terms of servitude, and the emancipations which had taken place, the number of which together amounted to 1264, without including the deaths, casualties, and escapes, which may be taken at an equal number; nor were there more employed by the crown than 710 when Governor King was succeeded in the command of the colony (although a great many had arrived between those periods), including the vast number allowed to officers, settlers, and others, and but few of the remainder were either mechanics or persons adapted to the improvement of the colony; therefore from these causes it must be evident to every rational mind, that the progress of the colony towards perfection and prosperity has, in fact, been as rapid as could be expected, considering the circumstances of the settlement; and an opinion of a contrary nature must have been grounded upon an exaggerated estimate of the means which existed, and an entire ignorance of the due proportion which they have borne to the labour required at their hands.

2dly, As to the expenditure of the stores which were forwarded to the colony, in the interval which elapsed from the departure of Governor Phillip, in December, 1792, to the arrival of Governor Hunter, in September, 1795. — It has been subsequently ascertained, that in this lapse of two years and three-quarters, a sufficiency of stores had been received to supply the real wants of the settlement for a period nearly

thrice as long; whereas the whole was expended, and the store-houses were found empty at the arrival of the latter governor from England. In consequence of the profusion which had thus been practised, although it might at that time be deemed needful, his excellency Governor Hunter was reduced to the necessity of purchasing new stores at an expensive market, where every advantage was taken of the necessity which had induced the demand, and the most exorbitant prices were charged for each article. I have understood from very good authority, that two pounds were paid for a pair of men's shoes, and thirty shillings for women's; tobacco was forty shillings per lb.; soap twelve shillings, and sugar eight shillings; a beaver hat and a coarse jacket, fetched five pounds each, and every other article in an equal proportion. A great deal of time was also lost in endeavouring to make implements of husbandry, mechanical tools, and other requisites of a similar description. The reduced state of the colony at this period was also rendered still more deplorable, by the neglect of the government in England to comply with the urgent requisitions of Governor Hunter for such supplies as were necessary. The exhaustion of the stores of clothing and beds and blankets, assisted to fill the hospital with patients, and rendered the purchase of these articles absolutely indispensable at any price, and on any terms on which they might be procured. I feel myself inclined to suppose, that the backwardness which displayed itself at this time in the government to dispatch the stores which were demanded, arose from a conviction that the supplies which had been previously sent in such abundance were sufficiently ample for all the immediate wants of the colony, and, consequently, that the pressure of necessity could not be so great as was represented; for it was not to be expected that those officers who administered the government of the colony, on the arrival of their successors, would depict the situation of the settlement, and the state of the stores, in any other than a favourable light, particularly to his Majesty's ministers at home; a line of conduct which tended considerably to enhance the mischiefs which had been already showered upon the inhabitants, by the perhaps too liberal distribution which had been displayed in the issuing of the various necessaries during their administration.

3dly, As to the custom of allowing to settlers a certain number of convicts, for years, to assist in the tillage, and continuing to victual those servants out of the public stores. — I am clearly of opinion, that much evil has arisen from the unrestrained issue of this indulgence. The original object of this grant was, to enable the young farmer to clear the tract which was assigned to him, and to bring it into a condition which would enable it to produce a maintenance for its possessor; then he was required to take the convicts which he thought it necessary to retain, entirely off the public stores, and to victual and clothe them at his own

cost. The abuse of this indulgence, however, has arisen from the extension of its advantages to an unlimited term; so that the farmer is interested in retarding the efforts which he might otherwise be induced to make for the improvement of his land, in order to save himself from the burden of supporting his servants; and thus a spirit of indolence is promoted, and the original intention of the measure is totally perverted. The continuance of this pernicious system, previous to the administration of Governor Hunter, had induced the settlers to look upon it as a right, rather than an indulgence. Numbers of useful mechanics, whose services might have been turned to advantage, in the exercise of their different professions for the public benefit, were thus given to those who cultivated lands, until their term was expired; and no sooner did they recover their freedom, than they quitted the service of government for more lucrative employments; the consequence was, artificers at a high price were to be hired by the governor, to build those store-houses which might have been erected before, and to repair the towns of Parramatta and Toongabbee, which were falling into ruins, on account of the necessary repairs having been neglected at a proper season: This was a new expense entailed upon government, and many thousands were expended, which foresight and prudent policy might have saved.

A 4th cause of superfluous expense to the crown, was to be found in the employment of the convicts to perform the public service by task-work, which was completed by nine or ten o'clock in the morning, and thus left the hands free to assist in the cultivation of those tracts of land which had been granted to different descriptions of persons. Thus was the government labour protracted in a most shameful degree; the labour of little more than a week requiring the lapse of a month to complete it; and thus, also, several were induced, by their attention to their individual interests, to neglect the service of the colony. The consequence of this innovation was, the rapid clearing and cultivation of such persons' estates, and the erection of comfortable residences and the acquisition of further accommodations, which they must otherwise have waited some time to obtain; while the buildings which were required to be raised for the security of the stores, and for other purposes of equal necessity, were greatly retarded. I am confident also that this conduct tended to relax the discipline which ought to have been rigidly preserved amongst the convicts, and produced a general carelessness of the general interest; and it was not without some difficulty that Governor Hunter succeeded in the adoption of a contrary line of behaviour. Habits of dissipation and indolence resulted from this pernicious mode of bartering the public for individual interest, which had taken such deep root, as to render their complete eradication matter of the most extreme difficulty: The encroachments on the hours of labour for the crown has, however, been done away by Governor Hunter, and a more regular system has been

adopted in the allowance of convicts and other indulgences to settlers, &c. by order of the Secretary of State, since his excellency's departure.

The custom of imprisoning for debt those persons who are employed in the public service, constitutes the 5th article of notice; and this practice had been carried to such a pitch, that dealers would readily give credit to convicts, or any servants of the crown, under the idea that they might sue the debtors for the amount, and imprison them, or obtain the benefit of their labour until the debt was liquidated. The necessities of the convicts frequently compelled them to seek for credit, and thus to throw themselves into the power of those iniquitous designers. In consequence of the prevalence of this practice many of the convicts were immured continually, and thus the public was deprived of their services; since they preferred remaining indolently in confinement to making those complaints to the governor, which would have led to their release, and reinstatement in their former situations of labour. Governor Hunter no sooner made himself acquainted with the mischievous extent to which this conduct was carried, than he published an order, in which he prohibited every person in trade from “crediting the servants of the crown, “under the plea of their being at liberty to imprison their persons; if “such credit was given, it was to be understood as being done at the “risk of the creditor, on the good faith he entertained of the integrity of “the persons he so entrusted, but that the public should not be deprived “of the labour of its servants for the partial accommodation of “individuals.” This order was dated the 4th of October, 1798, three years after the return of Governor Hunter to the administration of his high and responsible office; and the regulation was justified by the situation of the colony, and the abuses which had sprung out of the custom. After the publication of this order, however, I saw many persons committed to prison for debt, whose situation, as convicts, exempted them from incarceration; but this apparent breach of the regulation was entirely attributable to the ignorance of the court which had thus decided, that the person against whom their warrant was directed, was at the time a bond-servant, and, consequently, within the reach of this clause. Whenever a commitment of this description came to the governor's knowledge (which was always the case in a few days, when the report of the prisoners for debt was delivered to him), the delinquent was immediately enlarged, since his confinement was illegal, as contrary to the order which had been published on the subject.

Another cause of expense, comprising the 6th in this enumeration, arose out of the number of orphan children in the settlement, who were allowed full ration and clothing at the charge of government. This evil has, however, experienced a very natural reduction, from the judicious measures adopted by Governor Hunter, who laid the foundation of a fund for the benefit of these orphans; the consequence of which has been, the

completion of a school for the education and maintenance of female children of that description, and which is now supported by various imposts upon merchandize, and other taxations or fines for certain offences against the general orders. The children embraced by this charity are not simply the offspring of deceased parents, but such other children, also, as have been left unprovided for, by the desertion of those whose duty it was to foster them, or from the circumstance of their being found to be worthless and profligate characters, or by their having betrayed a carelessness and indifference as to the moral improvement of their children; where such a disposition displayed itself, the offspring were taken from them, and their subsequent progress was made the care of this institution, which provided for their support and improvement; and I am happy to say, that there is every appearance of a great good arising from this foundation, by rescuing from infamy and shame, and bringing up to a life of virtue and industry, a number of fine young girls, whom it is earnestly hoped will strive to repay the paternal care that has been taken of them in their juvenile days, by a strict adherence to every pure inclination as they rise in age, and a grateful remembrance of those from whom their happiness has sprung.

7thly, The establishment of a most injurious monopoly amongst the inhabitants of the settlement, which has tended to the ruin of fair trade. — The commencement of this baleful system is traced back to the administration of Governor Phillip, at which time I was not in the settlement. In a very scarce period, when all classes were labouring under every kind of privation, the officers prayed leave of the governor to charter the ship *Britannia* for the Cape of Good Hope, to bring back cattle and other articles on their account, for which speculation a considerable sum was subscribed, in equal shares. The governor assented to the proposition, in consequence of the peculiar state of the colony at that time; but scarcely had the *Britannia* sailed upon her voyage, when the governor, having received leave of absence, left the settlement, and the government immediately changed its form, from a naval to a military system. In consequence of this variation, permission was readily obtained for the disposal of the cargo thus imported on its arrival, and after its passing through the hands of the importers, the chief part of the merchandize produced from 1000*l.* to 2000*l.* per cent. to the private retailer. These extraordinary advantages could but be attended with evil and destructive consequences to the settlement at large; nor does the system of monopoly, which was so early introduced in the colony, cease to spread its baleful influence; by which means the settlers, who were deserving of the most marked encouragement and indulgence, still remain in far less affluent circumstances than they otherwise might have been. This topic deserves serious attention, and the mild hand of legislative authority, to check its further pernicious effects.

Having spoken thus on the subject of monopoly, which I shall at a future period fully establish, and which has occasioned the sacrifice of the public, to individual interest, I shall proceed to advert, 8thly, to the loss which the government has sustained in the dereliction of some of its most valuable servants, who have been allured, by the rapid fortunes made by several individuals, to quit the service of the public, and to embark in traffic. The inferior officers of the settlement, and the non-commissioned officers and privates of the regiment, have been infected with the itch for dealing; and many of the settlers themselves have either disposed of their farms or deserted them, to obtain the means or the leisure to devote themselves to a species of dealing which never failed to turn to good account. Many who had also served their terms of transportation, instead of remaining to aid the public service, withdrew themselves from the stores, and turned their thoughts to trade. The consequence of this universal inclination to one object, and that of such an evil nature, being chiefly confined to the sale of spirits, soon became obvious in the desertion of those farms which had been previously tilled with so much advantage, and in the neglect of all duties, whether of a public or private nature. The immense profits made by this pursuit served as a new stimulus to its continuance: One dealer was known to have cleared twelve hundred pounds sterling in four weeks, and chiefly by the sale of spirits; and an inhabitant of the lowest order, who commenced dealing with five pounds, has been known to realize five hundred pounds in the course of six months. It must naturally be inferred, that the most base imposition must have been practised to render this business so extremely lucrative, and the article itself must have been diluted away to excessive weakness; but while the temptation remained so strong, it is not to be wondered at that such numbers of persons, in a colony of this or any other description, should be found to quit every other object for a free and full pursuit of one so full of attraction. Many of the convicts soon acquired property in this way, and some of those who had been in that unfortunate situation, by their good conduct are now considered as respectable characters, and are in possession of horses, carriages, and servants, with a sufficiency to secure their independence during the remainder of their lives. The military have also made considerable wealth by the same course, and the consequence was the instilment into every bosom of a consciousness of independence, which was fatal to that strict subordination which ought to be maintained and enforced. Non-commissioned officers were the principal actors in this department, and being connected by the ties of common interest, they formed a combination which interfered with the middle class of inhabitants, since they could get on board any vessels on account of their rank, which gave them the privilege of doing so, without being under the necessity of obtaining a written pass for that purpose. The principle of allowing a

servant to enter into traffic, is fraught with the most serious mischief; since he is not only led to neglect the duties he has undertaken to perform, but gradually becomes independent in his feelings and opinions, and substitutes insolence of conduct for the respect which ought to mark his behaviour. The value of an article also becomes greatly enhanced to the consumer, when it is permitted to pass through so many hands, each individual of whom must place upon it a profit which he deems adequate to his labour or his ingenuity. Allowing liberty to a prisoner to pursue this kind of avocation is productive of another evil; it leads him, by gradual steps, from becoming careless of his proper duty, to the assumption of a degree of importance and independence which induces him to place himself above his master, and thus controverts the natural and necessary distinctions of society. This traffic has also originated numerous frauds of a pecuniary description, amongst which may be mentioned, as the most notorious, the custom of indorsing notes of hand over to persons, without receiving any consideration for the same, and thus making them the plaintiffs in the suits which they were permitted to institute. From all these practices it has resulted, that numerous settlers have been induced to neglect or quit their farms, which, with industrious management, were competent to the supply of all their necessary wants, and thus to diminish the means of procuring subsistence for the colony; and they have become dissatisfied with a country, which is capable of being made the most lovely and prolific in the world. Amongst the inhabitants, also, was introduced the vice of gaming — a natural consequence of the astonishing increase of wealth in men of little principle and no economy; drunkenness was the ready way to this crime, and so addicted were many of every class of society to it, that they scrupled not, after losing the property which they possessed, to stake that which they did not possess. Some persons, however, either favoured by fortune, or possessing more prudence than their unfortunate companions, contrived to retain the property they had gained, and by applying it to traffic are now in a state of affluence of which few persons can form an accurate conception.

The 9th item of expense is to be found in the provisions and spirits issued to parties on command; a custom which has been esteemed proper and necessary in cases where such parties have been employed in particular services for the public benefit, and in no other cases have they been issued during the administrations of governors Phillip and Hunter. These services were of various descriptions, parties being frequently detached in pursuit of those who had absconded, either into the woods, or had carried off boats, and endeavoured to escape over the ocean; others were oftentimes employed in excursions into the interior, to obtain a more perfect and comprehensive acquaintance with the nature and productions of the country; others again were sent, at times, to

reconnoitre the herds of wild cattle, to remark their progress, and see that no attempts were made to destroy such an useful resource; the inspection of the various settlements also occupied some detachments; small divisions were dispatched to cruize and survey the coast; and the crews of colonial vessels, which were engaged in going to and from the Hawkesbury, as well as to the more distant settlements, were in the habit of receiving these extra supplies, as they had no other means of increasing their common allowance, when such augmentation was necessary: Certain customary rations were also given to the settlers while they were employed in making and repairing the different roads which led to the settlements, and at which periods they received allowances in proportion to the number of days during which their services were required. It had also been usual to give one pint of spirits weekly to each of the clerks employed in the offices of the governor, secretary, commissary, and judge advocate; a similar portion was also issued to the constables of the crown and the overseers; and also to such constables of districts as were chosen out of the inhabitants who were not prisoners, and who, with their families, were victualled from the public stores; but some of these have been subsequently done away with, being considered by Governor King as a superfluous addition to the already excessive expenses of the colony. There are also many other occasional duties, the persons employed in which would be entitled to the extra allowances, from a sense of their indispensable necessity, since it is sufficiently evident that men who are called upon and expected to perform services of more than common exertion, must receive additional means of increasing their physical strength, and of enabling them to execute the task assigned to them.

A 10th cause of loss to the crown, and of the expenses of the colony, resulted from the abuses formerly practised in the medical department of the colony; amongst which it was customary to screen the convalescent labourers in the Hospital, and to employ them for individual benefit, so that the patients were thus kept under the hands of medical men longer than was requisite for the establishment of their health: An imposition of this nature called for immediate steps on the part of the governor, but unfortunately his excellency Governor Hunter did not receive information of this iniquitous practice until he had delivered up his executive power and was embarked, or otherwise he expressed his determination to have put a stop to the disgraceful proceeding; it has, however, subsequently been done away with. At one time, it was ascertained, there were forty or fifty convicts who were thus kept in the Hospital, and were employed by a medical man in the furtherance of his private interests, and such other occupations as he marked out for them, to the loss of eleven pounds five shillings a day to the crown. Such a circumstance as this, from a quarter so totally unexpected, afforded an

additional proof of the general disposition which prevailed amongst almost every class of society to push their individual interests, to the detriment of the public service; and, instead of giving their full assistance to promote the prosperity of the colony, to retard its progress, and make its necessities the source of their profit.

The 11th cause of loss to the crown, and of the expenses of the colony, arises from the dependent settlements within the limits of that territory; and although the governments at the River Derwent and Port Dalrymple are allowed to draw separate Treasury bills for their internal expenses, yet, the great quantity of wheat, maize, salt provisions, slop clothing, and other stores, it is absolutely necessary to send from the principal seat of government to those places, added to the conveyance and other unavoidable charges, enhances the expenses at Sydney to an amount that no person would believe but such as have had an opportunity of being an eye-witness to the mode in which such immense sums are disposed of, or upon strictly investigating the voluminous official documents which are transmitted from that colony. As the accounts of the expense of the settlement at Newcastle are wholly included in those at Port Jackson, I shall forbear to make any regular estimate thereupon; but it must be evident, that where the subsistence of such distant places chiefly depend upon a settlement but a short time colonized, the expenses must be very considerable, and the supplies must be given out and used with the greatest caution, to prevent the necessity of applying to a market where their charges are generally exorbitant, and in most cases optional.

The last source of expense to the government which I shall mention, and which, although now also done away, has been the means of an astonishing increase in the expenditure of the colony. From the fertility of its soil, Norfolk Island was for some time considered a great acquisition to the principal settlement; but subsequent experience has proved the futility of this idea, since the price of grain, instead of lowering in proportion to the additional trouble bestowed on the cultivation of the soil, remained the same just before its evacuation as it had been eight years before. As a place for raising swine this island, indeed, might have proved of much utility, if the establishment there had been almost entirely reduced, and the attention of the colony had been confined to this subject, and to the curing of pork for the consumption of all the other settlements; but as this method was not adopted, it proved, from the time of its establishment, a continual check upon the prosperity of the principal colony, draining those resources which ought to have been applied to different purposes, where the hope and probability of some recompense, adequate to the expense, might have been more sanguine, and less unlikely. Norfolk Island, so far from returning any proportionate recompense for those supplies, had not, in the course of thirteen years, sent to New South Wales property of any description

exceeding in value 2000*l.*; during which period all the expenses of that island were included in the general account of the whole country with the Lords Commissioners of his Majesty's Treasury. So far from being in itself a flourishing colony. Governor Hunter, who called there in his way to England in 1800, found that the whole of the public, and numbers of private erections, were in a most miserable condition; and his excellency declared that he had scarcely seen a negro town in the West Indies with half such a wretched appearance. The grain here and there displayed a promising appearance, and swine were in some considerable numbers; but the coast was dangerous, Governor Hunter being himself once wrecked upon it in the *Sirius*, and nearly lost with all his ship's crew; and this circumstance is calculated to deter vessels from touching at the island in quest of wood and water, which are both plentiful, but which may be procured in equal abundance in any of the other islands of the Pacific ocean where there are fewer rocks and breakers to contend with, and where the acquiescence of the natives might easily be purchased. In addition to the above obstacles and inauspicious appearances, vessels at this place have no anchorage, but are obliged always to keep under sail; and I have known them to be blown off the island for several weeks together, with very little provision on board, whilst a part of the crew have been on shore; and by those means not only a considerable loss has accrued to the merchants or owners, but the lives of a number of fellow-creatures have been exposed to the most imminent danger.

To the existence of these, with other subsequent causes, it may be attributed that the colony of New South Wales has not made a more rapid progress towards independence, but has so long hung, as it were, upon the breast, and derived its sole nourishment from the food, of the mother country. To raise the settlement from this state of dependence; to expunge from its early page that stain which must be affixed to it by remoter ages; to stimulate its growth, and impel it along the path which leads to greatness, must be the object, the desire, and the hope, of every one who feels an interest in its prosperity; and if a long residence in the colony, a full consciousness of its capacity, and an unshaken affection for the country, can entitle any one to a rank amongst the friends of this infant empire, I flatter myself that my claim must be allowed; and I shall therefore proceed to suggest those further ideas of improvement which are founded in a thorough knowledge of the subject from experience.

To facilitate the rise of New South Wales to a state of consequence and independence, its interests must be entrusted to a governor who has no private or mercenary views, and will seek after nothing but the welfare of the colony; who will thoroughly support the trust and honour reposed in him, as the representative of our most gracious Sovereign; who will not treat, nor suffer others to treat, the officers serving under him with indignity; who will not study the rapid rise of one man, and the sudden

downfall of another, but will administer, and cause justice to be administered impartially to all descriptions of persons, and only shew his favour to those whose conduct is such as to merit his distinguished notice. Under such a man, the industrious settlers should receive the most liberal encouragement to induce them to pay every attention to the cultivation of their lands and to the rearing of stock; and I am of opinion, that when the price of grain has been reduced under ten shillings per bushel for wheat, five shillings for maize and barley, and four shillings and sixpence for oats, the grower has very frequently been a loser, without admitting that in the course of the season there had been any flood, blight, insect, or rust, to injure the growing crops. I speak this from the general knowledge I have of the country, having taken every settler's and other muster there for a number of years, and from the concurrent opinions of several of the first and most independent farmers throughout the settlement; nor can any man who is acquainted with the exorbitant wages demanded by every class of labourers, who are not prisoners assigned by the crown to their employers, in that part of the world, and the great difficulties attending the various occupations he has to encounter before his grain can be brought to the market, judge otherwise. The government stores should also be open at all times to receive the grain, which would not only enable the commissary to send the requisite supplies to the dependent settlements, but would also afford a powerful security against the fatal and frequent losses which are occasioned by the floods, so destructive to property of every description, but more particularly to the grain; and it would also set aside the necessity of issuing short allowance to those prisoners who are necessarily supported by the crown, by which means government labour is sometimes retarded, in consequence of the reduction of the hours of work in proportion to the diminution in the weekly ration.

If government were also to decline farming, it would excite a greater degree of perseverance in the settlers, and would, in my opinion, eventually disburden the crown of a very considerable expense, as those employed in agriculture, on the government account, are generally that description of persons who only care how little they work, and are equally as indifferent as to the manner in which their labour is performed; besides which, very few of these individuals are at all acquainted with the art of husbandry, particularly that system which ought to be adopted in a colony, the climate, soil, and produce of which, are so essentially different to those of the mother country; and those few, as soon as they have attained a knowledge of the regular method necessary there to be pursued, are generally taken away by some cause or other, or claim their freedom, from the original term of their transportation being expired, so that little better than a succession of new hands have to perform a task of which the chief part are totally ignorant.

By the opening of the stores, and the prevention of the losses before mentioned, the Southseamen, and other vessels touching at Port Jackson, might at all times receive ample supplies of such refreshments as they stood in need of, in exchange for articles more serviceable to the inhabitants than any recompense of a pecuniary nature; and, indeed, absolutely necessary to the comfort and prosperity of the colony. In case of a war in these seas, or in any part of India, this settlement would prove a very desirable *depot*, and place of rendezvous. Soldiers and seamen would at all times be healthy, without great fatigue, free from scorbutic complaints so prevalent after a long voyage, and would not suffer from a change of climate, which too frequently brings on dysentery, or other fatal diseases; these circumstances would naturally render them more fit to enter a field of battle, and better qualified, in every respect, to endure the wearisome fatigues and dangers of war.

Several ships which have touched at the settlement under the pressure of necessity, have been denied the requisitions which they have made for bread and other provisions; and, although the local circumstances of the colony rendered that denial absolutely necessary, yet, had the settler been guaranteed by any means against loss, or could he have received any sufficient security for his grain, every ship which had been in need, as well as every one touching there in future, would have been, and might be, amply provided for. The influx of American vessels, and ships from the East Indies, has recently suffered a very considerable diminution; the former, at one period, nearly supplied the colony with articles of almost every description, at very reasonable prices, but, from some cause or other, vessels from the United States seldom now arrive at the settlement with merchandize for sale; the Indian vessels have also ceased to arrive in the same numbers as formerly, and the supplies have consequently fallen off materially, which naturally injures all descriptions of persons, not only by preventing an immediate intercourse between those countries, but also by lessening very considerably the consumption of stock, grain, &c. so that the settler, in planting his land, has now no other views than to raise a sufficiency of grain for the consumption of his own family, and the liquidation of his debts. He has no longer a stimulus to labour; he calculates that the time and toil are wasted which are spent in raising an article for which he has no vent; his industrious disposition is consequently cramped; his present exertions are without hope of reward; and his prospects are divested of the supporting promise of future comfort or competence. Such a system as this evidently and rapidly tends to ruin; these symptoms are the obvious marks of a diseased economy; and, if decay appears in the present unripe state of the country, with what propriety — with what hope — on what grounds, can the mind calculate upon future prosperity?

The vessels of neutral powers ought to be encouraged, in my opinion,

to trade to the settlement; they would serve the colony, by giving encouragement to the settlers; there would once again be a beneficial competition; there would be a channel for the carrying off the surplus produce of the country, and industry might again look forward with joyous expectation to the harvest of its toil. These vessels might be laden back with spermaceti or other oils, seal skins, coals, ship-timber, fustic, or any other articles the produce of the settlements and the Southern Seas; and thus a traffic might be established and carried on with reciprocal benefit, and the independence of New South Wales must be greatly aided in consequence of these beneficial regulations.

It may perhaps be argued, that the indiscriminate admission of the trade of neutral vessels might tend to injure the British ships trading to this colony; but such a consequence, I think, may easily be averted, since the governor has power to prevent those ships from selling any such articles as he may deem it expedient to prohibit; and no injury could consequently be sustained, while it would hold out the necessity of selling the European goods at a reasonable rate, or the wants of the colony might be supplied from another market. The arrival of neutral ships with merchandize would also tend to prevent the too frequent monopolies which take place in this quarter, of the nature of which and their mischievous effects upon the general prosperity of the colony, I have spoken in a former part of this chapter; and I feel a great regret that circumstances at this moment prevent me from enlarging upon so destructive a subject, and exposing the very root of so pernicious an evil, which has latterly been fostered by those whom nothing more than suspicion could ever have attached to, but by recent events; and I am anxious that a full exposition of the plans which had been adopted to facilitate the rapid rise of a mercenary and powerful few, to the serious injury and almost inevitable downfall of the country, will be held up to the public view of every impartial man; by which means the grand promoters of so nefarious a practice will bring upon their own heads that disgrace, dishonour, and infamy, which their vile projects had formed for others to bear the burthen of. It has been truly said, that by means of those ships a great quantity of spirits have been introduced into the settlement of Port Jackson, and on this plea the prohibition of their sales, it is said, has taken place, but which I do not strictly believe: However, the landing of those noxious cargoes might easily be prevented; or they might be suffered to be brought on shore, and lodged in one of his majesty's store-houses, under a bond, so that, whenever the vessel was about to sail from the port, she might receive it again, having some trusty and vigilant person placed on board, to see that no smuggling transactions were carried on, and where he should be ordered to remain until the ship quits the Heads. By these means, which would be no expense to the crown, the dry goods, &c. which had been brought to the

market, might be readily disposed of, without any risk being incurred of the introduction of too much of that maddening liquor, generally brought by these vessels, to be distributed amongst the inhabitants of the colony.

It must be obvious to every man of reason, that the early days of a colony require as much attention and assistance as human infancy, and that a course of improper and unskilful treatment at the outset must undoubtedly lay the foundation of future imbecility and ultimate destruction. Much evil has already been done in the settlement, but it is not yet too late to apply the remedy; the malady which threatens the existence of the colony has not yet attained to an incurable height, and if the proper measures are adopted, prosperity and happiness may yet be seen, where adversity and apprehension are at present discovered; and the seeds of a new and powerful nation may not be doomed to perish, before they have scarcely broken the ground which was intended for the scene of their growth and expansion. I shall, however, without farther digression, endeavour to point out other means of improving the settlement than such as relate to its agriculture.

The establishment of a post-office for the receipt of all letters and parcels for private individuals, and for the dispatch of those which are transmitted from the colony, would be productive of essential service to the general interests, and could be entrusted to some person of respectability, whose remuneration might arise from a certain tax or postage: Such an institution would prevent a number of letters from being lost, delivered to wrong persons, or illegally obtained by such for the purpose of sending to the friends of the person for whom they were intended, with a view to obtain money or other property. It has frequently occurred that boxes, &c. have been gained under false pretensions, from on board ships which had arrived in the port, and the contents of which have been worth a very considerable value: The persons guilty of this crime, by some means obtain the information as to the packages which are on board, and then personate, or cause some of their connexions to personate, those to whom the packages are addressed, on which they obtain the property by only signing a receipt to the officer on board. An office of this description would effectually prevent the recurrence of such fraudulent practices, and would give a security for the regular delivery or transmission, as well as the security, of the letters, &c. which were entrusted to its care. An oath might be administered to the superintendent.

The unfit clothing sent out for the convicts has been a subject of sincere complaint, as being dispatched without any regard to quality or comfort. I am therefore of opinion, that it would be highly expedient to send out a considerable portion of wearing apparel unmade, so that there would be an absolute saving of the cost of making; for the wearers would feel much greater satisfaction from being allowed to receive it in the

piece, that they might suit it to their respective wants, as well as consult their own comforts: Those who might have less leisure than their fellow-prisoners, could have their clothing made by the tailors of the different settlements, while the others would be happy to make their own. If this plan were to be carried into execution, it might be necessary to find a person properly qualified to take the superintendence of this mechanical department; and such an one might readily be found in the mother country, whose disposition, owing to adverse circumstances, might lead him to accept this situation in the colony; thus a proper quantity of work would be completed, and economy would be much promoted.

The indiscriminate distribution of the clothing sent over is also another evil which requires a remedy, and this might easily be provided, by supplying the prisoners only with such articles as were necessary to them; since those who had received superfluous garments have been in the habit of resorting with them to gaming, or sell them, being unable to apply them to any purpose of wear, as their scanty make will not allow of a change; this, however, would not be the case if the clothing was given to them unmade, since every man would find himself enabled to turn it to some beneficial purpose. The clothing has materially fallen off, in point of quality and suitableness for the climate, of late years; but the evil complained of would, in my opinion, cease to exist, if articles similar to those originally distributed in the time of Governor Phillip (of which I have seen several suits) were now to be issued annually. Many of the females indeed are the slaves of vanity and pride, and being in the custom of cohabiting with persons in affluent circumstances, never appear in the dress originally given them by the crown; from such as these the issue is now withheld, and they are struck off the victualling list. The consequence of these regulations would be the obtainment of more comfortable clothing to the convicts, and a considerable diminution in the sick list, which has been filled as much from this as from any other cause; and a degree of content and carefulness would be instilled into the minds of the prisoners, in lieu of the negligence, slovenliness, and discontent, which have recently prevailed amongst them on that account.

A very considerable saving in the expenses of the colony would be effected by the consolidation of the two offices of Ship-owner and Contractor into one, and the undertaking to land all stores which are liable to injury in the colony, in a perfect state, at his own risk; for it is a notorious fact, as I have often had occasion to observe in an official capacity, that vast quantities of clothing, stores, and provisions, are landed out of every vessel which arrives in the port, in such a damaged state as to be actually unserviceable; the necessary consequence of which very often is, the total loss of the articles to government; nor has it unfrequently happened, that boxes containing stores have been broke open on the passage, and articles of various descriptions thereby have

been purloined to a very great amount. It cannot be doubted that there are many ship-owners who would not scruple to enter into an engagement of the kind to which I have alluded, by sending out his own vessels, and might undertake to convey the stores safely at a very reduced expense. The saving which would thus be effected is surely sufficient to justify the experiment, since the security of the articles, which are in general the most damaged, might be easily guarded by the adoption of a few measures of prudent precaution, and by a careful attention during the voyage. A considerable advantage might also accrue to the merchant from employing his vessels in the Southern Whale-fishery, and a strong probability would exist of his procuring freights from India for his ships, on account of the East India Company: The adoption of this plan seems to be practicable, and there cannot be a reasonable doubt entertained of its superiority over every other in point of economy.

A commissioner or agent might be appointed for the purposes of inspecting the stores and various articles sent to New South Wales, whose duty it would be to see the articles shipped correctly, and thus to prevent those omissions which are daily in the habit of occurring, and which are of more consequence than may, at first glance, be imagined. This person might also be beneficially employed in comparing the stores shipped with the receipts of the masters, so as to preclude all possibility of practices which are inconsistent with the welfare of the government, but which are too common, and can only be prevented by the adoption of such a measure as the one which I now propose. Whenever the governor of the colony should send over a requisition, this agent ought immediately to be furnished with an extract from his excellency's correspondence, so that by these means the requisition would not be liable to neglect, and much trouble would be spared to the Public Office, whose province it had previously been to attend to this department. The reduction of expense which would result from this appointment would be much more than adequate to the increased expense incurred by the appointment and remuneration of a gentleman of probity and respectability to this office.

The method of conveying convicts from England is so very inhuman, that some better and more benevolent measure ought to be adopted. The lives of these unfortunate victims of depravity ought surely to be regarded with as much care as those of any other class of his Majesty's subjects; the contrary of this has, however, been too frequently the case, and some of the masters of the transports who have been entrusted with these captives, have treated them with such uniform rigour that numbers have perished through the intensity of their sufferings. This want of care is to be attributed to the former custom of contracting for the transport of the convicts at so much per head, so that the master has no interest in the preservation of those entrusted to his care. This evil, too, might also be

remedied by the contract being made only for the number which might be landed in New South Wales, and by which means the owner of the transport would study to preserve the life of each individual with the most studious attention, since the loss of a single life would be a diminution of his profit, and there could no longer be a danger of the unhappy prisoners being suffered to perish from any negligence or severity. In addition to this, the surgeon and the master might receive a reward for each person whom they delivered in good order, if their humanity was such as to require a pecuniary stimulus. I believe this has been tried in some instances, at least report has so stated, and, if so, there must have been sufficient evidence gained of the superiority of the method over that which was formerly adopted. It might not be a bad plan to try if some of the superfluous frigates in the service might not be converted into good transports; for there could be no doubt that, in vessels of this description, the accommodations which might be afforded to the convicts would much exceed those of the common transport ships, and the prisoners would of course be sooner fit for duty, and less liable to the attacks of disease. Out of several ships that have arrived, not two-thirds of the number of convicts originally put on board have reached their place of destination; and this mortality, it is feared, must have been occasioned by the embezzlement of the provisions and stores which were intended for the use of the captives. It is also much to be feared that an undue degree of severity has oftentimes been exercised towards the convicts, under the pretence of some attempts to mutiny and effect their escape, and such methods of throwing censure upon the innocent, to excuse wantonness and cruelty, cannot be too severely reprehended, if reprehension be all that can be inflicted upon the perpetrators of such diabolical deeds. The treatment has been directly reverse where a King's officer has been placed on board the transport, who evinced an unshaken resolution to perform his duty. The convicts which came out on board the Royal Admiral, Captain Bond, met with a treatment, and arrived in a condition, which reflected the highest honour on the humanity and prudence of her esteemed commander, and might be properly held forth as a model and an example to the masters of all transports who may in future be employed in the service. Every attention was paid to their cleanliness in particular, care was taken to provide them with the most wholesome provisions, and their messes were so varied as to prevent any dislike arising from repetitions with too much frequency; on the slightest appearance of indisposition, some nourishing broths, wine, &c. were constantly ordered; twice a day they were mustered on deck, and the ship was completely fumigated: The whole arrived in the most excellent health and spirits imaginable. If every master had displayed a similar good conduct, there would have been no ground for the present complaint, nor any room for the remedy which I suggest in the preceding

part of this article.

A number of gentlemen, of small fortunes, might be appointed, whose characters will bear the strictest investigation, and whose talents are adequate to the task, to go over to the colony as justices of the peace, in order that the general welfare and individual security of the colony should be promoted. To these persons many indulgences might be granted, and a respectable salary ought to be attached to the office, so as to enable them to support that degree of respectability and dignity which their situation requires; so as to make their interest totally unconnected with those pursuits which have led so many to sacrifice their principles, and to neglect their duty, for the sake of pursuing the search after independence. The incorruptibility which ought to characterise the conduct of a magistrate should be so fortified by every prudent precaution, that it may at no time, however remote, be in danger of agitation; nor would it be prudent, in another point of view, to permit these gentlemen to mingle in occupations which must have an evident tendency to distract their attention from those arduous tasks which they would be called upon to fulfil, in a country where criminals must naturally abound. Numbers of persons are doubtless to be found in Great Britain who would gladly accept these appointments, whose educations have taught them to look above situations to which unforeseen and unavoidable calamity may have reduced them; men who have preserved their principles and integrity unshaken by the attacks of adversity, and who, consequently, must be eminently qualified to fill such offices as those which I have here suggested. The example which these persons would hold out to the rest of the settlement, could not fail of producing very beneficial effects upon the moral conduct of those who copy the models of their superiors; and would also be of service in assisting to create a society of power and independence, which might operate as a check upon the influence of all other descriptions of persons.

As instances of the irregularities that have been practised by some of those in magisterial capacities, I need repeat none others than that I have known men without trial to be sentenced to transportation, by a single magistrate at his own barrack; and free men, after having been acquitted by a court of criminal judicature, to be banished to one or other of the dependent settlements: And I have heard a magistrate tell a prisoner who was then being examined for a capital offence, and had some things found upon him which were supposed to have been stolen, and for which he would not account, that, were he not going to be hanged so soon, he (the magistrate) would be d — — d if he would not make him say from whence he got them. Nor do I believe it less true, that records of an examination, wherein a respectable young man was innocently engaged, have been destroyed by that same magistrate before whom the depositions were taken. These and numerous other cases which I could

enumerate, cannot admit of a doubt but that such a regulation must tend greatly to the preservation of the liberty of the subject, the property of all classes of the inhabitants, and the general interest and security of the colony at large.

I should also strongly advise, that nine or ten of the principal officers of government should be authorized to act in the capacity of council, to whom the governor could resort, in all periods of difficulty and delicacy, for advice how to shape his conduct, by which means he would not, in any future instance, be left wholly dependent upon his own judgment. The good effects of this arrangement must soon be evident, since the issuing of an order of council could not fail to carry with it much additional weight to that which would be attached to an act of the governor alone, and would tend to the speedy suppression of any appearance of insubordination, and discourage those who should incline so to act as to originate a spirit of dissatisfaction in the settlement. To a want of this council, it may not be too much to attribute the present unsettled state of the colony, and the maturation of a faction which has perverted the streams of justice, and which has impeded the growth of opulence throughout the settlement, merely to enrich a select party at the expense of the general welfare, and consequently to spread vice and ruin through a land, whose prosperity has never become their care, although it was a solemn pledge of their leaders to support and cherish it to the very utmost of their ability

In addition to this council composed of the chief officers of the government, I consider it essentially requisite that a barrister should be appointed as a counsellor to the governor, at all times when his excellency is referred to in matter of doubtful disputation, which must oftentimes occur in the colony, and which frequently reduces him to an unpleasant dilemma. Aided by a legal adviser, however, his judgment must be strengthened, and his decision would be more weighty, without creating in his breast those uneasy sensations which must arise under different circumstances. In the present conformation of the government, the governor has no legal adviser to have recourse to when an appeal is made to his decision, which is not rarely the case, except the judge advocate, and this officer having previously given his opinion in the court below cannot, of course, be again consulted on the same subject. In consequence of this default of advice, the governor must give his own opinion, which may or may not be in conformity with the laws of the mother country, just as it may happen, and according to the knowledge he may possess of the principles and practice of jurisprudence, which is seldom very deep in persons whose inclinations are so opposite to this kind of study as the officers of the navy and army, from whom the governors of the colony have hitherto been selected. This counsellor could be selected from those who might be induced to listen to such a

proposal, as may place before them a certain liberal competence, with the opportunity of rising to independence in a sphere where the number of competitors would be so low as to render final success less precarious. It is needless to expatiate more amply upon the benefits which must accrue from an appointment of this nature, which would impose but a trifling additional burden on the crown, since it is extremely possible that a barrister might be obtained for the salary of 150*l.* per annum, which, together with the victualling of himself and his family and servants from the public stores, and residence in the colony rent-free, added to the other customary indulgences given to persons from whose services utility is expected to be derived, would not make his situation worth less than 500*l.* per annum, a temptation which must possess some weight in the minds of those who meet with inadequate encouragement in England.

The legislative code of the colony requires a careful revision, since the numerous residents who have arrived in the settlement, and their increasing respectability and opulence, render such a measure necessary. That system which would suit the original establishment, composed only of two classes, the officers of government and the convicts, will scarcely be expected to adapt itself to the wants and wishes of a community advanced in civilization: In the former case, the principal object was to punish delinquency; in the latter, to secure property, and insure the safety of that wealth which now began to shew itself in the multiplication of luxuries, and the augmentation of individual splendour. The present system is so liable to abuse, and has given just occasion for so many complaints on the part of those traders who visit the colony in great numbers, as well as of the more respectable classes of the inhabitants themselves, that it is become highly expedient to substitute in its place one which shall be incorruptible, and which, from its own importance, may command a greater degree of respect. At the head of this court ought to be placed a chief justice, who, by the respectability of his salary, should be effectually placed above the reach of every motive of an improper or injurious nature; and in order to lighten this expense to the crown, certain court fees might be established which would materially assist to swell the amount of the remuneration which ought to be attached to this high office, so as to render it worthy the notice of men who are fitted, by habit and education, to execute its duties in a correct and honourable manner. The rent of the residence appointed to this gentleman ought to be taken from his shoulders, and the public stores should find provisions for himself, his family, and his servants, together with fuel and candles; the wages of a limited number of domestics might also be paid by government; and thus he would be exonerated from so many burthens of a pecuniary nature, that a salary which might at the first glance seem inadequate to the trust reposed, would, on considering every circumstance, appear less exceptionable, and more equal to the

dignity which would externally be attached to the office. It is almost superfluous to mention, that the utmost care should be taken in the choice of a proper person to fill this situation, since his character, his conduct, and his general habits, ought to be such as to render him like Caesar's wife — “not only free from suspicion, but free from the suspicion of being suspected.” With a person of this description to superintend the court of judicature, there could no longer exist causes to fear the introduction of party motives and malicious prejudices, to contaminate the stream of justice; a strict impartiality would direct every decision, and those who were doomed to meet with disappointment in their views, while they writhed under its decision, would not be able to impeach its integrity. If it were found necessary to adopt any further measures to preserve their honour unsullied, the rendering their situations limited might probably produce a good effect; and a pension might be allowed to them on their return to England, if they were able to produce certificates from the governors and lieutenant-governors who had held command in the colony during their residence, attesting the incorruptibility of their conduct, and the zeal which they had displayed in the due execution of their duty. A farm might also be allowed to the individual placed in this important office, if it were thought expedient, under certain restrictions which should prevent him from abstracting his attention from his official duties, at periods when his professional avocations might require his presence in the service of the public. A salary of 500*l.* per annum, with the addition of these indulgencies, would be equal to 1200*l.* a year.

An alteration in the judicial code appears also to be necessary, or at least highly expedient. In the criminal court, the judge advocate and six naval and military officers are at present empowered to decide and try delinquents; and although I believe that their opinions on verdicts have latterly been almost unanimous, yet I cannot but call to recollection a period when, painful to relate, the naval and the military were too frequently, if not generally, opposite in their determinations: Nor is this the least part of the evil; for evidence is on record of persons having been bribed, or controlled, by one or more of the members of the court then sitting in judgment, to accuse their industrious neighbour, upon oath, of crimes which he had never committed, in order to lay a ground for the ruin of the unfortunate individual, merely because his industry and prosperity in trade were objects of envy. If such a system is not suppressed, it is not possible for the human mind to calculate upon the termination of the mischiefs which may ensue from it; it is not possible for humanity to look upon the probable consequences, without emotions of horror and dismay. To prevent, therefore, the recurrence of any circumstance so flagrant and unjust, it is absolutely necessary to take some measures to render the criminal and civil courts free from every

kind of prejudice; for what argument can justify the committal of the existence or the fortunes of individuals, to the mercy or the caprice of men who are blinded by prejudice. — Prejudice and party must be fatal to the progress of justice; and as the preceding remarks are nothing more than the details of facts which are notorious to every individual who has lived long in the colony, there is no occasion for my saying much in addition, to prove that a necessity does exist for some change in the judicial code of the settlement; and it is much to be wished and desired, that by that change the power may be vested in honest and incorruptible hands, which may be held out equally to punish the guilty, and to protect the oppressed; to curb the insolence of pride, and foster humble merit; and, finally, to render New South Wales an exact copy from that fine picture of freedom and justice which is represented in the mother country.

That the trial by jury should be introduced into the colony, has long been a *desideratum* amongst the best-informed inhabitants of the colony; since its effects could not be otherwise than beneficial where such universal iniquity prevails, and where even in the courts of law many enter with impure motives and unclean hands; since the greater part of the community are more or less implicated in the notorious and impoverishing impositions which are continually practised amongst all classes. When I say that this blessing has been desired by the *well-informed*, I must also be understood to mean the *well-intentioned* only; for its establishment in the settlement would unavoidably prove fatal to that ruinous traffic, from which several of the superior classes have derived their opulence and consequence, and it is not therefore to be expected, that such as these would wish to behold the approach of that scourge which would remove from them the power of extending universal evil for the promotion of their individual good. By these persons the admission of the trial by jury is sincerely and ardently deprecated, while it is wished for with equal fervency by others, and particularly those oppressed inhabitants, whose miseries and necessities have been the means of increasing the wealth, and hardening the feelings of those who have so long pursued the destructive system of monopoly. It would not have been practicable to introduce the trial by jury at the commencement of the settlement, since there were none but convicts, and a few free persons who were paid and supported by the crown; but the case is now materially altered, and the great influx of free, independent, and respectable inhabitants, which the later years of the colony have witnessed, not only render such a measure practicable and prudent, but loudly call for it as a step rendered indispensable to the welfare of the community. Numbers have also served their terms of transportation, or have been made objects of royal bounty on account of their signal good conduct, and have thus swelled the numbers of free

residents; so that there could be no difficulty in making out a list of jurors, sufficient for every purpose, even if the assizes were ordered to be held monthly, which is a more frequent occurrence than in the mother country. Objections may be started to the propriety of receiving those, who have been convicted and have suffered the sentence of the law, as jurors; but if this description of persons are worthy to be received as evidence at all in a court of justice, and there are instances sufficient on record to prove this to have been the case; and where this evidence of persons so objected to and proscribed, has been the sole means of the conviction to death of the accused, surely it could afford no room for cavil that a jury should in part be composed of persons, whose conduct during the term of their punishment has been such as to give general satisfaction, and who have proved by their conduct that they have reformed their dispositions, corrected their principles, and are likely to become useful, and consequently valuable, members of society; and none others should be admitted on the list. Besides, even allowing this objection to have some weight, will reason and policy justify the carrying of this principle to such a length, as to exclude from this privilege those free settlers who have been guilty of no crime, and have suffered no punishment? Shall these, in return for their voluntary exile from their native land to promote the interest of the colony, lose the benefit of this inestimable distinction, which operates as a security to the freedom of Englishmen, and renders it so far superior to the boasted independence of any other nation in the world? If it were thought inexpedient to admit twelve jurors, in consequence of the limited population of the settlement, eight might be allowed in the first instance, and the rest could be added when circumstances would permit; so that the principle of the system would be established, and these could be instructed in the laws of the land from the bench. In each of the settlements there are a great many persons competent to fill the office of jurors, and it is to be hoped that no long interval will be suffered to elapse without the colony being permitted to participate in those inestimable privileges which render the mother country the envy of the world.

The admission of the bankrupt laws into the colony would tend still more to the perfecting of the system of jurisprudence, and appears to be a very desirable object of solicitude. For want of some legal system of this kind, many families have been reduced to the lowest extremes of misery and want, the heads being immured in prison, without the ability to liquidate the claims of their unfeeling creditors, or to provide support for their perishing families. The necessary consequence was, the individuals fell to the charge of the government, since they must not be suffered to starve. The obduracy of the creditors may be assigned as the sole cause of this wretchedness; for although, in such circumstances, the unfortunate debtor had been willing to relinquish all his possessions; to

surrender his land, his cattle, his stock, and every thing else of which he could boast of the possession; nothing short of payment in money could satisfy; and the ill-fated was doomed to experience the accumulated horrors of personal suffering, in addition to that which must arise from the idea that his sorrows extended themselves, with equal or superior bitterness, to those who were dear to him. Such occurrences as these have tended to multiply considerably the expenses of government, who have frequently found it necessary to extend their assistance to the whole of the unfortunate debtor's family, to preserve them from actual destruction; and who could not, by any authority which was vested in them, compel the hard-hearted and inhuman creditor to accede to the only proposal which it was in the ability of the prisoner to offer. The introduction of the bankrupt laws could not fail to afford an effectual relief to persons reduced to this unfortunate condition, and must be productive of much future benefit, in consequence of the continual augmentation of the trade of the settlement, and the increasing numbers of the dealers; circumstances of themselves which must carry to every rational mind the strong necessity which exists for the adoption and introduction of some legal code, assimilated as much as possible to the bankrupt laws of the mother country, if it should be considered imprudent to copy precisely after this exquisite model.

The encouragement of a few barristers to go over to the settlement, who have not met with success adequate to their wishes in the mother country, but who are, notwithstanding, persons of unimpeached moral character (for nothing could be more impolitic in any case than to import persons of doubtful characters into a colony of this description), and whose legal knowledge would be amply sufficient for every purpose in New South Wales; such an importation would be attended with very great advantages to the inhabitants. For the want of such persons has, in numerous instances, been very severely felt by those who have had occasion to come into the courts of law. Many instances have occurred, within my observation, where the persons accused might, by the assistance of a counsel who possessed the ability to penetrate the motives and intentions of the prosecutor, have escaped the punishment which he has been compelled to endure. Evidence is frequently mis-stated and misrepresented in the courts, and this, owing to the great ignorance of numbers who are brought forward as witnesses, is a circumstance of no rare occurrence; the questions being taken down in writing, and, in the attempt to give them some grammatical connection, ideas being frequently perverted, and taken directly opposite to their original meaning, without any intention whatever to enter into a mis-statement. Now it must be sufficiently obvious that the allowing of counsel would tend to do away this evil, since he would himself be in the habit of taking notes of the evidence, and would thus not only be able to detect any

misrepresentation, but would convey satisfaction to the mind of the prisoner himself; and convince the spectators (who, by the bye, frequently retire under very different impressions), that the accused has at least been treated throughout with fairness. It cannot be necessary to enter into reasoning to prove that this mis-statement of evidence is an evil which calls for redress; and I think the reader will concur with me in opinion, that no better plan can be devised than the introduction of counsel into the courts, who might keep a vigilant watch over the progress of the trial, and not only insure the correct statement of the various depositions, but be ready to take immediate advantage of any circumstances which might arise of a favourable complexion to the person accused, by which means many prisoners might be rescued from the punishment which, from a want of legal aid, they have been compelled to submit to. In the answers of witnesses, I have myself heard of “No” being substituted for “Yes;” and what guarantee can there be for the obtainment of justice, where a possibility exists of the occurrence of such mistakes — mistakes on which the existence of a fellow-creature might hinge!

If then the criminal court needs so strongly the introduction of counsel, the court of civil judicature is equally in want of similar aid, where subjects of the most complicated nature are frequently brought for decision, and where the difficulty of deciding correctly is almost, if not totally, insuperable. Considerable sums here depend upon the issue of a question, of the nature of which no one present is qualified to judge; and an appeal from the decision which ensues is frequently made to the governor, who is thus left singly to decide what has caused so much difficulty to a whole court!

The utility, nay the necessity, then, of a professional assistant in these cases, must surely be evident to every one, and without such aid it is not possible that justice can be impartially administered. The ignorance of many suitors, even men of great opulence and respectability, is so deplorable that they cannot make you comprehend their own case, when called upon to state their grievance; but the possibility of having their cause pleaded by a counsellor would not only save the court itself a serious loss of time and a considerable degree of perplexity, but must surely lead to a more correct decision in cases of difficulty. By these means the discontent which now universally displays itself in the person who has lost the cause, would be completely done away, and he could no longer attribute his defeat to the partiality of the judges, when he should have experienced the full benefit which he might derive from a communication with, and the able aid of, a legal adviser. If two, three, or more barristers, could be induced to depart for the colony merely as private settlers, receiving from government a free passage; victualling from the stores for themselves, families, and servants; and every other

indulgence which is usually granted to settlers, there could be no doubt that they would soon find their endeavours successful; and the allowance of government, with the emoluments which they would derive from their practice, which might safely be calculated at 200*l.* or 300*l.* per annum; having a farm allowed them to cultivate, would render their situations not only comfortable, but eminently respectable; and their introduction would be attended with no extraordinary expense to government, beyond what is generally allowed to settlers in the colony. To encourage gentlemen of education and ability to make this attempt, it might not be an improper extension of liberality to allow them a free passage back to England, if, upon a fair and sufficient trial, it should be discovered that the speculation which induced them to embark for the colony should not turn out productive enough to reward them for their exertion, and to offer them that genteel support to which they would be entitled, on account of the superiority of their situation, and according with the habits of their former life.

In the trial of civil causes, it had, until latterly, been the custom of the court to insert in writing only the amount of the debt sought to be recovered, the damages which have been awarded, the names of the plaintiff and defendant, and the adjudication of the court; but in the opinion of many persons of consequence and respectability in the colony, it is absolutely requisite to cause all the *viva voce* evidence which is given in all civil cases to be taken down in writing. The following reasons are given for this alteration in the former custom, and their full weight has been allowed to them whenever I have heard an opinion given upon the subject. It occurs very frequently that appeals are made from the decision of the civil court to the governor, and, in consequence of the evidence which has been given before the court not being taken down, the witness has an opportunity of correcting, enlarging, or otherwise altering his depositions, so as to make his own case appear in a very different point of view to that which it bore in the former instance, and thus a temptation is held out to perjury, which is too strong for the weak morality of many in the colony to resist, and the current of public justice may, by this method, be completely turned out of its proper channel; and the decision of the civil court is at all times liable to be disputed and reversed. No writ of court is issued for less than ten pounds, so that the necessity of taking down the evidence in a suit instituted for a sum beneath that amount, does not appear to be so strikingly obvious; although an appeal may be made to the governor from the civil court, for any sum, even less than ten pounds; but this is not very often done, although some instances have occurred in my recollection. Where the sum sued for exceeds 300*l.* a court of appeal may be demanded, and if the plaintiff is dissatisfied with the decision of the governor, he has the right of appealing to the King in council; and here the necessity of taking

down the evidence brought before the court becomes still more strong, since the character of the court itself may be involved in the issue of the legal decision. Suits to this amount are not now very rare, but they may be expected to become much more frequent in the thriving state of the colony.

The affixing a greater degree of respectability to the office of chief constable at Sydney, and the attachment of a salary to the situation from the crown, would be a desirable measure, since on this officer depends, in a great measure, the peace, the internal security, and good order of the colony; and it is therefore worthy of consideration whether the trust, inferior in importance to scarcely any in the settlement, ought not to be reposed in a person of some respectability, and who, by the receipt of an adequate remuneration, might be enabled to devote his time and attention to the duties of his office. To this situation so much responsibility is attached, and from it so much good is expected, that the person who fills it ought to be enabled to preserve a respectable appearance, and to embrace the comforts of life, without being permitted to have recourse to traffic or other pursuits which might contaminate his principles, or render him less zealous in his exertions for the good order of the colony. The benefit which must arise from the conscientious discharge of the duties of this office is much more than can be imagined at first sight; and the evils, on the other hand, which flow from its mal-execution, are in an opposite extremely baleful, and calculated more to promote excesses and tumults than to repress them.

That prisoners who are transported for life are in general indifferent to their future fate, and careless of their conduct, is a fact well known to all persons who have resided in the settlement; and it therefore becomes a naturally interesting question, by what means these convicts may be brought to discharge their duties with more readiness, and to follow a course of life more fraught with happiness to themselves, and more satisfactory to those who are placed near them. The best method which suggests itself to me, is that of employing prisoners for life on government labour for a limited time only, at the expiration of which period they should be made free of the country, and, in case their conduct had been such as to merit approbation, should be allowed to become settlers, with the usual indulgences, and thus have the means once again placed before them of raising themselves to a respectable rank in society, in that country to which they had been banished. Those, on the other hand, who are found to be dissolute and abandoned characters when their term of labour had expired, might be made free also; but, instead of being allowed to become settlers and to receive indulgences, they might be taken off the stores, and be compelled to labour for their daily bread. Such an amelioration of the punishment of those unhappy delinquents who have incurred this heavy vengeance of the laws of their country,

would induce numbers to look forward into futurity with a satisfaction which they had not possessed previously, arising out of the distant hope of becoming opulent and respectable, and of making the renewal, in the decline of their existence, of those prospects which, in their earlier years, had been eluded and destroyed by their vices; and this idea would not fail to stimulate them to a conduct more laudable, and calculated to accelerate the accomplishment of their wishes. It may be brought against this measure, as an argument, that it would reduce the extent of the power of government to grant pardons to deserving convicts, and that government would thus lose the advantage which was derived from the labour of those prisoners; but to the former objection it may be replied, that the certainty of an alleviation, and of the advantages which would attend a meritorious conduct during the specified period of punishment, would prove a powerful incentive to the convicts, and would tend to produce more good members of society and useful settlers than could be expected, unless some reward was to be the certain result of meritorious conduct; without this stimulus, there might be, as there has been, some good characters to reward, but their numbers would be comparatively insignificant: To the latter objection it will only be necessary to say, that if government loses the labour of these convicts, it also disburdens itself of the weight of supporting them and of providing them clothing, &c.

Against the perpetual imprisonment of convicts the following reasons may be brought forward: — The restlessness and indifference which generally pervade the conduct of delinquents of this description, who, seeing no termination to their captivity, lose the inclination to labour, if they ever possessed it, and become indolent and careless as to the colour of their future fate; the impossibility of any governor, however diligent and compassionate, being enabled to discover all the meritorious convicts of this description who might be entitled to their liberation in pursuance of the present system, since he could not possibly, at any time, keep an eye upon the whole, scattered as they are through the settlements, and in the employ of various persons; many deserving prisoners, having never been in the service of an officer, have none to recommend them, and remain, consequently, unnoticed, although they may be more meritorious than even some who are emancipated; and the numerous desertions which take place amongst those convicts who have no prospect of amelioration in view, and who are, therefore, indifferent what becomes of them, placing upon a level the dangers of destruction and the prospect of toiling away existence, without the hope of freedom or of happiness, to the close of their days. Such a conduct as this is truly not to be wondered at, when the behaviour of some criminals at the bar of their country is recalled to mind, where they have declined that mercy which has been extended to them, and preferred death to a perpetual banishment from that society which they had injured. If any of the

liberated convicts should afterwards attempt to make their escape from the colony, they might be returned to the public labour, or be sentenced to such other punishment as may be thought adequate to the importance of their offence. What the consequence of the amelioration of the rigour of punishment would be may easily be imagined; instead of continually murmuring at the gloomy prospect before them — of displaying indifference to the future — of beholding before them no limitation of their slavery, nothing but misery, toil, and death; instead of these cheerless contemplations, they would begin to display a degree of contentedness with the situation to which their delinquency had reduced them, and their progress would be marked by utility to the government and to the community, instead of being chequered by continual efforts to elude the vigilance of their overseers, and to escape from a scene of uniform hardships, unillumined by a single ray of hope.

The best interests of the colony would be greatly forwarded, if government were to select some clergymen, of unequivocal piety and zeal, to inculcate religious and moral principles. For this purpose, they should be chosen of unblemished character, whose respectability and exemplary conduct would assist to give weight to the doctrines which flow from their lips. Much good cannot be derived from the efforts of men, who are chiefly engaged in farming and traffic, and who will sell a bottle of spirits, or *oblige* some of those very persons with it, to whom they have just before been preaching the duty of temperance, and whose learning and appearance are better adapted to less important avocations, than fulfilling the sacred functions it is intended they should perform. — The future prosperity of the settlement also greatly depends upon the manner in which the rising generation are instructed. The education of youth is, at present, much neglected, through the want of four or five schoolmasters of sufficient capacity. There cannot be a doubt that persons qualified for this profession would meet with very liberal encouragement, as the children are numerous, and there are but few parents who cannot afford to educate their offspring respectably.

The want of some able superintendants in different branches of business is at present much felt, since such individuals might be usefully employed in training up youth to the pursuits of industry; by which means the commission of crimes would be rendered less frequent, and the dispositions of children would receive a proper bias. An arrangement of this nature would also remove the severe inconvenience occasioned by the extreme scarcity of able mechanics throughout the colony.

It will be immediately admitted by every unprejudiced mind, that the salaries of the deputy-commissaries should be increased, when the circumstances under which they are placed are duly considered. They have now only five shillings a day; a sum so totally inadequate to the services they perform, as to excite surprize in all who witness the extent

of the trust reposed in them. This daily pay is barely sufficient to purchase a dinner in the colony, as they are obliged to appear in every respect as gentlemen; and the necessary consequence is, they are compelled to enter into other occupations, unless they have a better source of income than their salaries, in order to meet their own unavoidable expenditure, and to maintain (as is generally the case there) a wife and large family. The impolicy of giving small salaries must be obvious, when it is considered that individuals who are thus sparingly rewarded for their labour, abstract from their official duties some portion of that attention which ought to be wholly devoted to them.

A different arrangement with respect to the grants and leases of land would also be productive of beneficial consequences. Whenever any of those deeds have been made, under the hand and seal of the governor, or of the colonial seal, they ought to be considered as secured to the grantee or lessee, their heirs, &c. and, under no pretence whatever, except a failure in the fulfilment of the conditions expressed therein, ought the governor, or any succeeding governor, to retain the power of taking that land away. The existence of such a power, indeed, is, upon its surface, arbitrary; and, in its effect, totally destructive of the spirit of improvement; for there scarcely exists a man who would bestow his whole exertions and property in increasing the value of buildings and land, which he holds by such an uncertain tenure. In the midst of his expectations, just as he has impoverished himself with the hope of reaping a future recompense, he may, by the sudden whims or caprice of an individual, be deprived at once of the means of gaining future subsistence, and plundered of every thing which he may have done with a view to his own benefit, and the bettering of the estate. It is surely unwise to leave a power (which, it is to be hoped, is without authority) of this description, in the hands of any man, however exalted his character, and however conspicuous his love of justice.

The whole of the contingent expenses which would result from these improvements, might be paid by duties laid on importations, exportations, &c. which are at present by no means inconsiderable, but might be greatly increased, to the mutual advantage of the colonist and the government.

To expatiate largely on the benefits which would result from the establishment of a free trade, is altogether superfluous to men whose minds can embrace the increased stimulus which would be given to industry, the influx of wealth and population, the improvements in agriculture, commerce, and the arts and sciences, and the rapid advancement of the best interests of the colony, which must result from such a measure.

The strong necessity for some considerable alteration in the internal arrangement and policy of the colony, to various parts of which I have

drawn the reader's attention, can but be apparent to all unprejudiced persons, who have but a superficial knowledge of the settlement. The suggestions I have now presumed to offer to the public, as my opinion for means of improvement, I beg to state, are as unbiassed as my statements are faithful; and which are the result of some reflection, founded upon the experience of a long, and, I should hope, an unimpeachable residence, in the fulfilment of some important duties, thereby obtaining more than common means of observation. With these assurances, I have to trust that due credit will be given to my intentions, which had their principal stimulus from an anxious wish that the mother country should receive every possible benefit, in the adoption of so promising and highly interesting a part of the uncivilized globe to its fostering care.

---