

NEW SOUTH WALES:

VOTES

AND

PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL,

DURING

THE SESSION OF THE YEAR

1836.

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

Sydney,

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—
1847.

MEMBERS

OF THE LEGISLATIVE COUNCIL,

1836

HIS EXCELLENCY THE GOVERNOR

HIS HONOR THE CHIEF JUSTICE,
THE HON. COLONEL KENNETH SNODGRASS, C.B.,
THE HONORABLE THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
THE COLLECTOR OF CUSTOMS,
THE AUDITOR GENERAL,
ROBERT CAMPBELL, SENIOR, ESQ.

ALEXANDER BERRY, ESQ.,
RICHARD JONES, ESQ.,
JOHN B. BENTLEY, ESQ.,
EDWARD CHARLES GROSE, ESQ.,
HENRY JOHN STANLEY MACARTHUR, ESQ.,
ARCHIBALD BURN, ESQ.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.
1836.

No. 1.

THURSDAY, 2 JUNE, 1836.

1. Council met pursuant to summons, His Excellency the Governor in the Chair, New Members sworn, His Honor James Dowling, Esquire, acting Chief Justice of New South Wales, and John Hubert Plunkett, Esquire, acting Attorney General of the same.
2. His Excellency the Governor then read the following Address:—

GENTLEMEN OF THE LEGISLATIVE COUNCIL:—

I have the greatest satisfaction in renewing, on this occasion, the gratifying announcement of increasing prosperity throughout this extensive Colony. The advantages to be derived from its abundant resources, were never more clearly indicated than at the present period. In no former year, however prosperous, has the Revenue equalled the amount of the last, nor have the Exports and Imports been so large. The influx of capital from abroad has been considerable, and the extensive reinvestment of profits within the Colony, has been conducted with the industry and skill of a people rapidly advancing in intelligence and wealth. Though the period is short since Australia emerged from the wilderness, she is already ranked amongst the most flourishing of the British Possessions, and her children justly claim to participate in British Institutions; nor is it to gainful pursuits alone that the attention of the Colonists is now directed. The desire of knowledge, which has latterly pervaded the nations of Europe, is beginning to be strongly felt in this remote part of the Globe. Schools of polite learning for youth training for the liberal professions, are established and frequented. The Mechanics and Operatives of Sydney and Newcastle, have formed Associations for mutual instruction, whilst a taste for the Fine Arts, seldom developed in the infancy of a Community, has already begun to show itself, and the Professors of Architecture, Painting, and Music, receive encouragement and support from the liberality of the affluent.

To encourage and satisfy the prevailing desire of obtaining knowledge, and to extend the blessings of wholesome Education to the poorer classes of Society, it becomes necessary to introduce a system of General Instruction for the People of the Colony. The Primary Schools, as formerly established, are not calculated to effect any extensive benefit—a more comprehensive arrangement is required in the present state of the Colony. I have therefore great pleasure in being now enabled to lay before you an important communication from the Secretary of State for the Colonies, intimating the desire of His Majesty's Government, that provision should be made for the Religious Instruction and General Education of the People of New South Wales, upon a liberal and comprehensive basis.

Having thus briefly related to you some of the indications of General Prosperity, which, under the blessing of Providence, distinguish the present period, I proceed to call your attention to some matters of Administration, which it is proper to advert.

Considerable progress has been made since the last Session of Council in improving the great lines of Road throughout the Colony; their length, and in some parts the difficulty of execution, oppose obstacles to their completion, which could hardly be overcome in a new country but by means of forced labour; by the employment of such means, the fertile and beautiful District of Illawarra will soon be easily accessible by Land. In the Streets and environs of Sydney, by the use of the same description of labour, some conspicuous improvements have been effected, and others are in progress.

Some of the Public Buildings, for which funds were appropriated in the last Session, are not in general advancing with the desired celerity. The difficulty of obtaining competent workmen, appears for the present to be insurmountable; but measures are adopted for introducing from the Mother Country a considerable number of Artificers, to whom, in addition to a free passage, immediate employment on Public Works, to continue for a year, at the rate of wages current in the Colony, has been promised, as an inducement to leave their own Country for this.

The Sydney Police has been considerably augmented, and under the skilful exertions of the Chief Magistrate, the Town is improving in security and order.

In the Country Districts additional Police Magistrates have been appointed, and the Mounted Police and Constabulary augmented. The greatest tranquillity prevails throughout.

I have directed Bills to be prepared, which I shall lay before you, chiefly to renew former Acts of the Governor and Council which will expire in the present year. Amongst them is a Bill to renew the Jury Act, to which I have to request your early attention. With reference to this law, I have much pleasure in placing on the Table communications from the

Judges

Judges and Law Officers of the Crown, the general tenor of which is highly encouraging to the effort made (though as yet only partially) to establish this Institution in New South Wales, on its ancient English foundation. Under such favorable impressions, a comprehensive measure, extending to the Colonists the full benefit of the English system, would have been proposed to you, but that the prospect of changes in our Local Constitution, consequent upon the approaching expiration of the New South Wales Act, and the hope of then receiving some definitive communication of the views of His Majesty's Government on this subject, lead me to prefer, at this time, a short renewal of the present Jury Law.

A Bill will be presented for taking a Census of the Population in September next. Three years will then have elapsed since the last, and the changes to which I have referred as likely to follow the expiration of the New South Wales Act, may render a Census necessary.

Having made known to His Majesty's Government that doubts were entertained as to the propriety of the form in which Grants of the vacant Crown Lands in this Colony had been hitherto made, I have received His Majesty's gracious command to communicate to you His pleasure, that I do assent, in his behalf, to an Act for the confirmation of all such Grants. A Bill for the purpose will be laid before you.

I propose, also, to present a Bill for restraining the unauthorized occupation of Crown Lands. This latter measure has been recommended to the Government in a Memorial, signed by a very respectable and numerous body of Colonists.

I have to inform you that His Majesty has been pleased to allow and confirm the two Acts of the Governor and Council, objected to by Mr. Justice Burton, in the Sessions of 1834, viz. — 5 Gul. IV., No. 9, being "An Act to facilitate the apprehension of Transported Felons and Offenders illegally at large, and of Persons found with Arms and suspected to be Robbers;" and 5 Gul. IV., No. 10, being "An Act for removing doubts respecting the application to New South Wales of the Laws and Statutes of England relating to Usury, and to limit and define the Rate of Interest which may be recovered in cases where it hath not been previously agreed on between the Parties."

I have directed the Abstracts of Revenue and Expenditure for the past year, to be laid before you.

The Estimates for the ensuing year will be presented in the course of the present month.

RICHARD BOURKE.

2nd June, 1836.

3. His Excellency the Governor laid upon the Table, An Extract of his Despatch of the 30th September, 1833, to the Right Honorable the Secretary of State for the Colonies, on the subject of the Church and School Establishments in New South Wales, and a Copy of the Despatch of the Right Honorable Lord Viscount Glenelg, in reply, dated the 30th November, 1835; to be printed.
 4. His Excellency the Governor laid upon the Table, the opinions of their Honors the Judges of the Supreme Court, and of the Law Officers of the Crown, on the subject of Juries of the Colonial Inhabitants; to be printed.
 5. His Excellency the Governor laid upon the Table, An Extract of a Despatch from the Right Honorable Lord Viscount Glenelg, dated 30th September, 1835, relative to the validity of Grants of Land in New South Wales; to be printed.
 6. His Excellency the Governor laid upon the Table, An Abstract of the Revenue of the Colony of New South Wales, (exclusive of the Revenue arising from Crown Lands), and of its Appropriation, for the year 1835; to be printed.
 7. His Excellency the Governor laid upon the Table, An Abstract of the Revenue arising from Crown Lands in the Colony of New South Wales, and of its Appropriation, for the year 1835; to be printed.
 8. His Excellency the Governor laid upon the Table, "A Bill further to continue for a limited time, an Act for Regulating the Constitution of Juries in certain cases, in the Supreme Court of New South Wales; and to make further provision for the Trial by Jury;" Bill read a first time; to be printed, and read a second time on Tuesday next.
 9. His Excellency the Governor laid upon the Table, "A Bill to remove doubts concerning the Validity of Grants of Land in New South Wales;" Bill read a first time; to be printed, and read a second time on Tuesday next.
 10. His Excellency the Governor laid upon the Table, "A Bill to continue for a limited time, an Act, intituled, 'An Act to facilitate the apprehension of Transported Felons and Offenders illegally at large, and of Persons found with Arms, and suspected to be Robbers;'" Bill read a first time; to be printed, and read a second time on Tuesday next.
 11. His Excellency the Governor laid upon the Table, "A Bill further to continue for a limited time, an Act, intituled, 'An Act for the relief of Debtors in execution for Debts which they are unable to pay;'" Bill read a first time; to be printed, and read a second time on Tuesday next.
- Council adjourned at two o'clock, until Tuesday next, at twelve o'clock.

ORDERS OF THE DAY.

TUESDAY, JUNE 7.

1. Jury Act continuation Bill; second reading.
2. Validity of Grants Bill; second reading.
3. Bushranging Act continuation Bill; second reading.
4. Insolvent Debtors' Act continuation Bill; second reading.

E. DEAS THOMSON, Clerk of the Council.

No. 2.

TUESDAY, 7 JUNE, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor took the Chair, and laid upon the Table:—
 - (1.) A Return of the number of Criminal Issues, and Prisoners tried before the Supreme Court of New South Wales, from the beginning of the Year 1835, to the end of May Sessions, 1836, distinguishing those tried by Military and Civil Juries; to be printed.
 - (2.) The Jurors' Book for the Year 1836.
 - (3.) The Special Jurors' List for the Year 1836.
 2. Jury Act continuation Bill; second reading deferred until to-morrow.
 3. Validity of Grants Bill; read a second time; to be read a third time on Thursday next.
 4. Bushranging Act continuation Bill; read a second time; to be read a third time on Thursday next.
 5. Insolvent Debtors' Act continuation Bill; read a second time; to be read a third time on Thursday next.
- Council adjourned at two o'clock, until to-morrow at twelve o'clock.

ORDERS OF THE DAY.

WEDNESDAY, JUNE 8.

1. Jury Act continuation Bill; second reading.

THURSDAY, JUNE 9.

1. Validity of Grants Bill; third reading.
2. Bushranging Act continuation Bill; third reading.
3. Insolvent Debtors' Act continuation Bill; third reading.

E. DEAS THOMSON, *Clerk of the Council.*

No. 3.

WEDNESDAY, 8 JUNE, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor took the Chair, and laid upon the Table, A Return of the number of Persons tried before the several Courts of General Quarter Sessions of the Peace, throughout the Colony of New South Wales, during the year 1835; to be printed.
 2. Petition presented from certain Proprietors and Editors of Newspapers, in Sydney, praying that the doors of this Council may be open during the Sessions, in order that authentic Reports of its Proceedings may be furnished to the Public. To lie on the Table.
 3. Jury Act continuation Bill; read a second time; to be read a third time to-morrow.
- Council adjourned at four o'clock, until to-morrow at twelve o'clock.

ORDERS OF THE DAY.

THURSDAY, JUNE 9.

1. Jury Act continuation Bill; third reading.
2. Validity of Grants Bill; third reading.
3. Bushranging Act continuation Bill; third reading.
4. Insolvent Debtors' Act continuation Bill; third reading.

E. DEAS THOMSON, *Clerk of the Council.*

No. 4.

THURSDAY, 9 JUNE, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Jury Act continuation Bill; read a third time, and passed.
 2. Validity of Grants Bill; read a third time, and passed.
 3. Bushranging Act continuation Bill; read a third time, and passed.
 4. Insolvent Debtors Act continuation Bill; read a third time, and passed.
- Council adjourned at two o'clock, until Tuesday the 28th instant, at twelve o'clock.

E. DEAS THOMSON, *Clerk of the Council.*

No. 5.

TUESDAY, 26 JUNE, 1836.

1. Council met pursuant to adjournment ; His Excellency the Governor took the Chair, and laid upon the Table, A Return of the number of free persons who have arrived in New South Wales, from the 1st January, 1829, to the 31st December, 1835 ; distinguishing those who have received assistance under the arrangements sanctioned by His Majesty's Government, for the promotion of Emigration, from those for whom no advance has been paid ; to be printed.
2. His Excellency laid upon the Table, Report of the Mission to the Aborigines, for the year 1835 ; to be printed.
3. His Excellency laid upon the Table, " A Bill for ascertaining the Number of the Inhabitants of the Colony of New South Wales, in the Year One thousand eight hundred and thirty-six ;" Bill read a first time ; to be printed, and read a second time, on Thursday next.
4. His Excellency the Governor laid upon the Table, " A Bill to restrain the unauthorised Occupation of Crown Lands ;" Bill read a first time ; to be printed, and read a second time, on Tuesday, the 5th proximo.

His Excellency the Governor then laid upon the Table the following Minute:—

In presenting " A Bill to restrain the unauthorised occupation of Crown Lands," it may be proper to remind the Council that the interference of Government has lately been sought by a large number of respectable Colonists, who represent that the commission of various offences is occasioned and promoted by the indiscriminate occupation of those Lands. To remedy the alleged evil, so far as can be effected by the speedy removal of dishonest, or suspected persons, it is necessary to give to the Magistrates the powers proposed to be conveyed by this Bill. It is not, however, intended by means of its provisions, or by any other course of law, to interdict the use of the vacant Crown Lands to persons of good repute. It is proposed to permit their occupation under Regulations, of which the following is an outline:—

The Waste Lands, situated within the limits of location, will still be accessible to the Colonist under the Regulations of the 1st August, 1831. Permission to occupy those beyond the limits may be obtained by application to Government ; licenses, renewable annually, will be granted to persons of good repute to depasture Sheep and Cattle beyond the limits of location, which licenses will protect the holders from any proceeding against them under the proposed Act. A certain sum will be charged upon the issue of each license and its annual renewal, to defray the charge for Commissioners of Crown Lands, and the other necessary expenses required to effect the purposes of the Act. These expenses will at first be considerable, and it is proposed to charge them on the Revenue derived from Crown Lands, to which the amount received for licenses will be carried. Sufficient time will be given, previously to the operation of the Act, to allow of application for licenses being received and considered by the Government, and of leases being obtained for Land within the limits of location, in the usual way.

It is to be understood, that by the issue of the proposed license, no expectation is held out that any greater protection by the Civil or Military force of the Colony, will be afforded to persons placing themselves beyond the limits of location, than is now enjoyed in those parts.

Copies of the Application herein referred to, and of the answer given to it, are laid upon the Table.

" RICHARD BOURKE."

To be printed.

Council adjourned at two o'clock, until Thursday next, at twelve o'clock.

ORDERS OF THE DAY.

THURSDAY, JUNE 30,

1. Census Bill ; second reading.

TUESDAY, JULY 5.

1. Crown Lands Occupation Bill ; second reading.

E. DEAS THOMSON, *Clerk of the Council.*

No. 6.

THURSDAY, 30 JUNE, 1836.

1. Council met pursuant to adjournment ; His Excellency the Governor took the Chair, and laid upon the Table, A return of the Jury Panels summoned to try Criminal Issues, from November Sessions, 1833, to the latest period ; distinguishing the Jurors who attended and served, and those who did not attend.
 2. His Excellency the Governor laid upon the Table, the Estimates of Expenditure for the year 1837 ; to be printed.
 3. Census Bill ; read a second time ; to be read a third time on Tuesday next.
- Council adjourned at three o'clock, until Tuesday next, at twelve o'clock.

ORDERS

ORDERS OF THE DAY.

TUESDAY, JULY 5.

1. Crown Lands Occupation Bill; second reading.
2. Census Bill; third reading.

E. DEAS THOMSON, *Clerk of the Council.*

No. 7.

TUESDAY, 5 JULY, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor took the Chair, and laid upon the Table, the Supplementary Estimate of Expenditure for the present year, together with an explanatory Minute; to be printed.
2. Crown Lands Occupation Bill; read a second time; further consideration deferred until Tuesday next.
3. Census Bill; read a third time, and passed.
Council adjourned at two o'clock, until Tuesday next, at twelve o'clock.

ORDERS OF THE DAY.

TUESDAY, JULY 12.

1. Crown Lands Occupation Bill; further consideration.

E. DEAS THOMSON, *Clerk of the Council.*

No. 8.

TUESDAY, 12 JULY, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor took the Chair, and laid upon the Table, "A Bill for the amendment of the Law respecting Pilots and "Pilotage;" Bill read a first time; to be printed, and read a second time, on Thursday next.
2. Crown Lands Occupation Bill; further considered in Committee; to be re-printed with the proposed amendments, and re-committed on Thursday, the 21st instant.
Council adjourned at three o'clock, until Thursday next, at twelve o'clock.

ORDERS OF THE DAY.

THURSDAY, JULY 14.

1. Pilotage Bill; second reading.

THURSDAY, JULY 21.

1. Crown Lands Occupation Bill; re-committal.

NOTICE OF MOTION.

THURSDAY, JULY 14.

1. The Colonial Secretary—The Estimates of Expenditure for 1837.

E. DEAS THOMSON, *Clerk of the Council.*

No. 9.

THURSDAY, 14 JULY, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Petition presented from the Lay Committee of the Roman Catholic Church of Saint Mary, in the name and on behalf of the Roman Catholics of New South Wales, praying that provision may be made for Roman Catholic Orphans. To lie on the Table, and be printed.

2. Petition presented from certain freeholders and free inhabitants of the Colony, praying that an Act may be passed to permit the general sale by retail, of Beer and Wine made from the produce of the Colony, under such restrictions as may be deemed expedient. To lie on the Table, and be printed.
3. Pilotage Bill; read a second time; to be read a third time on Tuesday next.
4. Motion made and question put, that the Supplementary Estimates of Expenditure for 1836, be now considered in Committee. *Passed without a division.*
 - (1.) Resolved—That a sum not exceeding £176 ls. 6d. be appropriated to defray the Supplementary expense of the Department of the Colonial Architect, for the year 1836.
 - (2.) Resolved—That a sum not exceeding £122 15s. be appropriated to defray the Supplementary expense of the Department of the Commissioners for the Assignment of Convict Servants, for the year 1836.
 - (3.) Resolved—That a sum not exceeding £73 15s. 4d. be appropriated to defray the Supplementary expense of the Auditor-General's Department, for the year 1836.
 - (4.) Resolved—That a sum not exceeding £2,330, be appropriated to defray the Supplementary expense of the Department of Customs, for the year 1836.
 - (5.) Resolved—That a sum not exceeding £53 10s. be appropriated to defray the Supplementary expense of the Department of the Collector of the Internal Revenue, for the year 1836.
 - (6.) Resolved—That a sum not exceeding £1,284 7s. be appropriated to defray the Supplementary expense of the Postmaster-General's Department, for the year 1836.
 - (7.) Resolved—That a sum not exceeding £800 be appropriated to defray the Supplementary expense of the Surveyor-General's Department, for the year 1836.
 - (8.) Resolved—That a sum not exceeding £600 be appropriated to defray the Supplementary expense of the Mineral-Surveyor's Department, for the year 1836.
 - (9.) Resolved—That a sum not exceeding £1,369 ls. 8d. be appropriated to defray the Supplementary expense of the Supreme Court, for the year 1836.
 - (10.) Resolved—That a sum not exceeding £89 18s. 7d. be appropriated to defray the Supplementary expense of the Sheriff's Department, for the year 1836.
 - (11.) Resolved—That a sum not exceeding £4,300 be appropriated to defray the Supplementary expense of the Episcopalian Clergy and Schools, for the year 1836.
 - (12.) Resolved—That a sum not exceeding £900 be appropriated to defray the Supplementary expense of the Roman Catholic Clergy and Schools, for the year 1836.
 - (13.) Resolved—That a sum not exceeding £97 11s. 6d. be appropriated in aid of private contributions received to the same amount for the Australian School Society.
 - (14.) Resolved—That a sum not exceeding £155 10s. 10d. be appropriated in aid of private contributions received to the same amount for the Sydney Dispensary.
 - (15.) Resolved—That a sum not exceeding £235 be appropriated to defray the expense of Re-printing the Acts of Council, from 1824 to 1835, inclusive.
 - (16.) Resolved—That a sum not exceeding £9,983 6s. be appropriated to defray the Supplementary expense for Miscellaneous Services, for the year 1836.
 - (17.) Resolved—That a sum not exceeding £600 be appropriated to defray the charge for the Colonial Services of the Royal Engineer Commanding, for the year 1836.
 - (18.) Resolved—That a sum not exceeding £825 10s. be appropriated to defray the charge of an allowance to the Representatives of the late Deputy-Commissary-General Laidley, as a remuneration for Services rendered by that Officer to the Colony, from 25th June, 1827, to 31st December, 1831.
5. Motion made and Question put, that the Estimates of Expenditure for the year 1837, be now considered in Committee. *Passed without a division.*
 - (1.) Resolved—That a sum not exceeding £331 18s. 9d., be appropriated to defray the expense of the Establishment of His Excellency the Governor for the year 1837.
 - (2.) Resolved—That a sum not exceeding £817 2s. 6d., be appropriated to defray the expense of the Department of the Executive and Legislative Councils for the year 1837.
 - (3.) Resolved—That a sum not exceeding £5,326 2s. 11d., be appropriated to defray the expense of the Colonial Secretary's Department for the year 1837.
 - (4.) Resolved—That a sum not exceeding £1,167 8s. 9d., be appropriated to defray the expense of the Department of the Colonial Architect and Surveyor of Buildings for the year 1837.
 - (5.) Resolved—That a sum not exceeding £336 18s. 9d., be appropriated to defray the expense of the Department of the Commissioner for the Assignment of Convict Servants for the year 1837.
 - (6.) Resolved—That a sum not exceeding £1,485 12s. 6d., be appropriated to defray the expense of the Colonial Treasurer's Department for the year 1837.
 - (7.) Resolved—That a sum not exceeding £1,790 3s. 9d. be appropriated to defray the expense of the Auditor General's Department for the year 1837.
 - (8.) Resolved—That a sum not exceeding £7,806 19s. 7d. be appropriated to defray the expense of the Customs Department for the year 1837.
 - (9.) Resolved—That a sum not exceeding £2,336 9s. 2d. be appropriated to defray the expense of the Department of the Collector of Internal Revenue for the year 1837.
 - (10.) Resolved—That a sum not exceeding £5,194 12s. 6d. be appropriated to defray the expense of the Post Master General's Department for the year 1837.
 - (11.) Resolved—That a sum not exceeding £300 be appropriated to defray the salary of the Surveyor of Colonial Distilleries for the year 1837.
 - (12.) Resolved—That a sum not exceeding £200 be appropriated to defray the Salary and allowance to the Inspector of Slaughter Houses for the District of Sydney.
 - (13.) Resolved—That a sum not exceeding £1,031 13s. 4d. be appropriated to defray the expense of the Department of the Colonial Botanist for the year 1837.

- (14.) Resolved—That a sum not exceeding £676 0s. 10d. be appropriated to defray the expense of the Government Domain, Parramatta, for the year 1837.
- (15.) Resolved—That a sum not exceeding £812 4s. 7d., be appropriated to defray the expense of the Department of the Harbour Master, at Sydney, for the year 1837.
- (16.) Resolved—That a sum not exceeding £233, be appropriated to defray the expense of the Department of the Harbour-Master at Port Macquarie, for the year 1837.
- (17.) Resolved—That a sum not exceeding £315 11s. 8d. be appropriated to defray the expense of the Light House, at the South Head of Port Jackson, for the year 1837.
- (18.) Resolved—That a sum not exceeding £154 13s. 9d., be appropriated to defray the expense of the Harbour-Master's Department at Newcastle, for the year 1837.
- (19.) Resolved—That a sum not exceeding £223 13s. 4d., be appropriated to defray the expense of the Telegraph Stations, for the year 1837.
- (20.) Resolved—That a sum not exceeding £327 13s. 2d., be appropriated to defray the expense of a Floating Light Vessel near the entrance of Port Jackson.
- (21.) Resolved—That a sum not exceeding £200, be appropriated to defray the expense of the Australian Museum, for the year 1837.
- (22.) Resolved—That a sum not exceeding £25, be appropriated to defray the Salary of the Housekeeper to the Public Offices, Macquarie-street, Sydney, for the year 1837.
- (23.) Resolved—That a sum not exceeding £950, be appropriated to defray the salaries of the Colonial Agent General, and British Resident at New Zealand, and the expense of Donations of Provisions and Clothing to New Zealand Chiefs and Natives, for the year 1837.
- Further consideration of Estimates deferred until Tuesday next.
- Council adjourned at three o'clock, until Tuesday next at twelve o'clock.

ORDERS OF THE DAY.

TUESDAY, JULY 19.

1. Pilotage Bill; third reading.
2. Estimates; further consideration.

THURSDAY, JULY 21.

1. Crown Lands Occupation Bill; recommittal.

E. DEAS THOMSON, *Clerk of the Council.*

No. 10.

FRIDAY, 22 JULY, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Petition presented from the Right Reverend the Lord Bishop of Australia, praying to be heard before Council against the proposed grant of money towards the Establishment of National Schools upon the system of those of Ireland; to be printed. Petition having been taken into consideration. Resolved—That the Clerk inform the Bishop of Australia, that the rules of Council do not admit of his being heard in person before them as prayed for in the Petition.
2. His Excellency the Governor laid upon the Table:—
 - (1.) A List of the Vessels which visited the Bay of Islands, New Zealand, during the six months ended 31 December, 1835.
 - (2.) A List of the Vessels which visited the River Hokianga, New Zealand, during the six months ended the 30 June, 1835.
 - (3.) Return of the gross declared value of Exports and Imports to and from the Ports of New South Wales, and any part of New Zealand, during the years 1833-4-5; to be severally printed.
3. His Excellency the Governor laid upon the Table a Minute explanatory of the System of the proposed National Schools, and accompanied by the Regulations and Directions issued by the Board of Commissioners of National Education in Ireland; to be printed.
4. His Excellency the Governor laid upon the Table, "*A Bill to promote the Building of Churches and Chapels, and to provide for the Maintenance of Ministers of Religion in New South Wales;*" Bill read a first time; to be printed, and read a second time, on Wednesday next.
5. Pilotage Bill; read a third time, and passed.
6. Estimates of Expenditure, further considered in Committee.
 - (1.) Resolved—That out of the sum of £12,544 7s. 5d., being the amount of sums appropriated but not required for the Service of the year 1835, there be issued and applied the sum of £11,190 18s. 8d., to supply the deficiencies in the Estimates of expenses of certain Departments for the same year.
 - (2.) Resolved—That a sum not exceeding £12,830 15s. 10d. be appropriated to defray the expense of the Survey Branch of the Surveyor-General's Department, for the year 1837.
 - (3.) Resolved—That a sum not exceeding £14,792 6s. 3d. be appropriated to defray the expense of the Road Branch of the Surveyor-General's Department, for the year 1837.
 - (4.) Resolved—That a sum not exceeding £8,475 9s. 7d. be appropriated to defray the expense of the Sydney Town Branch of the Surveyor-General's Department, for the year 1837.

- (5.) Resolved—That a sum not exceeding £7,857 14s. 4d. be appropriated to defray the expense of the Mineral Surveyor's Department, for the year 1837.
- (6.) Resolved—That a sum not exceeding £7,357 8s. 9d. be appropriated to defray the expense of the Supreme Court, for the year 1837.
- (7.) Resolved—That a sum not exceeding £2,953 17s. 6d. be appropriated to defray the expense of the Law Officers of the Crown, for the year 1837.
- (8.) Resolved—That a sum not exceeding £2,866 18s. 9d. be appropriated to defray the expense of Courts of Requests, for the year 1837.
- (9.) Resolved—That a sum not exceeding £3,376 be appropriated to defray the expense of Courts of Quarter Sessions, for the year 1837.
- (10.) Resolved—That a sum not exceeding £2,474 18s. 9d. be appropriated to defray the expense of the Sheriff's Department, for the year 1837.
- (11.) Resolved—That a sum not exceeding £1,200 be appropriated to defray the Salaries of Coroners and the expenses of Inquests, for the year 1837.
- (12.) Resolved—That a sum not exceeding £12,619 8s. 4d. be appropriated to defray the expense of Police for the Town of Sydney, for the year 1837.
- (13.) Resolved—That a sum not exceeding £21,973 17s. 1d. be appropriated to defray the expense of Police for the Country Districts, for the year 1837.
- (14.) Resolved—That a sum not exceeding £4,880 17s. 6d. be appropriated to defray the expense of the Sydney Gaol, for the year 1837.
- (15.) Resolved—That a sum not exceeding £445 2s. 6d. be appropriated to defray the expense of the Debtors' Prison, Sydney, for the year 1837.
- (16.) Resolved—That a sum not exceeding £5,281 7s. 11d. be appropriated to defray the expense of Gaols in the Country Districts, for the year 1837.
- (17.) Resolved—That a sum not exceeding £14,827 10s. be appropriated to defray the expense of the Episcopalian Clergy, for the year 1837.
- (18.) Resolved—That a sum not exceeding £1,300 be appropriated to defray the expense of the Presbyterian Clergy, for the year 1837.
- (19.) Resolved—That a sum not exceeding £3,040 be appropriated to defray the expense of the Roman Catholic Clergy, for the year 1837.
- Further consideration of Estimates deferred until Monday next.
7. Crown Lands Occupation Bill; further consideration deferred until Monday next. Council adjourned at four o'clock, until Monday next, at twelve o'clock.

ORDERS OF THE DAY.

MONDAY, JULY 25.

1. Estimates; further consideration.
2. Crown Lands Occupation Bill; further consideration.

WEDNESDAY, JULY 27.

1. Church Bill; second reading.

E. DEAS THOMSON, *Clerk of the Council.*

No. 11.

MONDAY, 25 JULY, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Petition presented from the Committee of Protestants of the Colony, praying that the subject of Education be referred to a Committee of the Council, with instructions to receive evidence from Members of every denomination of Christians, in order to ascertain whether the general feeling of the Colonists be in favor of the system of Education now proposed to be established; to be printed.
2. Petition presented from the Right Reverend the Lord Bishop of Australia, praying that the Council will not sanction the adoption of the National Schools upon the system of those established in Ireland; to be printed.
3. Motion made and question put, that the Estimates of Expenditure be now considered in Committee; passed without a division.
 - (1.) Resolved—That a sum not exceeding £100, be appropriated to defray the salary of the Master of the King's School, Parramatta, for the year 1837.
 - (2.) Resolved—That a sum not exceeding £3,553 15s. 5d., be appropriated to defray the expense of the Male Orphan School, for the year 1837.
 - (3.) Resolved—That a sum not exceeding £2,251, 3s. 6d., be appropriated to defray the expense of the Female Orphan School for the year 1837.
 - (4.) Resolved—That a sum not exceeding £3,150, be appropriated towards the support of the Parochial Schools of the Church of England at present established in the Colony, for the year 1837.
 - (5.) Resolved—That a sum not exceeding £240, be appropriated towards the support of the Presbyterian Schools in sums not exceeding the amount of private contributions, for the year 1837.
 - (6.) Resolved—That a sum not exceeding £720, be appropriated towards the support of Roman Catholic Schools at present established in the Colony, for the year 1837.
 - (7.) Motion made and question put, That a sum not exceeding £3,000, be appropriated towards the establishment of National Schools; Council divided, Ayes 8, Noes 4.

4. Motion made and question put, That it is the opinion of the Council, that at the National Schools, for the establishment of which a sum of money has now been appropriated, a chapter from the authorised version of the New Testament shall be read at the opening of such Schools, on the first morning of the week, to those Protestant children in attendance; passed without a division.
5. Committee appointed to examine and report upon the Plan and Estimate for a New Government House, and the erection of a Wharf at the head of Sydney Cove; to whom also is to be referred, the Plan and Estimate for the Gaol at Darlinghurst, with instructions to consider and report upon the expediency of making such alterations in the original design, as will render the interior arrangement conformable to the recommendation contained in the second Report of the Lords' Committees of 1835.

THE CHIEF JUSTICE,
 THE COLONIAL SECRETARY, | MR. BERRY, and
 THE AUDITOR GENERAL, | MR. MACARTHUR.

Council adjourned at Seven o'Clock until to-morrow at Twelve o'Clock.

ORDERS OF THE DAY.

TUESDAY, JULY 26.

1. Estimates; further consideration.
2. Crown Lands Occupation Bill; further consideration.

WEDNESDAY, JULY, 27.

1. Church Bill; second reading.

E. DEAS THOMSON, *Clerk of the Council.*

No. 12.

TUESDAY, 26 JULY, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Motion made and question put, That the Estimates of Expenditure be now considered in Committee; passed without a division.
 - (1.) Resolved—That a sum not exceeding £91 5s. be appropriated to defray the charge of the Military Establishment, for the year 1837.
 - (2.) Resolved—That a sum not exceeding £860 be appropriated to defray the charge of Pensions, for the year 1837.
 - (3.) Resolved—That a sum not exceeding £2,200 be appropriated to defray the expense of Stationery, Printing, Bookbinding, Gazettes, and Almanacks for the several Colonial Departments, for the year 1837.
 - (4.) Resolved—That a sum not exceeding £200 be appropriated to defray the expense of Fuel and Light for the said Departments, for the year 1837.
 - (5.) Resolved—That a sum not exceeding £10,250 be appropriated to meet drawbacks on the re-exportation of Foreign Goods, and the restitution of duty on Spirits issued to the Troops by the several Contractors, for the year 1837.
 - (6.) Resolved—That a sum not exceeding £600 be appropriated to defray the expense of the Commission for hearing and determining on Claims to Grants of Land, for the year 1837.
 - (7.) Resolved—That a sum not exceeding £1,070 be appropriated to defray the expense of the management of the Church and School Estates, for the year 1837.
 - (8.) Resolved—That a sum not exceeding £1,350 be appropriated in aid of the Mission to the Aborigines by the Church Missionary Society, and the expense of donations of provisions, clothing, and blankets to the same, for the year 1837.
 - (9.) Resolved—That a sum not exceeding £200 be appropriated towards the support of the Sydney School of Arts, for the year 1837.
 - (10.) Resolved—That a sum not exceeding £2,000 be appropriated to defray the expense of casual repairs to Government Houses, Courts of Justice, and other Colonial Public Buildings, for the year 1837.
 - (11.) Resolved—That a sum not exceeding £800 be appropriated to defray the expense of Furniture for Government Houses and Public Offices, for the year 1837.
 - (12.) Resolved—That a sum not exceeding £300 be appropriated to defray the expense of lighting the Lamps in the Town of Sydney, for the year 1837.
 - (13.) Resolved—That a sum not exceeding £105 be appropriated to defray the expense of Firemen to work the Engines in Sydney, when required, for the year 1837.
 - (14.) Resolved—That a sum not exceeding £10,000 be appropriated to defray in part the expense of building a New Government House at Sydney.
 - (15.) Resolved—That a sum not exceeding £450 be appropriated to defray the expense of building a Seed Room in the Botanic Garden, and a Barrack for lodging the men employed therein.
 - (16.) Resolved—That a sum not exceeding £3,000 be appropriated to defray the expense of building Court-houses and Watch-houses at Merton and Invermein.

(17.)

- (17.) Resolved—That a sum not exceeding £6,000 be appropriated towards defraying the expense of building a Gaol and Court-house at Goulburn.
- (18.) Resolved—That a sum not exceeding £5,000 be appropriated towards defraying the expense of building a Gaol at Maitland.
- (19.) Resolved—That a sum not exceeding £438 be appropriated to defray the expense of building twelve Solitary Cells in the Gaol at Windsor.
- (20.) Resolved—That a further sum not exceeding £5,000 be appropriated towards defraying the expense of building the Lunatic Asylum at Tarban Creek.
- (21.) Resolved—That a sum not exceeding £400 be appropriated to defray the expense of constructing a Bridge over the stream which intersects William-street, near Hyde Park.
- (22.) Resolved—That a sum not exceeding £1,400 be appropriated to defray the expense of a Bridge over the stream, near Rush Cutter's Bay.
- (23.) Resolved—That a further sum not exceeding £738 14s. 10d. be appropriated towards defraying the expense of constructing the Breakwater at Newcastle.
- (24.) Resolved—That a sum not exceeding £600 be appropriated to defray the salary and travelling expenses of the Royal Engineer Commanding, for Colonial Services, for the year 1837.
- (25.) Resolved—That a sum not exceeding £4,000 be appropriated to meet unforeseen expenses on occasions of emergency, to be hereafter accounted for, for the year 1837.
2. His Excellency the Governor laid upon the Table, The Third Annual Report of the Sydney Mechanics' School of Arts.
3. Crown Lands Occupation -Bill; re-considered and amended; to be fairly transcribed, and carried to the Governor by His Honor the Chief Justice and the Attorney-General. Council adjourned at three o'clock, until to-morrow, at twelve o'clock.

ORDER OF THE DAY.

WEDNESDAY, JULY 27.

1. Church Bill; second reading.

NOTICES OF MOTIONS.

THURSDAY, JULY 28.

- The Colonial Secretary.—(1.) That a sum not exceeding £150 be appropriated towards the erection of Sunday Schools under the direction of the Wesleyan Mission, in sums not exceeding the amount of private contributions.
- (2.) That a sum not exceeding £600 be appropriated for the completion of the Roman Catholic Chapel, in Sydney, to meet an equal sum raised by private contributions.
- (3.) That a sum not exceeding £300 be appropriated for the completion of the Scots Church of St. Andrew, in Sydney, to meet an equal sum raised by private contributions.
- (4.) That a sum not exceeding £800 be appropriated towards the establishment of an Orphan School for destitute Roman Catholic Children.

E. DEAS THOMSON, Clerk of the Council.

No. 13.

WEDNESDAY, 27 JULY, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor took the Chair, and laid upon the Table, "A Bill to enable the Proprietors of a certain Company carried on in the Town of Sydney, in the Colony of New South Wales, under the name, style, and firm of 'The Union Assurance Company of Sydney,' to sue and be sued in the name of 'the Chairman of the said Company for the time being, and for other purposes therein mentioned;" the Clerks of Saint Philip's and Saint James' Churches, Sydney, called in, and the notification of the intention to apply for the Bill having been affixed on the doors of the said Churches, on three successive Sundays proved; Bill read a first time; to be printed, and referred to the Sub-Committee on the New Government House.
2. Church Bill; read a second time; committed and amended; to be fairly transcribed, and presented to the Governor by the Chief Justice and Colonel Snodgrass. Council adjourned at Three o'clock, until to-morrow, at Twelve o'clock.

NOTICES

NOTICES OF MOTION.

THURSDAY, JULY 28.

The Colonial Secretary.—(1.) That a sum not exceeding £150, be appropriated towards the erection of Sunday Schools under the direction of the Wesleyan Mission in sums not exceeding the amount of private contributions.

(2.) That a sum not exceeding £600 be appropriated for the completion of the Roman Catholic Chapel, in Sydney, to meet an equal sum raised by private contributions.

(3.) That a sum not exceeding £300 be appropriated for the completion of the Scots Church of St. Andrew, in Sydney, to meet an equal sum raised by private contributions.

(4.) That a sum not exceeding £600 be appropriated towards the establishment of an Orphan School for destitute Roman Catholic Children.

E. DEAS THOMSON, *Clerk of the Council.*

No. 14.

THURSDAY, 28 JULY, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Union Assurance Company Bill:—His Honor the Chief Justice as Chairman, brought up the Report of the Committee; Bill read a second time; to be read a third time on Tuesday next.
 2. His Excellency the Governor laid upon the Table, "A Bill to prevent Clandestine Marriages, and to provide for the issuing of Licenses;" Bill read a first time; to be printed, and read a second time on Tuesday next.
 3. Resolutions passed:—
 - (1.) That a sum not exceeding £150 be appropriated towards the erection of Sunday Schools under the direction of the Wesleyan Mission, in sums not exceeding the amount of private contributions.
 - (2.) That a sum not exceeding £600 be appropriated for the completion of the Roman Catholic Chapel, in Sydney, to meet an equal sum raised by private contributions.
 - (3.) That a sum not exceeding £300 be appropriated for the completion of the Scots Church of St. Andrew, in Sydney, to meet an equal sum raised by private contributions.
 - (4.) That a sum not exceeding £600 be appropriated towards the establishment of an Orphan School for destitute Roman Catholic Children.
- Council adjourned at two o'clock, until to-morrow at twelve o'clock.

ORDERS OF THE DAY.

TUESDAY, AUGUST 2.

1. Union Assurance Company Bill; third reading.
2. Clandestine Marriage Bill; second reading.

E. DEAS THOMSON, *Clerk of the Council.*

No. 15.

FRIDAY, 29 JULY, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor took the Chair, and laid upon the Table, "A Bill for applying certain sums arising from the Revenue receivable in New South Wales to the Service thereof, for the year one thousand eight hundred and thirty-seven, and for further appropriating the said Revenue;" Bill read a first time; to be printed, and read a second time on Tuesday next.
 2. His Excellency the Governor laid upon the Table, "A Bill for better regulating the keeping and carriage of Gunpowder;" Bill read a first time; to be printed, and read a second time on Wednesday next.
 3. Church Bill; presented by the Governor, as amended; read a third time, and passed.
 4. Crown Lands Occupation Bill; presented by the Governor, as amended; read a third time, and passed.
- Council adjourned at two o'clock, until Tuesday next, at twelve o'clock.

ORDERS OF THE DAY.

TUESDAY, AUGUST 2.

1. Clandestine Marriage Bill; second reading.
2. Union Assurance Company Bill; third reading.
3. Appropriation Bill; second reading.

WEDNESDAY, AUGUST 3.

1. Gunpowder Bill; second reading.

E. DEAS THOMSON, *Clerk of the Council.*

No. 16.

TUESDAY, 2 AUGUST, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor took the Chair, and laid upon the Table, "A Bill for regulating Buildings and Party Walls, and to prevent mischiefs by Fire, in the Town of Sydney;" Bill read a first time; to be printed, and read a second time on Saturday next.
2. Clandestine Marriage Bill; read a second time; to be read a third time on Thursday next.
3. Appropriation Bill; second reading deferred until to-morrow.

ORDERS OF THE DAY.

WEDNESDAY, AUGUST 3.

1. Appropriation Bill; second reading.
2. Gunpowder Bill; second reading.
3. Union Assurance Company Bill; third reading.

THURSDAY, AUGUST 4.

1. Clandestine Marriage Bill; third reading.

SATURDAY, AUGUST 6.

1. Sydney Building Bill; second reading.

E. DEAS THOMSON, Clerk of the Council.

No. 17.

WEDNESDAY, 3 AUGUST, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Petition presented from certain Protestants of the Colony, praying that they may not be deprived of a proportionate share of the funds proposed to be expended in Education. To be printed.
 2. Petition presented from certain Inhabitants of the Colony; praying that the passing of any Legislative measure in respect to Education may be deferred; except so far as affording to each of the three leading religious persuasions such an amount in aid of Public Education as from their numbers they may be entitled to. To be printed.
 3. Appropriation Bill; read a second time; to be read a third time on Friday next.
 4. His Excellency the Governor laid upon the Table, "A Bill for adopting certain Acts of Parliament passed in the third and fourth years of the reign of His Majesty, King William the Fourth, in the Administration of Justice in New South Wales, in like manner as other Colonies of England are applied therein;" Bill read a first time; to be printed, and read a second time, on Thursday the 11th instant.
 5. Gunpowder Bill; second reading deferred until Friday next.
 6. Union Assurance Company Bill; third reading deferred until Friday next.
- Council adjourned at three o'clock, until Friday next at twelve o'clock.

ORDERS OF THE DAY.

FRIDAY, AUGUST 5.

1. Union Assurance Company Bill; third reading.
2. Clandestine Marriage Bill; third reading.
3. Appropriation Bill; third reading.
4. Gunpowder Bill; second reading.

SATURDAY, AUGUST 6.

1. Sydney Building Bill; second reading.

THURSDAY, AUGUST 11.

1. English Acts Adoption Bill; second reading.

E. DEAS THOMSON, Clerk of the Council.

No. 18.

FRIDAY, 5 AUGUST, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Appropriation Bill; read a third time and passed.
2. Gunpowder Bill; read a second time; to be read a third time on Thursday next.
3. His Excellency the Governor laid upon the Table the following Resolution presented by Mr. Jones—"That this Council recommend to the Right Honorable the Secretary of State for the Colonies, the payment to the Reverend Dr. Lang, out of the Revenues of the Colony, the sum of six hundred pounds, expended by him in procuring passages to this Colony for certain Presbyterian Ministers of the Church of Scotland, with a view to their occupying stations in this Territory, for which salaries had been guaranteed from the Colonial Treasury, and for certain instructors of youth, with a view to their being connected with an Academical Institution, the establishment of which had been promoted and assisted by the Government." To be taken into consideration on Thursday next.
4. Clandestine Marriage Bill; read a third time, and passed.
5. Union Assurance Company Bill; third reading deferred until Thursday next. Council adjourned at two o'clock, until Thursday next, at twelve o'clock.

ORDERS OF THE DAY.

THURSDAY, AUGUST 11.

1. Union Assurance Company Bill; third reading.
2. Gunpowder Bill; third reading.
3. Mr. Jones' Motion.
4. English Acts Adoption Bill; second reading.
5. Sydney Building Bill; second reading.

E. DEAS THOMSON, *Clerk of the Council.*

No. 19.

THURSDAY, 11 AUGUST, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor took the Chair, and informed the Council that the following Protest against certain items of the Estimates of Expenditure had been entered with the Clerk, according to regulation.

"We Protest against the Appropriation of £3,000 for establishing Schools on the Irish system, for the following reasons; viz.

"1st—Because the proposed measure is at variance with that part of Lord Glenelg's Despatch, in which His Lordship observes, 'Persuaded as I am, that Education founded on the Scriptures, is the best calculated to produce those permanent effects, which must be the object of every system of Education, I should wish that it may be thought practicable to place the whole of the New Testament at least in the hands of the children; but, at all events, I hold it to be most important, that the extracts in question should be of a copious description.'"

"2nd—Because the Extracts from the New Testament, sanctioned by the Board of Irish Commissioners, are neither copious nor genuine transcripts of the Authorized Version, and are not sufficient in themselves to constitute, as desired by His Lordship, a system of Education founded on the Scriptures, and placing the whole of the New Testament in the hands of the children."

"3rd—Because that assurance has not been fulfilled, which is expressed by His Lordship, when he says, 'I feel assured that I may safely leave to you and the Legislative Council, the task of framing, on these principles, such a system as may be most acceptable to the great body of the inhabitants, and at the same time, most conducive to the important end in view.' Because, in a matter vitally affecting the dearest interests of this Protestant community, a Petition praying for inquiry, submitted by a body of respectable inhabitants, and supported by several Members of Council, has not received the consideration due to it, nor have the Council duly deliberated upon the system to be adopted. The Petitions already presented, subscribed by upwards of fourteen hundred people, afford sufficient evidence that the system proposed is not acceptable to the great body of the inhabitants; and other Petitions now under signature, will give abundant proof that it is generally disapproved by the Colonists, and not likely to be conducive to the important end in view."

"4th—Because the adoption of such a measure, affords the sanction of Government to a principle opposed to that free access to the Holy Scriptures, which is the indefeasible right of every British subject, to be restricted or abridged only by the dictates of his own conscience, or by his voluntary deference to the suggestions of his spiritual advisers."

"5th—Because, to withhold the truths of Scripture, or to discountenance the daily study of them, especially in establishments for General Education, is alike unworthy, of this enlightened age, and subversive of the constitutional rights of a Protestant people; and because we consider it the duty and interest of the Legislature and the Executive Government, to uphold and encourage the universal use of the sacred volume, as affording the only sure foundation, either of true religion or of sound morality."

"6th—

"6th—Because those principles, applicable as they are to every part of His Majesty's Dominions, have a peculiar importance and influence in a society like that of New South Wales, where there is too much reason to apprehend, that the bulk of the lower classes of the population have so little regard to virtue or religious instruction, that if any effort be required on their part, or they be not earnestly exhorted thereto, and influenced by example and authority, the religious and moral education of their children will be altogether abandoned."

"7th—Because it is perfectly impossible to provide sufficient means of religious instruction (exclusive of that to be derived from school-masters), and we believe enquiry would prove beyond contradiction, that the present established Schools meet all the demands of the people, and will continue to do so, under the operation of the Act passed this Session, for the expressed purpose of initiating the steps necessary for gradually procuring religious instructors for all denominations of Christians."

"8th—Because there is no proof of the alleged advantages of the proposed system, the experiments having been too recent, even in Ireland, where it was first adopted, to afford evidence of any thing, except that it has been received with much more readiness by Roman Catholics than by Protestants; the latter declaring they have no confidence in it, and the Synod of Ulster, declaring in 1834, that the principles on which those schools are conducted are in perfect contradiction 'to their Presbyterian principles and liberties.'"

"9th—Because, whether advantageous or otherwise, in Ireland, the very consideration upon which it is there based, proves its inexpediency in New South Wales. There, a departure has been made from the principles of the Established Law of the Land, for the evident purpose of conciliating the Roman Catholics as constituting the numerical majority. By the same rule, if concession be necessary in this country, it ought to be made in favor of the Protestants, who compose four-fifths of the entire population, and a yet larger proportion of the free and the young."

"10th—Because whilst we anxiously maintain our own liberty of conscience and religious rights, we have uniformly declared, and we do declare, that if any thing exist in our present system of Education offensive to conscientious Roman Catholics upon religious grounds, we are perfectly willing to afford whatever aid may be necessary for the separate maintenance of Roman Catholic Schools but we cannot admit the principle; that, in a Protestant Colony, of a Protestant Kingdom, the Public Institutions for Education should be made to assume a Roman Catholic character, and that four-fifths of the people should be compelled to forego their most valuable rights for the purpose of gratifying the prejudices of the other fifth. Nor do we deem it advisable, in a demoralized community like this, to leave the religious instruction of the children neglected, until sought for by the profligate parent—believing, as we do, that any object contemplated by His Majesty's Government would be obtained with equal ease, more certainty, and be much more liberal and consonant with the feelings and even prejudices of all denominations of Christians, and much more in conformity with the holy doctrines we profess, if, in every establishment for Education supported by Government, the Scriptures were taught daily to every child whose parent or guardian did not specifically object, from motives of conscience."

ROBERT CAMPBELL,
RICHARD JONES,
E. C. CLOSE,
H. H. M'ARTHUR.

6th August, 1836.

"I Protest against the Appropriation of £600 towards the Establishment of an Orphan School for destitute Roman Catholic Children, for the following reasons:—

"1st—Because destitute Orphan Children are the Children of the State: because the Protestant Faith is the Religion of the State; and it follows, therefore, that destitute Orphan Children ought to be brought up in the principles of the Protestant Faith."

"2nd—Because there are established in this Colony a Male Orphan School and a Female Orphan School, in which such Children as have been deprived of their natural protectors, or have been deserted by them, are maintained at the public expense, and brought up in the principles of the Protestant faith."

6 August, 1836.

ROBERT CAMPBELL.

"I Protest against the Appropriation of the sum of £600 towards the Establishment of an Orphan School for destitute Roman Catholic Children:—

"Because no injustice is committed to destitute children who are to be provided for and educated at the expense of the State, by educating them in the Protestant faith."

"Because there are already established in the Colony, Male and Female Orphan Schools, purposely for the care of destitute children, and maintained at the Public expense."

6 August, 1836.

RICHARD JONES.

"1st—I Protest against the proposed Salary of the Colonial Secretary on the same grounds as in my several Protests against that item in the Estimates of the last, as well as of former years."

"2nd—I Protest against the proposed Salary of the Colonial Treasurer on the same grounds as in my Protests against that item in the Estimates for the last year, and which grounds of objection have been amply corroborated by the subsequent fact of that Officer's having submitted to be proposed as a Candidate on the occasion of the late appointment to the Office of Chairman to the Quarter Sessions."

"3rd—I Protest against the proposed continuance of the Salary of the Colonial Agent General, on the same principles as those on which I have grounded my several Protests against this item in the Estimates hitherto."

"4th—

"4th—I Protest against the proposed continuance of the Salary of the British Resident in New Zealand, on the same grounds that have been specified in my former Protests."

"And I request that the several grounds of my dissent from the Estimates may be recorded on the Minutes of the Council, and that an extract copy of such Minutes, together with a copy of the Estimates, may be transmitted to the Right Honorable the Secretary of State for the Colonies, for the consideration of His Majesty's Government."

5 August, 1836.

J. BLAXLAND.

2. Union Assurance Company Bill; read a third time, and passed.
3. Gunpowder Bill; read a third time, and passed.
4. Petition presented from the Reverend Henry Carmichael, A.M., against the proposed Vote of £600, to the Reverend Dr. Lang; Petition read. Motion made and question put, that this Petition be now received. Negatived without a division. Motion made and question put, that this Council recommend to the Right Honorable the Secretary of State for the Colonies, the payment to the Reverend Dr. Lang, out of the Revenues of the Colony, of the sum of one hundred and sixty pounds, expended by him in procuring passages to this Colony for certain Presbyterian Ministers of the Church of Scotland, with a view to their occupying stations in this Territory, and for whom salaries have since been paid from the Colonial Treasury; passed without a division.
5. English Acts Adoption Bill; read a second time; to be read a third time to-morrow. Council adjourned at three o'clock, until to-morrow, at twelve o'clock.

ORDER OF THE DAY.

FRIDAY, AUGUST 12.

1. English Acts Adoption Bill; third reading.

E. DEAS THOMSON, *Clerk of the Council.*

No. 20.

FRIDAY, 12 AUGUST, 1836.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Committee on the New Government House; His Honor the Chief Justice, as Chairman, brought up the Report; to be printed.
2. Committee on the proposed Circular Quay, at the head of Sydney Cove; His Honor the Chief Justice, as Chairman, brought up the Report; to be printed.
3. Committee on the proposed Gaol at Darlinghurst; His Honor, the Chief Justice, as Chairman, reported progress. Committee obtained leave to sit during the adjournment.
4. English Acts adoption Bill; read a third time and passed. Council adjourned at four o'clock, *sine die*.

E. DEAS THOMSON, *Clerk of the Council.*

CLERGY AND SCHOOLS.

DESPATCHES on the subject of the Clergy and School Establishments of New South Wales.

EXTRACT from His Excellency Sir Richard Bourke's Despatch, No. 76, of 30 September, 1833, to the Right Honorable E. G. Stanley, Secretary of State for the Colonies.

"SIR,

"Having lately received the Order of the King in Council for dissolving the Church and School Corporation in New South Wales, unaccompanied by any intimation of the views of His Majesty's Government as to the future maintenance and regulation of Churches and Schools within the Colony, I deem it my duty to submit for your consideration such observations upon these important subjects, as my knowledge of the state of the Country enables me to offer, and to suggest such arrangements as will, in my opinion, meet with the favor and support of the great majority of the Colonists, and thereby promote, with the best assurance of success, the religious instruction and general education of this people."

"To enable you, Sir, to ascertain more clearly the propriety of the measures I shall have the honor to propose, I would observe, that the inhabitants of this Colony are of many different religious persuasions, the followers of the Church of England being the most numerous; but there are also large bodies of Roman Catholics, and Presbyterians of the Church of Scotland, besides Protestant Dissenters of many different denominations having separate places of worship. Of the Convicts who have arrived here for the last seven years, about one-third are Irish and Catholic, and if the families of these persons, arriving from Ireland in considerable numbers, are taken into account, it may be stated with some probability of accuracy,

accuracy, that about one-fifth of the whole population of the Colony is Catholic. The members of the Church of Scotland form a smaller proportion, but are amongst the most respectable of the inhabitants, and are to be found, with fewer exceptions, in the class of free emigrants. For administering the offices of religion to these three principal denominations of Christians, there are, of the Church of England, an Archdeacon, fifteen Chaplains, and four Catechists; of the Church of Scotland, four paid Ministers; and of the Romish Church, there are a Vicar General and two Priests, at present receiving stipends from Government; but further sums have been voted by the Council for the support of four additional Roman Catholic Chaplains, in the next year. The Clergy of the Church of England are supported chiefly by payments from the Treasury, and to a small amount, by the rent and sale of lands formerly granted to the Church and School Corporation. The charge for the Church of England next year, including that for minor Church officers, and contingencies of all sorts, is estimated at £11,542 10s. The whole charge on the Public Treasury for the Church of Scotland for the same period, is £600, and for Roman Catholic Chaplains and Chapels, £1,500. The Protestant Dissenters receive no support from Government beyond some small grants of land made to some of them, as sites upon which to erect their places of worship."

"With respect to places of worship, it may be convenient to observe here, that the Church of England possesses at this time, in Sydney, and within forty miles of it, seven stone or brick Churches of moderate size, but respectable appearance, besides two others of the same description in more remote parts of the Colony, and several less permanent buildings in various places. The expense of erecting these houses of worship, I cannot immediately ascertain; but it has been considerable, and has, I believe, been wholly defrayed by public funds. The Church of Scotland possesses one Church of respectable exterior in Sydney, and two or three temporary buildings in the country districts. The Scots Church in Sydney was built by subscription, aided by a loan from this Government, amounting to £520, for which a mortgage has been taken of the premises; but no part of the money has yet been repaid. The Church of Scotland has received no other aid for buildings that I can discover. The Roman Catholics possess one large and handsome Church in Sydney not yet completed. In aid of its construction, donations, amounting in all to about £1,200, have been at different times granted by this Government."

"The sum of £400 (included in that of £1,500 before mentioned) has been appropriated by the Council to be paid in the next year, in aid of a similar sum to be raised by private subscriptions for erecting Roman Catholic Chapels at Maitland and Campbell Town. A Chapel was begun at the latter place as well as at Parramatta some years ago; but neither have been completed from want of funds."

"The Chaplains of the Church of England are provided with Glebes of 40 acres, each, or with a money allowance in lieu, and with houses or lodging money. No advantage of this kind, obtained at the public expense, is possessed by the Clergy of the Established Church of Scotland, or by the Roman Catholics, if I except a grant of 40 acres for the use of the Minister of the Scots Church at Bathurst."

"A distribution of support from the Government, of so unequal an amount as that which I have just described, cannot be supposed to be generally acceptable to the Colonists who provide the funds from which this distribution is made. Accordingly the magnitude of the sums annually granted for the support of the Church of England in New South Wales, is very generally complained of, and a Petition to the Governor and Legislative Council has been lately prepared at a public meeting, and very numerous signed, praying for a reduction of this expenditure. If the complaint be well founded, as I confess I consider it to be, the recent dissolution of the Church Corporation affords an opportunity for placing upon an equitable footing the support which the principal Christian Churches in the Colony, may, for the present, claim from the public purse. I would, therefore, earnestly recommend to His Majesty's Government to take the whole case into their early consideration, and to adopt such arrangements as may be expected to give general satisfaction to the Colonists. I would observe that, in a new country, to which persons of all religious persuasions are invited to resort, it will be impossible to establish a dominant and endowed Church without much hostility, and great improbability of its becoming permanent. The inclination of these Colonists, which keeps pace with the spirit of the age, is decidedly adverse to such an institution; and I fear the interests of religion would be prejudiced by its establishment. If, on the contrary, support were given, as required, to every one of the three grand divisions of Christians indifferently, and the management of the temporalities of their Churches left to themselves, I conceive that the Public Treasury might in time be relieved of a considerable charge; and, what is of much greater importance, the people would become more attached to their respective Churches, and be more willing to listen to and obey the voice of their several Pastors."

"It may be expected that in addressing you, Sir, on this occasion, I should submit some specific arrangements for your consideration. I cannot, without much diffidence, proceed to discharge this duty; but, as I have reason to believe that the outline which follows is in unison with the sentiments of many of the most intelligent of the Colonists, I have the less hesitation in laying it before you."

"I would propose that, wherever a moderate Congregation can be collected throughout the Colony, and a subscription shall have been entered into for building a place of Worship and Minister's dwelling, amounting to a sum not less than £300, upon application, an equal sum shall be issued from the Colonial Treasury in aid of the undertaking; and that the buildings, when completed, and the grounds upon which they stand, whether provided by the subscribers, or granted by the Crown, shall be vested in Trustees elected by the Congregation. These Trustees shall have power to dispose of the seats or pews (excepting one-fourth, which shall be reserved as free sittings) and out of the rents, or by means of voluntary subscriptions, the Trustees shall provide for the maintenance of Church Officers, the repairs of the Church, Minister's dwelling, Church-yard, Burial-ground, and appurtenances, and the
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contingent expenses connected with the celebration of Divine Worship. The buildings thus erected will be, at no after period, a charge upon the Public Revenue. A Chaplain of the Creed of the Congregation shall then be appointed by the Crown in the manner now practised, and his stipend shall be issued by the Governor at the following rate:—If in the district where the Church or Chapel to which he shall be appointed is situated, there be a resident population of one hundred adults, who shall subscribe a Declaration setting forth their desire to attend such place of Worship, the Chaplain shall receive from the Treasury one hundred pounds a year; if there be two hundred adults, one hundred and fifty pounds; and if five hundred adults, then two hundred pounds, which is proposed as the maximum salary to be paid, by the Government, to a Chaplain of whatever persuasion."

"In this way it is imagined that the erection of places of Public Worship may be obtained wherever a competent Congregation can be collected, whilst there will be secured to the officiating Clergyman such a moderate stipend as is sufficient for his support, but will not render him independent of his own exertions, or the respect of the Congregation. These Chaplains should be empowered to perform the ceremonies of Marriage, Baptism, and Burial, in their several Churches, for moderate fees, and should be secured in the receipt of their stipends, unless removed from their Chaplaincies for misconduct. The whole of this arrangement, with such further details as shall seem necessary, will require the authority of an Act of the Governor and Council to put it into operation."

"The foregoing system may be applied to the existing Churches of the Establishment, by vesting them and the Ministers' Houses and Glebes in Trustees for the purposes before-mentioned; but the present incumbents should remain with the salaries and advantages they now enjoy, so far as these emoluments have been secured to them by previous engagement with the Government."

"For the better discipline of the Chaplains of the Church of England, for obtaining the necessary celebration of the rites of ordination and confirmation, and for maintaining the connexion of this Church with the Metropolitan, I would suggest that the Archdeacon of New South Wales be made a suffragan to the Archbishop of Canterbury, or Bishop of London. The stipend of the present Archdeacon is more than sufficient for the proper discharge of this office, and that of his successor might be reduced considerably. The inconvenience attending the dependence of this Church on the authority of a Bishop placed at the distance of Calcutta from Sydney is too obvious to require much proof."

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"The establishment in the Colony of a Presbytery of the Church of Scotland, which I had the honor to recommend in my Despatch of the 8th July last, No. 56, will secure the proper discipline of that Church; and the recent appointment of a Vicar General, with whose discretion, character, and morals, I have the greatest reason to be satisfied, will, I hope, effect what is required in the Roman Catholic Church. I am inclined, however, to think that the salary of £200 a year is too low for the office, and that it might be advantageously raised to £400, to enable the Vicar General to visit frequently the Chapels in the interior."

"In the foregoing outline I have limited the support of the Government to the three principal Christian Congregations in the Colony. This limitation may be considered an objection to the plan, as it may be urged, that in granting assistance systematically to more than one Church, a claim is given for assistance upon the same principle to every Congregation of Dissenters and of Jews. This, however, is an objection to the theory, and is not likely to interfere with the practical benefits of the plan. If it should be thought proper at any future period to extend assistance to other Congregations, whose members may seem to require it, there will be nothing in the present arrangement to prevent it; or if it shall be deemed more advisable, the proposed system may be established by the local law as it affects the Church of England only, leaving it to the discretion of the Governor and Council to extend a similar provision to such other Congregations as shall require it. At this early period of the Colony's existence, it is, I think, necessary that the Government should grant pecuniary assistance for the establishment of Religious Institutions, and take upon itself the nomination of the Ministers, or it might happen that the ordinances of christianity would become altogether neglected, or its tenets perverted by incompetent teachers."

"I cannot conclude this subject without expressing a hope, amounting to some degree of confidence, that in laying the foundations of the Christian religion in this young and rising Colony, by equal encouragement held out to its professors in their several Churches, the people of these persuasions will be united together in one bond of peace, and taught to look up to the Government as their common protector and friend, and that thus there will be secured to the State good subjects, and to society good men."

"I shall now beg leave to lay before you a brief account of the Schools which have been lately under the superintendence of the Church and School Corporation. The principal of these are the Male and Female Orphan Schools, at the former of which 133 boys are now maintained and educated, at an expense estimated for the year 1834 at £1,300; and, in the latter, 174 girls, at an estimated expense of £1,500, exclusive of supplies from the land set apart for the use of these Schools. The buildings of the Female School are handsome and commodious, and those for the boys are sufficient for the purpose. In both of these Schools the children are brought up exclusively in the doctrines of the Church of England. As they are received at a very early age, and those who are not Orphans in the strict meaning of the term, are, for the most part, deserted or neglected by their parents, it is proper that they should be so brought up. There is in Parramatta also a considerable Boarding School, called the King's School, at the head of which is a Clergyman of the Church of England, with a salary of £100 a-year only, but who has been promised the occupation of a house, to be built at the public expense, to contain from 60 to 80 boarders and day scholars. The house not being yet built, two are rented in the village, by Government, at £80 per annum; in which the master receives at present 54 boarders and 15 day scholars; the former at the rate of £28,

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the latter at from £6 to £10 a-year. This arrangement, which originated, I believe, with the late Archdeacon, is an expensive one, and the wealthier part of the community will be the greatest gainers by it. The three Schools thus described, now are, and will in all probability continue to be, exclusively for the Church of England; they may be supported, and the Orphan Schools extended, by means of the income which will, at no great distance of time, be derived from the lands granted under Seal to the Church and School Corporation; and which, on its dissolution, became, by the terms of the Charter, vested in the Crown, to be disposed of by His Majesty, His Heirs and Successors, in such manner as shall appear most conducive to the maintenance and promotion of religion, and the education of youth in the said Colony. Under these terms the income of the lands may be applied to the support of any of the Churches or Schools referred to in this Despatch."

"The primary Schools established by the Corporation, which are thirty-five in number, situated in various parts of the Colony, attended, upon an average, by 1,248 Children of both sexes, are charged in the Estimates for 1834, at £2,756. These are superintended by the Chaplains, and in all of them the Catechism of the Church of England is taught; and, although children of other persuasions may, and do some times attend these Schools, they are necessarily considered as belonging to the Church of England. Thus the charge for all the Schools of this description, for the year 1834, is taken at £5,796, to which should be added a vote of the Legislative Council, of £2,900, for the Site and Buildings for the King's School at Parramatta. Nothing has been granted to any Primary School connected with the Church of Scotland, but a loan of £2,500 has lately been made by the Government, and secured by mortgage, for aiding the erection of the Scots Collegs. The sum of £800 has been voted for Roman Catholic Schools for the year 1834."

"You may thus perceive, Sir, the great disproportion which exists in the support given by the State to Schools formed for the use of different denominations of Christians in the Colony; a disproportion not based on the relative numbers of each, but guided, it would seem, by the same principles which have regulated the support afforded to the different Churches. It is a subject of very general complaint. I am inclined to think, that Schools for the general Education of the Colonial youth, supported by the Government, and regulated after the manner of the Irish Schools, which since the year 1831, receive aid from public funds, would be well suited to the circumstances of this country. I have not the Parliamentary papers to refer to, and cannot give those Schools their proper designation, but I allude to those in which Christians of all creeds are received; where approved extracts from Scripture are read, but no religious instruction is given by the master or mistress, such being imparted on one day in the week by the ministers of the different religions attending at the School to instruct their respective flocks. I am certain that the Colonists would be well pleased to find their funds liberally pledged to the support of Schools of this description. It would be necessary, however, that Government took the lead in their institution, fixing the places from time to time where they should be established as population increased, erecting the School Houses, and appointing well qualified Masters and Mistresses to be brought from England, if need required. The salaries of such persons should be liberal, not less than from £100 to £150 per annum. Whatever weekly payments were obtained from the parents of the children who attend these Schools, should be applied to the repair of the School House, and purchase of School requisites under the care of a Local Committee. In like manner, Infant Schools should be established in the towns and other populous places. I may without fear of contradiction, assert, that in no part of the world is the general education of the people a more sacred and necessary duty of the Government, than in New South Wales. The reasons are too obvious to require that I should state them. The proposed arrangement will, like that for the Churches, require a local law."

"With respect to the thirty-five Primary or Parish Schools as they are called, established by the Church and School Corporation, I would observe, that they are of no great importance or value; and I propose, that in proportion as Schools for General Education are established in the manner I have described, the support of Government should be withdrawn from the Primary Schools, leaving the buildings and furniture to any of the Congregations of the Church of England that might choose to maintain the Schools at their own expense."

FROM the Right Honorable Lord Viscount Glenelg, to His Excellency Sir Richard Bourke, K. C. B.

Downing-street, November 30, 1835.

SIR,

The successive changes which have taken place in His Majesty's Government since the receipt of your Despatch of the 30th September, 1833, No. 76, and the importance of the subject to which it refers, have occasioned a delay in answering it which I much regret, but which has been in a great measure unavoidable.

Your Despatch had, however, received the serious attention of my predecessors, and since my accession to the Office which I have the honor to hold, I have bestowed much consideration on its contents. I have also had the advantage of frequent communications with Mr. Archdeacon Broughton, on the Ecclesiastical and Scholastic Establishments in New South Wales, and I have referred to the various communications on the same topic, which have taken place from time to time between the local authorities and my predecessors in this department.

His Majesty's Government are deeply sensible of the importance of the subject thus brought under their consideration. They fully concur with you in the opinion that in no part of the world is the general Education of the people a more sacred and necessary duty of the Government, than in New South Wales. With a view not only to higher interests, but also

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to the good order and social improvement of the Colony; too great a value can scarcely be set upon the promotion, by all due means, of those habits and principles which tend so eminently to elevate the human character, and to oppose the firmest obstacle to crime and immorality. The only question is, that of the most effectual mode of attaining this end, regard being had to the condition of the Colony and the sentiments of the inhabitants for whose benefit, and at whose expense, the instruction is to be provided.

With reference to this question, I have much pleasure in offering to you, on their part and my own, the acknowledgment of His Majesty's Government for the full and clear statement which you have transmitted to them of the existing means of Religious Instruction and Education in connexion with the wants and circumstances of the Colony, and also for the suggestions with which you have followed up that statement. To these suggestions His Majesty's Government, bearing in mind your local experience, and influenced by the general confidence which they place in your judgment, are disposed to attach great importance.

A general principle which I am anxious to adhere to on this, as on other matters affecting the internal interests of the Colony, is that the details of the measures to be adopted should be left to the decision of that body, to which, by the existing constitution, legislative powers have been entrusted, and which must be supposed to be best informed as to the wants of the population, and the most efficient and satisfactory means of supplying them. I am disposed, therefore, to commit to the Governor and the Legislative Council, the task of suggesting and enacting such laws and regulations for the distribution and appropriation of the funds applicable to the general purposes of Religion and Education, as they consider best adapted to the exigencies of the Colony. I feel it, however, a duty to offer some observations on the plan which you have submitted for the consideration of His Majesty's Government.

In the general principle upon which that plan is founded as applicable to New South Wales, His Majesty's Government entirely concur. Attached as I am, in common with the other members of the Government, to the Church of England, and believing it, when duly administered, to be a powerful instrument in the diffusion of sound religious instruction, I am desirous that every encouragement should be given to its extension in New South Wales, consistently with the just claims of that large portion of the community, which is composed of Christians of other denominations. In dealing with this subject, in a case so new as that of the Australian Colonies, few analogies can be drawn from the institutions of the Parent State to our assistance. In those communities, formed and rapidly multiplying under most peculiar circumstances, and comprising great numbers of Presbyterians and Roman Catholics, as well as members of the Church of England, it is evident that the attempt to select any one Church as the exclusive object of public endowment, even if it were advisable in every other respect, would not long be tolerated. To none of the numerous Christians of those persuasions should opportunities be refused for worship and education on principles which they approve.

The plan which you have suggested appears to me fully in accordance with these views in both its branches—in that which relates to the places and Ministers of Worship, or, as it may be more briefly described, to Public Religion; and in that which concerns Public Education.

With respect to the first branch, the equity of the proposed rule cannot be contested. The amount of private contribution is to be the condition and the measure of public aid. The Church of England, from its greater numerical strength in the Colony as compared with that of either of the other denominations, and from its superior command of resources, will probably obtain a share proportionately large of the general fund; but ample encouragement and assistance will be afforded to the efforts of the other communities towards a similar object.

The proposal that the Trustees, in whom the care of the buildings when completed is intended to be vested, should be elected by the Congregation, appears to me not sufficiently definite; and I would suggest that their nomination should be vested, in the first instance, in the subscribers, with a provision for supplying vacancies as they occur. The number of the Trustees should also be limited by law. There can be no question but that it will be right to continue to the present incumbents, those salaries and advantages which they now enjoy, under any existing arrangement with the Government.

Some deviation, however, from this general plan may be necessary, in order to provide Religious Instruction for districts comprising any large body of convicts, where there is no reason to anticipate that voluntary subscriptions can be obtained for the erection of a place of Worship, or for the ministration of Religion.

In your Despatch of the 28th February, 1832, No. 30, you stated your entire concurrence in opinion with the Archdeacon, as to the absolute necessity of stationing a Minister of Religion at Norfolk Island; and Lord Ripon, in a Despatch of the 25th December, 1832, No. 148, suggested a mode by which he hoped an immediate provision might be made for stationing one of the Chaplains then in the Colony at each of the Penal Settlements of Norfolk Island and Moreton Bay, so long as a large convict population should be collected there. I regret to find that this arrangement could not be carried into effect. In the same Despatch Lord Ripon recommended to your serious consideration the practicability of breaking up the establishment at Moreton Bay, which you had yourself previously contemplated. As I hope that measures may have been taken for carrying this recommendation into effect, I may now, I presume, take for granted that the services of a Minister of Religion will be required only for one Penal Settlement. Fully agreeing with you as to the necessity of such an appointment, I have used every endeavour to find a Clergyman of the Church of England qualified for the office by character and that missionary spirit which you justly think of such importance, and at the same time willing to undertake it; but I regret to inform you that I have not been successful. The Archdeacon, of whose anxiety on this subject you are well aware, has been equally unfortunate, and I have therefore felt it my duty to institute an enquiry in other quarters; and I hope shortly to be able to announce to you that I have obtained the services of a Clergyman of some other denomination.

The reasons which you have alleged in favor of the erection of the Archdeaconry of New South Wales into a Bishopric seem to me conclusive. My predecessor had determined to

carry this proposal into effect, and His Majesty's present Government have decided, with the sanction of the Archbishop of Canterbury, to adhere to that determination. The zeal and energy with which Mr. Broughton has discharged the duties of Archdeacon of New South Wales, and the strong interest which he takes in the spiritual welfare of the Colony, pointed him out as the fittest person to be invested with the Episcopal Office; and I have much pleasure in informing you that His Majesty has been graciously pleased to nominate him to the new See. He will receive the same salary which he has hitherto received as Archdeacon; and any reduction which the Governor and Council may deem practicable and expedient, will, of course, take effect only on the appointment of a successor.

I now proceed to offer some observations on the second part of your plan, that which has reference to Public Education.

The Orphan Schools, though the expense of their maintenance is considerable, make provision for a class of children who have no natural protectors, and, although I should doubt the expediency of extending them, I think that sufficient grounds exist for their continuance, at least for a time; nor do I see any reason for altering the general system of management, or the plan of Education, provided that you are satisfied that no undue expediture is sanctioned, and that they are maintained in a state of efficiency. With this view I think it highly expedient that such Committees as are recommended both by yourself and the Archdeacon, should be appointed for the purpose of internal regulation, and the superintendence of all matters connected with the conduct and administration of the Schools, the visitor exercising the ordinary powers attached to that office.

The King's School at Parramatta, however, appears to me, very differently circumstanced; the pupils of this Institution belong chiefly, if not exclusively, to that class of society which has no just claim to gratuitous aid, at the public expense, towards the education of youth; and I think, that, if the School is to be maintained, it should be at the charge of the parents or connections of the scholars. An immediate withdrawal of the whole support which it has received from the public funds, would probably be attended with great inconvenience; but I think it right to convey to you my opinion, that eventually, it ought not in any degree to be a charge upon the public.

In respect to education generally, it follows from the principles already laid down, that some plan should be adopted for the establishment of Schools for the general education of youth in the Colony, unconnected with any particular Church or denomination of Christians, in which children of every religious persuasion may receive instruction. This object it is proposed to effect, not by the exclusion of religious instruction from the school, but by limiting the daily and ordinary instruction of this nature, to those leading doctrines of christianity, and those practical duties on which I hope all christians may cordially agree. The peculiar tenets of any Church ought to find no place, as such, in these general Schools; but opportunities should be afforded at stated periods, for the imparting of instructions of this nature to the children of different persuasions by their respective pastors. Such is the plan of National Education which has recently been adopted in Ireland; and as I have reason to believe, with considerable success, notwithstanding some peculiar obstacles arising from circumstances not likely, as I trust, to exist in the Australian Colonies. This plan will require the formation of a Board of Education, composed of members of different religious denominations. The board will have to agree on such extracts from the authorised version of the Scriptures, to be used in the Schools, as they shall deem best adapted for the instruction of youth. It will also be their duty by a vigilant superintendence, to secure a strict adherence to the regulations under which the schools will have been constituted. Persuaded, as I am, that education, founded on the Scriptures, is the best calculated to produce those permanent effects which must be the object of every system of education, I should wish that it may be thought practicable to place the whole of the New Testament, at least, in the hands of the children; but, at all events, I hold it to be most important that the extracts in question should be of a copious description. It is my intention to send to you, for your information and assistance, various documents relating to the system of National Education in Ireland, and also a Report of the British and Foreign School Society, which is conducted on very liberal and comprehensive principles. I feel assured that I may safely leave to you and the Legislative Council the task of framing, on these principles, such a system as may be most acceptable to the great body of the inhabitants, and at the same time most conducive to the important end in view.

I have hitherto had in view those Schools which are to be supported wholly at the public expense, and I am of opinion that schools so supported, ought to be invariably of the general nature just adverted to. But the system of public education would, I think, be incomplete, if it did not leave an opening for the admission, on certain terms, of private contributions in aid of the public. There may be persons, and even classes of persons, who may entertain such objections to the general plan, as must practically exclude them from participation in its benefits, and who may yet be unable to supply a proper education for their children from their own funds exclusively. It would be hard that any large class of His Majesty's subjects should be debarred from the advantage of education on principles which they conscientiously approve. I submit it to you and your Council, as a just object for your consideration, whether, in such cases, some pecuniary assistance might not be afforded from the public funds in aid of contributions from parties dissatisfied with the more comprehensive system. The terms and conditions on which such assistance may be tendered, I leave to the deliberate judgment of yourself and your Council, persuaded that you will arrange a system which, excluding no large class of conscientious religionists from its benefits, shall be in a true sense, national. I fully approve of your suggestion, that the buildings and furniture of the existing Primary Schools, should be left in the hands of any of the congregations of the Church of England, who may undertake to maintain the schools at their own expense. An immediate withdrawal from these schools, of the whole of the support which they have hitherto received, from the Government, would probably, as in the case of the King's School at Parramatta, involve

involve them in considerable difficulty; but I feel assured that the mode in which the new system will be introduced, as well as the details of the system itself, will receive that mature consideration which will secure its adoption, with the least possible inconvenience to any existing institution.

I have not previously adverted to the establishment of Sunday Schools, because they are chiefly found in connexion with some particular Church or Congregation, and the services of the teachers being for the most part gratuitous, they do not require the aid of public funds; I am, however, unwilling to close my Despatch on this subject, without expressing my sense of the great value of such schools, and of the claim they have to encouragement, not indeed as a substitute for others, but as affording the opportunities of fuller religious instruction than can usually be given in any daily schools for general education.

In this Despatch, as in that to which it is a reply, the subject of religious instruction and education is considered in relation only to the European inhabitants of Australia, without adverting to the case of the Aborigines, which, being peculiar, is properly reserved for separate discussion. I shall, therefore, content myself in this place, with expressing, what I know to be also your feeling, that the moral improvement of that unfortunate race is an object, among the first, which demands the attention of the Colonial and the Home Governments.

I am, Sir,

Your most obedient,

humble servant,

(Signed)

GLENELG.

CIVIL JURIES.

OPINIONS of their Honors the Judges of the Supreme Court, and of the Law Officers of the Crown, upon the Verdicts of Civil Juries.

From the Honorable the Colonial Secretary, to their Honors the Judges of the Supreme Court.

Colonial Secretary's Office,

Sydney, April 2, 1836.

GENTLEMEN,

As Civil Issues have now for a period of six years, and Criminal Issues for a period of four years, been triable in the Supreme Court of New South Wales, in certain specific cases, by Juries of civil inhabitants, empanelled according to Colonial laws enacted in that behalf, I am commanded by the Governor to request, that you will favor me, for His Excellency's information, by stating, either collectively or separately, whether, in your opinions, the verdicts of Juries so constituted, have or have not answered the ends of law and justice.

I have the honor to be,

Gentlemen,

Your Honors' most obedient servant,

ALEXANDER M'LEAY.

From His Honor the Chief Justice, to the Honorable the Colonial Secretary.

Sydney, April 12, 1836.

SIR,

With reference to your letter of the 2nd instant, addressed to the Judges of the Supreme Court, and requesting our opinions, collectively or separately, whether the Verdicts of Juries in Civil and Criminal Cases, have answered the ends of Justice, I have the honor to state, for the information of His Excellency the Governor, that the Judges prefer answering the question separately; as they have had different degrees of experience since the introduction of Trial by Juries, composed of the civil inhabitants.

Upon the first introduction of Trial by Jury into the Supreme Court, I had occasion to observe, that, from the want of experience, the Jurors had not formed a right opinion of the difference between the law and facts of a case, or appear to have been properly impressed with the constitutional maxim, *ad questionem facti respondent Juratores, ad questionem legis Judices*; they appeared to entertain an opinion that the whole power of determining the matters at issue between the parties, had been transferred from the Judge and Assessors to the Jury. This error, as it arose from the want of practice in discharging the office of Jurors, so it has given way to time and experience. I have no difficulty in stating it as my opinion, at present, that the verdicts of Juries in Civil Cases have answered the ends of law and justice. I believe, that this opinion is entertained by the suitors of the Court, as I have not heard of any complaints of the parties themselves, of the want of the fairness of trial.

His Excellency is of course aware, that if justice be not done by the verdicts of a Jury in a civil cause, it is within the power of the Court to grant a new trial, and I think it

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will be found, that new trials have not been more frequently granted by the Court in causes tried by Civil Juries, than by Assessors; making due allowance for the circumstance, that in trials by Assessors, the presiding Judge is a party to the verdict, and there is the less probability of the other Judges disagreeing with the finding; and also that as it is within the power of the Court to grant or withhold Trial by Jury, this form of trial is seldom applied for, except upon some contemplated difficulty, or conflict of evidence alleged as the ground of application in the particular case.

With respect to the trial of Criminal Issues, I may take some credit for experience in the operation of Juries, as I have sat exclusively from the time of their introduction on that side of the Court, where the cases are usually tried by Juries composed of the inhabitants. I can safely state, that with one or two exceptions, I have been satisfied with their verdicts; and in those cases in which I was not satisfied, there was a conflict of testimony, and I cannot say, but the Jury might have taken a conscientious view of the case, although I differed with them in their conclusion. There have certainly been from time to time, improper persons empannelled on these Juries, but the fault is not in the law, for the Jury Law of the Colony is in principle, the same as the Jury Law in England; it is attributable to the neglect of those persons to whom the care of returning persons properly qualified has been committed. I had occasion, during the last year, to discharge two persons from the Jury Lists, both of them convicts under sentence of transportation; I may add, however, that the attention of the Magistrates has been directed to this important part of their duty; and that there has been great care taken in the preparation of the Jury Lists for the present year.

It may be proper to observe, that by comparing the returns of the number of persons tried by Juries of Inhabitants and by Military Officers, with the number of convictions by each; the convictions by the latter are more numerous, in proportion, than the former, during the first three years after the introduction of Civil Juries. During the last Session, the number of convictions was greater in proportion by the Civil than by the Military Juries; but, in my opinion, the difference in the number of convictions will not afford a satisfactory criterion of the comparative justice of the verdicts, because this result is liable to be affected by causes which afford no data for forming a correct conclusion. I have observed, that in cases of aggravated violence against the settlers, which, from the depositions appeared to be desperate, the accused parties have elected a Military Jury, probably from some vague hope of finding mercy at the hands of gentlemen disconnected with the Colonists, while in cases where a conflict of testimony was to be set up as a defence, the probability of twelve persons being of different opinions upon the credit of witnesses was greater than that of seven, and consequently there was a better chance of acquittal. I will not venture to affirm that this has always entered into the calculation of the parties accused, but on some occasions I have distinctly discerned its operation. These two causes are sufficient, however partial their operation, to materially affect the relative proportion of convictions by either class of Juries.

I am aware, it is frequently asserted, that the introduction of Trial by Jury has not answered the ends of justice; but I believe this opinion is entertained chiefly among persons who have not attended the Courts, and who express themselves upon the authority of reports, and I also believe that the objections which are felt to this constitutional form of trial, are partly political, but principally arise from the unwillingness of the upper classes of the inhabitants to be drawn so frequently from their private affairs to attend an irksome and painful duty in the Courts; an objection which I admit is very natural, and which unfortunately, must continue to be felt, until the institution of Circuit Courts shall relieve them from a considerable portion of this duty. In short, my decided opinion is, that Trial by Jury in this Colony has been deferred too long.

I have the honor to be,

Sir,

Your most obedient humble servant,

(Signed)

FRANCIS FORBES,

Chief Justice.

From His Honor Mr. Justice Dawling, to the Honorable the Colonial Secretary.

Sydney, New South Wales, April 7, 1836.

Sir,

In reply to the joint and several letter of the 2nd instant, addressed by command of the Governor to the Judges, I have the honor to state, for the information of His Excellency, that in my opinion, so far as my experience and observation have extended, the verdicts of the Juries of civil inhabitants, empannelled under the Colonial Laws for the trial of Civil and Criminal Issues respectively in the Supreme Court, have in general answered the ends of law and justice.

Since the laws in question have been in operation, eighty causes have been tried before myself on the Civil side of the Supreme Court by Juries of civil inhabitants of the Colony, that is to say, between the 15th March, 1830, and the 15th March, 1836, inclusively; of which fifty-two were special, and twenty-eight common Jury issues. Between the 7th August, 1833, and the 15th March, 1836, about one hundred cases were tried before me, on the Criminal side of the Supreme Court, by common Juries of civil inhabitants.

I am not prepared to say that I was satisfied with every verdict delivered by the Juries so constituted; but judging from my own close observation of the working of the Trial

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by Jury in the Mother Country, after an experience of nearly twenty-five years, and adverting to the inevitable imperfection of a tribunal composed of so many various mental capacities, I am of opinion, that the Jury system in this country, will not bear a very disadvantageous comparison with that in the Mother Country, especially as the introduction of the system into this Colony is at present so limited in its adoption, and so recent in its date.

Some few unsatisfactory verdicts have undoubtedly been delivered by the Juries so constituted; but I am not aware of a single perverse verdict, during the period above mentioned.

This observation, I am bound to say, is equally applicable to the verdicts delivered by those other tribunals still existing in the Colony, for the trial of civil and criminal issues, respectively, in the Supreme Court. When the Jury system comes to have a fairer trial, and greater care than hitherto shall be taken in future by the returning officers, to return fit and legally qualified persons to serve as jurors, I doubt not that the administration of justice will be greatly benefitted by the permanent and most unqualified adoption of the system.

I have the honor to be,

Sir,

Your most obedient humble servant,

(Signed)

JAMES DOWLING,

Senior Puisne Judge.

From His Honor Mr. Justice Burton, to the Honorable the Colonial Secretary.

Sydney, April 30, 1836.

SIR,

His Honor the Chief Justice has communicated to me your letter addressed to the Judges of the Supreme Court, dated 2nd April, 1836, wherein you stated, that, as Civil issues have now for the period of six years, and Criminal issues for the period of four years, been triable in the Supreme Court of New South Wales, in certain specified cases, by juries of civil inhabitants, empannelled according to Colonial Laws enacted in that behalf, you are commanded by the Governor to request that we will favor you, on His Excellency's information, by stating, either collectively or separately, whether, in our opinions, the verdicts of juries so constituted, have or have not answered the ends of law and justice.

His Honor the Chief Justice has further communicated to me his intention of expressing his own opinion on this subject separately, and Mr. Justice Dowling having, I understand, followed him in that course, it remains for me to express mine in a similar mode.

I must, however, state, that from the circumstance that my brother Judges have always exercised a selection, both as to the days of their sitting, and as to the jury trials, it has happened that during the three years I have sat upon the Bench of this Colony, no more than twenty-three issues in civil cases have been tried before me by juries; it having chiefly fallen to my lot to try those cases which have been left to the ordinary mode of trial of civil issues before the Supreme Court by a Judge and two Assessors; and only one hundred and eleven issues in criminal cases, out of a number of three hundred and three, have for the same reason been tried before me by juries of civil inhabitants.

I should therefore be unwilling to express any general opinion formed from the results of these verdicts, for it appears to me, that if the results of the verdicts themselves are to be taken as the basis of an opinion, that must be ascertained upon a consideration of all the verdicts which have been recorded within the assigned period, and not upon a view of those alone which have been recorded before an individual Judge, and I have no opportunity for such a consideration.

I am, however, of opinion, that the results of the verdicts of juries do not afford such a criterion of judgment as would justify my offering a general opinion, either that they have or have not answered the ends of law and justice in this Colony. In civil cases, such as form the ordinary business of the Court, the matters in dispute are extremely simple, affording seldom any field for undue bias on either side in the minds of those who form the jury upon the trial. It is only in cases occurring between the Government and an individual, or involving some point of political or party feeling, that any trial can be had of the principles of jury-men, and happily there have been no instances of any such during the last three years.

In criminal cases, however, for trial, there is greater and more constant ground for the apprehension of improper influence and undue bias upon the minds of jurymen, inasmuch as although ordinarily the cases to be tried would appear to involve no political or party feeling, yet from the circumstance that prisoners for trial before the Courts of this Colony are chiefly of a class transported hither for crimes committed out of the Colony; and that persons of the same condition, and others very low in respectability and character, and frequently also allied to them, are qualified, according to colonial law, to serve as jurymen; and that the persons to be tried frequently possess means of influencing in their favor, if so disposed, those whose principles are not superior to such contamination; and thus not only a bias arising from old association, fellow-feeling, and class of life, but more direct influence may exist to cause an improper verdict to be returned, and yet no circumstance become apparent to cause the detection of the evil principle; whilst on the other hand, a verdict which may be wholly unsatisfactory to others, may nevertheless have proceeded upon the purest and most upright principles on the part of the jury.

With respect to the verdicts which have been recorded before myself as one of the three Judges, I have to remark that very few cases of conviction have occurred in which the verdict has been unsatisfactory to me, and I have in those instances invariably submitted at the time my dissatisfaction to His Excellency the Governor. In the great proportion of cases which are brought before the Court, the parties accused are without means of procuring assistance in their defence, and without influence, and the evidence is conclusive

one way or other. Respecting such, there is no room for the exercise of undue influence, and whether the verdict be of acquittal or conviction, no room for dissatisfaction with it; it is only where means or influence are within the power of the prisoner, that the suspicion arises of their being exerted in his behalf. The cases in which, as a mere bystander, I might consider the verdict unsatisfactory, have been chiefly those of acquittal; with respect to them, however, I can only take upon myself to say, that in several of them I should not myself have returned such a verdict as has been returned; but unless I could discover actual dishonesty in the Jury, I would not venture to call it unsatisfactory to me, conceiving that I have no right, as a Judge, to do more than truly to state the law, and fairly to lay the facts of the case before the Jury; and that it is not my province to take the case out of their hands, or to relieve them of the responsibility of whatever verdict they may return. It is not my habit to betray any opinion of my own upon the facts of the case, and still less to sit in judgment upon their verdicts afterwards, except as before stated in favor of a party convicted.

I have had occasion, however, to be convinced by my own personal observation of the existence amongst the Jury of an improper prejudice in favor of the party accused. In one case, a native of the Colony and the son of a publican was the party charged, and in the course of the trial, three of the Jurymen, who were also publicans, manifested by their gestures, their observations, and by the questions they put, such a predisposition in his favor, as caused me, in summing up, to address myself so strongly to them, upon the danger and wickedness of such a predisposition, that, if it had existed, it was abandoned, and the prisoner, as to whose guilt there could, I think, be no reasonable doubt, was convicted.

In another case, where two prisoners were charged with an offence, and were sworn to by one witness, and there was respectable corroborative evidence in aid of his testimony, I observed before the prosecution was closed, and certainly before any doubt had been thrown upon the case, a similar disposition on the part of some of the Jury, and one in particular told the principal witness (who had stated that as one of the prisoners came up to him about dusk in the evening, he had said to him "Is that you Raddy?" At first taking him for another person), that he would not believe him or any other man in Sydney, who said he did not know * * * * *, naming the prisoner, thereby manifesting his own acquaintance at least, with that prisoner. Many facts were afterwards adduced by the prisoners, in contradiction of the evidence for the Crown (whether true or false it was for the Jury alone to judge), and both the prisoners were acquitted.

In these instances I have no doubt that there were persons on the Jury, predisposed towards the parties charged, they having been so unwary as to betray their feeling, in a circumstance however, scarcely to be expected, where such a feeling is entertained; but I have been afterwards made acquainted with its actual existence in other cases, where I did not observe it. Whether the verdict in the latter instance was owing to improper influence or bias, it is impossible to judge; there were circumstances sworn to, which, if true, would justify the verdict, and so in the great number of verdicts of acquittal in this Colony, which are unsatisfactory to the by-standers (and such I have remarked, are always those where the parties accused, have possessed means of obtaining assistance in their defence, and of procuring witnesses in their behalf). There have even been circumstances sworn to, contradicting the testimony, or disparaging the credit of the witnesses for the Crown, and I am sorry to say, I have been oftentimes fully convinced, that a great mass of false testimony is for this purpose continually brought into the different Courts of the Colony. An honest man may believe such testimony, and a dishonest man may lay hold of it to raise a doubt upon the result of a verdict of acquittal, consequently affords no criterion upon which to judge of it. There can be no confidence in such cases, but in a Jury, themselves, above suspicion. One great end which is attained in our own country by the institution of Trial by Jury, and I believe in every other in which it has been established but this, is the respect and veneration with which it is regarded, and the confidence with which it inspires the public mind, that the interests of the community, and the life, reputation, liberty, and property of its individual members, may be safely entrusted to the safeguard of Juries of the country.

This end, however, it appears to me to have failed in attaining in this Colony; and first it appears to me, that a want of confidence in Juries, constituted according to Colonial law, is betrayed on the part of the Colonial Legislature itself, in the Local Act, 4th Will. IV., No. 12, sec. 2, whereby it is enacted, "That all and every issues and issue of fact joined on any information which shall be exhibited in the Supreme Court, against any person or persons for any crime, misdemeanor, or offence, shall be tried by a Jury of twelve of the inhabitants of the said Colony, provided any such person or persons shall be desirous of having any such issues or issue of fact so tried, and shall declare such his, her, or their desire, upon being arraigned upon any such information in the said Court," thus leaving to the party to be tried, the option of a Jury of Military Officers, as is provided by the Stat. 9th Geo. IV., chap. 83, sec. 5, which choice, I presume, would not have been left to a party so circumstanced, had the Legislature considered the Juries of civil inhabitants as constituted according to Colonial law, entitled to entire confidence.

Secondly:—It appears to me, that a want of confidence in the Juries of this Colony is entertained on the part of the civil inhabitants. I have myself sat for upwards of three years in the Supreme Court, and have witnessed the disposition in which that mode of trial has been received by persons of undoubted respectability, and themselves in every way qualified, who have been summoned to serve as Jurors, and although not so often engaged as my brother Judges upon trials with Juries of civil inhabitants, I have nevertheless had opportunity every Session, of witnessing the display of that disposition, and I have no hesitation in saying, that it has appeared to me, that such persons have given the strongest proof, by their unwillingness to appear and serve on Juries, of an absence on their part, of confidence in, and respect for, the institution of Juries in this Colony; and I am of opinion, that this arises from

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the circumstance that very low and disreputable persons are qualified and liable to serve on Juries, according to Colonial Law, and that the Juries actually empanelled, are frequently chiefly formed of such persons.

The qualifications are those contained in the Local Act, 2nd Wil. IV., No. 3, sec. 2, viz:—"A clear income arising out of lands, houses, or other real estate, of at least thirty pounds per annum, or a clear personal estate of at least three hundred pounds."

The disqualifications, as they now stand, are those contained in the Local Act, 4th Wil. IV., No. 12, secs. 3 & 4, and are, first:—Of every man, not a natural born subject of the King, and every man who hath been or shall be attainted of any treason or felony, or convicted of any crime (unless he shall have received for such crime a free pardon, or shall be within the benefit and protection of some Act of Parliament having the force and effect of a pardon under the Great Seal.) Secondly:—Of any person who either while serving under any sentence passed upon him in any part of the British Dominions, or after the expiration or remission of such sentence, shall have been convicted of any treason, felony, or other infamous offence.

Respecting the qualifications arising from property, the possession of such an amount as is specified in the Act, affords no criterion in this Colony, where property is notoriously accumulated by every variety of dishonest means, of the respectability and trustworthiness of the possessor of it, and that criterion which in a community differently constituted from the present, where property is scarce amongst a large and reputable class of persons, may form a safe guide to the eligibility of a Juror as placing him above temptation, wholly fails in a community like this, lacking honesty, but abounding in property. Whilst in consequence of this qualification being requisite, many honest and respectable persons in the community, very proper in every respect to serve on Juries, are excluded from the list; in proof of which I may be allowed to instance, as it arises either from this cause or from negligence on the part of those to whom is confided the preparation of the Jury lists, that out of sixty-six respectable persons, Scotch emigrants, chiefly heads of families, fifty-six of whom arrived in this Colony in the year 1831, and ten in the year 1834, (a nominal list of whom I annex hereto) only seven have been placed on the Jury lists upon which the Courts have hitherto acted, and only twelve upon the new list which has been framed for the present year.

Within the range of qualification marked out by the Act, are included a class of person in this Colony who have been transported hither for offences committed out of the Colony. As to them there exists a legal presumption, that at one time they were not of good repute; they are nevertheless qualified as Jurymen under the Local Act, without any proof being previously required that they have regained in the estimation of the world that good repute which has once been lost, and the mere circumstance of their having served the period of their several sentences, although it satisfies the claims of vindictive justice, does not establish that fact.

There are others also possessing a qualification in property equal to any amount which could be required as a criterion of respectability, who have arrived in this Colony as free emigrants, the near relations of transported persons, and others so connected with them by various ties, as justly to lead to the suspicion of an undue bias existing in any case affecting any of them, unless the moral principle of these persons be known to be such as to place them beyond suspicion, especially as it may be considered that those who have been transported to this country from the United Kingdom have very frequently dishonest connexions there, who are not unlikely to follow them hither, and that persons of that class who have had connexions in England, possess ready means of importing into this country property dishonestly acquired, and of speedily accumulating wealth by that and other dishonest means; and there is no provision in the Act for guarding the administration of justice against the predominance of such persons upon the Jury list.

I have next to observe, that whether the principle upon which the Colonial law has been framed be erroneous or not, its effect in practice has been, that the Juries actually empanelled under it have been frequently formed of very improper persons.

In order that His Excellency may form his own judgment upon this point, I annex a copy of all the Jury panels of the Supreme Courts, from the 11th of November, 1833, to the 11th of February, 1836, the period during which the Jury Act has been in force as to the trial of Criminal issues, distinguishing those persons who have not appeared and have not served, by a blank space opposite their names, and those who have actually served, by setting opposite their names, in figures, the days upon which they served, [and further, distinguishing by letters in the column of "remarks," according to the best information I have been able to obtain, the several classes of transported persons, natives of the Colony, and free emigrants, and a blank for persons unknown. I also annex a synopsis containing the results gathered from the several panels, from which His Excellency may at once see of what persons the Juries in the Supreme Court have been constituted.]

And first, I would draw his attention to the proportion which the class of convicted persons on those panels bears to that of free emigrants and natives of the Colony.

Secondly—To the proportion which the class of publicans bears to that of other persons.

Thirdly—I would lead His Excellency to a conclusion, suggested by a reference to the panels themselves, as to how many persons of those two classes who have actually served, were proper to be entrusted with the administration of Justice.

Fourthly—I would refer to the names and descriptions of those persons as they stand upon the panels, who, falling within the class of persons born in the Colony or came free, have actually served, in order that His Excellency may form a judgment as to how many of those persons are proper to be entrusted with the administration of justice.

Fifthly—I would refer to the names and descriptions of those persons, as they stand upon the panels, who have not appeared and served, as indicative of that unwillingness, and the extent of it on the part of respectable persons to serve on Juries so constituted, which I have stated as existing.

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Upon the view thus submitted, it will appear that a party accused, inclined to exercise his right of peremptory challenge, might ensure a large predominance of convicted persons on the Jury, inasmuch as the law allows, in cases of felony, of the peremptory challenge to the extent of twenty in number, and in the panel No. 1, for instance, it will be seen that out of twenty-six persons who appeared, nine were certainly of that class, eight only were certainly of the class of free emigrants, or natives, the remaining nine being unknown, whilst in many other panels, as in No. 2, No. 3, No. 4, No. 11, No. 17, &c., the proportion is still greater, and if a prisoner has professional assistance in his defence, this right of challenge is very freely exercised. In one instance I observed gentlemen of such character and respectability thus peremptorily rejected on the part of a prisoner, that I took the liberty of asking some of them afterwards if the prisoner were known to them, and was answered that he was not. The conclusion in my own mind was, that they were challenged on account of their respectability; in another case before me every person of apparent respectability who was called, was peremptorily challenged on the part of the prisoner, which the Crown Officer observing, challenged all the others, and the case remained over for default of Jurors! in both cases the accused had professional assistance.

Again, inasmuch as according to Colonial Law, the Jurors are placed alphabetically on the list, and are summoned in that order; the relations of convicted persons, also qualified and bearing the same name, are sure to be on the same panel with them, and owing to this alphabetical order being observed, a party may be well informed beforehand, who will be summoned on his Jury, and so an opportunity offers for the exertion of improper influence.

Farther, it will appear, that a large proportion of the persons who have appeared and served, are publicans, so many in some instances as 8 (3 having been also convicted persons) out of 29; 10 (5 having been also convicted persons) out of 31; 11 (4 of them having been convicted persons) out of 35, &c. Respecting the large proportion of this class of persons on the Jury panels, I had the honor of pointing His Excellency's attention to this circumstance, in a letter which I found it my duty to address to His Excellency on the 2nd of December, 1835, on the state of crime in this Colony, and the causes of it, as exhibited in the proceedings before me in the Supreme Court; and now repeat, that the evils arising from the very great number of licensed houses for the sale of ardent spirits, are not restricted to the stimulus which they give to the commission of crime, and the concealment of it which they afford; but I have found a very great proportion, out of the panel of Jurymen before the Supreme Court, who actually attend, to be the holders of licensed public houses, frequently very low in respectability, to whose houses prosecutors, and parties accused, on bail, and their witnesses, bond and free, resort for the purpose of drinking during the period of time they are in attendance on the Court; and a reasonable fear is thus excited for the purity of the administration of Justice, which I have had occasion, as a Judge, to see realized.

Upon reference to the Jury lists as returned for the year 1835, which are the last acted upon by the Court, I have found that the total number of Jurors belonging to the County of Cumberland, and liable to be summoned for the trial of Criminal issues before the Supreme Court, amounts to 953, of whom 203 were publicans and innkeepers. The proportion, however, of those who actually served, as shown by me, has far exceeded this proportion; and I am aware that in June, 1835, no less a number than 224 licenses were granted for public houses in the town of Sydney alone. All these persons are householders, and they most readily occur to those with whom the framing of the Jury Lists in practice commences. Few of them do not possess the pecuniary qualification required by the Act, and many of them are highly respectable persons; but the proportion which these bear to the whole number will be found on reference to the list of Sydney publicans, to be but small.

The keepers of the low public houses in Sydney, which form the greater number, are chiefly persons who have been transported to this Colony, or are married to Convicts; many of them are notorious drunkards, obscene persons, fighters, gamblers, receivers of stolen goods, receivers and harborers of thieves, and of the most depraved of both sexes. They exist upon the vices of the lower orders, and, inasmuch as there are no licensed pawnbrokers in Sydney, they are in fact the pawnbrokers; but not, as frequently occurs in other countries upon occasion of some temporary pressure on the poor, for some necessary of life, but for intoxicating liquor.

I cannot reconcile the circumstance of such persons obtaining recommendations for licenses with any other presumption, than that they resort to dishonest means for the purpose, since I cannot conceive that circumstances relating to them, which are known to their neighbours, can, by possibility, be unknown to those who recommend them for licenses.

I have stated thus much concerning this class of persons, in order to show how very unfit they are to be entrusted with the administration of Justice as Jurors.

I am aware that in the Jury lists which have been framed for the year 1836, since I had the honor of addressing the letter to His Excellency above referred to, there are to be found a less number of publicans in the county of Cumberland, by 93, than were on the lists which have been hitherto acted upon—a circumstance which it may perhaps be admissible to mention, as shewing that nearly one-half of this class of persons who were on those lists, have been now considered by the Magistrates as improper to serve on Juries. The proportion, however, upon the new lists for 1836, is still 116 publicans out of 812 Jurors for the county of Cumberland.

Upon the view, which is thus submitted, of the great proportion of keepers of public houses in Sydney, who have actually served on the Juries before the Supreme Court, since the 11th November, 1833, it will further appear how large a proportion of those persons a party accused might ensure on his Jury, especially when it is considered that two Juries of twelve persons in each, collected out of one panel, have been very frequently sitting for the trial of Criminal issues at the same time.

Further, I have reason to believe that much of the unwillingness of respectable persons to appear and serve on Juries, arises from repugnance to association and confinement in the Jury-room

Jury-room with persons whom they themselves know to be disreputable, and much from the ill conduct occasionally displayed by those persons, in the manifest determination of some one or more of them to acquit prisoners, in particular cases, at all events, when there has appeared to the rest of the Jury no ground for so doing; and which causes them (however improperly) to give up their own opinion rather than endure confinement with such persons. An instance of this occurred in a case where a young man, a native of the Colony, was tried before me, and a verdict of acquittal was returned, which might be considered unsatisfactory to a bystander, but where no predisposition, amongst the Jury, in favor of the prisoner, was manifested in Court, and I suspected none: I was afterwards informed by a highly respectable and credible gentleman, a married man, and father of a family, who was one of the Jury, that such did nevertheless exist, and actually caused the acquittal in question. The Jury retired to consider their verdict, and my informant entered the retiring-room about the third or fourth, and found one of the Jury, who had already entered, lying on the table on his back with his arms folded who said, "Well, my mind is made up." Another followed, and immediately lay down on the floor, saying, "My mind is made up;" and when all got into the room the Jury were talking about indifferent matters concerning their own business for about twenty minutes, when the foreman called their attention to the case, and said "Come, gentlemen, let us to business;" when they repeated, "their minds were made up;" one giving, as his reason, that he had known the boy's father for many years—another, that he had known the boy's mother for many years—and a third, that he had known the boy from a child. Three of the Jury, including the foreman, were of opinion that the prisoner was guilty; and nine, of whom three were certainly convicted persons, for acquittal, the remaining six appearing to be led in their opinion by two of those three; but, from their conversation during the time they were confined together, it appeared to my informant that the whole nine persons were of that class; and it further appeared to him, that they were predetermined to acquit the prisoner, right or wrong.

The Jury remained locked up the whole night, during which, my informant stated, there was much foul and disgusting language, and next morning he, and those who agreed with him in opinion, yielded to the others rather than continue to be so associated; he further stated, that in his opinion, no greater punishment can be inflicted upon a respectable person, than to be shut up with such people for a few hours, or at all events for the night; and that no consideration would induce him again to serve on a Jury with them, a determination which I have abundant reason to believe influences many like respectable persons in this community.

The same gentleman further informed me, that he was on a Jury in another case, also tried before me on the previous day, where an acquittal also took place, and where there appeared to him to exist the same predetermination to acquit.

As a further illustration of the same improper prejudice, I have been informed by a respectable inhabitant of Sydney, on whose veracity I rely, that he was sitting under the Jury box, in the Supreme Court, upon an occasion when a prisoner was on his trial for cattle-stealing, who was defended by one of the practitioners of the Court, when, during the progress of the trial, a jurymen leaned over my informant towards the practitioner, and called him by his name; the latter looked up, and the Jurymen said, "It's all right, we'll acquit him;" when the prisoner was called on for his defence, the practitioner advised him to say nothing, and call no witnesses, and he was acquitted.

I am further informed by an officer under the Government, who is well acquainted with the low characters of Sydney, and who is generally in attendance on the Supreme Court during the criminal trials, and in whose veracity I rely, that he has frequently seen persons amongst the Jury, whom he has known to be disreputable, and has given the Crown-Solicitor information, upon which the parties have been challenged; but his so doing having become known to some officers of the Court, who informed the parties challenged that it was upon his information, he was obliged to desist.

The same officer has further informed me, from his own knowledge, that the general character of the Juries has been, that they have been formed of low and disreputable persons, except in some few instances, and that there are always some such on every Jury.

I might adduce other facts, within my knowledge, to the same effect, but enough have perhaps been stated to shew the causes which have led to the Jury system, in this Colony, falling into disrepute, and to justify me in adding, that Juries, so constituted, have not my confidence.

I have, however, no doubt from all I have seen and known of the resources of this Colony in the number of its respectable inhabitants, that there are abundant for the establishment of the Jury system here, upon a basis which must command the respect and confidence of all classes, and I know no reason why Juries in New South Wales should not and cannot be constituted of men equally *omni exceptione majoris*, as in any country in the world; but I know of many reasons why they should be so constituted here more especially than in any other, if (which, however, I do not admit) that principle can any where be departed from, and the administration of Justice committed to other hands.

I have made it my duty to inquire, for His Excellency's information, not only what persons have actually served upon Juries, but also to a certain extent, who have been omitted; and I have pointed His Excellency's attention to the fact of a considerable number of respectable citizens not being placed upon the lists at all. Whether this has happened from omission on the part of those to whom the preparation of the lists is, in the first instance, committed, or whether it arises from those persons not possessing the requisite pecuniary qualification, it shews that from one or other of these causes the public have not the advantage of the services of these men as Jurors; and I have abundant reason for supposing, that if a similar inquiry should be pursued, other instances will be found of like omissions as to other emigrants of good character, who have arrived in this Colony of late years, and that there are persons enough to be found, equally well qualified with them, to supply a requisite number of

Jurymen; but I am aware that in order to obtain their services, and to render them effectual, there must be a change, not only in the principles upon which they are to be chosen, but in the agents employed in selecting them, and in the practice hitherto pursued in the selection.

I have the honor to be, Sir,

Your obedient humble servant,

(Signed)

W. W. BURTON.

For synopsis, see Appendix page 473. The other documents referred to, were not ordered to be printed.

From the Attorney and Solicitor General, to the Honorable the Colonial Secretary.

Court House Chambers, April 8th, 1836.

SIR,

We have the honor to acknowledge the receipt of your letter (No. 161) "requesting that we would state, either jointly or separately, for the information of His Excellency the Governor, whether, in our opinions, the verdicts of Civil Juries in the Supreme Court have, or have not, answered the ends of justice."

As we have not the slightest difference of opinion in answering this question, we therefore prefer giving our reply *jointly*.

Since the first establishment of Civil Juries for the trial of Criminal Issues in the Supreme Court, every case that was tried there was conducted by either one or other of us, and we do not recollect a single case in which we considered the verdict was decidedly wrong. In some very few cases, perhaps to the number of four or five, we have differed in opinion with the Juries; but, even in those cases, we have no reason to be dissatisfied with the verdicts, because the questions on which we so differed arose out of *mere evidence*, and depended upon the credit due to witnesses, and were consequently peculiarly the province of the Jury to decide upon.

We beg leave to state, however, that we have always considered it necessary to be very circumspect at the time of the empanneling of Civil Juries, in order to prevent persons from being sworn as Jurymen that were not legally qualified; because the names of several persons, who were possessed of no property whatever, and of very doubtful character, (even prisoners of the Crown holding Tickets of Leave) have been returned on the Jury list. By the Act of Council 2 Wm. IV. No. 3, the Justices of the Peace are directed to assemble in their respective districts, at Sessions to be held on certain days in the month of January, for making up and correcting the Jury lists, before they were returned to the Sheriff.

This Act requires the attendance of all Magistrates living within each district, that each may give the benefit of his local knowledge of its inhabitants to his brother Magistrates, and thus enable them to revise the lists with the greater accuracy.

This very important duty has not hitherto been sufficiently attended to by some of the Magistrates, and it is to this that we attribute the circumstance of so many unqualified persons having been returned to serve as Jurors.

The Jury lists for the present year (at least that for Sydney, which is the principal district,) we have reason to believe are free from this objection. But, notwithstanding this irregularity in the Jury lists, as hitherto returned to the Sheriff, we consider the verdicts of Civil Juries in the Supreme Court, have answered the ends of justice, and have been in accordance with the spirit of the British Constitution.

We have the honor to be, Sir,

Your obedient Servants,

(Signed)

JOHN KINCHELA, *Attorney General.*

J. H. PLUNKETT, *Solicitor General.*

VALIDITY OF GRANTS.

EXTRACT of a Despatch from the Right Honorable Lord Viscount Glenelg, to His Excellency Sir Richard Bourke, K. C. B., dated

Downing-street,

30th September, 1835.

"I now, therefore, signify to you, and authorise you to communicate to the Legislative Council, His Majesty's gracious pleasure that you do, on His behalf, assent to any Law which shall appear to you to be properly framed, and which shall be passed by them, declaring that all Grants or Conveyances of Land theretofore issued by and in the name of any Governor, or Officer for the time-being administering the Government of New South Wales, of any Lands situate in that Colony, shall, although not bearing the name of His Majesty or any of His Predecessors, nor under the Public Seal of New South Wales, be thenceforward, and shall be taken from their respective dates to have been, as valid as though they had been issued in the name of His Majesty, or of either of His Majesty's two last Royal Predecessors, and under the Public Seal of New South Wales."

SYNOPSIS

SYNOPSIS of the Jury Panels in the Supreme Court, from the 11th November, 1833, to the 11th February, 1836.

Number of panel.	When returned.	Number of persons returned.	Number of persons who did not appear, or serve.	Number of persons who appeared, and served.	Number of convicted persons, who served.	Number of convicted persons, being also publicans, who served.	Total number of publicans who served.	Number of persons born in the Colony or came free, who served.	Number of persons unknown, who served.
1833.									
1	11 to 16 November.	36	10	26	9	3	5	8	9
2	18 to 23 "	...	10	26	10	3	8	11	5
3	26 "	...	17	19	8	1	5	5	6
1834.									
4	1 to 8 February.	...	10	26	12	4	5	11	3
5	10 to 14 "	...	9	27	9	...	1	17	1
6	17 to 20 "	48	19	29	10	1	8	16	3
7	1 to 3 May.	...	17	31	8	5	10	20	3
8	5 to 7 "	...	17	31	5	2	7	22	4
9	8 to 10 "	...	13	35	7	4	11	23	5
10	12 to 14 "	...	11	37	6	4	9	29	2
11	15 "	...	23	25	10	1	5	12	3
12	1 & 2 August.	...	29	19	2	...	6	10	7
13	4 to 6 "	...	16	32	11	2	7	14	7
14	7 to 9 "	...	17	31	4	1	6	17	10
15	11 to 13 "	...	20	28	8	3	8	15	5
16	14 to 16 "	...	15	33	10	4	10	15	3
17	18 to 20 "	...	16	32	13	4	9	11	8
18	21 & 22 "	50	18	32	8	2	7	15	9
19	3 to 5 November.	48	15	33	5	...	6	17	11
20	6 to 8 "	...	23	25	5	1	3	15	5
21	10 to 12 "	...	15	33	6	2	6	13	9
22	13 to 17 "	...	22	26	8	3	5	9	9
...	24 "	...	36	12	5	3	4	3	4
1835.									
23	2 to 4 February.	48	22	26	1	1	8	20	5
24	5 to 7 "	...	15	30	6	2	9	19	5
25	9 to 11 "	...	13	30	3	2	6	22	5
26	12 to 14 "	...	12	16	5	2	4	8	3
27	1 & 2 May.	...	32	36	10	3	11	20	6
28	4 to 6 "	...	17	31	8	4	7	17	6
29	7 to 9 "	...	18	30	5	3	6	18	7
30	11 to 13 "	...	17	31	10	5	10	15	6
31	5 to 7 August.	...	19	29	1	1	6	16	4
32	6 to 8 "	...	16	32	7	2	8	19	6
33	10 to 12 "	...	17	31	5	1	7	20	6
34	13 to 15 "	...	15	33	9	...	5	18	6
35	17 "	...	24	24	6	1	4	9	9
...	21 & 22 "	...	35	12	5	1	3	4	3
36	2 to 4 November.	...	20	28	6	4	6	17	5
37	5 & 6 "	...	24	24	5	3	11	11	8
38	9 to 11 "	...	27	21	4	2	10	10	7
39	12 to 14 "	...	31	17	3	1	6	8	6
40	16 to 18 "	...	19	30	7	5	9	18	5
1836.									
41	1 to 3 February.	45	8	37	7	1	9	19	11
42	4 to 6 "	48	14	34	7	3	8	20	7
43	8 to 10 "	46	19	27	6	3	6	15	6
44	11 to 13 "	48	16	32	9	5	11	18	5

(Signed)

W. W. BURTON.

The statements made in columns 6, 7, 8, 9, and 10, of this paper, have not been derived from any official documents furnished to the Government of New South Wales.

ALEXANDER McLEAY.

ABSTRACT

ABSTRACT of the REVENUE of the Colony of New South Wales (exclusively of that

RECEIPTS.	Arrears of Previous Years.			Revenue of the Current Year.			TOTALS.			
	£	s.	d.	£	s.	d.	£	s.	d.	
ORDINARY.										
Duties on Spirits imported				115,893	18	11	115,893	18	11	
Duty on Spirits distilled in the Colony				1,267	10	0	1,267	10	0	
Duties on Tobacco imported				14,273	11	8	14,273	11	8	
<i>Ad valorem</i> duty of five per cent., on foreign goods imported				10,256	15	11	10,256	15	11	
Wharfage				1,763	7	6	1,763	7	6	
Light House Dues				582	3	5	582	3	5	
Fees on the Registration of Vessels				106	7	0	106	7	0	
Fees on the Entry and Clearance of Vessels				471	1	6	471	1	6	
Permits to remove Spirits				5	7	6	5	7	6	
Post Office Collections	519	15	8	3,791	0	1	4,310	15	9	
Auction Duty	258	12	0	2,877	4	2	3,135	16	2	
Licenses to Auctioneers				84	0	0	84	0	0	
Licenses to Hawkers and Pedlars				14	0	0	14	0	0	
Licenses to Retail Wines, and Malt and Spirituous Liquors				10,023	0	0	10,023	0	0	
License to Distil Spirits				25	0	0	25	0	0	
Rents of Tolls and Ferries	172	10	0	2,690	10	8	2,863	0	8	
Rents of Market Dues	63	5	0	916	18	7	979	18	7	
Colonial Secretary's Office				168	2	7	168	2	7	
Surveyor General's Office	45	2	0				45	2	6	
Office of the Commissioners for hearing and determining on Claims to Grants of Land				327	6	6	327	6	6	
Supreme Court Office	173	10	8	1,800	10	11	1,973	1	7	
Registry of the Supreme Court				398	3	6	398	3	6	
Sheriff's Office	266	0	6	511	17	1	777	17	7	
Harbour Master's Office				585	10	0	585	10	0	
Inspector of Slaughter Houses				164	10	6	164	10	6	
Courts of Requests	220	16	6	2,044	14	8	2,265	11	2	
Several Courts of Petty Sessions	256	9	0	407	10	4	663	19	4	
Fines... ..				125	14	0	125	14	0	
{ Collected by the Sheriff										
{ Collected by the several Courts of Petty Sessions	408	0	3	928	13	14	1,336	13	4	
Collections by the Agent for the Church and School Estates	558	14	4	4,155	7	0	4,713	1	4	
Rents of Pews in Churches	231	4	8	157	6	7	388	11	3	
Store Rent of Gunpowder deposited in His Majesty's Magazines				150	14	5	150	14	5	
Charge for water supplied to Shipping from His Majesty's Dock Yard				202	16	0	202	16	0	
AMOUNT OF ORDINARY REVENUE										
	£	3,176	1	14	177,170	9	2	180,347	10	8
EXTRAORDINARY.										
Rents of... ..				37	10	0	75	0	0	
{ The Residence of the Colonial Secretary										
{ Government Windmills				44	8	6	26	0	0	
{ The Tannery at Bathurst							15	0	0	
{ Premises at Port Macquarie				12	10	0	21	5	0	
{ Land in Sydney for burning Lime				7	5	0	44	15	0	
Proceeds of the sale of				136	4	6	36	17	0	
{ Crown Stock										
{ Government Buildings				150	0	0	17	10	0	
{ Old Stores, Tools, and Boats				18	13	2	4	16	0	
{ Property found in the possession of convicted Felons							2,459	8	2	
Repayment of Loans	292	18	9				292	18	9	
Interest on Debts to the Crown	157	4	1	16	16	1	174	0	2	
For Damages to Public Buildings							9	7	11	
Surcharges Recovered							127	10	9	
The King's Share of Seizures by the Customs							205	12	1	
Balance of the Accounts of the Commissioners for managing the affairs of the Church and School Estates							4	17	9	
AMOUNT OF EXTRAORDINARY REVENUE										
	£	856	14	0	3,063	15	10	3,920	9	10
TOTAL AMOUNT OF ORDINARY AND EXTRAORDINARY REVENUE										
	£	4,033	15	1	180,234	5	0	184,268	0	1
<i>Amount carried forward.</i>										
							£	184,268	0	1

arising from Crown Lands) and of its Appropriation for the Year 1835.

DISBURSEMENTS.	Salaries and Allowances.			Contingencies.			Amount under each Head.			TOTALS.				
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.		
CIVIL.														
His Excellency the Governor	5,000	0	0	.	.	.	5,000	0	0					
Private Secretary and Establishment	331	18	9	.	4	7	6	336	6	3				
Executive and Legislative Councils	802	2	6	.	41	16	4	843	18	10				
Colonial Secretary's Department	4,261	16	1	.	844	16	8½	5,106	12	9½				
Colonial Architect's Department	613	17	10½	.	132	15	7	746	13	5½				
Commissioners for determining on Claims to Grants of Land	982	0	0	.	73	17	9	1,055	17	9				
Board for the Assignment of Servants	193	12	2	.	2	19	8	196	11	10				
Colonial Treasurer's Department	1,355	12	6	.	1	4	0	1,356	16	6				
Auditor General's Department	1,437	4	10	.	3	12	0	1,440	16	10				
Department of the Customs	5,782	19	6	.	1,726	7	3	7,509	6	9				
Department of Internal Revenue	1,090	14	11	.	886	8	6	1,977	3	5				
Post Office Establishment	1,145	3	7½	.	2,531	6	1½	3,676	9	9				
Department of the Surveyor of Distilleries	300	0	0	.	.	.	.	300	0	0		
Inspector of Slaughter-houses, and of Cattle for Slaughter	200	0	0	.	.	.	.	200	0	0		
Colonial Botanist's Department	225	10	0	.	484	17	2½	710	7	2½				
Colonial Museum	72	2	6	.	.	.	.	72	2	6		
Government Domain, Parramatta	110	8	4	.	459	12	8½	570	1	0½				
Harbour Master's Department. { Sydney	549	13	3	.	131	17	4	681	10	7				
{ Port Macquarie	110	18	9	.	89	14	8½	200	13	5½				
{ Light House, S. Head	80	0	0	.	183	15	4½	263	15	4½				
{ Newcastle	50	0	0	.	72	14	3	122	14	3				
{ Telegraph Stations	48	0	0	.	138	16	10½	186	16	10½				
British Resident at New Zealand	500	0	0	.	104	7	7	604	7	7				
Pensions paid in the Colony	655	10	0	.	.	.	.	655	10	0		
Pensions payable in England . . . . .	*	.	.	.	.	.	.	.	.	.
Colonial Agent . . . . .	*	.	.	.	.	.	.	.	.	.
DEPARTMENT OF SURVEY AND PUBLIC WORKS.	25,809	5	7	7,915	7	5	33,814	13	0					
Surveyor General's { Survey Department	7,444	14	7½	.	3,183	16	4½	10,628	10	11½				
Department. { Road & Town Branch	4,675	11	7	.	8,466	11	3	13,142	2	10				
Mineral Surveyor's Department	313	6	11½	.	2,354	1	1½	2,667	8	1				
	12,433	13	2	14,004	8	8½	26,438	1	10½					
JUDICIAL.														
Judges of the Supreme Court	5,000	0	0	.	.	.	.	5,000	0	0		
Crown Law Officers & Supreme Court Office	5,240	2	9½	.	217	11	4	5,487	14	1½				
Quarter Sessions and Clerk of the Peace	950	0	0	.	483	11	0	1,433	11	0				
Courts of Requests	2,293	14	2½	.	373	1	5½	2,666	15	8				
Sheriff's Department	1,806	18	9	.	288	4	9	2,095	3	6				
Coroners	291	14	5	.	768	12	3	1,060	6	8				
	15,582	10	2	2,161	6	9½	17,743	10	11½					
POLICE AND GAOLS.														
Police, from 1st July, 1835	9,697	5	4½	.	1,309	2	10	11,006	8	2½				
Gaols, from 1st July, 1835	1,099	14	5	.	2,913	14	2	3,413	8	7				
	10,796	19	9½	3,622	17	0	14,419	16	9½					
CLERGY AND SCHOOLS.														
Episcopalian Church Establishment	7,094	7	3½	.	1,665	11	4½	8,759	18	8				
Episcopalian School Establishment	2,681	4	9½	.	7,415	4	1	10,096	8	10½				
Management of the Church & School Estates	200	0	0	.	773	17	9½	973	17	9½				
Presbyterian Clergy	707	18	3	.	1,049	10	0	1,757	8	3				
Roman Catholic Clergy	672	13	8	.	247	2	0	919	15	8				
Roman Catholic Schools	192	3	4	.	1,063	17	9½	1,256	1	1½				
	11,548	7	4½	12,215	3	0½	23,763	10	5					
MILITARY.														
His Excellency the Governor's Mounted Orderlies	103	19	3	.	285	9	10½	389	9	1½				
Superintendence of Ordnance Stores	109	2	6	.	.	.	.	109	2	6		
Commandants of Military Districts. { Parramatta	39	12	6	.	.	.	.	39	12	6		
{ Bathurst	45	12	6	.	.	.	.	45	12	6		
	298	6	9	285	9	10½	583	16	7½					
*Accounts not yet received.														
											583	16	7½	
<i>Amount carried forward.</i>														
											£	116,763	9	8½

ABSTRACT, continued.

RECEIPTS.	TOTALS.
<p style="text-align: right;"><i>Amount brought forward.</i></p>	<p style="text-align: right;">£ 184,268 0 1½</p>
<p style="text-align: right;"><i>Amount carried forward.</i></p>	<p style="text-align: right;">£ 184,268 0 1½</p>

ABSTRACT, continued.

DISBURSEMENTS.		Amount under each Head.			TOTALS.		
		£	s.	d.	£	s.	d.
<i>Amount brought forward</i>							116,763 9 8½
MISCELLANEOUS.							
Allowance to the Honorable Alexander M'Leay, Esquire, in fulfilment of an agreement with the Secretary of State, from 1st July, 1835					375	0	0
Housekeeper of the Public Offices, Macquarie-street, Sydney					25	0	0
Customs.	{ Drawbacks	308	2	4	9,247	14	4
	{ Duties on Spirits issued to Troops, refunded	8,939	12	0			
Internal Revenue.	{ Revenue refunded				25	0	0
Supreme Court.	{ Allowances to Witnesses for Travelling and Attendance	2,089	16	1	3,763	5	1
	{ Allowances to Officers for serving as Jurors	263	5	0			
	{ Allowances to Civil Jurors	510	4	0			
Quarter Sessions.	{ Allowances to Witnesses for Travelling and Attendance	686	8	1	2,009	3	7½
	{ Allowances to Officers for serving as Jurors	341	5	0			
	{ Allowances to Officers for Travelling Expenses	748	7	2½			
	{ Allowances to Common Jurors	323	3	4			
PUBLIC BUILDINGS.							
Amount paid for completing the Sydney Market Sheds					1,281	0	10½
For completing the New Corn Market House					76	18	7
For building two Lodges, and making two additional entrances from Hyde Park to the outer Government Domain.					618	11	0
For the erection of a Toll House, at Howe's Bridge, Windsor					140	0	0
For alterations and repairs to the Light House, South Head					29	11	10½
For additions, alterations, and repairs to Government Houses, Courts of Justice, and other Colonial Public Buildings.					971	3	8½
ROADS, BRIDGES, AND STREETS.							
Towards clearing the new line of road through the District of Hunter's River					1,900	13	0
To the contractor for keeping in repair the road from Pitt Row, Parramatta, to Emu Ferry, for the Year 1834					752	19	6
Towards clearing the Illawarra Road					57	15	0
Completing Lansdowne Bridge					441	17	1
To the contractor for the construction of a stone arch over the stream at Cooper's Distillery					325	0	0
To the contractor for widening the bridge in Bridge-street, Sydney					199	0	0
To the contractor for covering the stream near the Cattle Market, in order to enlarge the space near the Market House					108	0	0
For providing and fixing stone curbing, to protect the footways in Sydney streets					733	14	0½
For conveying stone from Pennant Hills, for Sydney streets					374	19	9½
Fencing Crown Lands in Sydney					191	9	9
Gratings, posts, and notice boards, for Sydney streets					179	1	4
Towards constructing the Breakwater at Newcastle.					791	6	1½
To the Overseer of the Ironed Gang employed in constructing a Wharf at Parramatta					14	8	0
Pounds.	{ Erecting three Pounds in the interior, pursuant to Act of Council, No. 3, of July 22, 1833				30	0	0
	{ Allowance to Poundkeepers pursuant to same Act				60	4	6½
<i>Amount carried forward</i>					24,812	12	3½
							116,763 9 8½

ABSTRACT, continued.

RECEIPTS.	TOTALS.
<p style="text-align: right;"><i>Amount brought forward</i></p>	<p style="text-align: right;">£ 184,268 0 1½</p>
<p>Amount of Bills drawn on His Majesty's Treasury, in favor of His Excellency the Governor, by the Deputy Commissary General, and lodged in the Colonial Treasury, as security for Loans, to the Commissariat Department, of the same amount</p>	<p style="text-align: right;">55,000 0 0</p>
<p style="text-align: right;"><i>Amount carried forward</i></p>	<p style="text-align: right;">£ 239,268 0 1½</p>

ABSTRACT, continued.

DISBURSEMENTS.		Amount under each Head.	TOTALS.
<i>Amount brought forward</i> £		24,812 12 3 $\frac{1}{2}$	116,763 9 8 $\frac{1}{2}$
MISCELLANEOUS—continued.			
Stationery & Bookbinding for the several Colonial Departments . . . . .	. . . . .	1,332 1 10	
Printing, including Gazettes and Almanacks for ditto . . . . .	. . . . .	648 14 5	
Cost of 22 Maps of the Colony, and of Mounting the same . . . . .	. . . . .	45 2 0	
Furniture for Government Houses, and the several Colonial Departments, including repairs of the same . . . . .	. . . . .	675 8 8 $\frac{3}{4}$	
Fuel and Light for the several Colonial Public Offices, including the conveyance of the same . . . . .	. . . . .	182 0 2	
Lighting 104 Lamps in the streets of Sydney . . . . .	. . . . .	169 9 2	
Aborigines { In aid of the Mission to the Aborigines, by the Church Missionary Society	500 0 0	1,325 17 9 $\frac{1}{2}$	
{ Donations of Provisions, Clothing and Blankets	825 17 9 $\frac{1}{2}$		
Towards the support of the Sydney School of Arts . . . . .	. . . . .	100 0 0	
Presents to the Chiefs of the Society and Friendly Islands . . . . .	. . . . .	50 0 0	
For the passage of His Excellency the Governor to Twofold Bay . . . . .	. . . . .	60 0 0	
Expense of investigating a distemper prevalent amongst sheep . . . . .	. . . . .	54 0 0	
Allowance for taking an account of Wool, passing the Stone-quarry . . . . .	. . . . .	5 5 0	
Rewards to five convicts for their exertions on the occasion of the upsetting of the Port Macquarie Packet . . . . .	. . . . .	19 0 0	
			29,479 11 4 $\frac{1}{2}$
Amount of Arrears for the service of the Year 1834, and } Salaries		87 4 6 $\frac{1}{2}$	976 2 2
previous Years } Contingencies		888 17 8 $\frac{1}{2}$	
			147,219 3 2 $\frac{1}{2}$
Amount paid the Deputy Commissary General towards the expense of the Police Establishment, in pursuance of the vote of the Legislative Council			12,000 0 0
Loans advanced to the Deputy Commissary General for carrying on the Military and Convict Services, on the security of Bills drawn on His Majesty's Treasury, viz. :—			
In full of the Sum of £50,000 authorised to be paid him, by Act of Council, No. 18, of October 25, 1834		25,000 0 0	
In part of the sum of £50,000 authorised to be paid, by Act of Council, No. 3, of August 18, 1835		30,000 0 0	
			55,000 0 0
<i>Amount carried forward</i>			214,219 3 2 $\frac{1}{2}$

ABSTRACT, continued.

RECEIPTS.	TOTALS.
<p style="text-align: right;"><i>Amount brought forward</i> . . .</p>	<p style="text-align: right;">£ 239,268 0 1½</p>
<p><i>Balance in the Treasury, unappropriated, on 31 December, 1834</i> . . .</p>	<p style="text-align: right;">30,775 5 0</p>
<p style="text-align: right;">TOTAL. . . .</p>	<p style="text-align: right;">£ 270,043 5 1½</p>

ABSTRACT, continued.

DISBURSEMENTS.	TOTALS.
<i>Amount brought forward.</i>	£ 214,219 3 2½
AMOUNT OF SUMS APPROPRIATED BY THE LEGISLATIVE COUNCIL, REMAINING TO BE EXPENDED AND CHARGED.	
To purchase oxen for the Road Branch of the Surveyor General's Department.	£ 653 0 0
For keeping in repair the Road from Pitt Row, Parramatta, to Emu Ferry .	1,245 0 6
Towards clearing the New Line of Road in the District of Hunter's River .	217 11 6
Towards clearing the Illawarra Road	681 0 0
For clearing the Road from Paterson to Maitland	300 0 0
For providing a Punt for that Road.	200 0 0
Amount of the Contract for fencing the New Road, Hunter's River	2,301 6 8
For fencing 2,180 Rods on the New Road to Bathurst	381 10 0
For fencing 544 Rods on the New Road to Argyle	95 4 0
For removing obstructions in the Parramatta River.	500 0 0
Building a Bridge at Menangle Ford	1,200 0 0
For replacing a Bridge over Duck Creek	500 0 0
To form a Public Walk, Hyde Park	673 9 0
For conveying Stone from Pennant Hills for Sydney Streets	1,575 0 2½
For covering the Stream near the Cattle Market, in order to enlarge the space near the Market House	192 0 0
For clearing the Maitland Township	100 0 0
To erect the Sydney Toll House and Gate near the boundary stone on the Parramatta Road	390 0 0
To erect a Toll House on Vinegar Hill on the Windsor Road, and one at Cowpasture Bridge.	500 0 0
For repairs to the Court House at Sydney	538 0 0
For the erection of a Court House at Berrima	2,568 0 0
For the erection of a Court House at Bathurst	1,000 0 0
For the erection of a Court House at Sydney	1,000 0 0
For the erection of a Gaol at Berrima	2,000 0 0
For the erection of a Gaol at Sydney	5,000 0 0
For the erection of a Gaol at Parramatta	1,000 0 0
For the erection of a new Lunatic Asylum	1,000 0 0
For building a Church at Bungonia	140 0 0
For building Churches at Goulburn and Patrick's Plains	375 0 0
Towards completing the plastering and ceiling of the Roman Catholic Chapel Sydney.	300 0 0
Towards completing the Roman Catholic Chapels at Campbell Town and Maitland.	70 0 0
For repairs to the Parsonage, Port Macquarie	100 0 0
For erecting out buildings and enclosures to King's School, Parramatta	465 10 0
To meet expenses of the Colonial Museum	127 17 6
For establishing a Floating Light on the Reef in Sydney Harbour	813 16 0
For improving the Boat Harbour at Wollongong	895 0 0
For alterations and repairs to the Light House, South Head.	318 1 1½
Salary of the Colonial Agent General for the years 1832 to 1835	1,450 0 0
To meet Pensions payable in England for the same years	2,971 5 0
For the Half Salary of the Archdeacon from April 1, 1834, to December 31, 1835.	1,750 0 0
For Stationery purchased in England by the Colonial Agent	1,371 7 10
	36,978 10 3½
	251,198 2 6½
Balance available for future disposal	£ 18,845 2 7½
TOTAL	£ 270,043 5 1½

Audit Office, Sydney,
New South Wales,
14th May, 1836.

WM. LITHGOW,
Auditor General.

ABSTRACT of the REVENUE arising from Crown Lands in the Colony of

RECEIPTS.	Arrears of Previous Years.			Revenue of the Current Year.			TOTALS.		
	£	s.	d.	£	s.	d.	£	s.	d.
Proceeds of Land Sold	7,470	11	6	73,314	3	0	80,784	14	6
Quit Rents	2,801	1	6	396	15	11	3,197	17	5
Redemption of Quit Rents . . . . .	.	.	.	4,364	14	10	4,364	14	10
Rents of Land temporarily Leased	4	0	0	599	19	10	603	19	10
Fees on the delivery of Title Deeds . . . . .	.	.	.	429	2	9	429	2	9
	10,275	13	0	79,104	16	4	89,380	9	4
Repayments by Emigrants, including interest thereon	95	5	1	0	19	5	96	4	6
Balance unappropriated on the 31st December, 1834 ; as per Abstract for that year							42,521	16	5½
	TOTAL						£ 131,998	10	3½

New South Wales, and of its Appropriation, for the year 1835.

DISBURSEMENTS.	TOTALS.		
	£	s.	d.
Advances towards the Passage of Emigrants and their Families	1,120	0	0
Passage Money and Bounties to Female Emigrants:—			
Per Ship "Duchess of Northumberland"	5,100	0	0
Per Ship "Canton"	2,875	0	0
Per Ships "Lochiel" and "Rachel"	68	0	0
Hire of Premises for the reception of Female Emigrants	145	0	0
Erecting a temporary Building for ditto	426	15	5
Furniture and temporary Alterations and Repairs, including Materials	16	13	0
Provisions to Emigrants after arrival	423	18	4½
Fuel, Clothing, Bedding, and Utensils, for ditto	362	2	6
Medicines and Medical Attendance	3	0	0
Cartage of Baggage and Furniture, and Coach Fares	11	7	0
Gratuity to the Matron of the Females per "Duchess of Northumberland"	10	0	0
Allowance for the Superintendance of Females after arrival	77	11	0
Expenses of performing Quarantine by the ship "Canton"	125	8	0
Allowance to the Hon. Alexander M'Leay, Esq., from 1st January to 30th June, 1835, in fulfilment of an agreement with the Secretary of State	375	0	0
	11,139 15 3½		
Balance in the Treasury on the 31st December, 1835	120,858	15	0
TOTAL.	£ 131,998	10	3½

*Audit Office, Sydney,
New South Wales,
14th May, 1836.*

*WM. LITHGOW,
Auditor General.*

A RETURN of the Number of Criminal Issues, and Prisoners, tried before the Supreme Court of New South Wales, from the beginning of the Year 1835, to the end of May Sessions 1836; distinguishing those tried by Military and Civil Juries.

Year and Session.	Number of Cases tried.	Number of prisoners tried.		Number of prisoners convicted.	
		Before a Jury of Civil Inhabitants.	Before a Jury of Military Officers.	Before a Jury of Civil Inhabitants.	Before a Jury of Military Officers.
1835.					
February	40	40	20	21	21
May	53	54	43	24	28
August	61	67	40	30	28
November	57	74	43	40	37.
1836.					
February	57	55	10	35	11
May	60	47	44	21	25
Totals.	333	346	217	180	140

JOHN GURNER, *Chief Clerk of the Supreme Court,*
June 3, 1836,

A RETURN of the number of Persons Tried before the several Courts of General Quarter Sessions of the Peace, throughout the Colony of New South Wales, during the Year 1835.

1835.	Convicted of Felonies.	Convicted of Misdemeanors.	Acquitted.	Convicted by Military Juries.	Acquitted by Military Juries.	Convicted by Civil Juries.	Acquitted by Civil Juries.	Convicted by the Summary Jurisdiction.	Acquitted by the Summary Jurisdiction.
At Sydney, in January	41	7	31	14	4	23	20	11	7
April	50	7	27	11	6	26	20	29	1
July	35	12	27	23	17	13	8	11	2
October	68	10	53	18	15	31	31	29	7
At Maitland, in January	13	2	6	3	1	5	4	7	1
May	22	7	11	9	5	3	4	17	2
August	6	3	10	4	12	0	2	5	5
November	22	3	18	10	7	3	3	13	6
At Campbell Town, in January	7	4	10	1	0	1	3	9	2
May	14	4	20	4	0	4	11	10	0
August	14	5	14	2	0	3	0	14	2
November	15	1	10	6	7	0	3	10	0
At Parramatta, in February	14	0	8	3	1	5	2	6	5
May	10	1	6	6	0	4	6	1	1
August	5	5	6	4	3	2	1	4	2
November	8	1	4	4	0	1	0	4	1
At Windsor, in February	8	2	10	4	5	3	6	3	0
May	15	3	7	1	1	7	6	10	0
August	10	4	8	4	3	6	3	4	2
November	17	5	5	9	0	9	5	4	0
At Bathurst, in February	17	4	5	1	1	0	0	20	4
May	11	1	6	0	2	0	2	12	2
August	6	3	10	1	5	1	5	7	0
November	12	2	1	2	0	0	0	12	1
Totals ...	440	96	320	144	110	150	154	243	50

TOTAL NUMBER TRIED, 856.

FREDERICK GARLING,
Clerk of the Peace.

MISSION TO THE ABORIGINES

ANNUAL Report of the Mission to the Aborigines of New South Wales, at Wellington Valley, for the year 1835, compiled from the statements of the Rev W Watson, and the Rev J C S, Handt, Missionaries

In presenting this, their third Annual Report, the Missionaries are happy to state, that upon the whole they have reason to believe, that many of the Aboriginal Natives are improving in Scriptural knowledge. About fifteen children have been under instruction in the course of the year, and of these generally from four to five were staying with us. The time of their stay was uncertain, sometimes they would remain for months before they took a ramble into the bush, but at other times a few weeks only or only a few days. The girls have proved to be more steady and tractable than the boys, one of them has been staying now at Wellington about three years, and another above one year, and they have become useful in many respects. The children do not want an ability of learning, so much as steadiness and a desire to improve. Their intellects want merely to be developed and their habits regulated, and thus appears to be the great task the Missionary has to accomplish. It is often with the greatest difficulty that the boys are induced to attend to instruction, or to do a little work, sometimes, however, they will work, and in general they attend as regularly to instruction as may be expected.

When the children are spoken to on religious subjects, their minds appear sometimes seriously impressed, and they yield a ready assent to all the truths of Christianity, but no real spiritual mindedness has yet been manifested. So far they have improved, that if one falls into the sin of cursing or swearing, another generally informs the Missionaries of the circumstance, knowing that it is wrong. Great difficulty is sometimes experienced in obtaining the children from their parents and friends, so that entreaties, persuasions, and promises seem to be of no avail.

With regard to the adults, we had in general from eight to twelve staying with us, but sometimes less, at other times from twenty to thirty and upwards. They are instructed as opportunity presents itself, at home or in the bush, or in the camp by talking, or reading a portion of the Scripture, or delivering a short discourse to them in their own language. Their attention is not always to be gained, and even when they are listening to what is said, their minds are easily diverted. That they do not always forget what they have heard respecting religion, at the Mission House, is evident from many circumstances which have come under the observations of the Missionaries. One circumstance here may be sufficient to establish the fact. While one of the Missionaries was addressing a company of females, forty miles from Wellington, one of them, whom he did not remember having seen before that time, said, 'You talk that way at Wellington.' And when asked to what place she expected to go at death, she replied, 'to Heaven, I believe.' When it was suggested that that was very questionable she answered, 'No, I believe when want to go, devil, devil, pull down again, not let go.'

At public worship their general behaviour is good, but some of their customs and habits render it almost impossible to form a congregation of males and females. The young men are prohibited from going near a native female for several years, and even those men who have wives have an objection to come to Church, if there are many females present. This circumstance is attended with many inconveniences not only in reference to divine worship, but also in domesticating them, as when the females reside in the house, the young men will not come near, and *vice versa*. It would however, be easy to erect a building on such a plan as to domesticate both sexes without their coming in contact, or even in sight of each other, as well as to keep those who are domesticated apart from all communication with occasional visitors. The latter point is an object much desired. It is presumed that if a Missionary Establishment were formed on such a plan, and near to the river, many facilities for advancing the Mission would be obtained. We have known more than one instance of twenty or more natives leaving their females on this settlement when they go into the bush. These must necessarily encamp by the river, there being no accommodation for them at the Mission House. In that exposed situation they too easily become the prey of vicious Europeans, who not unfrequently draw or compel some to accompany them to their habitations. This circumstance, while it breaks the chain of instruction afforded to the houseless females, tends also to destroy the confidence of the men in leaving them, as they say with the Missionaries. We are happy to have it in our power to add, that in some establishments, changes for the better in reference to female natives have taken place. Old overseers have been removed, and others appointed, so that where formerly nearly every European servant cohabited with a native woman, not a female is now allowed to remain in any hut on the establishment.

We feel also great pleasure in mentioning, that in September, 1835, a report being in circulation that some of the Bogin Natives had crossed the country, and having united with some of the Badder Tribes, were destroying cattle, one of the Missionaries thought it his duty to visit them and to endeavour, by conciliatory measures to induce them to desist. In prosecution of this object he travelled sometimes in company with natives, and sometimes alone, more than two hundred miles, but without success, never being able to meet with them, although places where they had slept the night previous were several times discovered. It is stated, that when some of the more civilized natives, who were in company with the depredators, found that they were determined to slaughter cattle, they at once separated themselves from them, and left that part of the country.

It has been found extremely difficult to form an accurate idea of the opinions of the natives, in reference to the Creation of the World, the Creator, the immortality of the Soul, and

and a future state of existence, as the accounts given by different natives are frequently at variance with each other. It appears, however, that there is among them a general idea of a Creator, who is himself uncreated. They believe in the immortality of the Soul, but what is their idea of its state or employment after death has not been learnt. They attribute all their afflictions and troubles to an evil being, (Wandong), who is said to be visible only to their doctors. They have an idea of an order of beings (Guinyar), inferior to the Creator, but superior to man. The only kind of worship known among them is the 'Waggana,' or Native Dance, accompanied by singing to Baiami, who, annually, about February or March, reveals to some one native, at a very great distance from Wellington, the song in which all are bound to join under penalty of death. This song is esteemed sacred by the natives, who apprehend that if they should not be present at the singing of it they would die.

Their laws principally, if not entirely, refer to abstaining from certain kinds of food, until they arrive at a certain age, and to the young men evading publicly, not privately, the company and conversation of females. They have no law against murder, and consequently no punishment for it. A man may murder his wife, or child, or any other relative with impunity; but if a person murder another who is no way connected with him, the nearest of kin to the murdered person will sometimes avenge his death, though this seldom happens except the delinquent and the sufferer are of different tribes. It is only in proportion as they become acquainted with the customs of Europeans, and are instructed in morality, that human life is regarded. In their native wilds they sport with the sufferings of man and beast. It is worthy of remark that in the year 1835, when it was reported at Wellington, that a white man had been murdered by some of the Bogin tribes, all the Wellington natives armed themselves and went to avenge his death; but not finding the perpetrators of the murder, they beat an old man nearly to death and then returned.

It is a lamentable fact that their increase is inferior to their decrease, especially as they often kill their half-caste offspring; four deaths took place at Wellington in the last year; viz., two adults and two children. An adult, a woman, also died three miles from Wellington, and an old man, who was under medical treatment at Wellington, went away and died after he had left. On the other hand we can only remember three births which took place in the neighbourhood of Wellington, and one of these children was killed. The mother of this child, after having been under instruction at Wellington, was taken away by her husband, and prostituted among the white people, which connexion occasioned the existence of the said child. She was seen a few days afterwards, and seriously reprehended for her atrocious barbarity, but she endeavoured to turn off the reproof by a laugh. Another woman from whom more humanity was expected, was called upon to testify that it was wrong; but she coolly replied that it was not a pretty child. Such cases should excite christian sympathy, and call forth the utmost exertion to rescue these poor creatures from destruction; such acts are chiefly owing to the wicked intercourse with many of their white neighbours.

To the study of the Aboriginal language the Missionaries continue to devote much of their time, as it is expected that through this medium the natives will more easily receive and readily comprehend the instructions given to them. Of the dialect spoken at Wellington, a Dictionary and Grammar have been composed. The Gospel of Saint Luke, and some other parts of Scripture have been translated, as also several parts of the Liturgy, and Dr. Watt's small Catechism. It is not to be expected that those translations can be correct, for the beginning must be imperfect, and perfection must be attained gradually. The dialect spoken in this district, (extending over from Bathurst to beyond Mount Harris, and from Mudgee over the Bogin country, Warwick, the Lachlan, &c.) has been compared with as much as is contained in Mr. Threlkeld's Grammar, and such is the affinity of one language to another, as to leave no doubt on the minds of the Missionaries, that the language is radically the same. This, however, will be more clearly ascertained when the knowledge of other dialects is attained; and to this object the Missionaries feel it their duty to pay such attention as their time and opportunities permit. The dialect spoken by the Wellington blacks is called Wiraduri; that spoken by the Bathurst blacks, Kandangurra; that of the Mudgee blacks, Yarrayarru; and that of the blacks, north-west of Mudgee, Kammillarai. The last mentioned dialect extends to the Hunter, and differs materially from Wiraduri; the others differ more or less. It appears very desirable that a small work in the Aboriginal language should be printed, as a first book, for the purpose of teaching the natives the Aboriginal pronunciation; and it would also be a means of correcting the spelling of Aboriginal words.

In conclusion, the Missionaries are bound to say, that though in the prosecution of their labours, daily discouragements arise, they have no doubt of the gradual and ultimately abundant success of the Mission. The great distance of the Establishment from the source of supplies, with the heavy expense consequent thereon; the uncertainty of the seasons for raising grain, and the limited means in the hands of the Managers of the Mission, constitute among other circumstances, difficulties in the way of giving the Mission the prospect of much success at the present. As it regards the evangelizing of the natives, the Missionaries look to a higher than human power to effect this object of their desire; ever remembering that while it is their's to labor, it is the Lord's to bless.

MISSION TO THE ABORIGINES.

ANNUAL Report of the Aboriginal Mission at Lake Macquarie, New South Wales, 1835.

To the Honorable the Colonial Secretary, Alexander M'Leay, Esq., &c., &c., &c.

*Ebenezer, Lake Macquarie,
December 2nd, 1835.*

SIR,

In the absence of the Venerable the Archdeacon it becomes my duty, and I have the honor to forward the Annual Report of this Mission to you, in order to its being submitted to His Excellency the Governor.

In the month of February last several Aboriginal Natives were tried, convicted, and sentenced for transportation for life; one was left for execution for a rape, whilst the others had their sentences commuted for a shorter period of confinement to labor on Goat Island, where they are being taught to read English.

Mickey, the individual to be executed, was attended to during his confinement in the condemned cell until his execution took place, and every exertion was used by me to instruct him in the knowledge of God our Saviour. At the first he stoutly denied being at the place when the crime was committed, and appealed to a person in proof thereof; but on enquiry it was most satisfactorily proved, that he had not been in the employ of that party to whom he referred. He afterwards adopted a threatening tone, and assured me, that "If the white men hung him, all the blacks belonging to his and the surrounding tribes up the Country would come, encompass and burn Sydney, together with the gaol in which he was confined." Conversation, however, softened down his mind, and he wept. In a subsequent visit he assumed a more bold aspect, and in an undaunted manner declared, "That the blacks had a much more powerful *Being* than the whites had," who, he assured me, with English oaths, "would, if he were executed, put out the eyes of all the whites, and smite them with total blindness?" This led to a conversation on the power of the true God, and of his Son Jesus Christ, to which he apparently paid attention, and henceforth ceased to make threatenings. On the morning of his execution he was asked if he had prayed to Jesus in the night, and for the first time replied that he had. Suitable passages of Scripture were read to him, whilst the irons were being removed, and he repeated prayers, which were also composed in his own language, as we walked to the place of execution; he there knelt down joining in prayer, and then ascended the platform. Whilst the rope was being adjusted round his neck, he uttered a deep expression of sorrow, and with a becoming demeanor, was launched into the presence of the "Judge of All."

Hitherto the blacks under confinement had not been permitted to be present at the executions, in consequence of a general order respecting all prisoners in the gaol to that effect; but, at my suggestion, the Aborigines under confinement were allowed to behold the sentence carried into effect. Their pale visages, their trembling muscles, indicated the nervous excitement under which they labored at the melancholy sight. Some who were about to be brought to trial, urged me to speak for them to the Judge, and all requested that I would ask the Gaoler not to hang them during my absence. To use the expression of M^r Gill, who was present with me, he said, that "he thought when the drop fell, that he should have shed his skin!" Previously to this it was a matter of joke amongst the blacks, their being sent to any gaol;

This painful task, together with attendance at the Courts of Justice, occupied nearly six weeks at Sydney.

It is pleasing to be able to report, that no further outrages have been committed in the neighbourhood where these blacks were taken; and also, that when I visited Goat Island, where the Aboriginal culprits are confined under the Superintendance of M^r Langhorne, they were improving fast in their English reading. This gentleman informed me that on asking the blacks "Who made all things?" one of them, to his surprise, immediately answered "God;" and on being further questioned as to his source of knowledge he replied, "it was at Lake Macquarie." In August last I was again subpoenaed by the Supreme Court, in consequence of outrages having been committed by the Aborigines in the vicinity of William's River; when another black named Charley was found guilty of murder which he did not deny, even when arraigned, but pleaded in justification, the custom of his nation, justifying himself on the ground that a Talisman named *Mura mui*, was taken from him by the Englishman, who with others were keeping a black woman amongst them, was pulled to pieces by him, and shewn to the black woman, which, according to their superstitious notions, subjects all the parties to the punishment of death; and further, that he was deputed with others, by his tribe, to enforce the penalty, which he too faithfully performed.

It was deemed necessary, for the tranquillity of those disturbed Districts, that Charley should be executed at a place called Dungog, nigh to the scene of violence, and my duty was to attend him whilst under confinement in the Gaol of Sydney, and also to the place of execution. In this painful part of my Office, much satisfaction was derived from the great attention and submissive behaviour of the unhappy culprit. His dialect was a little different; he, like the former one, was a perfect stranger to me, but when my dialect differed from his, he would enquire minutely, and correct my language to accord with theirs. From him no murmurs arose, no threat of vengeance escaped his lips, but only an expression of sorrow that he had listened to his tribe, and of lamentation that he knew no better, his tribe had deceived him. When urged to believe in, and pray to the Lord Jesus Christ, he asked how was he to address him; on being taught what we deemed suitable prayers, in his own tongue, he repeated them; and subsequently, when asked if he had prayed in the night, his reply was that, "he had asked Jesus to cast away all his evil deeds, and to receive his spirit when the whites kill his body." Owing to some little confusion in the arrangement of the concern when we landed at the Green Hills, he appeared angry, and with a lowering aspect took from his cap bread and biscuit, and threw them with much displeasure, to the dogs. Seeing him agitated, I informed him this was not the place of execution, nor the day on which he was to suffer, he then gave me a slip of paper from those with which I had furnished him, to know the days he had to live, and found he had but three left; he then resumed his usual appearance.

On the morning of his execution at Dungog, after reading and praying with him, he said, "when I am dead shall I make good houses, and be like the whites in the other world;" this led to reference to the "House not made with hands; Eternal in the Heavens," and to the fashioning of our mortal bodies to "the Glorious Body of Christ;" the executioner then arrived, and we walked to the fatal drop through an escort of military; he kneeled and prayed; we ascended the gallows, he stood firmly, saying "I am now cast away for death;" he repeated

repeated the prayer, " Lord Jesus receive my spirit ;" the drop fell, and eternity must develop the triumphs of the Cross.

Six weeks were thus occupied before I could return home, making with the former execution, a period of three months out of the present year, employed in a useful though unpleasant part of my Missionary duties. My first detention in Sydney afforded me a more favorable opportunity of hastening through the press " The Australian Grammar," than could have been had I remained at the Lake, and I have much pleasure in announcing its completion, copies of which have been forwarded to the Colonial Secretary. Owing to the arrangement, by His Excellency the Governor, that part of the expense of printing should be defrayed by Government, being made subsequent to the printing, precluded the acknowledgment with thanks in the work itself.

The following subjects have occupied, and still occupy my attention in the Aboriginal language and Mission, viz :—

- | | |
|---|------------------|
| 1. An Australian Grammar | Printed. |
| 1. The Gospel of Saint Luke | } Under revisal. |
| 3. A Selection of Prayers for Public
Worship | |
| 4. A Spelling Book | In manuscript. |
| 5. Reading Lessons, selected from the
Sacred Scriptures | In progress. |
| 6. The Instruction of two Native Youths
in writing and reading their own
tongue | |

During the present year the measles have been very prevalent amongst the Aborigines, and have carried off many of the Natives, from whom Mrs. Threlkeld and our nine children caught the complaint, and were laid up at one time. Providentially the disease has now subsided.

Several of the blacks belonging to this District, headed by M'Gill, are travelling to Windsor, Parramatta, and Sydney, in order to teach other tribes a new song and dance, which have lately been brought from the regions far beyond Liverpool Plains, where my son has ascertained that the song exists, though the dialect is different to that used in these parts on the Sea Coast. It is not discouraging to reflect that when " Knowledge shall increase amongst these tribes, then, the same custom which promulgates the new song, will convey throughout Australia " the glad tidings" of " A Saviour, Christ the Lord."

Having thus stated the progress of, and circumstances connected with the Mission at Lake Macquarie, it only remains for me to mention that my intention in the ensuing year is, to endeavour to complete the elementary works for the Aborigines, and also to introduce their use, when printed, amongst them ; humbly depending on the powerful influence of that Holy Spirit, to cause these very dry bones in the wilderness to arise, and become an exceeding great army to the praise of Him who can excite " Kings to be nursing Fathers, and Queens to be nursing Mothers," to these miserable objects for whom " The Messiah died."

Trusting that the progressive state of this Mission will not disappoint the expectation of His Excellency the Governor, of the Venerable the Archdeacon, during his protracted detention in Europe, or of His Majesty's Government in England.

I have the honor to remain,

Sir,

Your most obedient and humble servant,

(Signed)

L. E. THRELKELD

UNAUTHORISED OCCUPATION OF CROWN LANDS.

*MEMORIAL to His Excellency Major-General Sir RICHARD BOURKE,
K. C. B., Governor of New South Wales, &c., &c., &c.*

SIR,

We, the undersigned, proprietors of stock in this Colony, beg leave respectfully to draw Your Excellency's attention to that part of the Final Report of the Committee of Police and Gaols which relates to the Occupation of Land by unauthorised Persons of the denomination of " Squatters ;" and suggesting that some regulation should be adopted by the Government, strengthened, if necessary, by a Legislative Enactment, to place these Squatters under the strict control and summary jurisdiction of the Police.

In the terms of this Report, we beg leave to add our own personal knowledge of the fact, that the Interior of the Colony is infested by gangs of cattle-stealers, and other disorderly persons, whose depredations are carried on to an alarming extent. These gangs consist of freed men who have served short sentences, or those of long sentences holding Tickets of Leave who combine with the assigned Servants to plunder the herds of their Masters. The nefarious practices of these men are greatly facilitated by the system of taking unauthorised possession of Crown Land; or Squatting, which now prevails. It appears that many Convicts, who become free by servitude, take possession of Crown Land in remote Districts ; and, thus screened from general observation, erect huts for their temporary purposes, and become what is generally termed Squatters. These people move from place to place as suits their convenience, and conceal their practices, whilst they raise a property by committing depredations on the

the neighbouring flocks and herds; or by selling spirits and providing other inducements to thieving, gaming, and every species of debauchery, seduce the servants of established settlers to assist in their lawless proceedings. Many of these men are known to possess large herds of cattle, obtained, in a very short time, by a series of schemes for stealing them, which cannot be detected or prevented, so long as they are permitted to move from one part of the Country to another, and take unbounded possession of remote and unfrequented tracts of Grazing Ground.

We take the liberty, therefore, of respectfully suggesting to your Excellency the expediency of prohibiting all occupations of the nature complained of, without License from your Excellency, to be granted under such regulations and guarantees as your Excellency may deem expedient and proper.

[Here follow the Signatures.]

REPLY.

To Sir John Jamison, K. G. V., and J. E. Manning, Esquire.

Colonial Secretary's Office, 4th April, 1836.

GENTLEMEN,

In acknowledging the receipt of the letter, signed by yourselves and other proprietors of stock in the Colony, referring to the Report of the Committee of Police and Gaols, on the subject of the unauthorised intrusion on the Crown Lands, by persons denominated Squatters, and suggesting the expediency of prohibiting all occupation of the nature complained of without license; I have the honor, by the direction of the Governor, to inform you, that His Excellency's attention has for some time past been engaged by the subject of your Memorial, and that His Excellency is fully convinced of the expediency of placing under proper restrictions the occupation of vacant Crown Lands, both with a view of maintaining for the public benefit the rights of the Crown, and of remedying the evils which are represented by the Memorialists to spring from unauthorised possessions. The matter would have been taken up by Government before the close of the past year, if, after much consideration, it had not been deemed necessary to obtain a Legislative enactment in order to accomplish fully the desired object. The process of English law at present in force in the Colony by which intruders are removed from Crown Lands, though sufficient for the circumstances of the Mother Country, is much too tedious to meet the extensive mischief, which the Memorialists represent to prevail here. It will be necessary therefore to apply to the Colonial Legislature, for such an Act, as shall enable the Executive to recover expeditiously the usurped possession of Crown Lands. This power being obtained, His Excellency will be ready to promulgate an arrangement for authorising a temporary occupation by persons from whom no aggression on the property of others can be apprehended. His Excellency is satisfied that a permissive occupancy, thus guarded against abuse, is required by the best interests of the Colony. Tracing the present unexampled prosperity of New South Wales chiefly to the production of fine wool, His Excellency is desirous of avoiding any unnecessary limitation of pasturage. The arrangement to which His Excellency refers will therefore embrace the occupation of land beyond the limits allotted to location; but within such bounds as the Governor shall determine; permission to use those lands for grazing, upon payment of a small rent, as a recognition of the rights of the Crown, will be granted to such persons as the Governor shall have reason to suppose will not abuse the privilege. The manner of obtaining the permission, and the terms upon which it will be granted, will be made known as soon as the Executive has obtained the power of limiting the occupation to those persons upon whom reliance can be placed, by the speedy removal of those of an opposite character.

The vacant Crown Lands within the limits of location will continue to be let on lease under the regulation of 1st August, 1831, and all settlers desirous of occupying any portion of these lands will be required to obtain possession under that Regulation.

In this manner His Excellency would propose to effect the object desired by the Memorialists and for this purpose he proposes to lay a Bill before the Legislative Council at its next meeting.

I have the honor to be,

Gentlemen,

Your most obedient Servant,

(Signed)

ALEXANDER McLEAY.

FINANCE.

MINUTE of His Excellency the Governor to the Legislative Council, explanatory of the several heads of Expenditure, and of Ways and Means, as estimated for the year 1837.

Before I request the attention of the Council to the Estimates for the ensuing year, I have to offer some observations on the Abstract of Revenue and Expenditure laid on the Table at the opening of this Session. The Council cannot have failed to remark the large amount of Ordinary Revenue, exceeding that of any former year, which was paid in the last, into the Colonial Treasury; and when it is remembered that in this country there exists little

or nothing of direct taxation, this great augmentation of receipt is only to be attributed to the rapidly increasing prosperity of the Colony. The Ordinary and Extraordinary Revenues of the last year have exceeded by more than £26,000 the amount at which they were estimated, whilst the receipt of that arising from Crown Lands exhibits an increase of above £47,000.

Large sums are returned on the Abstract, unexpended, it having been found impossible to accomplish within the time, the services to which they were appropriated. Some, however, of the Public Buildings for which the principal sums were granted, are in progress, and others will be commenced when workmen or contracts can be procured upon such terms as the Government may in prudence engage for. It is hoped, that on the arrival of artisans from the Mother Country, who have been sent for and may be expected at the close of this, or early in the beginning of the next year, the Colonial Architect will be enabled to proceed with the principal buildings, either by employing workmen under his own inspection, or by means of reasonable contracts.

The expense of Police and Gaols has been less by £5,000 than the sums voted on the Supplementary Estimate for the last half of 1835, and has been paid wholly out of the Ordinary Revenue of the Colony. The charges for Immigration, and all other charges payable from the Revenue arising from Crown Lands, have amounted to £11,139 15s. 8½d. leaving on the 31st December last, a balance of £120,858 15s. which, in conformity to the instructions of the Secretary of State, is to be paid into the Colonial Treasury, and taken to account in the Ways and Means for the present year.

The expenditure of some of the Departments in the past year has exceeded the Estimate, whilst that of others has been below. The surplus of the latter will more than cover the deficiency in the former, and a Resolution of Council is wanted to authorise the appropriation. A statement of the several sums is laid on the Table.

His Majesty has been graciously pleased to approve of the Appropriation Act for 1835, passed on the 18th July, 1834. The receipt of that for 1836, has not yet been acknowledged.

I have much pleasure in stating that His Majesty's Government have intimated their intention of remitting any further claims on the Treasury of this Colony, on account of supplies furnished by the Commissariat prior to the year 1832. A copy of the Despatch of Lord Viscount Glenelg to this effect is now laid on the Table.

With reference to the Expenditure of the present year it is found necessary to present a Supplementary Estimate to cover deficiencies in the Estimate in the last, and to provide for services which it is advisable to undertake without further delay. The deficiencies are chiefly in the Customs, Post Office, Orphan Schools, and Courts of Law. In the first they are attributable to the greater demand of the Commissariat for Spirits, duty free, than was anticipated, and to the necessity for employing additional Officers in consequence of increased business. In the Post Office and Orphan Schools the high rate at which Contracts for Conveyance and Rations have been necessarily taken, has occasioned the deficiency, and in the Courts of Law it has been principally caused by the changes which have unavoidably taken place on the Bench of the Supreme Court.

The services for which it is judged expedient to provide are as follows:—The appointment of a Commissioner for the Assignment of Convict Servants, in lieu of a Board. The Secretary of State having directed the discontinuance of the salary formerly allowed to the Members of the Board, recommended the appointment of one Officer expressly for the duty, whose salary is proposed to be £300 a year. In some of the Offices additional Clerks, and in the Department of the Colonial Architect the aid of a Foreman of Works and of some Mechanics have been represented as indispensable, and sums for their support have been proposed accordingly. Additional appropriations are required for the repair of Churches and Parsonages, and the completion of Schools previously authorised. The sum of £1,200 is also placed on the Estimate to provide for the erection of two Parsonages for Chaplains of the Church of England, for which this Government engaged on the appointment of the Chaplains some years ago. The allowance for Lodgings which they now receive, will cease when the buildings are completed. The erection of places of confinement for criminals with court rooms annexed, and the repair of other Police Buildings and Gaols being urgently required, are also placed on this Estimate, though it may be doubtful whether, owing to the scarcity of workmen, the buildings can be completed as quickly as the public convenience demands. Sums are required for the Breakwater at Newcastle, and for clearing the Parramatta River. Both these works with some others of a similar character have been placed under the direction of Captain Barney, Commanding Royal Engineer at this station, who arrived towards the close of the last year. By his appointment to this station the engagement of a Civil Engineer for whom the Council proposed a large salary, and appropriated the sum of one thousand pounds in the year 1833, may be dispensed with. It is proper, however, that the employment on Colonial Works of the Commanding Royal Engineer should be suitably remunerated, and I would recommend to the Council to appropriate £500 a year for his salary, with travelling expenses, which may be taken at £100 a year more. Captain Barney having been employed by Government from the beginning of this year, I would propose that his salary commence from the 1st January last. His report upon the Breakwater at Newcastle, is now presented, and the sum of £1,180 6s. is placed on the Estimate as required for this service in the present year. An additional grant of £300 is also required for clearing the Parramatta River, in which useful work some considerable progress has been made. There are also placed on this Estimate sums in aid of private contributions to the Australian School Society, and to the Sydney Dispensary; the amount in neither case exceeding that actually received by the Institutions from private funds in the last year. The grounds upon which it has been thought right to propose a grant to the schools will be found in that part of this Minute which details the proposed expenditure for schools in 1837. The Sydney Dispensary is a very useful Charity, and requiring at this moment a support which the Government has not previously afforded. I have at the request of the Committee proposed that £151 10s. be granted in aid of its funds. The latest reports of these Institutions are laid upon the Table.

This Estimate also presents by desire of the Secretary of State for the Colonies a sum to be appropriated and paid to the representatives of the late Deputy Commissary General Laidley, a very meritorious Public Officer, who for some years had much important Colonial duty to discharge, for which he received no salary from the Colony. A copy of Lord Viscount Glenelg's Despatch on this subject is laid before the Council.

The Estimates for the ensuing year have been framed with due regard to economy, providing at the same time for such Establishments as the increasing numbers and wealth of the Colony require. The Estimate for the Civil Establishment presents a charge exceeding by about £2,500 that of last year. The principal increase is to be found in the contingent expenses of the Post Office. The conveyance of Inland Mails has, for the convenience of the public been extended, and other charges brought forward consequent upon the increasing business of the Department. Notwithstanding the reductions made in the rates of postage last year, and the augmented privilege of franking letters, the Revenue of the Post Office has increased and is steadily increasing—thus affording a further indication of the flourishing state of the Colony.

In the Estimate for the Departments of Survey and Public Works, the charges for the Survey and Road Branches, taken together, amount to nearly the same sum as for the present year. A transfer of three Surveyors has been made from the Road to the Survey Branch, with a view to accelerate the measurements of land required for purchase. Their places on the Roads are filled up by Sub-Inspectors, who receive lower salaries; but being for the most part practical men, their services, it is hoped, will prove valuable to the public.

It is proposed to raise the salary of the Town Surveyor to £400 a year; this Officer having a laborious and increasing duty to perform, which is discharged in a manner that gives general satisfaction. It will be convenient, when the Survey of the Sydney Allotments is completed, to separate this Office from the Surveyor General's Department.

In the Mineral Surveyor's Department, a considerable sum is charged for pipes to be brought from England, and used in leading water through the Town of Sydney. The Tunnel is reported to be nearly finished, but some considerable expense is to be incurred in raising an embankment to keep the water of the Lagoon, with which the Tunnel communicates, at a proper height.

In the Estimate of the Judicial Establishment there will be found an increased charge in the Supreme Court, as also in the Court of Quarter Sessions, for the expenses of Witnesses and Jurors. It has been found necessary to add to the strength of the Registrar's Office, in order to accelerate the Issue of Deeds of Grant, the numerous purchasers of Land, and the adjustment of above 500 claims by the Commissioners, having latterly caused a great influx of Deeds for Registration. In the Crown Solicitor's Office the charge for one of the Clerks, returned on the Supplementary Estimate is continued, as the business of the department is heavy. In the Court of Requests the Salaries of the Registrars and Clerks have been regulated, and a small additional expense incurred to render the Court more efficient. In the Quarter Sessions an arrangement has been made, by which a small saving is effected in the expenses of the Establishment, and the duties of the Clerk of the Peace more efficiently provided for, by appointing separate Officers for the County of Cumberland, and the Districts of Maitland and Bathurst.

The Estimate for Police and Gaols which is calculated upon the strength of these Departments for the present year amounts to £45,200 13s. 4d., including repairs of buildings now in use, but omitting the charge for Gaols and Police Buildings required to be constructed, or already in progress. The Establishment, both in Sydney and the Country Districts, has been placed nearly upon the footing recommended by the Committee of last year. The charges for Mounted Police, and rewards paid for the apprehension of criminals, are not included in the Estimate. These charges were defrayed from the Military Chest, and together amounted in the last year to £12,395 8s. 0d.

On the Estimate for providing Ministers of Religion the Council will perceive that additional Chaplains are proposed for the Church of England, and Roman Catholics. A Letter of the Right Reverend Doctor Polding upon the subject of the latter is laid upon the Table. It is proposed that these Chaplains should be maintained upon the principle developed in the Despatches laid before Council at the opening of the Session. This system, whilst it establishes religious liberty to the fullest extent, enables the Government to assist the exertions of any denomination of Christians for providing a Minister of their Creed and a place of worship. In a new country, when its financial circumstances admit of it, a limited pecuniary aid from the public fund for this object seems proper and necessary, as serving to keep alive a regard for the ordinances of religion, which might otherwise be lost amidst the cares and anxieties attending the earlier periods of the establishment of a Colony. An Act of Council will be required to carry this system into operation, and to enable the inhabitants of any parish or district, frequenting any particular church or chapel, to take upon themselves the charge of maintaining it.

The Estimate for schools for the year 1837, provides funds for those of the Church of England and of the Roman Catholics, which are already established. These are maintained wholly, or nearly so, at the public expense. It also embraces the issue of an aid to schools, which the Colonial Presbytery of the Church of Scotland has, through the Moderator, expressed a desire to institute. The general education of the people, however, as was observed at the opening of this Session, requires to be placed on a more comprehensive and permanent basis. It should be the care of the State, and not of any particular classes of persons. I have, therefore, much pleasure in being able to propose to the Council, with the sanction, and in the language of His Majesty's Secretary of State for the Colonies, Viscount Glenelg, "The commencement of a plan for the establishment of schools for the general education of youth in New South Wales, unconnected with any particular Church or denomination of Christians, in which children of every religious persuasion may receive instruction. This object it is proposed

proposed to effect, not by the exclusion of religious instruction from the school, but by limiting the daily and ordinary instruction of this nature to those leading doctrines of Christianity, and those practical duties in which it is hoped all Christians may cordially agree. The peculiar tenets of any Church are to find no place as such, in these general schools, but opportunities are to be afforded at stated periods, for imparting instruction of this nature to the children of different persuasions by their respective Pastors. Such is the plan of National Education which has recently been adopted in Ireland, and, as I have reason to believe (His Lordship continues), with considerable success, notwithstanding some peculiar obstacles not likely to exist in the Australian Colonies. This plan will require the formation of a Board of Education, composed of members of different religious denominations. The Board will have to agree on such extracts from the authorised version of the Scriptures to be used in the schools as they shall deem best adapted for the instruction of youth. It will also be their duty, by a vigilant superintendance, to secure a strict adherence to the regulations under which the schools will have been constituted."

To commence upon this plan, I have placed upon the Estimate, for the consideration of Council, a sum of £3,000 towards the formation of National Schools. To administer this grant, I propose to nominate a Board of Education to act in conjunction with the Government. The sum, though small, will probably be sufficient for making preliminary arrangements, and exhibiting experimentally, by the establishment of one or two of these schools, the nature of the proposed system of general instruction. In the Reports of the Commissioners now laid on the Table, the success which has attended the measure in Ireland is satisfactorily set forth. The circumstances of this Colony are favorable to the introduction of a similar arrangement; and when the plan in all its details is fully known, there seems no reason to doubt of its becoming generally acceptable, and that through its means, the blessings of a good education will be placed within the reach of all the people of this land. In addition to the Reports above mentioned, I lay before Council some of the books used in the National Schools of Ireland.

It is to be remembered that the National Schools are intended for the great mass of the people requiring gratuitous instruction, and are therefore to be maintained wholly at the public expence; but in deference to the feelings of those who desire to educate their children in schools, in which the distinguishing doctrines of the creed they profess are to be exclusively inculcated, the Secretary of State recommends a contribution from Government, in aid of private subscriptions, for the support of Schools so constituted. In accordance with this disposition to promote generally the religious and moral education of all classes, it has been proposed on the Supplementary Estimate to grant an aid to the Australian School Society.

In the Estimate for Miscellaneous Services the charge for Public Works amounts to a large sum; but upon examination it will be found the proposed buildings are all required by the circumstances of the Colony, and none are of a magnitude or description disproportionate to the service for which they are intended. It will not indeed be possible to undertake some of them until workmen arrive from Europe. The Government House is one of those which it is intended to defer; and, as the expence of its erection will be considerable, I propose to appoint a Committee of the Council to examine and report upon the plan and estimate and the value of the land in the Domain which it is intended to alienate on undertaking the new building. To the same Committee it will be proper to refer the further consideration of the plan for erecting a wharf at the head of Sydney Cove, with instructions to examine the Commanding Royal Engineer; and report finally upon the subject.

The sum to be appropriated to meet unforeseen expences is larger than in former years, but when it is considered how much greater the expenture is at this period than when £2,000 were put down for this service, the amount now proposed will not appear excessive.

There is no specific charge on this Estimate, as there was on the last, for the expences of Immigration. His Majesty's Government have desired that the whole cost of this service should continue to be defrayed from the Land Revenues of the Crown, furnishing a supply more than sufficient for the purpose, as the first charge upon them, and that the balance should be paid into the Colonial Treasury in aid of the expence of Police and Gaols. In the last year the expenture for Immigration did not much exceed £10,000. In the present year it is likely to be higher. One ship with female Emigrants has already reached the Colony, and a second has been reported by the Secretary of State to sail from London for Sydney in May. Before the end of the year Emigrants may be expected to arrive upon the terms of the Government Notice of the 28th October, 1835. A Return of the numbers proposed to be brought out, for whom the bounty is desired, is laid on the Table. It is probable that a ship with Mechanics from Scotland, under the charge of a Surgeon in the Navy will reach the Colony about the same time. Two others are ordered to follow at short intervals and it is proposed to continue similar importations as long as may seem expedient. There are besides occasional arrivals of Emigrants with their wives and families, upon bounties engaged for in England, under the authority of the Secretary of State. From these several modes of recruiting it is expected as many persons will be annually introduced as are likely to find remunerating employment.

The whole charge for the year 1837 may be taken at £240,673 11s. 8½d., being as follows:—

Governor and Judges	10,000	0	0
Civil Establishment	32,042	19	10½
Survey and Public Works.....	43,905	6	0
Judicial	20,229	3	9
Police and Gaols	45,200	13	4
Church Establishment	19,167	10	0
School Establishment	13,014	18	11
Military		91	5
Pensions.....	860	0	0
Miscellaneous.....	56,101	14	10

£240,673 11 8½

The Ways and Means to meet this charge are:—

Customs Duty on Spirits	120,000	0	0
Duty on Tobacco	12,000	0	0
<i>Ad-valorem</i> Duty	10,000	0	0
Miscellaneous	3,000	0	0
Tolls, Ferries, and Market Dues.....	4,000	0	0
Licenses for retailing Spirits	10,000	0	0
Auction Duties	4,000	0	0
Duty on Colonial Spirits.....	1,200	0	0
Fees collected in Public Offices	9,000	0	0
Collections by Agent of the Church and School Estates	4,500	0	0
Post Office	5,000	0	0
Miscellaneous	3,000	0	0
Probable balance of Revenue of Crown Lands after deducting Charges of Immigration	80,000	0	0
Balance unexpended on 31st December, 1835	18,845	2	7
Total.....	284,545	2	7

To the Ways and Means for 1837, thus shown to amount to £284,545 2s. 7d., may be added the value of Treasury Bills due to the Colony amounting to £80,000, and making in the whole the sum of £364,545 2s. 7d., to meet the charge of £241,423 11s. 8d.

The charge of the Supplementary Estimate for 1836, will be fully met by the excess of Revenue over Expenditure in the present year.

5th July, 1836.

RICHARD BOURKE.

STATEMENT of the Amount Appropriated by the Legislative Council for the service of the Year 1835, which will not be required.

AMOUNT OF SUMS APPROPRIATED, BUT NOT REQUIRED, FOR THE SERVICE OF THE FOLLOWING DEPARTMENTS, FOR THE YEAR 1835, VIZ:—	AMOUNT.	TOTALS.
		£. s. d.
Survey Branch of the Surveyor General	708 17 0	
Road Branch	1,632 13 2	
Auditor General	45 14 5	
Colonial Botanist	111 14 8	
Government Domain, Parramatta	28 7 3	
Harbour Master	4 12 0	
British Resident, New Zealand	95 12 5	
Pensions Payable in the Colony	56 0 0	
Courts of Requests	50 3 1	
Police and Gaols	5,680 3 2	
Episcopalian Clergy	1,408 11 4	
Parochial Schools	328 10 1	
Male Orphan School	76 7 5	
Female Orphan School	134 16 8	
Roman Catholic Clergy and Schools	72 11 1	
His Excellency the Governor's Mounted Orderlies	7 1 1	
Commandants of Military Districts	6 0 0	
AND APPROPRIATED, BUT NOT REQUIRED, FOR THE FOLLOWING SERVICES, VIZ:—		
For Completing the Sydney Market Sheds.	138 4 9	
For Additions, Alterations, and Repairs, to Government Houses, Courts of Justice, and other Colonial Buildings	228 16 3	
For Completing Lansdowne Bridge	231 5 2	
For Lighting Lamps in the Town of Sydney	146 17 6	
For Defraying the Expense of procuring the Services of a Civil Engineer in the Colony	1,000 0 0	
For Firemen to Work the Engines when required	105 0 0	
For Erecting a Shed for Breaking Stone in Sydney Streets.	210 0 0	
		12,544 7 5
<i>Amount of Sums Appropriated, but not required, carried forward</i>		12,544 7 5

STATEMENT, continued.

	AMOUNT.			TOTALS.		
	£	s.	d.	£	s.	d.
<i>Amount of Sums Appropriated, but not required, Brought forward</i>				12,544	7	5½
LESS,						
THE AMOUNT REQUIRED TO SUPPLY DEFICIENCIES IN THE ESTIMATES OF EXPENSES OF THE FOLLOWING DEPARTMENTS, VIZ:—						
Establishment of His Excellency the Governor	4	7	6			
Councils	37	16	4			
Colonial Secretary	700	1	6½			
Colonial Architect	29	10	11½			
Commissioners for Determining on Claims to Grants of Land	55	17	9			
Board for the Assignment of Servants	20	14	9			
Colonial Treasurer	56	4	0			
Customs	752	2	2			
Collector of Internal Revenue	522	9	8			
Post Office	778	13	6			
Mineral Surveyor	424	1	8			
Supreme Court Office	247	11	4			
Crown Law Officers	2	2	9½			
Courts of Quarter Sessions	102	11	0			
Sheriff	183	9				
Coroners	188	6	8			
King's School	1,573	6	0			
Management of the Church and School Estates	121	17	9½			
Presbyterian Clergy	25	2	9			
AMOUNT REQUIRED TO COVER DEFICIENCIES IN THE ESTIMATES.						
Of Drawbacks	58	2	4			
Of Duties on Spirits issued to the Troops	2,939	12	0			
Of Allowances to Witnesses and Jurors on Trials, before the Supreme Court	1,153	5	1			
Of Allowances to Witnesses and Jurors on Trials, before the Quarter Sessions	679	2	7½			
AMOUNT REQUIRED TO COVER THE EXPENSE						
Of Erecting a Toll House, Howe's Bridge, Windsor	140	0	0			
Of Gratings, Posts, and Notice Boards, for Sydney Streets	47	7	3			
Of Constructing the Breakwater, Newcastle	211	8	5½			
Of Fuel and Light for the several Public Offices	47	0	2			
Of Donations of Clothing and Blankets to the Aborigines	25	17	9½			
Of the Expense of Investigating a Distemper prevalent among Sheep	54	0	0			
				11,190	18	8
<i>Total Amount Appropriated, but not required</i>				£	1,353	8 9½

WILLIAM LITGOW,
Auditor General.

**SUPPLEMENTARY Estimate of the probable Expenses for the undermen-
tioned Services, forming a charge on the Treasury of New South Wales,
for the year 1836.**

	Amount under each Head.			TOTALS.		
	£	s.	d.	£	s.	d.
COLONIAL ARCHITECT.						
Foreman of Works at £160 per annum from 1st July	80	0	0			
Rations and Clothing for four Mechanics and three Watchmen at 9d. per diem each, from 1st January	96	1	6			
				176	1	6
<i>Amount carried forward.....£</i>				176	1	6

SUPPLEMENTARY ESTIMATE, continued.

	Amount under each Head.		TOTALS.		
	£	s. d.	£	s.	d.
<i>Amount brought forward.</i>			176	1	6
COMMISSIONER FOR THE ASSIGNMENT OF CONVICT SERVANTS.					
Commissioner, difference between the Salary of £150. and that of £300 per annum, from the 7th June	85	0 0			
Clerk, at 5s. per diem, from 1st January to 31st May	37	15 0			
			122	15	0
AUDIT OFFICE.					
To meet the Expense of the increased Salaries to the Assistant Clerks:—viz., of one from 3s. per diem to £100 per annum, of two from 2s. 10d. to 5s. per diem each, and of one from 1s. 9d. to 3s. per diem, from 1st July	73	15 4			
			73	15	4
CUSTOMS.					
A Second Assistant Locker, from 1st January	130	0 0			
Additional sum for the hire of extra Tide Waiters	200	0 0			
Additional sum to meet the restitution of Duty on Spirits issued to the Troops by the several Contractors	2,000	0 0			
			2,330	0	0
INTERNAL REVENUE.					
An additional or seventh Clerk at 5s. per diem, from 1st June	53	10 0			
			53	10	0
POST OFFICE.					
Extra Clerk at 5s. per diem, from 1st January	91	10 0			
Additional sums to meet Expenses under the following Heads, viz.:					
Commission to Postmasters	100	0 0			
The Amount of Contracts for the Conveyance of Inland Mails	981	10 0			
The Conveyance of Coast Mails	100	0 0			
Uniforms for Letter Carriers	1	7 0			
Allowance to two additional Postmasters, for Light for Sealing, at 30s. per annum each	3	0 0			
Incidental Expenses in Establishing two New Post Offices	7	0 0			
			1,284	7	0
SURVEYOR GENERAL.					
Cost of Horses to complete the arrangement of furnishing two to each Surveying Party	300	0 0			
Cost of additional Horses for the Sydney Town Branch	300	0 0			
For Building a Stable at Carters' Barracks	200	0 0			
			800	0	0
MINERAL SURVEYOR.					
To cover Arrears of Expenses, the former Appropriations having been exhausted	600	0 0			
			600	0	0
SUPREME COURT AND LAW OFFICERS.					
Half Salary to His Honor Chief Justice Forbes, absent on leave, from 16th April to 31st December, 1836, at £1,000 per annum.	708	6 8			
An Extra Clerk in the Registrar's Office at 5s. per diem, from 1st January	91	10 0			
A second Cryer and Messenger at 2s. 3d. per diem, from 16th April.	29	5 0			
To cover Law Expenses during the Vacancy in the Office of the Solicitor General, in the year 1836	400	0 0			
Two Clerks in the Crown Solicitor's Office, employed to bring up arrears, one at £120, from 1st April, and one at £100 per annum, from 1st July.	140	0 0			
			1,369	1	8
<i>Amount carried forward.</i>			6,809	10	6

SUPPLEMENTARY ESTIMATE, continued.

	Amount under each Head.	TOTALS.
	£ s. d.	£ s. d.
<i>Amount brought forward.</i>		6,809 10 6
SHERIFF.		
To Cover the Increase in the Salaries to Bailiffs, voted by the Legislative Council, from 25th August to 31st December, 1835	89 18 7½	89 18 7½
CLERGY AND SCHOOLS.		
For Building Houses for Chaplains of the Church of England, at the Field of Mars, and at Berrima, in pursuance of an engagement to this effect, at £600 each	1,200 0 0	
Additional sum required for Repairing Churches and Parsonages	500 0 0	
To complete the King's School, Parramatta	400 0 0	
To cover the Excess of the Contract Price of Rations over the Estimate for the year 1836		
To the Male Orphan School	1,000 0 0	
To the Female Orphan School	600 0 0	
Additional sum to meet the Expense of Repairs of the latter	600 0 0	
To make up the Sum for completing the Roman Catholic Chapel at Parramatta, equal to that raised by private contributions	350 0 0	
To make up the deficiency in the Estimate in the allowance of one halfpenny per diem for each child attending the Schools in the year 1836	100 0 0	
To Printing Prayer Books to be distributed amongst prisoners	200 0 0	
For closing-in and finishing the Building to be occupied as a School House at Parramatta	340 0 0	
		5,290 0 0
To the undermentioned Public Institutions in aid of private contributions received to the same amount for each respectively, in the year ended 31st December, 1835, viz:—		
The Australian School Society		97 11 6
The Sydney Dispensary		155 10 10
MISCELLANEOUS.		
To cover the Expense of re-printing the Acts of Council for the years 1824 @ 1835	235 0 0	235 0 0
For Furniture for Public Offices	300 0 0	
Additional Sum required to complete the New Court House at Woolloomooloo	2,000 0 0	
For Erecting a Watch House, Kent-street, Sydney	575 0 0	
For Repairs to the Court House at Windsor	300 0 0	
For Erecting Court and Watch Houses at Yass, Vale of Clwyd, and Patrick's Plains	3,695 0 0	
Towards Building a Gaol and Court House at Goulburn	1,000 0 0	
For Repairs to Sydney Gaol	310 0 0	
For erecting two cells, and making certain additions to the Debtors' Prison, Sydney	120 0 0	
For Repairs to Newcastle Gaol	203 0 0	
Towards constructing the Breakwater at Newcastle, the further Sum of	1,180 6 0	
Towards the Work required in clearing the Parramatta River, the further Sum of	300 0 0	
		9,983 6 0
For the Colonial Services of the Royal Engineer, Commanding, from 1st January—For Salary	500 0 0	
For Travelling Expenses	100 0 0	
		600 0 0
To the representatives of the late Deputy Commissary General, James Laidley, as a remuneration for services rendered to the Colony, from 25th June, 1827, to 31st December, 1831, being 1651 days, at 10s. per diem, as recommended by the Right Honorable the Secretary of State, in his Lordship's Despatch of 16th October, 1835, No. 62		825 10 0
TOTAL AMOUNT.		£ 24,086 7 5½

ALEXANDER M'LEAY,
Colonial Secretary.

ABSTRACT of the Estimated Expenditure of the Colonial Government, for the Year 1837.

No.	SERVICE.	SALARIES.			CONTINGENCIES.			TOTALS.		
		£	s.	d.	£	s.	d.	£	s.	d.
I.	His Excellency the Governor and Judges	10,000	0	0				10,000	0	0
II.	Civil Establishment	22,615	6	3	9,427	13	7½	32,042	19	10½
III.	Survey and Public Works	14,275	15	0	29,689	11	0	43,965	6	0
IV.	Judicial Establishment	11,643	18	9	8,585	5	0	20,229	3	9
V.	Police and Gaols	31,224	0	10	13,976	12	6	45,200	13	4
VI.	Church Establishment	11,557	10	0	7,610	0	0	19,167	10	0
VII.	School Establishment	996	3	6	12,018	15	5	13,014	18	11
VIII.	Military Establishment	91	5	0				91	5	0
IX.	Pensions	860	0	0				860	0	0
X.	Miscellaneous Services				56,101	14	10	56,101	14	10
		103,263	19	4	137,409	12	4½			
								£ 240,673	11	8½

Amounting in all to Two Hundred and forty, Thousand, Six hundred and seventy-three Pounds, Eleven Shillings, and Eight-pence Half-penny.

ALEXANDER M'LEAY,
Colonial Secretary.

I. & II. Estimate of the Salaries of His Excellency the Governor and Judges, and of the Probable Expenses of the Civil Establishments, forming a charge on the Treasury of New South Wales, for the year 1837.

	Amount under each Head.	TOTALS.
	£ s. d.	£ s. d.
I.—THE GOVERNOR AND JUDGES.		
His Excellency the Governor	5,000 0 0	
The Chief Justice	2,000 0 0	
The two Puisne Judges	3,000 0 0	
Estimated Charge for the Salaries of the Governor and Judges		10,000 0 0
II.—CIVIL ESTABLISHMENT.		
ESTABLISHMENT OF HIS EXCELLENCY THE GOVERNOR.		
Private Secretary.	300 0 0	
Messenger, at 1s. 9d. per diem	31 18 9	
		331 18 9
EXECUTIVE AND LEGISLATIVE COUNCILS.		
Clerk of the Councils	600 0 0	
Copying Clerk	100 0 0	
Messenger, at 2s. 9d. per diem	50 3 9	
Housekeeper	20 0 0	
Extra Clerk and Doorkeeper, at 1s. 9d. per diem.	31 18 9	
	802 2 6	
Petty Expenses	15 0 0	
		817 2 6
<i>Amount carried forward</i>		£ 1,149 1 3

ESTIMATE, continued.

II.—CIVIL ESTABLISHMENT, continued.	Amount under each Head.	TOTALS.
	£ s. d.	£ s. d.
<i>Amount brought forward.</i>		1,149 1 3
COLONIAL SECRETARY.		
Colonial Secretary	2,000 0 0	
Assistant Colonial Secretary	450 0 0	
Nine Clerks—two at £300, three at £225 each, one at £200, one at £190, one at £165, and one at £150 per annum	1,980 0 0	
Officekeeper, at 2s. 6d. per diem	45 12 6	
Two Messengers—one at £50 per annum, and one at 2s. 3d. per diem	91 1 3	
Watchman, at 2s. 10d. per diem	51 14 2	
	4,618 7 11	
<i>Seven Temporary Clerks for Preparing Indents, making out Deeds of Grant of Land, and Assisting in the Current Duties, at 5s. per diem each.</i>	638 15 0	
<i>Newspapers for Record, and the Secretary of State</i>	65 0 0	
<i>Petty Expenses</i>	4 0 0	
	707 15 0	
		5,326 2 11
COLONIAL ARCHITECT AND SURVEYOR OF BUILDINGS.		
Colonial Architect	400 0 0	
Foreman of Works	160 0 0	
Clerk	120 0 0	
Superintendent of Government Clocks	120 0 0	
Gatekeeper, at 2s. 6d. per diem	45 12 6	
Messenger, at 1s. 9d. per diem	31 18 9	
	877 11 3	
<i>Rations and Clothing for eight Mechanics and four Watchmen, at 9d. per diem each</i>	164 5 0	
<i>Forage Allowance to the Colonial Architect, at 2s. 6d. per diem</i>	45 12 6	
<i>Travelling and Incidental Expenses</i>	80 0 0	
	289 17 6	
		1,167 8 9
COMMISSIONER FOR THE ASSIGNMENT OF CONVICT SERVANTS.		
Commissioner	300 0 0	
Messenger, at 1s. 9d. per diem	31 18 9	
	331 18 9	
<i>Petty Expenses</i>	5 0 0	
		336 18 9
COLONIAL TREASURY.		
Colonial Treasurer	1,000 0 0	
Two Clerks—one at £300, and one at £135 per annum	435 0 0	
Messenger and Officekeeper, at 2s. 6d. per diem	45 12 6	
	1,480 12 6	
<i>Petty Expenses</i>	5 0 0	
		1,485 12 6
<i>Amount carried forward.</i>	£	9,465 4 2

ESTIMATE, continued.

II.—CIVIL ESTABLISHMENT, continued.	Amount under each Head.	TOTALS.
	£ s. d.	£ s. d.
<i>Amount brought forward.</i>		9,465 4 2
AUDIT OFFICE.		
Auditor General	650 0 0	
Chief Clerk	275 0 0	
Three Clerks—one at £190, one at £180, and one at £120 per annum	490 0 0	
Four Assistant Clerks—one at £100 per annum, two at 5s., and one at 3s. per diem each	337 5 0	
Messenger, at 1s. 9d. per diem	31 18 9	
	1,784 3 9	
<i>Cases for transmitting Accounts, and Petty-Expenses</i>	6 0 0	1,790 3 9
CUSTOMS.		
Collector	1,000 0 0	
Controller	600 0 0	
Five Clerks—one at £300, one at £250, two at £200, and one at £150 per annum each	1,100 0 0	
Four Landing Waiters at Sydney—one at £300, two at £250, and one at £200 per annum each	1,700 0 0	
Landing Waiter at Newcastle	300 0 0	
Coast Waiter at Botany Bay	150 0 0	
Three Lockers—one at £200, one at £150, and one at £180 per annum	530 0 0	
Four Tide Waiters at Sydney—two at £200, and two at £100 per annum each	900 0 0	
Tide Waiter at Newcastle	100 0 0	
Housekeeper	20 0 0	
Two Messengers, at 1s. 9d. per diem each	63 17 6	
Porter at the King's Wharf, at 2s. 9d. per diem	41 1 3	
Revenue Cutter, <i>Prince George</i> —Commander, one at £300; Chief Mate at 4s.; Carpenter at 3s. 6d.; Boatswain at 2s.; Steward at 2s., seven Seamen at 1s. 10d. each, and a boy at 10d. per diem	531 2 1	
Custom House Boat at Sydney—Coxswain at 1s. and seven Boatmen at 8d. per diem each	108 8 4	
Custom House Boat at Newcastle—Coxswain at 9d., and three Boatmen at 7d. per diem each	41 1 3	
	4,991 0 5	
<i>Hire of extra Tide Waiters</i>	600 0 0	
<i>Table Money to the two Officers of the Revenue Cutter, at 1s. 6d. per diem each</i>	54 15 0	
<i>Rations to the Crew of the Revenue Cutter, eleven, at 1s. 6d. per diem each</i>	301 2 6	
<i>Rations to the Boat's Crew at Sydney, eight, at 10½d. per diem each</i>	127 16 0	
<i>Clothing for ditto, ditto</i>	70 0 0	
<i>Rations to the Boat's Crew at Newcastle—four, at 1s. 4d. per diem each</i>	97 6 8	
<i>Clothing for ditto, ditto</i>	35 0 0	
<i>Rent of the Custom House</i>	250 0 0	
<i>Stores, Utensils, and Repairs for the Revenue Cutter</i>	250 0 0	
<i>Ditto, ditto for Boats</i>	20 0 0	
<i>Postage and Incidental Expenses</i>	10 0 0	
	1,815 19 2	7,806 19 7
<i>Amount carried forward.</i>	£	19,062 7 6

ESTIMATE, continued.

II—CIVIL ESTABLISHMENT, continued.	Amount under each Head.	TOTALS.
	£ s. d.	£ s. d.
<i>Amount brought forward.</i>		19,062 7 6
INTERNAL REVENUE.		
Collector:	600 0 0	
Chief Clerk	250 0 0	
Seven Clerks—one at £180, one at £160, one at £140, one at £120, one at £100 per annum, and two at 5s. per diem each.	882 10 0	
Two Clerks of the Market, Sydney, at 3s. 3d. per diem each	118 12 6	
Messenger, at 2s. 6d. per diem	45 12 6	
Watchman, at 2s. 10d. per diem.	51 14 2	
	1,948 9 2	
<i>Postage of Twopenny Post Letters</i>	10 0 0	
<i>Auctioneer's Commission</i>	360 0 0	
<i>Travelling Expenses</i>	10 0 0	
<i>Newspapers</i>	3 0 0	
<i>Incidental Expenses</i>	5 0 0	
	388 0 0	2,336 9 2
POST OFFICES.		
Postmaster General	500 0 0	
Accountant	250 0 0	
Inland Letter Clerk	150 0 0	
Letter Sorter	130 0 0	
Two Clerks, at £100 per annum each	200 0 0	
Five Letter Carriers—one at £60, one at £55, and three at £50 per annum each	265 0 0	
Officekeeper, at 2s. 6d. per diem.	45 12 6	
	1,640 12 6	
<i>Commission to Postmasters</i>	550 0 0	
<i>Conveyance of Inland Mails</i>	2,500 0 0	
<i>Conveyance of Coast Mails</i>	300 0 0	
<i>Allowance to Pilots for landing the Mails</i>	20 0 0	
<i>Allowance to Masters of Vessels, for Conveyance of Letters to and from Foreign Ports</i>	140 0 0	
<i>Allowance to twenty-six Postmasters, for Light for Sealing Mails, and for Night Duty, at 30s. per annum each</i>	30 0 0	
<i>Uniforms for Letter Carriers</i>	30 0 0	
<i>Mail Boxes and Bags, Brass Plates, Stamps, and Incidental Expenses</i>	75 0 0	
	3,654 0 0	5,194 12 6
COLONIAL DISTILLERIES.		
Surveyor.	300 0 0	300 0 0
INSPECTORS OF SLAUGHTER HOUSES AND OF CATTLE INTENDED FOR SLAUGHTER.		
Inspector at Sydney	160 0 0	
Allowance for a Horse	40 0 0	
		200 0 0
Inspector at Parramatta, } Authorized to retain the Fees Inspector at Liverpool, } collected by each.		
<i>Amount carried forward.</i>	£	27,093 9 2

ESTIMATE, continued.

II.—CIVIL ESTABLISHMENT, continued.	Amount under each Head.	TOTALS.
	£ s. d.	£ s. d.
<i>Amount brought forward.</i>		27,093 9 2
COLONIAL BOTANIST.		
Colonial Botanist.	200 0 0	
Assistant Superintendent.	80 0 0	
Overseer, at 8d. per diem.	12 3 4	
	292 3 4	
<i>Two Collectors of Specimens in the Interior, at £16 per annum each</i>	32 0 0	
<i>Rations and Clothing to forty Prisoners of the Crown, at 9d. per diem each</i>	547 10 0	
<i>Forage and Farriery for two Cart Horses</i>	60 0 0	
<i>Tools, Implements, and Incidental Expenses</i>	100 0 0	
	739 10 0	
GOVERNMENT DOMAIN, PARRAMATTA.		1,031 18 4
Superintendent	80 0 0	
Two Overseers—one at 1s., and one at 8d. per diem	30 8 4	
	110 8 4	
<i>Rations and Clothing to Thirty Prisoners of the Crown, at 9d. per diem each</i>	410 12 6	
<i>Forage and Farriery for Four Horses.</i>	110 0 0	
<i>Tools, Implements, and Repairs</i>	45 0 0	
	565 12 6	
HARBOUR MASTER.		676 0 10
SYDNEY.		
Harbour Master	500 0 0	
Two Overseers of Dredging Punt—one at 2s. 3d., and one at 8d. per diem	53 4 7	
	553 4 7	
<i>Rations, Clothing, and Bedding to Twelve Boatmen, at 1s. per diem each</i>	219 0 0	
<i>Repairs to Boats</i>	40 0 0	
	259 0 0	
PORT MACQUARIE.		812 4 7
Harbour Master	75 0 0	
Two Boatmen—one at 2s. 3d., and one at 1s. 9d. per diem	73 0 0	
	148 0 0	
<i>Repairs to Telegraphs, Punts, and Boats</i>	25 0 0	
<i>Incidental Expenses</i>	60 0 0	
	85 0 0	
LIGHT HOUSE, SOUTH HEAD.		233 0 0
Superintendent	80 0 0	
<i>Oil</i>	100 0 0	
<i>Rations and Clothing to four Prisoners of the Crown, at 10d. per diem each</i>	60 16 8	
<i>Forage and Farriery for one Horse</i>	54 15 0	
<i>Incidental Expenses</i>	20 0 0	
	235 11 8	
		315 11 8
<i>Amount carried forward.</i>	£	30,161 19 7

ESTIMATE, continued.

II—CIVIL ESTABLISHMENT, continued.	Amount under each Head.	TOTALS.
	s. d.	£ s. d.
Amount brought forward.		30,161 19 7
HARBOUR MASTER, continued.		
NEWCASTLE.		
Harbour Master and Pilot.	50 0 0	
Rations, Clothing, and Bedding for three Prisoners of the Crown attending the Light at 1s. 3d. per diem each	38 0 0	
Oil for the Light	26 0 0	
Incidental Expenses	10 0 0	
	124 0 0	124 0 0
TELEGRAPH STATIONS.		
Four Telegraph Masters, at £12 per annum each.	48 0 0	
Rations, Clothing, and Bedding to eight Prisoners of the Crown, at 10d. per diem each	121 13 4	
Signal Flags and Incidental Expenses.	54 0 0	
	175 13 4	223 13 4
FLOATING LIGHT VESSEL, NEAR THE ENTRANCE OF FORT JACKSON.		
Superintendent, at 3s. 6d. per diem	63 17 6	
Four Seamen, at 1s. 9d. per diem each	127 15 0	
	191 12 6	
Rations for five men, at 8d. per diem each	64 12 8½	
Fuel and Light for the Crew	15 0 0	
Oil, Cotton Wick, and Articles for cleaning the Lamps.	56 8 0	
	136 0 8½	327 13 2½
AUSTRALIAN MUSEUM.		
Towards the Support of the Institution	200 0 0	200 0 0
HOUSEKEEPING.		
Of the Public Offices, Macquarie-street, Sydney	25 0 0	25 0 0
AGENTS AND RESIDENTS ABROAD.		
Colonial Agent General	250 0 0	
British Resident, New Zealand	500 0 0	
	750 0 0	
Donations of Provisions and Clothing to New Zealand Chiefs and Natives	200 0 0	950 0 0
ESTIMATED CHARGE OF THE CIVIL ESTABLISHMENT.	£	32,042 19 10½

ALEXANDER M'LEAY,
Colonial Secretary.

III—ESTIMATE of the Probable Expenses of the Departments of Survey and Public Works, forming a charge on the Treasury of New South Wales, for the year, 1837.

III.—DEPARTMENTS OF SURVEY AND PUBLIC WORKS.	Amount under each Head.	TOTALS.
	£ s. d.	£ s. d.
SURVEYOR GENERAL.		
SURVEY BRANCH.		
Surveyor General	1,000 0 0	
Deputy Surveyor General	650 0 0	
Three Surveyors—one at £400, one at £375, and one at £350 per annum	1,125 0 0	
Eleven Assistant Surveyors—seven, at £300, one at £290, two at £240, and one at £220 per annum each	3,090 0 0	
Principal Draftsman	400 0 0	
Four Draftsmen—two at £200, one at £190, and one at £160 per annum each	750 0 0	
Seven Clerks—one at £250, one at £200, one at £140, one at £130, and three at £100 per annum each	1,020 0 0	
Two Messengers, at 1s. 9d. per diem each	63 17 6	
Ten Overseers of Surveying Parties, at 8d. per diem each	421 13 4	
	8,920 10 10	
Forage Allowance to fourteen Surveyors and Assistant Surveyors, at 2s. 6d. per diem each	638 15 0	
Rations to fourteen Surveyors and Assistant Surveyors, when in the Field, at 1s. per diem each	255 10 0	
Rations, Clothing, and Bedding to ninety Prisoners of the Crown, at £20 per annum each	1,800 0 0	
Surveying Instruments and Equipments to fourteen Surveyors and Assistant Surveyors, at £45 per annum each	630 0 0	
Purchase of twenty Draught Oxen, to replace Casualties, at £8 10s. each	170 0 0	
Purchase of fifteen Pack Horses for Surveying Parties, and to replace Casualties, at £25 per annum each	375 0 0	
Forage for Horses and Oxen	700 0 0	
Incidental Expenses	50 0 0	
	4,619 5 0	12,839 15 10
ROAD BRANCH.		
Three Assistant Surveyors—two at £300 each, and one at £295 per annum	895 0 0	
Superintendent of Bridges	250 0 0	
Two Assistant ditto, at £100 per annum each	200 0 0	
Two Clerks—one at £120, and one at £100 per annum	220 0 0	
Storekeeper	110 0 0	
Three Sub-Inspectors, at 4s. 6d. per diem each	246 7 6	
Overseer of Stock, at 1s. 9d. per diem	31 18 9	
Seventy-five Overseers and Assistant Overseers—five at 3s., thirty at 2s., five at 1s. 6d., and thirty-five at 1s. per diem each	2,144 7 6	
Eight Clerks, (bond) two at 1s., and six at 3d. per diem each	109 10 0	
	4,207 3 9	
Forage Allowance for two Horses to the Surveyor General, for one Horse each to the Deputy Surveyor General and to three Assistant Surveyors, at 2s. 6d. per diem	273 15 0	
Ditto for one Horse each to the Superintendent of Bridges, at 2s. 6d., and to three Sub-Inspectors, at 2s. per diem	155 2 6	
Forage for three hundred Oxen, at 9d. per diem each	4,106 5 0	
Cost of two hundred Draught Oxen, to replace Casualties, and for additional Gangs, at £8 10s. each	1,700 0 0	
Gunpowder for blasting, 20,000 lbs., at 1s. per lb.	1,000 0 0	
Carts, Tools, Stores, and Incidental Expenses	3,000 0 0	
Gratuities of Tea, Sugar, and Tobacco, to deserving Mechanics	350 0 0	
	10,585 2 6	14,792 6 3
Amount carried forward.	£	27,632 2 1

ESTIMATE, continued.

III.—DEPARTMENT OF SURVEY, &c., continued.	Amount under each Head.	TOTALS.
	£ s. d.	£ s. d.
<i>Amount brought forward.</i>		27,632 2 1
SURVEYOR GENERAL, continued.		
SYDNEY TOWN BRANCH.		
Town Surveyor	400 0 0	
Sub-Inspector	120 0 0	
Thirteen Overseers—seven at 3s. and six at 1s. per diem each	402 15 0	
Overseer of Stock at Carters' Barrack, at 2s. per diem	36 10 0	
Clerk, at 8d. per diem	12 3 0	
Doorkeeper, Town Surveyor's Office, at 1s. 9d. per diem	31 18 0	
	1,093 15 0	
<i>Forage Allowance to the Town Surveyor, at 2s. 6d., and to the Sub-Inspector, at 2s. per diem</i>	82 2 6	
<i>Forage for Horses and Oxen</i>	2,000 0 0	
<i>Gunpowder for blasting, 7,000lbs., at 1s. per lb.</i>	350 0 0	
<i>Carts, Tools, Stores, and Incidental Expenses</i>	1,200 0 0	
<i>Cost of ten Horses at £25 each</i>	250 0 0	
<i>Conveyance of Stone from Pennant Hills, for Metalling Sydney Streets</i>	3,500 0 0	
	7,982 2 6	8,475 9 7
MINERAL SURVEYOR.		
Mineral Surveyor	300 0 0	
Principal Overseer	200 0 0	
Two Overseers—one at £60, and one at 2s. 6d. per diem	105 12 0	
Stonemason and Builder, at 5s., and a Turncock, at 2s. 6d. per diem	136 17 6	
Clerk, at 8d. per diem	12 3 4	
	754 18 4	
<i>Rations, Clothing, and Bedding for one hundred men, employed on the Aqueduct, for supplying Sydney with water, at 1s. 3d. per diem each</i>	2,281 5 0	
<i>Gratuities of Tea, Sugar, and Tobacco, to deserving Miners and Mechanics</i>	195 0 0	
<i>Plank for Piling in Embankment, 25,500 feet of three inch, at 40s. per 100 feet</i>	510 0 0	
<i>Coals, Timber, and other Stores, Tools, and Incidental Expenses</i>	184 16 0	
TO BE PURCHASED IN ENGLAND.		
<i>3,000 feet of nine inch, and 50,000 feet of three inch Pipe, estimated to weigh 378 tons, at £9 per ton</i>	3,402 0 0	
<i>10 Tons of Lead, at £20 per Ton, 50 small Locks, at £4 each, 4 large Stop Cocks, at £10 each, and 3 Tons of Oakum, at £30 per ton</i>	530 0 0	
	7,103 1 0	7,857 14 4
ESTIMATED CHARGE FOR THE DEPARTMENTS OF SURVEY AND PUBLIC WORKS	£	43,965 6 0

ALEXANDER M'LEAY,
Colonial Secretary.

IV.—ESTIMATE of the probable Expenses of the Judicial Establishment, forming a charge on the Treasury of New South Wales, for the year 1837.

IV.—JUDICIAL ESTABLISHMENT.		Amount under each Head.	TOTALS.
		£ s. d.	£ s. d.
SUPREME COURT.			
Registrar		800 0 0	
Chief Clerk		550 0 0	
Four Clerks—one at £350, one at £160, one at £130, and one at £90 per annum		730 0 0	
Clerks to the Judges—three at £150 per annum each		450 0 0	
Crier		50 0 0	
Assistant Crier and Messenger, at 2s. 3d. per diem		41 1 3	
Three Tipstaffs, at 2s. 3d., per diem each		123 3 9	
Court-keeper		35 0 0	
Messenger, at 1s. 9d. per diem		31 18 9	
		2,551 3 9	
<i>Extra Clerk in the Registrar's Office at 5s. per diem</i>		91 5 0	
<i>Allowances to Witnesses for Travelling and Attendance</i>		3,000 0 0	
<i>Allowances to Officers for serving as Jurors</i>		250 0 0	
<i>Allowances to Civil Jurors</i>		600 0 0	
<i>Petty Expenses</i>		5 0 0	
		4,546 5 0	7,357 8 9
LAW OFFICERS OF THE CROWN.			
Attorney General		1,200 0 0	
Clerk to ditto		150 0 0	
Messenger to ditto, at 1s. 9d. per diem		31 18 9	
Solicitor General.		800 0 0	
Clerk to ditto		120 0 0	
Messenger to ditto at 1s. 9d. per diem		31 18 9	
Crown Solicitor		500 0 0	
Clerk to ditto		120 0 0	
			2,953 17 6
COURTS OF REQUESTS			
Commissioner		800 0 0	
Ten Registrars—one at £320, four at £80, one at £70, three at £30, and one at £20 per annum		820 0 0	
Two Clerks—one at £150, and one at £100 per annum		250 0 0	
Eleven Bailiffs—one at £100, one at £75, five at £50, three at £25, and one at £15 per annum		515 0 0	
Messenger, at 1s. 9d. per diem		31 18 9	
		2,416 18 9	
<i>Travelling Expenses of the Commissioner at 40s. per diem</i>		120 0 0	
<i>Postage</i>		300 0 0	
<i>Incidental Expenses</i>		30 0 0	
		450 0 0	2,866 18 9
QUARTER SESSIONS.			
Chairman		450 0 0	
Clerk of the Peace for the County of Cumberland, at £400, and for Maitland and for Bathurst at £50 per annum each.		500 0 0	
<i>Carried forward.</i>		950 0 0	
<i>Amount carried forward.</i>			13,178 5 0

ESTIMATE, continued.

IV.—JUDICIAL ESTABLISHMENT, continued.	Amount under each Head.			TOTALS.		
	£	s.	d.	£	s.	d.
<i>Amount brought forward.</i>				13,178	5	0
QUARTER SESSIONS, continued.						
<i>Brought forward.</i>	950	0	0			
<i>Allowances to Witnesses for Travelling and Attendance</i>	700	0	0			
<i>Allowances to Officers for serving as Jurors</i>	350	0	0			
<i>Allowances to ditto for Travelling Expenses</i>	750	0	0			
<i>Allowances to Civil Jurors</i>	325	0	0			
<i>Allowances to the Clerk of the Peace for the County of Cumberland for Travelling Expenses at 30s. per diem</i>	75	0	0			
<i>Allowances to Cryers and Tipstiffs</i>	156	0	0			
<i>Postage</i>	65	0	0			
<i>Incidental Expenses</i>	5	0	0			
	2,426	0	0	3,376	0	0
SHERIFF.						
<i>Sheriff</i>	1,000	0	0			
<i>Under Sheriff</i>	200	0	0			
<i>Two Clerks—one at £150, and one at £100 per annum</i>	250	0	0			
<i>Four Bailiffs—one at £200, one at £180, one at £175, and one at £135 per annum</i>	690	0	0			
<i>Messenger, at 1s. 9d. per diem</i>	31	18	9			
	2,171	18	9			
<i>Travelling Expenses of the Sheriff and Under Sheriff</i>	85	0	0			
<i> " of Gaolers and Constables attending the Quarter Sessions</i>	20	0	0			
<i> " of Bailiffs for Summoning Jurors</i>	108	0	0			
<i>Allowances to Special Constables</i>	90	0	0			
	303	0	0	2,474	18	9
CORONERS.						
<i>Seven Coroners—one at £100, and six at £40 per annum each</i>	340	0	0			
<i>Coroners' Fees on Inquests at 20s. each</i>	250	0	0			
<i>Surgeons' Fees on Inquests at 40s. each</i>	480	0	0			
<i>Allowances to Coroners for Travelling Expenses at 9d. per mile.</i>	70	0	0			
<i>Rewards for taking up Dead Bodies</i>	10	0	0			
<i>Coffins</i>	50	0	0			
	860	0	0	1,200	0	0
ESTIMATED CHARGE OF THE JUDICIAL ESTABLISHMENT.				20,229	3	9

ALEXANDER M'LEAY,
Colonial Secretary.

V.—ESTIMATE of the probable Expenses of the Police and Gaol Establishments, forming a charge on the Treasury of New South Wales, for the year 1837.

V.—POLICE AND GAOLS.		Amount under each Head.	TOTALS.
POLICE.		£ s. d.	£ s. d.
SYDNEY.			
Three Police Magistrates—one at £700, one at £400, and one at £300 per annum		1,400 0 0	
Nine Clerks—one at £250, two at £150, one at £120, three at £100, one at £80, and one at £60 per annum.		1,110 0 0	
Chief Constable		150 0 0	
Assistant Chief Constable.		100 0 0	
Superintendent		100 0 0	
Six Inspectors at 4s. per diem each		438 0 0	
Twenty Serjeants, at 3s. 3d. per diem each		1,180 5 0	
One hundred and fourteen Constables, at 2s. 10d. per diem each		5,894 15 0	
One District Constable, at 3s. per diem		54 15 0	
Eight Constables at Out Stations, at 2s. 3d. per diem each		328 10 0	
One Conductor of Water Police, at 3s. 6d. per diem		63 17 6	
Eight Boatmen, at 8d. per diem each		97 6 8	
Two Messengers, at 8d. per diem each		24 6 8	
Office-keeper		20 0 0	
		10,967 15 10	
<i>Rations to the Conductor of the Water Police at 6d. per diem, and Rations and Clothing for eight Boatmen and two Messengers at 1s. per diem each.</i>		191 12 6	
<i>Rations to Prisoners in custody of the Police.</i>		400 0 0	
<i>Rewards for Destroying Dogs.</i>		400 0 0	
<i>Supplying Water to Watch-houses and other Buildings.</i>		120 0 0	
<i>Removing Nuisances from the Streets.</i>		140 0 0	
<i>Stationery, Printing, and Bookbinding</i>		150 0 0	
<i>Fuel and Light</i>		50 0 0	
<i>Incidental Expenses</i>		200 0 0	
		1,651 12 6	12,610 8 4
COUNTRY DISTRICTS.			
Fifteen Police Magistrates—four at £300, ten at £250, and one at £200 per annum		3,900 0 0	
Twenty Clerks—four at £150, two at £120, thirteen at £100, and one at £90 per annum		2,230 0 0	
One Assistant Clerk at Windsor, at 1s. 5d. per diem		25 17 1	
Twenty Chief Constables—two at £130, five at £100, one at £80, and twelve at £75 per annum each		1,740 0 0	
Seventeen District Constables, at 3s. per diem each		930 15 0	
Twenty-three Watch-house Keepers, at 3s. per diem each.		1,259 5 0	
One hundred and sixty-nine Constables, at 2s. 3d. per diem each.		6,939 11 3	
Twenty-five Scourgers, at 1s. 9d. per diem each		798 8 9	
		17,823 17 1	
<i>Rations to Prisoners in custody of the Police</i>		2,000 0 0	
<i>Rents of Court-houses.</i>		150 0 0	
<i>Rewards for Destroying Dogs.</i>		200 0 0	
<i>Stationery and Printing</i>		400 0 0	
<i>Fuel and Light</i>		100 0 0	
<i>Postage and Incidental Expenses</i>		700 0 0	
<i>Repairs of Buildings.</i>		600 0 0	
		4,150 0 0	21,973 17 1
<i>Amount carried forward.</i>		£	34,593 5 5

ESTIMATE, continued.

V.—POLICE AND GAOLS, continued.	Amount under each Head.			TOTALS.		
	£	s.	d.	£	s.	d.
<i>Amount brought forward.</i>	.	.	.	34,593	5	5
GAOLS.						
SYDNEY GAOL.						
Principal Gaoler	250	0	0			
Two Chaplains—one at £50, and one at £25 per annum	75	0	0			
One Clerk, at 4s. 6d. per diem	82	2	6			
Three Turnkeys—one at £75 per annum, and two at 2s. 10d. per diem each	178	8	4			
Nine Constables, at 2s. 10d. per diem each	465	7	6			
Two Executioners—one at 2s. 10d. and one at 1s. per diem	69	19	2			
	1,120 17 6					
<i>Allowance to the Principal Gaoler for House Rent</i>	50	0	0			
<i>Rations and Clothing for Prisoners confined in the Gaol</i>	3,000	0	0			
<i>Stationery and Printing</i>	50	0	0			
<i>Fuel and Light</i>	60	0	0			
<i>Bedding, Utensils, and Incidental Expenses</i>	600	0	0			
	3,760 0 0					
				4,880	17	6
DEBTORS' PRISON, SYDNEY.						
Gaoler	100	0	0			
Four Turnkeys—One at £75 per annum, and three at 2s. 10d. per diem each	230	2	6			
	330 2 6					
<i>Rations to Prisoners confined in the Gaol</i>	60	0	0			
<i>Clothing for Gaol Servants</i>	10	0	0			
<i>Fuel and Light</i>	25	0	0			
<i>Bedding, Utensils, and Incidental Expenses</i>	20	0	0			
	115 0 0					
				445	2	6
COUNTRY DISTRICTS.						
Six Gaolers—four at £80 per annum, and two at 2s. 10d. per diem each	423	8	4			
Twelve Constables and Turnkeys at 2s. 3d. per diem each	492	15	0			
Two Clerks—one at 2s. 3d. and one at 8d. per diem	53	4	7			
Matron at Newcastle	12	0	0			
	981 7 11					
<i>Rations and Clothing to Prisoners confined in the Gaols</i>	3,000	0	0			
<i>Stationery and Printing</i>	100	0	0			
<i>Fuel and Light</i>	200	0	0			
<i>Bedding, Utensils and Incidental Expenses</i>	500	0	0			
<i>Repairs of Buildings</i>	500	0	0			
	4,300 0 0					
				5,281	7	11
ESTIMATED CHARGE OF THE POLICE AND GAOL ESTABLISHMENTS.				£ 45,200	13	4

ALEXANDER M'LEAY,
Colonial Secretary.

VI.—ESTIMATE of the Probable Expenses of the Church Establishments, forming a charge on the Treasury of New South Wales, for the year 1837.

VI.—CHURCH ESTABLISHMENTS.	Amount under each Head.			TOTALS.		
	£	s.	d.	£	s.	d.
CHURCH OF ENGLAND.						
The Right Reverend the Lord Bishop of Australia	2,000	0	0			
Eighteen Chaplains—one at £560, two at £460 each, one at £350, ten at £250, three at £200 each, and one at £182 10s. per annum	5,112	10	0			
Allowance to the Chaplain for officiating at Sackville Reach	45	0	0			
Salary of the Rev. L. E. Threlkeld, employed in the Civilization of the Aborigines	150	0	0			
To provide Salaries for Six additional Chaplains expected to arrive from England in the year 1837	900	0	0			
	<hr/>			8,207	10	0
<i>Forage Allowance to twelve Chaplains at 2s. 6d. per diem each.</i>	547	10	0			
<i>Allowance for the maintenance of two Boatmen on the River Hawkesbury</i>	36	10	0			
<i>Allowance for the maintenance of four Convicts in the employ of the Rev. L. E. Threlkeld</i>	36	0	0			
<i>Travelling Expenses of Clergymen on Duty</i>	260	0	0			
<i>Rents of ten Parsonages</i>	630	0	0			
<i>Rents of Chapels</i>	110	0	0			
<i>Towards erecting Churches and Ministers' Dwellings, on condition of an equal sum being raised by Private Contributions.</i>	5,000	0	0			
	<hr/>			6,620	0	0
				14,827	10	0
PRESBYTERIAN CLERGY.						
Eight Ministers of the Established Church of Scotland—one at £300 and seven at £100 per annum each	1,000	0	0			
<i>Towards erecting a Church and Minister's Dwelling, on condition of an equal sum being raised by Private Contributions</i>	300	0	0			
	<hr/>			1,300	0	0
				1,300	0	0
ROMAN CATHOLIC CLERGY.						
The Right Rev. the Roman Catholic Bishop	500	0	0			
The Vicar General	200	0	0			
Five Roman Catholic Chaplains at £150 per annum each.	750	0	0			
To provide Salaries for six Chaplains expected to arrive from the United Kingdom in the year 1837, at £150 per annum each	900	0	0			
	<hr/>			2,350	0	0
<i>Allowances to Chaplains for Travelling Expenses</i>	90	0	0			
<i>Towards erecting Chapels and Ministers' Dwellings, on condition of an equal sum being raised by Private Contributions</i>	600	0	0			
	<hr/>			690	0	0
				3,040	0	0
ESTIMATED CHARGE OF THE CHURCH ESTABLISHMENTS.				£	19,167	10 0

ALEXANDER M'LEAY,
Colonial Secretary.

VII.—*ESTIMATE of the Probable Expenses of the School Establishments, forming a charge on the Treasury of New South Wales, for the year 1837.*

VII.—SCHOOL ESTABLISHMENTS.	Amount under each Head.		TOTALS.	
	£	s. d.	£	s. d.
CHURCH OF ENGLAND.				
KING'S SCHOOL.				
Master at Parramatta	100	0 0	100	0 0
MALE ORPHAN SCHOOL (190 Boys.)				
Master	150	0 0		
Surgeon	100	0 0		
Storekeeper, Monitors, and Servants	215	0 0		
	465	0 0		
<i>Food, Clothing, and Bedding.</i>	2,820	12 6		
<i>Household and Miscellaneous Expenses</i>	256	2 11		
<i>Rewards to Boys for good Conduct</i>	12	0 0		
	3,088	15 5	3,553	15 5
FEMALE ORPHAN SCHOOL (170 Girls.)				
Matron	130	0 0		
Surgeon	100	0 0		
Superintendent	80	0 0		
Teachers, Monitresses, and Servants	121	3 6		
	431	3 6		
<i>Food, Clothing, and Bedding.</i>	1,650	0 0		
<i>Household and Miscellaneous Expenses</i>	170	0 0		
	1,820	0 0	2,251	3 6
PAROCHIAL SCHOOLS.				
Towards the support of the Parochial Schools, of the Church of England, at present established in the Colony	3,150	0 0	3,150	0 0
PRESBYTERIAN.				
Towards the support of Presbyterian Schools, in sums not exceeding the amount of Private Contributions	240	0 0	240	0 0
ROMAN CATHOLIC.				
Towards the support of Roman Catholic Schools, at present established in the Colony	720	0 0	720	0 0
NATIONAL.				
Towards the establishment of National Schools	3,000	0 0	3,000	0 0
ESTIMATED CHARGE OF THE SCHOOL ESTABLISHMENTS.	£		13,014	18 11

ALEXANDER McLEAY,
Colonial Secretary.

VIII & IX.—*ESTIMATE of the Probable Expenses of the Military Establishment, and of the Pensions, forming a charge on the Treasury of New South Wales, for the year 1837.*

	Amount under each Head.			TOTALS.		
	£	s.	d.	£	s.	d.
VIII.—MILITARY.						
Forage Allowance to the Commandants of Military Districts	91	5	0			
ESTIMATED CHARGE OF THE MILITARY ESTABLISHMENTS .				91	5	0
IX.—PENSIONS.						
PAYABLE IN ENGLAND.						
Mrs. Cobb (late Mrs. Bent) Widow of Judge Advocate Bent	200	0	0			
Mrs. Lewin, Widow of Coroner Lewin	50	0	0			
Mrs. Jamison, Widow of Surgeon Jamison	40	0	0			
Mrs. Thompson, Widow of Surgeon Thompson	30	0	0			
				320	0	0
PAYABLE IN THE COLONY.						
Mrs. King, Widow of Governor King	200	0	0			
Mrs. Mileham, Widow of Surgeon Mileham	100	0	0			
Mr. John Rodman, late Gaoler, Sydney	70	0	0			
Mr. John Gowen, late Commissariat Storekeeper.	50	0	0			
Mr. Thomas Taber, Senior, late Master of the Public School and Clerk of St. Philip's Church, Sydney.	70	0	0			
Mr. Joseph Harper, late Master of the Public School, Windsor	50	0	0			
				540	0	0
ESTIMATED CHARGE OF PENSIONS. £				860	0	0

ALEXANDER M'LEAY,
Colonial Secretary.

X.—*ESTIMATE of the Probable Expenses of the Miscellaneous Services, forming a charge on the Treasury of New South Wales, for the year 1837.*

	Amount under each Head.			TOTALS.		
	£	s.	d.	£	s.	d.
X.—MISCELLANEOUS SERVICES.						
Stationery, Printing, Bookbinding, Gazettes, and Almanacks, for the several Colonial Departments				2,200	0	0
Fuel and Light for the same				200	0	0
Customs. { Drawbacks on the Re-exportation of Foreign Goods.	250	0	0			
{ Restitution of Duty on Spirits issued to the Troops, by the several Contractors	10,000	0	0			
				10,250	0	0
To meet the Expenses of the Commission for Hearing and Determining on Claims to Grants of Land				600	0	0
To meet the Expenses of the Management of the Church and School Estates				1,070	0	0
Aborigines. { In Aid of the Mission to the Aborigines, by the Church Missionary Society	500	0	0			
{ Donations of Provisions, Blankets, and Clothing	850	0	0			
				1,350	0	0
Towards the support of the Sydney School of Arts				200	0	0
<i>Amount carried forward.</i> £				15,870	0	0

ESTIMATE, continued.

X.—MISCELLANEOUS SERVICES, continued		Amount under each Head.			TOTALS.		
		£	s.	d.	£	s.	d.
<i>Amount brought forward.</i>					15,870	0	0
Public Works.	Casual Repairs to Government Houses, Courts of Justice, and other Colonial Public Buildings	2,000	0	0			
	Furniture for Government Houses, and Public Offices	800	0	0			
	Lighting the Lamps in the Streets of Sydney	300	0	0			
	For Firemen to Work the Engines in Sydney, when required	105	0	0			
	In part of the Expenses of Building a New Government House at Sydney.	10,000	0	0			
	For Building a Seed Room in the Botanic Garden, and a Barrack for lodging the men employed therein	450	0	0			
	For Building Court and Watch-houses at Morton and Invermein.	3,000	0	0			
	Towards Building a Gaol and Court House at Goulburn	6,000	0	0			
	Towards Building a Gaol at Maitland	5,000	0	0			
	For Building Twelve Solitary Cells in the Gaol at Windsor	438	0	0			
	Towards Building the Lunatic Asylum at Tarban Creek, the further sum of	5,000	0	0			
	For Constructing a Bridge over the Stream at the bottom of William's Street, near Hyde Park	400	0	0			
	For Constructing a Bridge over the Stream near Rusheutter's Bay	1,400	0	0			
	Towards Constructing the Breakwater at Newcastle, the further sum of	738	14	10			
					35,631	14	10
For the Colonial Services of the Royal Engineer Commanding—							
For Salary		500	0	0			
For Travelling Expenses		100	0	0			
					600	0	0
To meet Unforeseen Expenses on occasions of emergency, to be hereafter accounted for					4,000	0	0
ESTIMATED CHARGE OF THE MISCELLANEOUS SERVICES.					£	56,101	14 10

ALEXANDER McLEAY,
Colonial Secretary.

COMMISSARIAT CLAIMS.

DESPATCH from the Right Honorable Lord Glenelg, to His Excellency Sir Richard Bourke, K. C. B.

Downing-street,
1st August, 1835.

SIR,

I have received your Despatch, No. 77, of the 3rd of September last, enclosing a Copy of an Act, No. 14, Passed by the Legislative Council of your Government, on the 22nd August last, for appropriating the sum of £36,584 16s. 4½d, towards the liquidation of certain claims of the Commissariat Department on the Colonial Treasury, and having conferred with the Lords Commissioners of the Treasury upon the suggestion contained in your Despatch, I have to acquaint you, that, as the claims of the Commissariat Department upon the Colonial Treasury, for supplies furnished for the service of the Civil Government since the commencement of the year 1832, have been regularly adjusted, and considering also, the recent transfer of charges to a considerable amount for Police, and other services, to the Colonial Funds, His Majesty's Government are prepared to remit any further claims upon the Civil Government of New South Wales, on account of supplies furnished prior to the year 1832.

I am, &c.
GLENELG.

BREAKWATER

BREAKWATER AT NEWCASTLE.

REPORT on the State of the Breakwater at Newcastle, when taken over by Captain Barney, Commanding Royal Engineer, on the 9th June, 1836.

Very little progress appears to have been made towards the completion of this important work for some time past, and the material being of bad description, the inner face of the work is in a rapid state of decomposition; a breach of considerable extent has been effected, and other parts exhibit such symptoms of failure (consequent upon defective section) as lead to the apprehension of serious injury, should a heavy sea set in from the southward.

I lost no time in giving directions for making the road-way to the breach accessible, and of obtaining material for the desired repair. This completed, I propose to strengthen the section to the extent of the existing work, and by the establishment of a party on Nobby's Island, commence a junction of the line of Breakwater from that extremity.

In reference to the completion of this work, some progress has been made in the preparation of a truckway, with necessary gear, by which labor will be much assisted; and I consider that the uninterrupted employ of two hundred prisoners, (with the aid of the machinery contemplated, and well supplied with other necessary working implements) should complete the Breakwater in five years, unless unforeseen circumstances occur, over which I can have no control.

The state of the implements handed over to my charge, is such, as to render a large estimated amount necessary for the supply, under this head of service; for the current year; and it is essential that full provision be made to meet future demands, as well as to provide for efficient superintendence.

I am hardly prepared to afford a positive opinion upon the sum required to complete the work; but as far as my judgment admits, I consider £3,000 will be sufficient.

GEORGE BARNEY,
Captain Royal Engineers.

SYDNEY DISPENSARY.

To His Excellency Major-General Sir Richard Bourke, K. C. B., Governor of New South Wales, and the Honorable the Legislative Council, in Council Assembled.

The Memorial of the Committee of "The Sydney Dispensary," praying aid from the Colonial Revenue.

HUMBLY SHewETH,

That the "Sydney Dispensary" has existed as a distinct institution for several years, supported wholly by private subscriptions and contributions, and that at present it is efficiently conducted by the gratuitous services of the Medical Practitioners of Sydney.

That its object is "the immediate and gratuitous relief (by medical advice, and supply of medicine,) of urgent private cases, amongst persons unable to procure such aid;" and also, "the attendance on such persons in their own houses; particularly heads of families, whose removal to a General Hospital would break up their domestic establishments," leaving their children and families in a state of destitution, and perhaps ultimately dependent on public charity for their support.

That when the population of the Town was smaller, Memorialists met the urgent demands for their aid, without difficulty; but they have of late found it nearly impracticable to extend the sphere of their usefulness, in proportion to the constant and daily increasing demands; and they fear that their exertions will be greatly contracted during the present year, from the excess of current expenditure over annual contributions, and from the pressure of a debt of two hundred pounds they have already incurred, unless they shall be enabled to liquidate the same by the beneficent recommendation of your Excellency to the Legislative Council, in favor of this valuable institution.

That Memorialists, aware of your benevolent desire to promote the interests of all institutions, having the public welfare for their object, and remembering your Excellency's gracious suggestion, "that under proper circumstances, public aid would not be denied, to the amount at least of private contributions," respectfully solicit that your Excellency will be pleased to recommend to the Legislative Council, the appropriation, in the Supplementary Estimates of the present year, of such a sum for the liquidation of the debt due by the Dispensary, and in the Estimates for 1837, such "an annual sum" as may be deemed advisable, and equal to the amount raised by, and actually and *bona fide* derived from, private contributions.

That Memorialists beg to assure your Excellency, that a great proportion of the persons who require the gratuitous aid of this Dispensary, have spent great part of their lives in Government Service, or as Prisoners of the Crown; and that many others are Emigrants of limited means, whom a course of unforeseen events has reduced to indigence, and subsequently to ill health; all of whom it is desirable to relieve with efficiency and economy, which Memorialists flatter themselves they are enabled from their experience in the management of this Dispensary to accomplish.

Memorialists, therefore, most respectfully solicit, that such grants may be made from the Colonial Revenue, as the exigencies of the case may seem to your Excellency to require; and under such restrictions as to your Excellency may appear expedient; and Memorialists will ever pray, &c.

JOHN M'GARVIE,
Hon. Sec.

Sydney, 21st June, 1836.

SIR

Sydney, 5th July, 1836.

SIR,

I do myself the honor to state, for the information of His Excellency, that the sum actually and *bond fide* collected for behoof of the Sydney Dispensary, by way of Subscriptions, Donations, Collections at Churches, and otherwise, from 1st January to 31st December, 1835, inclusively, amounted to 155 10s. 10d.

In addition to this, the sum of £9 3s. 7d., was collected by the Rev. Dr. Lang, for 1835, but not paid to the Treasurer till the present year, and a balance remained from 1834, of £18 10s. 2d.; making together the sum of £27 13s. 9d., all of which has been disbursed during the year, for charges connected with 1835.

I have the honor to be,

Sir,

Your most obedient Servant,

LANCELOT IREDALE.

The Honorable Colonial Secretary, Sydney.

DEPUTY COMMISSARY-GENERAL LAIDLEY.

DESPATCH from the Right Honorable Lord Viscount Glenelg to His Excellency Sir Richard Bourke, K. C. B.

Downing-street,

16th October, 1835.

SIR,

I have received your Despatch, No. 14, of the 3rd of February last, enclosing a Memorial from Mr. Laidley, Deputy Commissary-General at New South Wales, praying that, in consideration of certain duties which he had performed for the service of the Colony, during a period of nearly four years and a half, he may be permitted to receive a remission of the purchase money of 3,840 acres of Land, being, in fact, equal to an allowance of £960.

I had deemed it right to transmit the Memorial of Mr. Laidley for the consideration of the Lords Commissioners of the Treasury, both on account of his holding an appointment directly under their Lordships, and also because he had, it appears, in the year 1828, submitted a similar claim to the Board of Treasury. I now transmit to you a copy of the reply which has been received,* from which you will perceive that the Lords Commissioners are disposed to sanction an allowance of 10s. a day to Mr. Laidley, as a remuneration for such services, to be paid from the Colonial Funds, for the period from the 25th June, 1827, to the 31st December, 1831, embracing 1,651 days, which would amount to the sum of £825 10s.

Concurring, as I do, in the view which the Lords Commissioners have taken of the fairness of Mr. Laidley's claim, and in the expediency of satisfying that claim by an adequate allowance in money, rather than by an allotment of land, I have to request that you will submit to the Legislative Council, the propriety of voting a Grant to Mr. Laidley, to the amount proposed by the Board of Treasury.

I am, &c.

GLENELG.

(ENCLOSED IN THE ABOVE.)

From the Honorable J. Stewart to R. W. Hay, Esq.

Treasury Chambers,

13th October, 1835.

SIR,

The Lords Commissioners of the Treasury, having had before them your letter of the 30th June last, transmitting Copy of a Despatch from the Governor of New South Wales, with Copy of a Memorial from the Officer in charge of the Commissariat Department at that Station, praying that, in consideration of certain duties which he had performed for the service of the Colony, during a period of nearly four and a half years, he may be permitted to receive a remission of the purchase money of 3,840 acres of land—I am commanded to acquaint you, for the information of Lord Glenelg, that my Lords entertain a favorable opinion of the merits and services of Deputy Commissary-General Laidley, and, as it appears from the correspondence now before them, that Mr. Laidley performed the Colonial duties which were confided to him, during the period above-mentioned, to the satisfaction of the Authorities

* 13th October, 1835.

Authorities by whom he was so employed, and that he did not receive any allowance for such extra duties, My Lords are of opinion that, consistently with the usual practice on similar occasions, where duties of an especial nature, and for Colonial purposes have been required of Officers of the Commissariat, Mr. Laidley has a fair claim to some remuneration for those services. Their Lordships, however, desire to observe, that, they consider it objectionable that Officers of the Commissariat, whilst they are in actual employment, should be possessors of land to any considerable extent, whether by grant or otherwise, with a view to their being engaged in farming; and they would, therefore, suggest for Lord Glenelg's consideration, as a preferable mode of remunerating Mr. Laidley for his Colonial services, that he should be allowed a pecuniary grant from the Colonial Fund. According to the proposal recommended by Sir R. Bourke, to which you allude, Mr. Laidley would receive, in the shape of a remission of purchase money of 3,840 acres of land, an allowance equal to £960. Their Lordships, on the other hand, would suggest to Lord Glenelg, the grant of an allowance from the Colonial Funds, at the rate of 10s. a day for the period in question—namely, from the 25th June, 1827, to the 31st December, 1831, embracing 1,651 days which would amount to the sum of £825 10s.; a mode of remuneration which, whilst it would obviate the objection which their Lordships cannot but entertain against an acquisition of large parcels of land, by an Officer in actual employment, would diminish the charge upon the Colonial Funds by the sum of £134 10s., the difference between the sums of £825 10s. and £960.

I am, &c.,

J. STEWART.

ROMAN CATHOLIC CLERGY.

FROM the Right Reverend Dr. Polding, to His Excellency Sir Richard Bourke, K. C. B.

Sydney, May 6, 1836.

SIR,

In forwarding to the Colonial Office, the estimate of the probable expenses of the department of the Roman Catholic Church and School Establishment for the year 1837, and also the Supplementary to the Estimate for the year 1836, I have the honor respectfully to submit to the consideration of your Excellency, and of the Honorable the Legislative Council, the justice and expediency of augmenting the present number of Roman Catholic Chaplains in this Colony and penal settlement. Before I state the reasons on which I ground this application, your Excellency will permit me to trace the measures that have been adopted within the last three years, to provide the Catholic population of New South Wales with religious instruction.

In the year 1833, on two Chaplains, with the presiding Clergyman, devolved the duty of imparting religious instruction, and of administering to the spiritual wants of one-third of the entire population of the Colony, diffused throughout every part of this extensive territory.

By so small a number of Clergymen, not more than sufficient for Sydney alone, little could be done, except to keep from entire decay, so much of the spirit and form of religion, as had been preserved by the zealous labours of their predecessors, to run hastily from place to place, perhaps at great distances, to supply the most pressing wants of their flock, to administer the rights of religion to the child, and to those in danger of death; in such a state of things, even the individual efforts of the Clergyman, must, of necessity, have been limited in their application, and weakened in their power, the greater portion of his time being consumed, and his energies exhausted, in the act of passing from locality to locality. The efficiency of clerical labor is intimately connected with the continued residence of the Clergyman amongst his people; thus only can the pastor know the habits of the individuals of his flock; have frequent communications with them, become enabled to adapt his instructions, public and private, to their respective dispositions and circumstances.

In the course of the same year, the urgent petition of the Catholic community, for religious assistance, was taken into consideration, and provision was kindly made by your Excellency and the Honorable the Legislative Council, for four additional Chaplains.

Towards the latter part of last year, the Bishop arrived with three Chaplains, and the result of the combined labors of the Catholic clergy thus augmented in numbers, tends to show in the effect, the absolute necessity of a resident, in order to secure an efficient Clergy.

During the last seven months, two Clergymen and the Bishop* have devoted their labors permanently, to the inhabitants of Sydney and its various establishments; the result has shown itself, as well amongst the prison population, as amongst the free; in the inmates of the Gaol, Prisoners' Barracks, the Hulks, and amongst the inhabitants of the town, by a marked and acknowledged improvement of morals, and in the case of by no means an inconsiderable number of persons, hitherto regardless of religious duty, by a total reformation of conduct; and your Excellency will participate in the pleasure with which I state, that this moral improvement amongst our people is, under the Divine Blessing, still steadily progressing.

Sydney being thus provided, there remain only four Chaplains for the whole of the interior of the Colony, and the remote Penal Settlements.

Duty

*Since the month of October, each Sunday, Ecclesiastical Students have read prayers and instructions selected by the Bishop, to the prisoners in the Carters' Barracks—at the Tread-mill, in the Gaol, and recently to those employed at the New Gaol.

Duty is performed at Parramatta, by the Vicar-General, but in consequence of our limited numbers, he is liable to be required to attend other and distant Settlements. Clerical attendance is also provided for Liverpool, a position important on account of the Hospital.

A Chaplain is also established at Windsor, but as the field of his labors extends from Penrith and its vicinity, down to the mouth of the Hawkesbury, a distance of more than sixty miles, over a populous country, he cannot be considered as resident; each part of this extensive district can be only occasionally attended to; still a manifest improvement has taken place at Windsor and in its vicinity.

The same may be said of Maitland. The Chaplain stationed at Maitland has to extend the sphere of his duties to Newcastle across the Hunter, up the whole of the William's River, and over Paterson's Plains, on the one side, and on the other, to the distant districts of the Upper Hunter, the Patrick's and the Liverpool Plains. The population of the Township of Maitland alone, of which a great portion is Catholic, according to a Census taken by a Police Magistrate in the commencement of last year, amounted, at that time, to 2,000 souls; since, it has been considerably increased. And there still remain Campbelltown and Appin, the Cowpastures and the district of the Illawarra, divided from the rest of the Colony, by its precipitous range of mountains, chiefly Catholic; the vast District of Argyle; Bathurst, with all the settled country beyond the Blue Mountains; all the Penal Settlements unprovided with Roman Catholic Chaplains.

According to the Census of the Colony, taken in 1833, the Catholic population amounted to 17,200; since that period 3,600 have been added to the number by transportation, besides the increase by births and by immigration. Of the free female Emigrants, about 550 are Catholics.

In the view of this statement, I beg most respectfully to express my confidence that your Excellency will not fail to perceive the justice, and expediency of augmenting, for the Catholic population of this Colony and Penal Settlement, the number of Chaplains:—
Firstly.—Inasmuch as a Clergy, not permanently resident, but moving from place to place, cannot be adequately efficient; passing visits leave only passing impressions.

Secondly.—Without an increase in the number of our Clergy, a considerable portion of the Colony must still remain almost entirely destitute.

Thirdly.—The numerous prison population have no means of procuring religious assistance and instruction, except through the provision of Government. The duty of making such provision, for persons so circumstanced, is evident. Without it, one of the great ends proposed to be gained by the system of transportation, viz. —the reformation of the criminal, must be left, to a great extent, without the means of accomplishing it.

Fourthly.—An increase of the number of Clergy is most desirable for the sake of those free persons who arrive in the Colony, for the purpose of settling in the interior, whose emigration to this country is encouraged by the Government; labourers and mechanics, with their families, brought out at the expense of Government, in order, amongst other motives, to raise the morals of the people, deprived of the rights and consolations of their religion; themselves and their children deprived of all pastoral care and guidance, a bereavement and disappointment more afflicting to them, than any other that may be named—they are in imminent danger of falling into the vices which they find prevailing around them, and thus most lamentably frustrating the praiseworthy object proposed in their immigration.

Fifthly.—A greater number of Clergy is required, for the sake of the rising generations. These, in the absence of nearer Guardians, have a claim to the protection of Government; without the aid of their Clergy they must, in very many instances, grow up neglected, ignorant of their moral duties, and formed to criminal ways, guided by the depraved example of their neglected parents.

Sixthly.—I have great reason to confide, that the labors of a Resident Clergy amongst the Catholic population, will be followed by a considerable diminution of public crime, and consequently, by a proportionate diminution in the expense of convicting and punishing crime. Out of the number of public criminals, of the Catholic Religion, executed during the last four years, it has been remarked, not one had seen a Clergyman so as to receive the Rites of his Church in this Country, until after he was apprehended and lodged in Gaol; the remark may be extended to the 450 Catholics at Norfolk Island, scarcely any amongst them, are to be found who had attended, even once, to their religious duties, from the time of their transportation, to the period of their reconviction, and all with an uniformity which cannot be deemed the chance of coincidence, attributed their continuance in the career of guilt, principally to the absence of Clerical care, guidance, and support.

On these grounds it is most respectfully submitted to your Excellency, that six additional Catholic Chaplains are required, to render the Catholic a permanently resident and efficient Clergy—besides the one to be stationed at Norfolk Island. Of this number I propose one to be stationed in a central part of the County Camden; one in the Illawarra; one in Argyle; one at Bathurst; one additional Chaplain in the district of Windsor, and of the Hawkesbury; and an additional one in the district of the Hunter, to be stationed at Newcastle, or at Patrick's Plains. Even after this arrangement, the settlements of Port Macquarie, and of Moreton Bay, can only receive, occasionally, spiritual assistance from Sydney.

Having, as I hope, shewn most satisfactorily the urgency of the case, and that this further addition to the number of Catholic Chaplains is not greater than is demanded by the pressing wants of the Colony, my confidence in the successful result of this application is the more firm, being supported by the late Right Honorable Secretary of State for the Colonies, Lord Stanley, as to the dispositions of your Excellency, and of the Honorable the Legislative Council, to provide for any increase of the number of Clergy, for whom provision was voted by your Excellency, and the Honorable the Legislative Council * Lord Stanley states it to be his opinion, "that an addition of four Chaplains was not more than was required by the urgency of the case;" and in a letter to Edward Blount, Esq.† a copy of which was transmitted

* 1833.

† Dated, 22nd January, 1834.

ted from Downing-street, to the Right Reverend Bishop Bramston, by the direction of Lord Stanley, and is now in my hands, having stated the opinion above quoted—His Lordship continues “*And should the demand increase, I am satisfied that the Legislative Council of New South Wales, will be happy to make such further provision as may be in their power, consistently with the other claims upon the Revenue, which it may be necessary for them to take into consideration.*”

With great respect,
I have the honor to be,
SIR,

Your most obedient humble Servant,

† J. B. POLDING.

EDUCATION, IRELAND.

FIRST REPORT of the Commissioners appointed by the Lord Lieutenant to administer the Funds granted by Parliament for the Education of the Poor of Ireland.

To His Excellency the Lord Lieutenant-General and General Governor of Ireland.

We, the undersigned Commissioners appointed to administer the Funds granted by Parliament for the Education of the Poor of Ireland, beg leave to report to your Excellency as follows :

We commenced receiving applications for aid towards schools in January, 1832, and the total number made to us to the present time amounts to 1,548.

We have granted assistance to 789 schools, which are now in full operation. We made grants to 52 other schools, which have since ceased to be in connection with us ; in general we deemed it right to discontinue aid to them in consequence of the reports of our inspectors. We have promised aid towards the building of 199 schools, which have not as yet been completed.

We have rejected 216 applications, and have 292 now before us for consideration.

The schools which we already have in operation are attended by 107,042 children ; and, according to the estimates transmitted to us, those which are to be opened in the houses not yet finished, will be attended by a further number of 36,804 ; so that the whole of the schools existing and in preparation will afford the benefits of education to 143,846 children.

We have the satisfaction to state, that throughout our correspondence with the patrons of schools, we have found them disposed to act with perfect integrity and candour ; some instances of deviation from our rules have been reported to us, but on enquiry into the circumstances, we have in general received such explanations as have been satisfactory to us.

An important part of the duty entrusted to us is the preparation of books for the use of the schools and school libraries. We have hitherto directed our attention chiefly to the compilation of books for schools only ; we have prepared and published four numbers of a series of reading books, to which we propose to add a fifth ; the lessons of which these books consist have been so written or selected as that, while they are used as reading exercises, they convey elements of knowledge to the children in regular order. We have also published treatises on arithmetic and book-keeping, and a translation of Clairant's Geometry. Some books having been hastily prepared to meet the urgent necessities of the schools, will require a further revision, but we are enabled to add, that the whole have already met with very general approbation, and we propose so to arrange the prices and mode of sale as to bring them as much as possible into general use.

Besides these works on the ordinary subjects of education, we have compiled and printed two numbers of a series of lessons from the Holy Scriptures, one from the Old, the other from the New Testament, and we propose to go on adding to them until we complete a copious abstract of the narrative parts of the Sacred Volume, interspersed with suitable passages from the poetical and didactic parts of it. We proceed on the undertaking with perfect unanimity, and anticipate, from the general circulation of the work, the best results.

It having been imputed to us that we intended to substitute these extracts from the Scriptures for the Sacred Volume itself, we deemed it necessary to guard against such misrepresentation by annexing to the first number of them the following preface :

“ These selections are offered, not as a substitute for the Sacred Volume itself, but as an introduction to it, in the hope of their leading to a more general and more profitable perusal of the Word of God. The passages introduced have been chosen, not as being of more importance than the rest of Scripture, but merely as appearing to be most level to the understandings of children and youth at school, and also best fitted to be read as teachers of religion. No passage has either been introduced or omitted under the influence of any particular view of Christianity, doctrinal or practical.”

It has been further imputed to us, that we denied to children the benefits of religious instruction, and kept the Word of God from them ; to guard also against this extraordinary misrepresentation, we have introduced the following notes into our regulations :—

No. 1.—“ The ordinary school business, during which all the children, of whatever denomination they be, are required to attend, and which is expected to embrace a competent number of hours in each day, is to consist exclusively of instruction in those branches of knowledge which belong to literary and moral education. Such extracts from the Scriptures as are prepared under the sanction of the Board may be used, and are earnestly recommended by the Board to be used, during those hours allotted to this ordinary school business.

No.

No. 2.—“One day in each week (independently of Sunday) is to be set apart for religious instruction of children, on which day such pastors or other persons as are approved of by the parents or guardians of the children, shall have access to them for that purpose, whether those pastors have signed the original application or not.

No. 3.—“The managers of schools are also expected, should the parents of any of the children desire it, to afford convenient opportunity and facility for the same purpose, either before or after the ordinary school business, (as the managers may determine) on the other days of the week.

No. 4.—“Any arrangement of this description that may be made is to be publicly notified in the schools, in order that those children, and those only, may be present at the religious instruction, whose parents or guardians approve of their being so.

No. 5.—“The reading of the Scriptures, either in the authorised or Douay Version, is regarded as a religious exercise, and, as such, to be confined to those hours which are set apart for religious instruction. The same regulation is also to be observed respecting Prayer.

No. 6.—“A Register is to be kept in each school, recording the daily attendance of the children, and the average attendance in each week and each quarter, according to a form to be furnished by the Board.”

We have thus shown to all who choose to read our rules, with the view of understanding, not perverting them, that, while we desire to bring Christian children of all denominations together, so that they may receive instruction in common in those points of education which do not clash with any particular religious opinions, we take care that sufficient time be set apart for separate religious instruction, and that the Ministers of God's Word, of all Christian Creeds, and those approved of by them, shall have the fullest opportunity of reading and expounding it, and of seeing that the children of their respective denominations do read and understand it, not only weekly, but daily, if they think proper.

The success which has attended our labours, as appears by the progress we have made, abundantly proves that the system of education committed to our charge has been gratefully received and approved by the public in general. We trust it will continue to spread and prosper.

It shall be, as it ever has been, our constant object so to administer it as to make it acceptable and beneficial to the whole of His Majesty's subjects; to train up and unite through it the youth of the country together, whatever their religious differences may be, in feelings and habits of attachment and friendship towards each other, and thus to render it the means of promoting charity and good-will amongst all classes of the people.

We annex a statement of our receipts and expenditure to the 31st December, 1833, and of our present liabilities, to which we beg to refer.

(Signed)

J. EINSTER,
R. D. DUBLIN,
D. MURRAY,
FRANC SADIÉIR,
JAMES CARLISLE,
A. R. BLAKE,
ROBERT HOLMES.

EDUCATION, IRELAND.

EXTRACT from the Second Report of Commissioners of National Education in Ireland, for the year ending 31 March, 1835.

To His Excellency the Lord Lieutenant-General and General Governor of Ireland.

We, the Undersigned Commissioners appointed to administer the Funds granted by Parliament for the Education of the poor of Ireland, beg leave to lay before your Excellency this our Second Report, which we have so framed as to convey in it *Answers seriatim*, to the several Queries transmitted to us by your Excellency on the 19th of last month.

FIRST QUERY.—What has been the general result of the experience which has now been obtained by the new system of Education in Ireland?

We have given tables in the Appendix marked Nos. 1 and 2, which shew what progress the new system of Education has made, and what support it has received. We annex Abstracts of them. The results which they disclose are, we think, highly satisfactory.

It will be found by reference to them, that we had at the close of the last year 1,106 schools in operation, which were attended by 145,521 children; that we had made grants towards the establishment of 191 additional School-houses, calculated to contain 39,831 children; that of the signatures to the applications made to us for aid, 140 are those of Clergymen of the Established Church; 180 of Presbyterian Clergymen; 1,397 of Roman Catholic Clergymen; 6,915 of Protestant Laymen; and 8,630 of Roman Catholic Laymen; and that while the Grants made by us towards the building and fitting up of school-houses amount to £33,027 7s., the local contributions for the same purposes amount to £23,142 2s. 4d.

It thus appears that the system has already been very generally adopted under the auspices both of Protestant and Roman Catholic Clergymen, and of Protestant and Roman Catholic Laymen. It may be said that the Protestant Clerical signatures are much fewer than the Roman Catholic, but we understand that, according to the late census taken by the Commissioners of Public Instruction, the number of Protestants of the established Church in Ireland is about 852,000; the number of Presbyterians about 635,000; the number of Protestant Dissenters about 22,000; and the number of Roman Catholics about 6,423,000; therefore, it appears that the Protestant Clerical signatures to the applications to us, bear to the Roman Catholic Clerical signatures about the same proportion, that the number of

Protestants

Protestants bears to that of the Roman Catholics in the mass of the population; and the Protestant lay signatures a much larger proportion. It is also observable that of the signatures to applications from Ulster 246 are those of Protestant Clergymen; and that it is in Ulster that Protestants of that class of life for which the National schools are intended are principally to be found.

From the foregoing facts we may, we consider, safely conclude, that the new system of Education has proved generally beneficial and acceptable to Protestants and Roman Catholics according to their respective wants.

SECOND QUERY.—What are the works which at present form part of the regular course of instruction in the schools?

We have published five lesson books which afford information on different subjects of Education in regular succession. We have also published extracts from the Scriptures, consisting of selections from the book of Genesis, the gospel of St. Luke, and the Acts of the Apostles, interspersed with passages from other parts; and a volume of sacred poetry.

We have also provided elementary books of arithmetic, book keeping, trigonometry and geometry, and a series of reading and arithmetical tables. These books have met with general approbation.

THIRD QUERY.—What are the defects in the schools formerly, and still, existing in Ireland, whether Protestant or Catholic, from which the new system is free?

There appear to have been two main defects in the schools heretofore existing in Ireland:—I. The principles on which they were conducted render them to a great extent exclusive with respect either to Protestants or to Roman Catholics. Roman Catholic schools being conducted on Roman Catholic principles were, of course, objectionable generally to Protestants, while Protestant schools, being conducted on Protestant principles, were equally objectionable to Roman Catholics; and, being regarded by Roman Catholics as adverse establishments, they tended, when under the patronage of Government, and supported by public money, to excite, in the bulk of the population, feelings of discontent towards the State, and of alienation from it. II. They had neither competent teachers nor proper books. The teachers were in general extremely ignorant; many of them were unable to teach even the mere art of reading and writing; and such of them as could do so much, were for the most part, utterly incapable of combining instruction in it with such a training of the mind as could produce general information and improvement. As to books, the want of suitable works was felt every where; and without a regular supply of them, no system of Education can ever prove effectual for great and general good.

These defects still exist to a great degree. From the first, the National schools are free. In them the importance of religion is constantly impressed upon the minds of the children through works calculated to promote good principles, and fill the heart with a love of religion, but which are so compiled as not to clash with the doctrines of any particular class of Christians. The children are thus prepared for those more strict religious exercises, which it is the peculiar province of the Ministers of religion to superintend or direct, and for which stated times are set apart in each school, so that each class of Christians may thus receive, separately, such religious instruction, and from such persons as their parents, or pastors, may approve or appoint.

The National schools are, therefore, founded on principles which conscientious men of different religious denominations may, and do, embrace; and although, from a misapprehension of the rules which the National system enjoins respecting the use of the Scriptures, it originally met with much opposition, yet it has succeeded beyond our highest expectations, and reasonable men of all parties are daily manifesting more and more their approval of it.

The second of the defects which we have mentioned, so far as relates to teachers, is still felt in the National schools, but we trust we shall be able completely to remove it by means of the training establishments which we are now preparing, and by the aid of increased funds. The want of books we have been already able in a great degree to supply; and before the end of the present year, we hope we shall have furnished every school in connexion with us with a full stock of the works we have published.

FOURTH QUERY.—Is it the expectation of the Board that a new class of schoolmasters may be trained, whose conduct and influence may be beneficial in promoting morality, harmony, and good order, in the country parts of Ireland?

If we are furnished with adequate means by the State, not only for training schoolmasters, but for inducing competent persons to become candidates for teacherships, through a fair prospect of remuneration and advancement, we have no doubt whatever that a new class of schoolmasters may be trained, whose conduct and influence must be highly beneficial in promoting morality, harmony, and good order, in the country parts of Ireland.

It is only through such persons that we can hope to render the National schools successful in improving the general condition of the people. It is not, however, merely through the schools committed to their charge that the beneficial effects of their influence would be felt. Living in friendly habits with the people not greatly elevated above them, but so provided for as to be able to maintain a respectable station; trained to good habits; identified in interest with the State, and therefore anxious to promote a spirit of obedience to lawful authority, we are confident that they would prove a body of the utmost value and importance in promoting civilization and peace.

FIFTH QUERY.—What extension can be given to the new system of education consistently with the demand for instruction, and with due regard to the preparations necessary for training schoolmasters upon whom reliance can be placed, in respect to competency, character, and discretion; and what amount of funds may be annually expended beneficially to the State for that purpose? (In answering this question, the Commissioners are requested to have regard to the recommendation of the Commissioners of 1812 and 1825, and of the Committees of the House of Commons of 1828 and 1830 that reported upon the subject, as well as to their own experience.) We.

We think that the new system may be gradually extended through the agency of such teachers as we have contemplated in the last paragraph, until its benefits are enjoyed by the great mass of the population.

In expressing our opinion as to the amount of funds necessary for this purpose, we must consider the system of instruction to be pursued in the schools, and the means necessary for inducing well qualified persons to undertake it.

Formerly, nothing was attempted in elementary schools further than to communicate the art of reading, writing, and arithmetic, with some knowledge of grammar, geography, and history. Latterly teachers have made use of the reading lessons to convey information. Writing has been made subservient to the teaching of spelling, grammar, and composition, and also to the fixing of instruction on the memory. Arithmetic, instead of being taught by unexplained rules, has been made the vehicle for conveying the elements of mathematical knowledge, and training the mind to accuracy of thinking and reasoning. Reading books have latterly been compiled on these principles, the lessons being so selected as to convey the elements of knowledge on a variety of subjects. And this introduction of intellectual exercises into the teaching of these elementary arts, has been found to produce a reflex effect upon the progress of the pupils in learning the arts themselves; children are found to be more easily taught to read, when, while they are learning to pronounce and combine syllables and words into sentences, they are receiving information. Their writing proceeds better, when, while they are learning the mechanical art, they are learning the use of it; and they become better arithmeticians when the principles, on which arithmetical operations are founded, are gradually developed to them.

To teach upon this principle, it is absolutely necessary that the teacher not only be able to read, and spell, and write well, and be a good practical arithmetician, but that he be a person of general intelligence, having an extensive and accurate knowledge of the subjects treated of in the reading lessons. He must know much more than is expressed in the lessons themselves, or he will be totally unable to explain them familiarly, to correct the mistakes into which his pupils fall, and answer the innumerable questions that will be put to him as soon as the understanding of his pupils begins to be exercised on any subject.

It is, therefore, necessary that teachers should not merely be able to teach their pupils to read, write, and to conduct schools upon an approved system of discipline, but that they be able to aid in forming the minds of children, and directing their power of reading into a beneficial channel. The power of reading is frequently lost to children, and even becomes a source of corruption and mischief to them, because they have never been directed to the proper use of it; and it is consequently of the highest importance that, while they are taught to read, their thoughts and inclinations should have a beneficial direction given to them. To effect this, manifestly requires a teacher of considerable skill and intelligence.

To secure the services of such persons, it is material that suitable means of instruction should be provided for those who desire to prepare themselves for the office of teaching, and that persons of character and ability should be induced to seek it by the prospect of adequate advantages.

With these views, we propose establishing five Professorships in our training Institution.

1. Of the art of Teaching and Conducting Schools. The professor of this branch to be the head of the Institution.
2. Of Composition, English literature, History, Geography, and Political Economy.
3. Of Natural History in all its branches.
4. Of Mathematics and Mathematical Science.
5. Of Mental Philosophy, including the Elements of Logic and Rhetoric.

We propose that no person shall be admitted to the training institution, who does not previously undergo a satisfactory examination, in an entrance course to be appointed for that purpose, and that each person who may be admitted shall study in it for at least two years, before he be declared fit to undertake the charge of a school; that during this time he shall receive instruction in the different branches of knowledge already specified, and be practised in teaching in the model school, under the direction of the professor of teaching.

We are of opinion that, in addition to the general training institution, 32 district model schools should be established, being a number equal to that of the counties of Ireland; that those model schools should be under the direction of teachers chosen for superior attainments, and receiving superior remuneration to those charged with the general or primary schools; and that hereafter, each candidate for admission to the training establishment should undergo preparatory training in one of them.

We think the salary of the teacher of each model school should be £100 a-year, and that he should have two assistants, having a salary of £50 a year each.

We consider that the teacher of each primary school should have a certain salary of £25 a year; and that the Commissioners for the time being should be authorised to award annually to each a further sum not exceeding £5, provided they shall see cause for doing so in the Inspector's report of his general conduct, and the character of the school committed to him. We are also of opinion that each teacher should be furnished with apartments adjoining the school.

We now come to consider the number of schools necessary to meet the wants of the Country.

The population of Ireland, amounts to about 8,000,000, and of these probably there are 1,140,000 (or about a seventh of the whole) between the ages of seven and thirteen years; we are satisfied that, at least, one-half of that number would require the aid of the National Schools; and as we do not think a school should in general, much exceed 100, we consider that there should be 5,000 National Schools established, each under a competent teacher.

(Signed)

LEINSTER.
Rd. DUBLIN.
D. MURRAY.
FRANC SADLER.
JAMES CARLISLE.
A. R. BLAKE.
ROBERT HOLMES.

EDUCATION, IRELAND.

REGULATIONS and Directions to be attended to in making application to the Board of Commissioners of National Education for Aid towards the Building of School Houses, or for support of Schools.

I.—ON BUILDING SCHOOL HOUSES.

1. When aid is sought from the Commissioners for building a School House, the site of the intended building is to be described, the tenure by which it is held stated, and a plan of the house, with estimates by one or more respectable tradesmen, furnished. One-third at least of the expense must be locally contributed.

2. The School House, when finished, is to be vested in Trustees, to be chosen by the applicants themselves, and their names reported to the Commissioners for their approbation. These Trustees to hold the School House for the purpose of National Education, according to the regulations set forth in this paper.

3. No alteration is to be made in the trusteeship without the concurrence of the Commissioners. If any of the Trustees die, or resign, new Trustees shall be elected to supply their place, subject to the approval of the Board.

4. Although the Commissioners do not absolutely refuse aid in all cases towards the erection of School Houses on ground connected with a place of worship, yet they much prefer their being erected on ground which is not so connected, where it can be obtained; they therefore expect that before Church, Chapel, or Meeting House ground be adopted, as the site of a School House, inquiry be made whether another convenient site may be obtained, and the result of the inquiry stated to them.

5. The Board do not contribute to the ornamenting of School Houses, but merely to the accommodation of the children in plain substantial buildings. If buildings of a more ornamented and expensive kind be preferred, the whole of the extra expenses must be provided by the applicants.

6. The Board do not contribute towards the erecting of apartments for teachers.

II.—ON ASSISTANCE GIVEN TOWARDS CONDUCTING SCHOOLS.

It is required that a portion of the different expenses requisite for conducting Schools, such as providing school furniture, repairing school houses, and paying teachers' salaries, be locally raised. The Board will determine in every case the proportion to be contributed from the public funds towards these and similar expenses, according to the circumstances of each. All Schools connected with the Board have permission to purchase the books issued by the Board, and other school requisites, such as paper, slates, quills, &c. at half cost-price.

III.—ON THE REGULATION OF THE SCHOOLS, AS TO TUITION, ATTENDANCE, &c.

1. The ordinary School business, during which all the children, of whatever denomination they be, are required to attend, and which is expected to embrace a competent number of hours in each day, is to consist exclusively of instruction in those branches which belong to a literary and moral Education. Such extracts from Scripture as are prepared under the sanction of the Board, may be used, and are earnestly recommended by the Board to be used, during those hours allotted to the ordinary School business.

2. One day at least in each week (independently of the Sunday) is to be set apart for the Religious Instruction of the Children, on which day such Pastors, or other Persons, as are approved of by the Parents and Guardians of the Children, shall have access to them for that purpose, whether those Pastors have signed the original application or not.

3. The Managers of schools are also expected, should the Parents of any of the children desire it, to afford convenient opportunity and facility for the same purpose either before or after the ordinary school business, (as the Managers may determine,) on other days of the week.

4. Any arrangement of this description that may be made, is to be publicly notified in the Schools, in order that those Children, and those only, may be present at the Religious Instruction whose Parents and Guardians approve of their being so.

5. The reading of the Scriptures, either in the authorised or Donay version, is regarded as a Religious exercise, and, as such, is to be confined to those times which are set apart for Religious Instruction. The same regulation is also to be observed respecting prayer.

6. A register is to be kept in each school, recording the daily attendance of the scholars, and the average attendance in each week, and each quarter, according to a form to be furnished by the Board.

IV.—ON THE BOOKS TO BE USED IN THE SCHOOLS.

1. The titles of all books, which the conductors of schools intend to use in the ordinary school business, are to be reported to the Board, and no other books to be used than those which have been reported and sanctioned by the Board.

2. No books are to be understood as prohibited by the Board except such as appear to them to contain matter objectionable in itself, or objectionable as peculiarly belonging to some particular religious denomination. But the price of those books only shall be reduced which are issued from the depository of the Board.

3. The Board will furnish gratuitously to each school, from and after the 1st of April next, a first stock of school-books, which are to be kept as a school stock, and used, when required, in teaching the pupils, but which are on no account to be taken out of the school-room. The Inspectors will require to see these books at every inspection. Children whose parents wish them to bring their books home with them, will be supplied at the reduced price at which they are furnished by the Board. All supplies of books, additional to those furnished by the Board, are to be purchased from the depository at half cost-price.

4. If any other books than the Holy Scriptures, or the standard books of any Church to which any of the children belong, are to be employed in communicating religious instruction, the Pastor, or other religious teacher, who proposes to employ such book, is expected to communicate his intention to any individual Member of the Board, and consult with him respecting its suitability.

V.—ON THE CHOICE, &c., OF TEACHERS.

1. Local Patrons, and Committees of schools, are expected to select suitable teachers, and to superintend them. But the Commissioners will require to be satisfied of the fitness of the teachers, both in regard to moral character, and to literary qualification, by testimonials, and also if they see fit, by training in a model school, and examination.

2. Should the Commissioners judge any of the teachers employed in a school, receiving occasional aid from them, not to possess suitable qualifications for his office, or to be otherwise objectionable, they will feel themselves at liberty to withhold the portion of the salary contributed by them until a fit person shall be appointed. If such a teacher be found employed in a school-house erected partly by the public funds intrusted to them, and vested in Trustees, as above directed, they will require that the teacher be dismissed and another provided.

3. Salaries granted by the Board are granted to the teachers individually, and, therefore, if any teacher be dismissed, or die, or any new teacher be introduced into the school, it is expected that such changes be communicated immediately to the Board, and their sanction obtained for the new teachers.

VI.—MISCELLANEOUS.

1. It is the earnest wish of His Majesty's Government, and of the Commissioners, that the Clergy and Laity of the different religious denominations in the country, co-operate with one another in conducting the schools connected with the Board. Nevertheless the Government and the Commissioners choose rather to leave this expression of their desire to the good feeling of applicants themselves than to make it the subject of any express stipulation; persuaded that, when practicable, this recommendation will be attended to.

2. It is expected that when any school is received by the Board into connexion with it, the inscription, "National School" shall be put up conspicuously on the school house; and that in building school houses, partly by funds intrusted to the Commissioners, a stone shall be built into the wall having that inscription cut in it.

3. The Commissioners understand that they are not, in ordinary cases, to exercise control over school houses on Sundays, or beyond the hours of instruction on other days; that control being left to the local conductors of the school. But they expect that no use shall be made of the school rooms tending to contention, such as the holding of political meetings in them; and that they shall not be converted into places of Public Worship. Such use made of a school house, built by aid from the Commissioners, will be held to be a violation of the principles of the National Education System; such a use made of a school house received, after its establishment, into connexion with the Board, they will regard as a sufficient reason for withholding further aid, and dissolving the connexion.

4. The Commissioners will require that the principles of the following Lesson be strictly inculcated in all schools admitted into connexion with them, and that a printed copy of the Lesson itself, to be furnished by them, shall be hung up in each school.—

Christians should endeavour, as the Apostle Paul commands them, to "Live peaceably with all men;" (Rom. ch. 12, v. 18.) even with those of a different Religious persuasion.

Our Saviour Christ commanded his Disciples to "love one another;" he taught them to love even their enemies, to bless those that cursed them, and to pray for those that persecuted them. He himself prayed for his murderers.

Many men hold erroneous doctrines; but we ought not to hate or persecute them. We ought to seek for the truth, and to hold fast what we are convinced is the truth; but not to treat harshly those who are in error; Jesus Christ did not intend his Religion to be forced on men by violent means. He would not allow his Disciples to fight for him.

If any persons treat us unkindly, we must not do the same to them; for Christ and his Apostles have taught us not to return evil for evil. If we would obey Christ we must do to others, not as they do to us, but as we should wish them to do to us.

Quarrelling with our neighbours, and abusing them, is not the way to convince them that we are in the right, and they in the wrong. It is more likely to convince them that we have not a Christian spirit.

We ought to show ourselves followers of Christ, who when he was reviled, reviled not again, (Pet. ch. 2, ver. 23) by behaving gently and kindly to every one.

5. It is expected that Clergymen of all denominations, even although they may not have signed the application to the Board, shall have free admission to the school; not to take part in the ordinary business or to interrupt it; but as visitors, to observe how the school is conducted.

By desire of the Commissioners,

THOMAS F. KELLY,

Secretary.

EDUCATION.

To His Excellency Major-General Sir Richard Bourke, K. C. B., Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c., and the Honorable the Legislative Council of the said Colony.

The Humble Petition of the Committee of the Australian School Society, on the principles of the British and Foreign School Society.

SHewETH,

That the Society which your Petitioners represent was instituted on the 2nd of February, 1835, having for its sole object the education of the humbler classes throughout this Colony, of both sexes, and without any restriction as to the religious denomination of Parents and Guardians.

That the principles of the said Society, as its designation implies, are those of the British and Foreign School Society, of which His Most Gracious Majesty is the Patron, and a munificent supporter out of the Privy purse, and the operations of which have been attended with signal success, not only in the Mother Country, but also in many of the British Colonies, and in several Foreign parts.

That while your Petitioners' Society strictly excludes from its system of education, every species of Sectarianism, it is avowedly based upon the broad foundation of our common Christianity, and adopts into its Schools, as the only source of wisdom and morality, the Holy Scriptures of Almighty God, in the authorised version, together with such selections therefrom, as are deemed suitable for persons of tender years.

That the said Society has hitherto depended for its pecuniary resources upon the voluntary contributions of the inhabitants; but its funds having been found inadequate to its unavoidable and most economical expenditure; and your Petitioners having observed that your Excellency and your Honorable Council, during the Session of last year, appropriated out of the Colonial Revenue the sums of £3,550 for the support of Episcopalian Parochial Schools, and £943 for that of the Roman Catholic Schools, your Petitioners are at once urged and encouraged to appeal to your Excellency and your Honorable Council, for a reasonable share of the like assistance.

That in order to afford to your Excellency and your Honorable Council, a more accurate and comprehensive view of the principles and operations of the British and Foreign School Society, and of the kindred Society which your Petitioners more immediately represent, your Petitioners accompany herewith the undermentioned printed documents,* each authenticated by the signatures of their Secretaries, namely:—

First.—The 30th Annual Report of the British and Foreign School Society aforesaid, published in the year 1835.

Second.—The Report of the Provisional Committee of the Australian School Society aforesaid, published in the year 1835; and

Third.—The First Report of the Australian School Society aforesaid, published in the present year, 1836.

That your Petitioners are the more willing to hope for your Excellency's and your Honorable Council's favorable notice, from the consideration that their institution, comprehending, as it does, various denominations of Christians, and excluding none, and aiming at the civil and social, as well as the moral and religious, improvement of the community, is, at least, not less entitled than the Roman Catholic Body to the recognition and assistance of the State.

Wherefore your Petitioners humbly pray, that your Excellency and your Honorable Council will be pleased to take the premises into your favorable consideration, and in voting the Estimates for the ensuing year of 1836-7, your Excellency and your Honorable Council will be pleased to introduce a sum that may be deemed sufficient to supply, from time to time, during the said ensuing year, to the Treasurer of the Australian School Society aforesaid, an amount of money equal to that which the said Treasurer can shew to the satisfaction of your Excellency and your Honorable Council, has been heretofore, and shall have been during the ensuing year, actually raised by that institution in voluntary contributions.

And your Petitioners will ever pray, &c., &c., &c.

By order and in behalf of the Committee,

RALPH MANSFIELD,

GEORGE ALLEN,

Secretaries.

Sydney, 10th June, 1836.

*These Documents were not Ordered by the Council to be Printed.

IMMIGRATION.

IMMIGRATION.

RETURN of the number of Mechanics, Farm Laborers, &c., proposed to be brought out, for whom Bounties are promised, if in conformity with the Government Notice of the 28th October, 1835.

Married Persons		Children, allowing on an average two Children to each Family.	Single Men.	Single Women.	TOTAL.			GENERAL TOTAL.
Male.	Female.				Men.	Women.	Children.	
608	608	1216	54	72	662	680	1216	2558

ALEXANDER M'LEAY.

*Colonial Secretary's Office,
Sydney, 5th July, 1836.*

ROMAN CATHOLIC ORPHANS.

To His Excellency Major-General Sir Richard Bourke, K. C. B., Governor of New South Wales, and the Honorable the Legislative Council, in Council assembled.

This Humble Petition of the Lay Committee of the Catholic Church of St. Mary, in the name and on behalf of the Catholics of New South Wales, adopted at a General Meeting of the Catholics of Sydney.

RESPECTFULLY SHEWETH:—

That your Petitioners, and those professing the Catholic Religion in this Colony, and Penal Settlement, have long since seen and deplored the want of a provision for the support and Education of the Orphans of Catholic Parents, and of other Catholic Children from whom their natural protectors are removed; and more especially for the Children of those Female Convicts newly arriving in the Colony—of those who, in the state of servitude, have children born to them, and of those who, on the decease of their husbands, are returned to Government, who by these circumstances are placed beyond the means of maintaining and educating their own offspring.

That your Petitioners are not unaware of the existence of institutions founded and provided by the Government, for the children of Protestant Parents, who are left in these and similar circumstances, and who would be otherwise destitute. These institutions, however, we are officially made assured; are in their constitution essentially and exclusively Protestant, insomuch that children who are Baptized members of the Catholic Church cannot be permitted, within their precincts, to receive the instructions of their Clergy, and to follow the practices of the Religion of their Parents.

This being the case, your Petitioners beg leave respectfully to submit to your Excellency and the Honorable the Legislative Council, that it is not in the power of the Catholic Clergy to sanction, nor in that of the Catholic Laity in their consciences to permit, that the children of Catholic Parents shall be transferred to an institution where they cannot be educated in the faith of their Parents, and in that Religion to which their Sponsors solemnly pledged their being brought up at the font of Baptism. It is contrary to every sound principle of morality, that we should sanction, or in any manner allow, that any of the children of our Church should, against the will of their Parents, be educated in a creed and forms of Worship, which, in whatever light they may be viewed and approved by the members of another Church, are in our case contrary to the clear decisions of our free and Christian consciences.

Your Petitioners beg leave further respectfully to submit, that the placing of so many children of Catholic Convict Parents in Protestant Institutions with the reluctant consent of the Parents, who are left no alternative between the starvation of their offspring, and the sacrifice of their religious principles, has been to those Parents themselves a source of much affliction and uneasiness of conscience; to our Clergy, who are bound to have care for every member of their flock, a source of much mental anxiety, and of much just complaint amongst the Catholics of the Colony in general. And that the inevitable tendency of such an arrangement is to alienate and destroy the natural affections between parent and child.

Your Petitioners, therefore, respectfully pray your Excellency and the Honorable the Legislative Council, to take into your prudent consideration the exigencies of the case, and that you would be pleased to furnish such provision, as in your wisdom may be found fitting

and

and expedient, for the Orphans of Catholic Convict Parents, and of other children of Catholic Convicts newly arrived in the Colony, in the Female Factory, assigned out to service, or otherwise unable to provide for their children, that they may be supported, and at the same time enjoy the religious instructions of their Pastors, and be educated in the rites of the Church of their Baptism; and your Petitioners, as in duty bound will ever pray, &c., &c., &c.

[Here follow the Signatures.]

BEER AND WINE LICENCES.

To His Excellency Major-General Sir Richard Bourke, Knight Commander of the Most Honorable Military Order of the Bath, Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same; and to the Honorable the Members of the Legislative Council.

The Respectful Petition of the undersigned Landholders and Free Inhabitants of the said Colony,

HUMBLY SHEWETH:—

That in consequence of the immoderate use of ardent spirits in this Colony, more particularly amongst the laboring classes, and which your Petitioners attribute chiefly to the exorbitant price of English malt beer and Foreign wine, as sold in the Colony under the existing licensing regulations, our present object is to show to your Excellency and Honorable Council, that such may in very many instances be obviated, by the enabling respectable householders to open licensed houses, for the express purpose of selling beer, ale, porter, and wine by retail, as practised in England by virtue of a certain Act of Parliament, passed on the 23rd of July, 1830, viz:—1 Gul. IV. cap. 64, intituled, "An Act to permit the general sale of beer and cider by retail in England," under the conditions in the said Act set forth; and that such beer, ale, and porter shall be made from malt and hops only.

That if the same privileges were extended to this Colony, in the like manner as in England, or under such modifications of said Act as may seem fit to your Excellency and Honorable Council, your Petitioners do feel assured that the benefits arising therefrom, would be of the greatest possible service to the community at large, inasmuch as it is now ascertained that malt beer and wine can be produced in this Colony; and that if licenses were granted, at a moderate rate, for the sale of such beer and wine only as shall be brewed from malt and hops, and produced from the vine of this Colony, the public would be supplied with a good and wholesome beverage at a moderate price, and which your Petitioners humbly consider would be a blessing to the general society, and to the lower orders in particular, tending, as it would materially, to lessen the use of ardent spirits, so truly destructive to the health and morals of the people, and so ably dwelt upon during the last session of your Excellency and Honorable Council, in the evidence given before the Committee on Immigration.

That your Petitioners beg to call to the attention of your Excellency and the Honorable Council, the circumstance of the enormous sums of money remitted to other markets for beer and wine, as appears from the best information—namely, that no less a sum than (£30,000) thirty thousand pounds, and that sums from (£12,000 to £15,000) twelve thousand to fifteen thousand pounds are also annually remitted to a Foreign market for sugar consumed in the brewing of common beer in the town of Sydney; and no less a sum than (£30,000) thirty thousand pounds to a Foreign market for wines, which sums of money, your Petitioners submit, might be retained in the Colony, as they are prepared to show that it is capable of producing barley of a superior quality and in any quantity; and moreover, that the climate at the proper season is admirably adapted for malting; and also, that wine of superior quality can be produced in like manner from the vine of this Colony; and these important facts alone make your Petitioners sanguine, and are sufficient to prove the great advantage that would accrue to the public, as well as the agricultural interests of the Colony, by encouraging the growth of barley and the cultivation of the vine, which has been scarcely attempted heretofore for the want of a market.

That your Petitioners further point out to your Excellency and Honorable Council, the great national benefit which would be derived by producing articles of such general consumption and importance from its own soil, and which, they are well assured, would be fully accomplished, if such reasonable encouragement were afforded to skilful and enterprising persons, who may be engaged in the trade of brewing malt liquor, and the production of Colonial wine.

Your Petitioners, therefore, humbly pray that your Excellency and Honorable Council will be pleased to take the foregoing facts and statemouts into your serious consideration, and grant that an Act may be passed pursuant to the same; subject to such regulations and restrictions as your Excellency and Honorable Council may deem expedient; and your Petitioners as in duty bound will ever pray, &c., &c., &c.

[Here follow the Signatures.]

EDUCATION.

EDUCATION.

To His Excellency Major-General Sir Richard Bourke, K. C. B, Captain-General and Governor-in-Chief in and over the Territory of New South Wales and its Dependencies, and to the Honorable the Legislative Council of the same, in Council assembled.

The Humble Petition of the Right Reverend William Grant Broughton, D.D.,
Bishop of Australia.

Sheweth,

That your Petitioner perceives by the printed Estimates of the Expenditure of the Government of New South Wales for the year 1837, that it is proposed to grant a sum from the Colonial Revenue, towards the establishment of National Schools, allied, if not altogether similar, to the plan of the Schools established in Ireland in or about the year 1831.

That your Petitioner entertains conscientious objections to the principle upon which it is proposed to impart Religious Instruction to the children frequenting such Schools, which he would have felt it his duty to state in his place, as a Member of your Honorable Council.

That your Petitioner being for the present debarred by legal formalities from taking his seat, does therefore respectfully pray that he may be heard before your Honorable Council in support of such his conscientious objections, upon such day as your Excellency and Honorable Council may be pleased to appoint, previously to any decision being taken upon the grant of any sum of money towards the establishment of National Schools upon the system above referred to.

And your Petitioner, as in duty bound, will ever pray,

WILLIAM G. AUSTRALIA.

Sydney, 22 July, 1836.

No. 83.

*British Residency, at New Zealand,
Bay of Islands, 8th January, 1836.*

SIR,

I have the honor to enclose herewith, for the information of His Excellency Sir Richard Bourke, a List of the vessels which have visited the Bay of Islands, during the six months ending on the 31st ultimo, together with a Summary thereof.

I have the honor to be,

Sir,

Your most obedient Servant,

(Signed)

JAMES BUSBY,

British Resident at New Zealand.

THE HONORABLE THE COLONIAL SECRETARY,
OF NEW SOUTH WALES.

A.

A LIST of Vessels which have visited the Bay of Islands, New Zealand, during the Six Months, ending on the 31st December, 1835.

DATE OF ARRIVAL.	DESCRIPTION AND NAME OF VESSEL.	NAME OF MASTER.	TONNAGE.	COUNTRY TO WHICH BELONGING.	FROM WHENCE.	CARGO.	DATE OF DEPARTURE.	REMARKS.
1835							1835	
13 July	Schooner, Fanny	Wing	32	Bay of Islands	East Coast		28 July	
13 "	Brig, Edwin			America	Sydney	Merchandise	30 "	For America.
30 "	Brig, Harriet	Tupper		Great Britain	Sydney	Merchandise and ballast	1 Aug.	Valparaiso.
4 Aug.	Barque, Marianne	Sinclair		Van Diemen's Land	Fishery	Sperm Oil	6 Sep.	Fishery.
21 "	Brig, William Stoveld	Davidson	190	New South Wales	Fishery	Sperm Oil	27 "	"
23 "	Ship, Elizabeth	Fowler	365	New South Wales	Fishery	Sperm Oil	4 "	"
31 "	Schooner, Fortitude	Mackay	125	Bay of Islands	Sydney	Merchandise	8 "	Hokianga.
5 Sep.	Schooner, Columbine	Lewington	80	Bay of Islands (Church Missionary Society)	Tauranga (east coast)	Ballast	18 "	Tauranga and River Thames.
7 "	Schooner, Fanny	Wing	32	Bay of Islands	Poverty Bay	Maize and potatoes	16 "	Sydney.
11 "	Barque, Governor Halket.	Bolger	350	New South Wales	Fishery	Sperm Oil	15 Oct.	Fishery.
13 "	Schooner, Blackbird	Hunter	80	New South Wales	Hokianga	Merchandise	18 Sep.	Tongataboo, with Missionary Stores.
14 "	Brig, Nimrod	Maughan		Great Britain	Sydney	Merchandise	18 "	East Coast.
21 "	Barque, Jane	Barbor	221	New South Wales	Fishery	Sperm Oil	10 Oct.	Fishery.
6 Oct.	Schooner, Columbine	Lewington	80	Bay of Islands	Tauranga	Ballast	9 "	Three Kings' Islands.
6 "	Schooner, John Duncomb	M'Laine	60	Van Diemen's Land	Launceston	Merchandise	19 "	Hokianga.
9 "	Brig, Charles Dogget			America	Tahiti	Cocoa nut Oil, &c.	12 "	Sydney.
13 "	Barque, Woodlark	Ghrimes	245	New South Wales	Sydney		15 "	Fishery.
13 "	Barque, Earl Stanhope	Salmon	290	New South Wales	Sydney		15 "	"
19 "	Schooner, Columbine	Lewington	80	Bay of Islands	Three Kings' Islands	Ballast	16 Dec.	Tauranga.
20 "	Ship, Thetis	Apsey	400	Great Britain	Fishery	Sperm Oil	6 Nov.	London.
24 "	Schooner, Fortitude	Mackay	125	Bay of Islands	Hokianga	Timber	1 "	Tahiti and Oahu.
3 Nov.	Ship, Tybec		298	America	Sydney	Merchandise	6 "	America.
5 "	Barque, Surry	Veale	363	New South Wales	Sydney	Merchandise	13 "	River Thames.
7 "	Ship, Columbus			America	Fishery	Sperm Oil	15 "	Fishery.
7 "	Barque						21 "	"
9 "	Barque, Clarkstone	Allan	245	New South Wales	Fishery	Sperm Oil	21 "	"
20 "	Ship							
22 "	Brig, Scamander		250	New South Wales	Fishery	Sperm Oil	5 Dec.	"
22 "	Ship, Montano	Edwards	400	America	Fishery	Sperm Oil	6 "	America.
26 "	Schooner, Active		105	New South Wales	Sydney	Merchandise and Mission Stores	6 "	Eastern Coast.
26 "	Ship, Chalcadony			America	Sydney	Merchandise	30 Nov.	Tahiti and Eastern Islea.
1 Dec.	Barque, Nimrod	Browne	322	New South Wales	Fishery	Sperm Oil	7 Dec.	Sydney.
4 "	Ship, Matilda	Brooks		Great Britain	Fishery	Sperm Oil	17 "	London.
11 "	Ship, Huron			America	Fishery	Sperm Oil	26 "	Fishery.
12 "	Schooner, Fanny	Wing	32	Bay of Islands	Hokianga		15 "	Hokianga.
13 "	Barque, Juno	Banks	213	New South Wales	Fishery	Sperm Oil		To repair damages.
14 "	Barque, Governor Bourke.	Powell	200	New South Wales	Fishery	Sperm Oil	23 "	For Fishery.
16 "	Ship, Benjamin Rush			America	Fishery	Sperm Oil		
21 "	Barque, Beagle	Fitzroy	250	H. M. Surveying Ship	Tahiti		29 "	Sydney.
22 "	Ship, Sarah Elizabeth	Swaine		Great Britain	Fishery	Sperm Oil		
22 "	Barque, Rose	Hall	421	Halifax (Nova Scotia)	Fishery	Sperm Oil		
23 "	Schooner, Jess			Sydney	Sydney	Merchandise		

SUMMARY.

One British Ship of War.....	1
Four British Whaling Ships.....	4
Two British Trading Vessels	2
Eleven New South Wales Whaling Ships	11
Twelve New South Wales Trading Vessels including Vessels owned at New Zealand	12
One Van Diemen's Land Whaling Ship	1
One Van Diemen's Land Trading Vessel.....	1
<hr style="width: 10%; margin-left: auto;"/>	
Total British and British Colonial Vessels	32
Four American Whaling Ships.....	4
Four American Trading Vessels	4
<hr style="width: 10%; margin-left: auto;"/>	
Total American Vessels	8
Two Vessels not ascertained	2
<hr style="width: 10%; margin-left: auto;"/>	
Total number of Ships	42
<hr style="width: 10%; margin-left: auto;"/>	

N. B.—Small Vessels engaged exclusively in the Coasting Trade are not included in the above List; and the same Vessels visiting the Bay of Islands more than once within the above period, are numbered as distinct Vessels on each visit.

(Signed)

JAMES BUSBY,
British Resident, at New Zealand.

Bay of Islands,

8th January, 1836.

A LIST of all the Vessels which arrived at the River Hokianga, in New Zealand, and departed therefrom, during the Six Months, ending on the 30th June, 1835.

ARRIVALS.

DATE OF ARRIVAL.	NAME OF VESSEL.	NAME OF MASTER.	TONNAGE.	COUNTRY TO WHICH BELONGING.	FROM WHENCE.	CARGO.	REMARKS.
1835							
12 Feb.	Industry, brig	London	Hobart Town	Merchandise.....	Called for refreshments.
17 "	Industry, schooner .....	.....	63	Hokianga	Launceston	Ditto
4 Mar.	Louisa, ship .....	.....	350	London .....	.....	.....
3 Apr.	Fortitude, schooner... Wood.....	.....	125	Bay of Islands	Bay of Islands	Merchandise
10 "	Industry, schooner	63	Hokianga	Ditto	Ditto	To procure a cargo of spars for the Brazilian Navy, having a Gentleman on board, said to be a Commodore in that Service.
11 "	Brazil Packet, brig... Crow.....	.....	.....	.....	Hobart Town	Ditto
29 "	Isabella, brig	Maughan .....	.....	.....	Ditto	Ditto
4 May ...	Waterloo, ship .....	.....	450	Great Britain	Sydney	Ditto
4 "	Blackbird, schooner... ..	.....	80	Sydney	Ditto	Ditto
4 "	Fortitude, schooner... Mackay.....	.....	125	Bay of Islands	Waikato, on the east coast.	.....
29 "	Industry, brig .....	.....	.....	London	Hobart Town	Merchandise
14 June ...	Industry, schooner .....	.....	63	Hokianga	Bay of Islands	Ditto
14 "	Ranpero, cutter .....	.....	.....	Hobart Town	Ditto	Ditto

DEPARTURES.

DATE OF DEPARTURE					WHITHER BOUND.		
1835.							
21 Jan. ...	Brazil Packet, brig... Crow.....	London	Hobart Town	Plank and Potatoes	With a detachment of Wesleyan Missionaries
21 "	Fanny, schooner	Wing.....	32	Bay of Islands	Sydney	Ditto	
14 Mar. ...	Industry, schooner .....	.....	63	Hokianga	Bay of Islands	Plank
16 "	Industry, brig .....	.....	.....	London	Hobart Town	Flax, Plank, and Potatoes.....
10 Apr. ...	Fortitude, schooner... Mackay.....	.....	125	Bay of Islands	Waikato, on the west coast	.....
29 May ...	Blackbird, schooner... ..	.....	80	Sydney	Sydney	Plank and Potatoes
25 June ...	Isabella, brig	Maughan .....	.....	.....	Launceston	Ditto, ditto, and Spars
25 "	Brazil Packet, brig... Crow.....	.....	.....	London	Hobart Town	Plank, Potatoes and Indian Corn. ...
25 "	Fortitude, schooner... Mackay.....	.....	125	Bay of Islands	Sydney	Ditto, Ditto.....

Bay of Islands, New Zealand, }
12th August, 1835. }

(Signed)

JAMES BUSBY,
British Resident at New Zealand.

TRADE WITH NEW ZEALAND.

RETURN of the Gross declared Value of Exports and Imports to and from the Ports of New South Wales, and any part of New Zealand, during the years, 1833,—4,—5.

EXPORTS.		IMPORTS.	
Year 1833.....	£14,199 0 0	Year 1833.....	£20,383 0 0
„ 1834.....	23,498 0 0	„ 1834.....	18,037 0 0
„ 1835.....	40,746 0 0	„ 1835.....	28,711 0 0

*Custom House, Sydney,
14th July, 1836.*

J. GIBBES, *Collector.*
R. S. WEBB, *Acting Controller.*

EDUCATION.

MINUTE of His Excellency the Governor to the Legislative Council.

With reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, of the 30th of November, 1835, now before Council, I lay on the Table for the further information of the Members, a copy of the Regulations and Directions issued by the Board of Commissioners of National Education in Ireland.

On perusing this document it will be seen that the system adopted in the National Schools, under the direction of the Board of Education, affords ample opportunity for the religious instruction of the children in the faith of their parents; whilst by the use of Scripture lessons in the ordinary business of the schools, the children become familiar with the leading truths and practical duties of Christianity.

The Board require that one day in the week (independently of Sunday) be set apart for the separate religious instruction of the children in the school, by such pastors or other persons as are approved by the parents and guardians, and on other days in the week also, either before or after the ordinary school business, if the parents shall so desire it. Upon all such occasions the authorised Version of the Scriptures, either wholly or in part, may at the desire of the parents be read by or to any child frequenting the school. This regulation fully proves that the use of the Scriptures is not interdicted at the National Schools, and thus refutes the imputation attempted to be cast, by those who oppose that system of Education, on the British Government and the British Parliament; the one of having originated, the other of supporting by an annual grant of the public money, a National Establishment subversive of the fundamental principles of Protestantism. The National Schools of Ireland are approved, and their Establishment has been applied for by a large body of Protestant Divines, Episcopalians and Presbyterians, inferior to none in piety, learning, and morals. The Archbishop of Dublin is a Member of the Board of Commissioners of National Education. A detailed account of the successful operation of these schools in dispensing the blessings of Education to large numbers of the poor of Ireland, of whatever denomination of Christians, is to be found in the Reports of the Commissioners, which, together with the Scripture lessons used in the ordinary business of the schools, have been laid on the Council Table for reference and information.

RICHARD BOURKE.

22nd July, 1836.

EDUCATION.

To His Excellency Major-General Sir Richard Bourke, K. C. B., Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, and to the Honorable the Legislative Council.

The Petition of the undersigned, Members of the General Committee of Protestants of the Colony of New South Wales.

Humbly Sheweth,

That your petitioners have learned, with deep regret, that it is the intention of His Excellency the Governor to submit to the Honorable the Legislative Council, to-day, the Estimate of Expenditure for schools, in which appears an item of three thousand pounds to be voted by your Honorable Council towards the formation of a National School.

Z

That

That your petitioners referring to a letter addressed to His Excellency the Governor on the subject this morning by their Secretary, the Rev. Ralph Mansfield, would most humbly and respectfully entreat that your Excellency and your Honorable Council, before any sum be voted in aid of a system, in which your petitioners, and, as they have reason to believe, the far greater part of their fellow Protestants, cannot conscientiously concur, will refer the consideration of the whole subject of Education to a Committee of the Council, with instructions to receive evidence from Members of every denomination of Christians throughout the Colony, in order to ascertain whether the general feeling of the Colonists be in favor of the system of Education now proposed to be established in the Colony.

And your petitioners, as in duty bound, will ever pray, &c., &c., &c.
Sydney, 25th July, 1836.

[Here follow the Signatures.]

EDUCATION.

To His Excellency Major-General Sir Richard Bourke, K. C. B., Governor in-Chief in and over the Territory of New South Wales and its Dependencies, and to the Honorable the Legislative Council of the same, in Council assembled.

The humble Petition of William Grant Broughton, Doctor in Divinity, Bishop and Ordinary Pastor of the Diocese of Australia.

SHewETH,

That your Petitioner having been informed, by direction of your Honorable Council, that the rules of your Honorable Council do not admit of his being personally heard in the manner he had desired, in support of the conscientious objections which he entertains against the establishment in this Colony, of a system of Public Education conducted according to the principles which your Petitioner has already pointed out, is anxious, with the utmost deference, still to submit those objections to your Honorable Council, in such form as the rules and orders thereof, will permit him to employ.

That in resorting to this mode of addressing your Honorable Council, your Petitioner believes that he is but availing himself, indirectly, of a privilege which appertains to him, as being, according to the intention of His Most Gracious Majesty, a Member of your Honorable Council; and moreover, that he is acting in perfect conformity with the views of the Right Honorable the Secretary of State for the Colonies, who, your Petitioner is aware, was not desirous of prescribing any particular system of Public Education as necessarily to be adopted, but to leave to the free and unbiassed deliberation of your Excellency and Honorable Council, the selection of such a system as may be most acceptable to the great body of the inhabitants, and at the same time, most conducive to the important end in view.

That your Petitioner not only never did seek or solicit by himself, or by any other person whatsoever, an appointment to the office with which he is invested in the Protestant Church, and which, as he conceives, renders it a duty imperative on him, to petition for leave to address your Honorable Council upon this occasion; but that he did refuse, and would have continued to refuse, to take upon himself the Office of a Bishop in this Diocese, unless the same were coupled with a perfect understanding that he should not be in anywise expected or required to concur, or to co-operate, in the establishment of the proposed system of Public Education; and that he did accordingly enter upon the said office, with the previously expressed assent of His Majesty's Secretary of State, to your Petitioner's maintaining his acknowledged and deliberately formed opinion upon this question.

That your Petitioner has attentively, and without prejudice or prepossession, examined the principle and details of the proposed system of Public Education, as the same are set forth and explained in the Reports and other authentic publications of the Commissioners of National Education in Ireland; but that with every disposition and desire, for the sake of peace, to acquiesce in any system of general instruction which should be so framed as not to require from himself, and those who accord with him in sentiment, any compromise upon points which they deem sacred and vital, he has nevertheless been compelled to withhold his approval from the system now proposed, for the reasons which here follow:—

First,—Because the system, while it professes to be grounded upon a principle of perfect impartiality to all communions and sects, is not so in reality; inasmuch as the proposal to appoint a Board of Commissioners, with power to determine what portions of Holy Scripture may be used during the hours allotted to the ordinary school business, and to prohibit the reading, at such times, of any portions except such as have been so approved and sanctioned, must involve a concession on the part of those members of the Board, who may hold that the entire Scriptures should be at all times free to be used and appealed to; and such concession can be considered only in the light of a compromise, to meet the views of such other of the Commissioners as may be of opinion that no part of the Scriptures should be generally read, except by an express license and sanction previously obtained. In reality, therefore, no sacrifice whatever is required from the latter, or from those whom they represent; as their particular views are carried into effect, in the same manner as they would be, if the entire decision rested with themselves; while the former class, by submitting to such interference with their own free use of the Word of God, not only subject the children of their own persuasion to the privation of an inestimable benefit, but abandon the very principle upon which their faith is founded.

Secondly,—

Secondly.—Because, even such extracts from the Scripture as are prepared under the sanction of the Board, are not of necessity to be employed in the ordinary course of school business; but only “*may be used and are earnestly recommended by the Board to be used;*” it being also well known that the neglect of that *recommendation* in any school, would not be deemed a sufficient cause for breaking off its connexion with the Board; and it would be utterly objectionable to all classes of Protestants that the Scriptural instruction of their children, during so great a portion of their time, should be left altogether dependent upon the will and discretion of persons of opposite sentiments, who may obtain influence to control and direct any such schools.

Thirdly.—Because the objection to the employment of the authorised English Version in the Scripture Lessons never would have been raised, except by those who dispute or deny the right of the Church of England, and of English Protestants in general, to form for themselves a translation of the Scriptures into their native tongue; and, therefore, the acquiescence by Protestants in the substitution of another version, which must first have undergone the Board’s approval, will have, and may be designed to have, the force of a *tacit assent* on their part, to the objections of those who dispute or deny their title to the enjoyment of so inestimable a right; and *must accordingly be viewed with jealousy, as the first step towards depriving them of it.*

Fourthly.—Because the children of Protestants, by attending schools founded upon the practical acknowledgment of an authority which may thus interfere with, and control the use of the Bible; and by being daily familiarised with the idea of giving way upon this point, cannot be expected to grow up with the salutary dread and impatience of such an assumed power, which ought to be uppermost in every Protestant mind; but the very book of Scripture extracts which is placed in their hands, furnishing proof of the existence and prevailing influence of such an authority, they cannot fail to imbibe high notions respecting it, and gradually must cease to regard it as a serious evil. Considering, therefore, that there is nothing in the nature of the System itself which in the same degree tends, by an unseen but never-failing influence, to inculcate any great Protestant principle, or to encourage the growth of a Protestant turn of mind, it is but too certain that the effect of the measure will be covertly to infuse an indifference respecting the grounds of the Protestant Faith; and to prepare the way for the introduction, and too favorable reception, of tenets the most opposed to it.

Fifthly.—Because, according to the acknowledged practice of this System, not only the Scriptures, but prayer itself, is regarded as one of the religious exercises which must be confined to those times which are set apart for religious instruction; and it must operate most injuriously upon the minds of the young, thus to hold out prayer, as a duty of so little importance, that it may innocently be omitted at all times, excepting on those comparatively rare occasions, when the practice of it is not prohibited by the school regulations.

Sixthly.—Because, the expedients by which it is proposed to compensate for the restrictions imposed upon the free use of the Scriptures, and upon united prayer, are altogether insufficient to accomplish that end, or to confer such opportunities of religious instruction, as all conscientious parents must be anxious to secure to their children; the attendance of a Clergyman upon some given day of the week, or oftener, at every school, being, under the present circumstances of this Colony, known to be impossible; while the parents of very great numbers of those for whose benefit these schools are designed, far from being disposed, or qualified, to communicate to their children that Scriptural instruction which the schoolmaster is prohibited from imparting, are themselves so ignorant and depraved, that the most favorable expectation can only be, that they may forbear doing positive injury to the principles and morals of their offspring.

Seventhly.—Because, if it were even possible to ensure the attendance of a Clergyman, or suitable religious instructor, upon an appointed day, this would not avail generally to give religion its due hold and influence upon the mind, nor to repair the evils occasioned by the neglect, upon all other days, of any earnest reference to the subject. The Petitioner having been himself much engaged in the conduct of Education, is able, from personal experience, to testify that the acquisition of religious knowledge, and the excitement of religious impressions, depend not so much upon the appropriation of a set number of hours to discuss the doctrines and duties of religion, as upon their daily and hourly enforcement in the course of every lesson, as occasions present themselves, of which a wise teacher, left to his own discretion, well knows how to avail himself; but which, unless seized at the moment, must be lost for ever; and the Petitioner is persuaded that the artificial substitution of a day for inculcating religion, instead of its being made always the subject of devout observation, will not accomplish the object proposed, any more than in nature occasional irrigation would compensate for the failure of the rain and dew of Heaven. Independently of which it is proved by the evidence of one of the Commissioners of Irish Education, before a Committee of the House of Commons in 1834, that the schools are not generally conducted *bonâ fide* according to the principles laid down by the Board; and that the setting apart of one day in the week, is not considered a matter of much consequence by either party.

Eighthly.—Because your Petitioner does not admit that the Parochial and Orphan Schools now subsisting in connexion with the Church of England, have been, generally speaking, of little value or importance; there being in his possession evidence to shew that in this and other towns, as well as in the country districts, a very considerable number of the most honest, industrious, and useful members of society, have received the whole, or the greater part, of their education in those institutions. And your Petitioner being satisfied by his own careful enquiries and observations that, notwithstanding the difficulties against which the Parochial Schools upon the English National system have had to struggle, it is to their influence, as places of religious education, that the greater portion of the decency and respectability which prevail among persons in the middle and humbler classes of life, who have been brought up in this Colony, is attributable, is anxious that your Excellency, and Honorable Council, should not be induced to sacrifice these Schools for the establishment of others; which though of greater pretensions, may probably not prove to be of greater usefulness.

Ninthly.—Because, the Despatch of the Right Honorable Lord Glenelg, far from requiring or enforcing the adoption of the New Irish system of Education in this Colony, suggests and recommends a system which deviates from it in many very important particulars; especially in proposing

proposing for adoption, the far preferable basis of placing the whole of the New Testament, at least, in the hands of the children; of employing in the Scripture extracts the authorised Church of England version; and of combining with the plan, the establishment of Sunday Schools; affording opportunities of fuller religious instruction than can usually be given in any Daily Schools for general Education.

Tenthly.—Because, although the present application of funds to the establishment of Parochial Schools upon the Irish system, be represented as no more than an experiment, it is obvious that, in the nature of things, the success of such an experiment, or even its probable result, cannot be ascertained until after the lapse of a considerable number of years, that the experience of the short interval, during which it has been in operation in Ireland, to say nothing of admitted deviations from the professed plan, cannot supply proper *data* for deciding the question; and that if, after a sufficient period of trial, the system should be proved to be attended with those pernicious effects which are anticipated from it by your Petitioner, and those who agree with him in sentiment, it will then be too late for your Honorable Council to abandon the experiment, with any hope that the evils which it has introduced and fostered, can be made to cease at the same time with it.

For the above and other weighty reasons, your Petitioner is most desirous that your Honorable Council should not lead the sanction of your authority to an undertaking which, however excellent in intention, must be most injurious in its effects; which, assuming to be most strictly impartial, demands nevertheless a most momentous sacrifice from one party while no corresponding interference is admitted with the principles of the other; which employs a Board, the majority of whose Members are Protestants, as the instrument for exercising over the Holy Scriptures a jurisdiction, to which the Protestant rule is utterly opposed; which would introduce a system of instruction, under which the leading truths of Christianity must ordinarily be prohibited subjects; and its practical duties, for which those truths alone afford sufficient support, must in consequence be very imperfectly inculcated.

Your Petitioner would also respectfully represent to your Honorable Council, that no favorable influence can be drawn from the number of Protestants, lay or clerical, who have in Ireland applied for the establishment of Schools under the Commissioners; such being but the natural consequence of the determination of Parliament not to grant aid for the purposes of general education, upon any other terms than those of adhesion to the system established by the Board; and multitudes, in despair of obtaining in any other way the means of instruction for their children, have been, by that consideration, induced to connect themselves with a system which, in their hearts and consciences, they do not approve. Your Petitioner, upon the fullest consideration, is satisfied that the direct tendency and necessary effect of that system, wheresoever introduced, must be to consolidate a power, whose aim and object will be to dash the Bible out of the hands of the people, and to place it again under lock and key.

Your Petitioner, therefore, while he acquits himself to his own conscience, by resorting to this mode of representing to your Excellency and Honorable Council those objections which, if it had been in his power, he would have urged in his place in Council, or personally before it, does humbly and with unfeigned respect,—but at the same time most earnestly, and as in the sight of God,—implore, beseech, and adjure your Excellency and Honorable Council, not to undertake the responsibility of sanctioning a measure so fraught with danger; and, as he is conscientiously persuaded, even with certain destruction to the prevalence and salutary influence of the Reformed Religion. Your Petitioner is conscious that, in these sentiments he is joined and supported by the great bulk of the serious and reflecting population of the Colony; and, on their behalf, he prays your Excellency and Honorable Council accordingly, not to promote a system of general instruction which, in their opinion, is open to many serious objections; while its introduction cannot even be justified upon the ground of the relative numbers of the different Communions in New South Wales.

And your Petitioner as in duty bound will ever pray.

WILLIAM G. AUSTRALIA.

Sydney, 25 July, 1836.

EDUCATION.

To His Excellency Major-General Sir Richard Bourke, K. C. B., Captain-General and Governor-in-Chief of the Territory of New South Wales, and its Dependencies, and Vice-Admiral of the same, &c., &c., &c., and the Honorable the Legislative Council in Council assembled.

The Petition of the undersigned Protestants of the Colony of New South Wales.

HUMBLY SHEWETH,

That your Petitioners have perceived, by the Despatch of His Excellency the Governor to the Right Honorable the Secretary of State, dated 30th September, 1833, and the reply, dated 30th November, 1835, together with the Address of His Excellency the President at the opening of the present Sessions of the Legislative Council, that it is the intention of Government to establish a system of General Education throughout the Colony, allied, if not altogether similar, to the plan of the Irish National Schools.

That your Petitioners feel grateful for the beneficent intentions in which they doubt not this proposal originated; but they are persuaded that the adoption of the measure will defeat these intentions, and entail consequences the most injurious.

That your Petitioners are deeply impressed with the importance of establishing a system of Education and religious instruction, founded upon sound principles, at a time when the destinies and character of the country may be fixed for an indefinite period, and when freer institutions are in all probability about to be bestowed; and when the formation of new dependencies in this Territory is about to increase the dispersion of the inhabitants. Entertaining, however, as they do, the opinion that the Irish National System is unsound in principle, and not only unsuitable to

to the wants, but opposed to the wishes of a large majority of the Colonists, they respectfully solicit that your Excellency and your Honorable Council will not authorise its establishment throughout the Colony, by means of the public funds, for the following reasons:—

First.—Because they cannot conscientiously allow their children to participate in the advantages of any scheme of Education, however valuable in other respects, which excludes either the whole or a part of the Sacred Scriptures, or prevents the scholars from having unrestricted access to their contents.

Secondly.—Because the Irish System is calculated in its very nature, to produce religious animosity amongst children, which in this Colony has not hitherto existed. The stated attendance of different Clergymen for communicating to the scholars of the same school, not only separate, but opposite religious instructions, will necessarily point out, under the influence of irreconcilable creeds, the different sects to each other, in the most conspicuous and disagreeable colours, and thus naturally engender party spirit and religious rancour.

Thirdly.—Because the expense of Education will be materially increased by the necessity which the system imposes, of providing religious instructors of each denomination for every school, in addition to the ordinary teacher; and if such religious instructors be not provided, the system becomes not only futile but deceptive. But in fact no such instructors can be obtained, the lamentable deficiency of Ministers of religion throughout the Colony, being notorious.

Fourthly.—Because the proposed scheme is only practicable in places where it is not required, viz., in towns and populous neighbourhoods, and the very circumstances which render it feasible, prove it to be unnecessary.

Fifthly.—Because in those places where Clergymen may not be able to attend at the time set apart for religious instruction, the children would of course be taught by the schoolmaster, who, besides the absurdity of the same individual dispensing the various doctrines to his scholars, would be reduced to the necessity of having all present at each others instruction, or of excluding the pupils of one denomination from the schoolroom, while those of another were under examination; such a system would impose restraints upon a teacher in proportion to his conscientiousness, and the want of fixed principles would be a chief recommendation for his appointment, while the effect on his own mind would be either a virtuous imbecility, or an active talented latitudinarianism; and upon the minds of his pupils, an unavoidable infidelity or universal scepticism.

Sixthly.—Because to unite in that system would be to recognise the authority of the Romish Church, in withholding the Bible from the laity, and would require that facilities should be afforded to the Roman Catholic Clergy, in every National School, to inculcate a system of religion, to which your Petitioners are conscientiously opposed.

Seventhly.—Because your Petitioners consider it a most dangerous infringement on the liberties of the subjects of a free constitution, that any Board invested with merely civil authority should sit in judgment upon the Word of God, determining how much of it is properly admissible in a place of juvenile Education, and are of opinion that no extracts from the Scriptures, framed to meet the wishes of a Board embracing the most conflicting and irreconcilable creeds, can contain a fair, adequate, and uncompromised representation of the doctrines of salvation. These publications will also tend to destroy the confidence of weak and untutored minds in the authenticity of the Bible, and being received by the young as the work of man destitute of Divine authority, whatever portion of Divine truth they may contain, will be insufficient to inspire for their contents that veneration which the unmutated Word of God is calculated to produce.

Eighthly.—Because it involves the consequence that to prize the Scriptures is to forfeit the favor and assistance of the Government, an effect, alike anomalous, unchristian, and opposed to every right British feeling and principle.

That your Petitioners have no means of ascertaining correctly the population of the Colony at the present time, but if it be correctly estimated at eighty thousand souls, they conceive the Roman Catholics do not exceed one fifth of that number, or sixteen thousand in all of the entire population. They compute that the children may amount to eight thousand, and the proportion of Roman Catholics may be sixteen hundred.

Your Petitioners earnestly pray therefore, that your Excellency and your Honorable Council will not deprive them as Protestants of a proportionate share in the funds proposed to be expended in Education, if they cannot consistently with what they conceive to be their solemn duty, unite in a scheme so much at variance with the principles to which they are most firmly attached, and in which they most fervently pray to have their offspring brought up.

And your Petitioners, as in duty bound, will ever pray, &c.

[Here follow the signatures.]

EDUCATION.

To His Excellency the Governor, and the Honorable the Legislative Council of
New South Wales.

The Petition of the undersigned Inhabitants of the Colony,

RESPECTFULLY SHEWETH,

That your Petitioners are most anxious for the establishment of a system of General Education in this Colony, which may be effectual in inculcating upon the rising generation, sound principles of religion and morality, together with such useful knowledge as will best qualify them to discharge the duties of life satisfactorily to themselves, and with advantage to the community.

That your Petitioners have observed with extreme gratification, that the attention of His Majesty's Government has been particularly directed to this most important subject, and your Petitioners are firmly impressed with the belief, that the wise and benevolent principle of allowing

to each of the three leading branches of the Christian Faith; a sum from the Public Revenue, for the purposes of Education, proportionate to their numbers, is of all others the best adapted to the circumstances of this Colony, and to the condition of its inhabitants.

That your Petitioners recognise the same benevolent disposition in the recommendation to make an experiment of the Irish System of National Education; but they are of opinion, that that recommendation has proceeded from mistaken views as to the state of society in this Colony.

That where the great majority of the population, as in Ireland, are Catholic, such a system may possibly be productive of good; but that in this Colony, where, on the contrary, the great majority of the inhabitants are Protestant, and which is in various respects so differently circumstanced, your Petitioners conceive, that as a general measure, it is utterly inapplicable; and they are apprehensive that an attempt to force it upon the Colony, will not only be productive of other most injurious consequences, but can tend neither to advance the cause of Religion nor Education.

Your Petitioners would further beg to submit, that it appears to them essential to the success of any general system of Education, that it should not clash with the religious opinions and feelings, or even prejudices of the majority, and your Petitioners have reason to believe that by far the greater portion of the free inhabitants of this Colony, are decidedly adverse to the introduction of the Irish National System; whereas the principle before adverted to, of granting to each of the three leading religious persuasions, an amount proportionate to their numbers, has in its favor, the advantage of almost universal concurrence and approbation.

Your Petitioners would in conclusion, and with great deference, bring under the consideration of your Excellency and your Honorable Council, that of the seven members of Council not holding office under Government, six have expressly declared in a petition to Parliament, "That the Legislative Council, as at present constituted, is inadequate to the exigencies of the Colony, and has no hold upon the public confidence;" and that at this very time a new law must in all probability either have been enacted, or be under consideration, for the Government of this Colony, placing the Local Legislature upon a more efficient and popular basis.

Under these circumstances, and for the reasons hereinbefore set forth, your Petitioners most earnestly entreat your Excellency and your Honorable Council, to defer the passing of any Legislative measure upon a question of such vital importance to the present and future well being of this community, further than may be necessary to afford to each of the three leading religious persuasions, such an amount in aid of Public Education, as from their numbers they may respectively be entitled to.

And your Petitioners, as in duty bound, will ever pray, &c.

[Here follow the signatures.]

*REPORT from the Committee on the proposed New Government House,
with the Minutes of Evidence.*

Ordered, by the Council, to be printed, 12 August, 1836.

COMMITTEE APPOINTED TO EXAMINE AND REPORT UPON THE PLAN
AND ESTIMATE FOR A NEW GOVERNMENT HOUSE.

THE CHIEF JUSTICE,

THE COLONIAL SECRETARY,	|	MR. BERRY,
THE AUDITOR-GENERAL,	|	MR. M'ARTHUR.

The Committee of the Legislative Council of New South Wales, appointed to examine and report upon the plan and estimate for a New Government House at Sydney, having assembled and sat for several days successively, from the 28th July, 1836, and having had before them an extract from the Secretary of State's Despatch to His Excellency the Governor, of date the 25th March, 1835, No. 33, together with the plan and specification transmitted from England; and having examined Captain Barney, Commanding the Royal Engineers, and Mr. Lewis, the Colonial Architect, (whose evidence will be found in the Appendix to this Report) touching and concerning the same, and having considered the most suitable site for erecting the proposed New Government House, have the honor to report for the information of His Excellency the Governor, and the Honorable the Legislative Council,—

First.—That the plan and elevation of the proposed New House transmitted from England, is suitable for an official residence for the Governor, with the addition of a dining room for private accommodation, and of suitable out-offices, for which last no provision has been made in the plan and specification submitted to their consideration.

Secondly.—That the estimate made out in England, of the expense of erecting a Government House, agreeably to the said plan, is wholly inadequate; and that such a House, together with an additional dining room and suitable out-offices, cannot be erected in this Colony for less than £25,000 sterling.

Thirdly.—That taking all circumstances into consideration, and after a personal inspection of the spot, and taking the opinion of the scientific witnesses examined, they have further to report,

report, that the most suitable site, in their judgment, for the said House, is an elevated spot of land near Bennelong's Point, equi-distant between the present Government Stables and Fort Macquarie.

Before your Committee resolved upon recommending this site, they had under consideration the expediency of selecting a spot for this purpose, either to the southward or to the northward of the Government Stables, in the immediate vicinity thereof, but finding that such a selection would be attended with many disadvantages, without any compensating advantages, they deemed it expedient to direct their attention to the site now proposed.

The other sites at first contemplated, possess few of the advantages, which they take leave to point out, as recommendatory of that now suggested.

The site now proposed possesses the advantages of an extensive view of the Harbour of Port Jackson, and the adjacent scenery; it will present an imposing aspect from the Harbour and highest parts of the town of Sydney; it is healthy in every respect, and will be sheltered from the effects of obnoxious winds in the seasons of summer and winter; it is well adapted for adequate drainage, and an abundant supply of fresh water; it will have the advantage of about 50 acres of surrounding pleasure grounds, the natural shrubberies now growing thereon, recommending it for retirement, without interfering with a just proximity to the town for the purposes of public convenience, as an official residence of the Governor. The existing stables will be at a convenient distance, and taken together with Macquarie Fort, will harmonise admirably with the character of the proposed House, and the latter, together with the contemplated improvements in Sydney Cove, and parts adjacent, will present an attractive appearance to strangers visiting the Port.

The plan of the House, transmitted from England, will, in the opinion of your Committee, require recasting, or some modifications, not, however, inconsistent with the general arrangement. Amongst these alterations, your Committee would recommend detached accommodations for the Governor's Staff and Suite, together with suitable out-offices in connexion with the House.

Although the estimate of £25,000 far exceeds the expense contemplated by the Right Honorable the Secretary of State, yet in recommending so large an outlay of Public Money, for such a purpose, your Committee beg leave to state, that they have had in view the probable proceeds of the sale of Government land, which will be thrown into the town of Sydney, by selecting the proposed site of the New Government House. By this arrangement, about 20 acres of land may be separated from the present inner domain, (without inconveniently abridging the comfort of the Government House), and may be dedicated to the improvement of that part of the town which will abut upon the proposed new Wharves in Sydney Cove. By this arrangement Macquarie-street, Phillip-street, Elizabeth-street, Castlereagh-street, and Pitt-street, respectively, may be prolonged in a northerly line, so as to open on the said Wharves, leaving abundant space for the erection of Public Offices, a Commercial Exchange, and a Public Library, on eligible sites. At the lowest estimate, the street frontages, thus thrown into the market, will yield funds more than sufficient to cover the expense of erecting the New Government House, the Government Offices herein proposed, and the Circular Quay. In this estimate your Committee do not include the value of the allotments on the proposed new Quay, nor of the present public offices and the ground they respectively stand upon, which will doubtless yield a large return when sold.

The proposed site for the New Government House will not abridge, nor interfere with the allotments on the proposed new Quay, whilst at the same time, the proximity of the Quay will not interfere with the retirement of the proposed House, a point which the Committee deemed it necessary to keep in view, as it is intended, they understand, to restrict the Governor to one official residence as soon as the New Government House shall be erected.

In recommending the proposed site, your Committee beg leave to state to the Council, that the communication with the outer Domain for foot passengers, as heretofore open, is to be still reserved for public recreation, by way of Fort Macquarie, but in a direction nearer to the water's edge, which will add to its length, salubrity, and beauty.

In the immediate vicinity of Fort Macquarie there is a large quantity of stone, well adapted for building, which it is desirable should be removed. This may be used in erecting the New House, and when removed, the spot may be converted into a promenade for gala days, or other public occasions, to which there will be an easy access by the line of Macquarie-street.

The Committee do not at present recommend as necessary, but they would suggest, that hereafter, the edge of the shore, leading from Fort Macquarie to the outer Domain, may be converted into a carriage drive, for public recreation.

In recommending this site, your Committee have had in view, not merely the suitability of the spot for an official residence, combining style, health, convenience, and eligible locality, but have also contemplated public convenience, both for business and pleasure, and have had an anxious regard to an economical expenditure of the Colonial funds, whilst at the same time they have not been unmindful of the growing prosperity and importance of the town of Sydney, as the seat of Government.

For further information on this matter, your Committee beg leave to refer to the Appendix to this Report, in which will be found, a sketch of the site which they propose to your Excellency and Honorable Council for adoption.

JAMES DOWLING,
Chairman.

12 August, 1836.

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MINUTES OF EVIDENCE.

THURSDAY 28 JULY, 1836.

HIS HONOR THE CHIEF JUSTICE IN THE CHAIR.

Mortimer William Lewis, Esquire, called in and examined:—

M. W. Lewis, Esq.
28 July, 1836.

I am the Colonial Architect. I have seen and considered the plan and estimate for the proposed New Government House at Sydney, transmitted from England. I am of opinion that the building proposed to be erected agreeably to that plan, cannot be executed for less than £16,000, without including the kitchen and other necessary out-offices. The Plumbers' work in the English estimate is valued at £16 per ton, whereas, that part of the work in this Colony, cannot be performed for less than £45 per ton. The excess over and above the English estimate, arises from the high rate which must be paid here for competent skill in workmanship. The ironmongery work necessary has been estimated in England at £97 10s. 10d.; in this Colony, it would come to six or seven times more. The painting work is set down at £178 8s. 0d.; and it would come to four times that amount here. I think that £16,000 would cover the expense of the House; but that it would cost £3,000 in addition for kitchen and offices suitable for such an establishment. I think, that with the out-offices and items which cannot be foreseen, the work cannot be completed for less than £20,000. Good Joiners cannot be obtained under 7s. per diem; Stone-masons, competent to execute the cornices and ornamental work required for this building, will not work under from 8s. to 10s. per day. There are but few Masons in the Colony who could undertake the work. Painters that can execute graining and ornamental work, get from 5s. to 9s. per day according to their skill. Plumbers and Glaziers get 5s.; Plasterers 6s.; Quarrymen, from 5s. to 8s.; Stone-cutters the same; Stone-setters the same. The chimney pieces are proposed to be partly stone and carved wood. Marble is to be procured here, but that would be more expensive. I have been in the Colony six years. The plan of the House does not exceed in style and accommodation, what this Colony requires for a Government House. I think, prospectively speaking, it is sufficient for any period as a Government House. If the reception room were made two feet wider, which would make the dining room two feet longer, it would be an improvement. There is no provision made in the plan for sewerage and drainage, the expense of which might be covered by the £20,000. The water closets are ill placed, in the plan, for this climate. I do not think a Government House, with less accommodation, is adapted to this Country. I would not answer for the Old Government House standing a twelvemonth from this time. To perform the work proposed, first rate hands must be employed; and I see no prospect of any reduction in the price of that species of labor. In this climate a verandah or colonnade is necessary for such a building; I think an arcade, supported by slight iron pillars or rods, so as not to interfere with the style of the building, but afford shade for the windows, might be added with advantage; and it would be absolutely necessary on the north side, if the principal front is so placed. To import the materials from Home, the expense would be covered by one guinea per foot, including the pillars. This plan is made with reference to the style of the present stables, but I am of opinion it is not necessary that the House be built on this plan, on account of the stables, as they are so much out of repair, that to repair them substantially would cost nearly as much as to build new stabling. The castellated style in which this House is planned; I think the least adapted to this climate. The Venetian or Italian style is the best adapted, and the cheapest. I approve of the Venetian, because of its affording the greater shade. A Government House in that style, affording equal accommodation, would cost one fourth less than the present estimate; but it would not be equally grand in appearance. It would be equally durable. All suitable timber, stone, and lime, can be procured in this country. The ironmongery, lead, glass, paint, plaister of Paris, and slates, must be imported. Native marble can be procured. I think slates for roofing are adapted for this climate; I think shingles, let them be ever so well made, will not answer so well as slates. Shingles require renewing about every ten years; slates will last as long as the building. If a house in the Venetian style were built on this scale, it would appear too paltry for a Government House. The proposed house is sufficient for a Governor and his ordinary suite, but not for a married Governor with a family. In this plan there is only one dining room, and that a public one. There is no private dining room, no parlour for domestic convenience. A house in the Grecian style, with the like accommodations, would be somewhat less expensive; but the sculpturing of architraves, cornices, pillars, &c., would be nearly equal to the octagonal towers and the Gothic heads of the windows. If the Governor is to have one house only, this house is not sufficient for his public and private residence. The utmost this is calculated for, is an official house, without reference to the Governor's domestic accommodation. To render this fit for a residence combining both purposes, it is necessary to make considerable additions, such as private living-rooms. If not a library, there should be a private dining room, a breakfast room or parlour, and a private drawing room. Perhaps, some of the rooms called in the plan the bed rooms might be appropriated to these purposes, as the approach to them by the noble staircase is good. Here, there is only one entrance,

a public one, and there ought to be one for the family. The plan has certainly a most imposing appearance, and, as an official residence, is suitable to the Colony. No style can have a grander effect; any other style is not so imposing. To employ as many men as we could put upon it, the building might be completed in three years. I was brought up in the Ordnance Department in England, and have had twenty-five years experience of public buildings.

M. W. Lewis,
Esq.

28 July, 1836.

FRIDAY, 29 JULY, 1836.

Mortimer William Lewis, Esq., re-called and examined:—

I have inspected with Captain Barney, this morning, the proposed site for the New Government House. The highest elevation of the ground, as far as the stables are concerned, would be the most suitable for the building. The aspect of the principal front might be north-eastward; that is, the sea view looking down the harbour. That is considered the best aspect for any house in this part of the Colony; because the most healthy; the coolest in summer, and the warmest in winter. By placing the house to the south-east of the stables, some advantage will be gained by that building forming a mask to the westward, and protecting the house from the hot winds. The approach to the house would be improved. I think the space between the house and the stables might be advantageously appropriated to out-offices, without interfering with the unity and harmony of the plan. The originally proposed site being lower than the stables, the effect of the main building would be lost in some measure. I think some of the rooms up stairs, called bed rooms in the plan, might be appropriated to living rooms for the Governor and his family. A drawing room and parlour might thus be gained without adding any rooms to the ground floor. A private dining room might be added on the ground floor without materially interfering with the plan. The best way will be to reverse the plan, so as to have the public rooms looking towards the north-east, and the public entrance to the south-east; unless this position is adopted, the whole of the rooms in the upper part of the building will be sacrificed in point of aspect and comfort; without this, every bed room window would look towards the Town. The objectionable water closets might be placed in the space between the house and the stables, if the latter, which stand in the way of the only good site for the building, are not to be removed.

W. M. Lewis,
Esq.

29 July, 1836.

FRIDAY, 29 JULY, 1836.

Captain George Barney, Royal Engineer Commanding, called in and examined:—

I have been in the Colony six months. I have been preparing estimates for work to be done in this country, and to be submitted to the Home Government. The English estimate for the New Government House is quite inadequate to cover the expense of the building, which forms only part of the plan. There is no provision made for out-offices. This plan is confined to the main building. I think such a house could not be built for £12,000 in this country. There is a great deal of very expensive work in the building. I think it could be built for £18,000, without including the out-offices—including out-offices, it would not be less than £25,000. This building would be always cool from the thickness of the walls, and the interior construction. A verandah could not be added without destroying the character of the building. The accommodations up stairs are very good; down stairs they might be improved. There are no distinct retiring apartments for a Governor's family; as a mere official residence it is well adapted for the purpose. It is a better Government House than there is in any of the Colonies I have been in; I have been in Jamaica, and in all the West India Islands. It would require two more rooms below, a sitting room and a dining room, or a private drawing room. There is no provision made for the Governor's suite, for living and lodging, which are usually provided for. I think those additions might be included in the sum of £25,000 I have mentioned. A house in the Grecian style of architecture I do not think would make any great difference in point of expense; the columns and pilasters would make up the difference. A private entrance is indispensable. With the additions proposed, I think it is well adapted for a public, as well as a private residence. These additions might be introduced without injuring the plan. There need be no alteration in the plan except for the particular objects proposed. It would only derange one angle of the plan. In my opinion, the house, out-offices, and alterations could not be completed for less than £25,000. The stables already built are out of repair, but not dilapidated. I think the stables would answer the house very well. I think the best course would be to revise the plan, and adapt it to the proposed site; which would not interfere with any interior arrangements of the plan, or the amount of estimate; if the house were built on the proposed site, following the points of the compass as laid down, it would be a most uncomfortable residence, with reference to the prevailing winds, in winter and summer, in this climate.

Capt. George
Barney.

29 July, 1836.

SATURDAY, 30 JULY, 1836.

Captain Barney, re-called and again examined:—

I have been this morning viewing the ground, with some Members of the Committee in the neighbourhood of the stables, for the purpose of forming an opinion as to the most eligible site for the New Government House. In my opinion, the most eligible spot, with reference to the proposed plan, and the stables, is to the southward of the stables, with the principal frontage to the north east; whereby in summer, the inhabitants will have the advantage of the sea-breezes; and on the west, the house would be in some measure screened by the stables from the westerly hot winds, the most disagreeable in the Colony. The space which would be left between the house and the stables might be conveniently applied to the erection of the necessary out-offices. The present plan would chime in with this site; nor would it interfere with the line of access from either side; it would be also more elevated and better capable of drainage, than that at first proposed. The house must be completed before

Capt. George
Barney.

30 July, 1836.

Capt. George
Barney.
30 July, 1836.

before it could be made fit to receive the Governor. There is good stone on Goat Island, suitable for the building. It would be as cheap to carry stone from Goat Island, as from any quarry on shore. The workmen, supposing them to be convicts, would be more easy of control on Goat Island, than on shore. The conveyance might be performed by contract; the distance would be no consequence as soon as the stone was embarked. I do not think a basement story to the building is necessary. The expense of sewerage and drainage enters into my calculation of £25,000. I think it is possible that the house may be affected by the effluvia arising from the bench at Farm Cove, in hot weather, during the efflux of the tide. That, however, could be guarded against by piling across the Bay, at low water mark; and the intervening space would fill up of itself, or might be made an useful addition to the Botanical Garden. That would not be expensive; a continuous row of piles would be sufficient. The great inconvenience of the originally proposed site is, that the frontage, in which are the public rooms, would be north north-east; and then the private accommodations would be exposed to the south-west, which is always to be avoided if practicable. The entrance front of the building will now be to the south-east, instead of the north-west; by which means the objection, stated yesterday, as to the original site will be overcome, as being exposed to the hot winds. I propose the private entrance to be made to the north-east. That portion of the stables which faces to the eastward might be appropriated to out-offices, and still leave sufficient accommodation for the stabling. This might be easily accomplished. By this arrangement the stables come remarkably well in, in connexion with the proposed site. It appears to me, that the ground in question, will be wanted for the purposes of the Town in the course of a few years. I see no advantage, (looking to a few years hence) in having the seat of Government near the centre of the Town. I think it would be desirable to send for slates from England. I have used them in the West Indies, and they bear the heat well. I have recommended to the Government at Home, the use of slates for Government Buildings in this Country; eventually they will be cheaper than shingles. The Welch slates are the best; they may be imported and landed at £11 a thousand. If commenced at once, the work might be completed by contract in three years.

WEDNESDAY, 3 AUGUST, 1836.

Captain Barney re-called, and again examined.

Capt. George
Barney.
3 Aug., 1836.

Two sites for the proposed New Government House, in the neighbourhood of the stables, have been pegged out for the inspection of the Committee—one to the right, and the other to the left of the stables; on the whole, I think that pegged out on the south side of the stables is the most eligible, being the higher ground. The objection to the left or lower side is, that, in an architectural point of view, it will be overpowered by the stables, which shew a frontage of nearly two hundred and twenty feet, and the proposed house is only one hundred and forty feet. If it should be deemed advisable to build on that spot, it will be necessary to raise the foundation eight or ten feet; which would not be necessary on the other site. It would also be close to the proposed line of Quay and Street, which will become the noisiest part of the Town; it would not, in that aspect, be much affected by the hot winds, as regards the principal entrance. The other site, being so much above the stables, gives it a command of view, as well as a shewy appearance from the Harbour, and a better and more extensive view altogether of Port Jackson. The lower side will afford a better lawn immediately fronting the sea; but it will have a much more limited view of the water than the other. I don't think the locality of the stables would affect the house, with reference to effluvia, on either site; though the lower one would be more likely to be affected in that way than the upper one. The main view of the house will be towards the sea, and the other views might be confined or extended, by planting in any way which might be thought most desirable. The building will be then north and south, and the principal front will be exactly east; the public entrance will be on the south. The neighbourhood of the higher site, is susceptible of being converted into ornamental shrubberies. I think, decidedly, that the upper site is the most eligible in every point of view; the lower site will be always more susceptible of moisture than the upper. During the late rains, the flooring of the stables was under water. It is not practicable to convert the present stables into a Government House. The stables interfere with the best adapted site for a house in that neighbourhood. New stables, suitable to this house, could not be built under £3,000, including all accommodations; the present stables cannot be put into sufficient repair for less than £1,500. If pulled down, the materials would be available for re-building them, which, in my mind, would be the best arrangement. Under all present circumstances, I would rather build on the higher site. I should, however, propose to pull down the stables, and select a better site than either of those proposed. I have not examined the foundations of the stables with a view to ascertain whether they are worthy of repair. Pulling down the stables, and building others instead, would be cheaper in the end. Being stuccoed, they would now require constant repair. I think when the house is built, the stables must come down. The present stables will overpower the house; the view of the house will be merged in the stables; they are of too great magnitude for the proposed house. The great advantage of building on the higher ground is in remedying this, for then the house will look over the stables. I do not approve of a basement story; I would raise the foundation about three feet for ventilation under the floors. The best foundation is small brick arches, one brick in thickness. When the plan is revised, these will appear. It would be no great expense, and insure perfect dryness, and prevent mischief from rats and insects. The bricks should be made on purpose. There is a good brick earth here as in any part of the world.

SATURDAY,

SATURDAY, 6 AUGUST, 1836.

Captain George Barney re-called and further examined :—

I have seen another site for the house near Bennelong's Point, which I think better, in every point of view, than either of those before described. I would fix the house about 1000 feet to the northward of the stables, with a frontage looking north-east. There would be an area of 200 yards in front, and 150 yards to the rear, about 400 yards from Macquarie's Fort. It will be about equi-distant between the Fort and the stables. I would connect the out-offices to the southward of the building. The advantages of this site over the others are, first, it does away all objections in reference to the stables; it is more private, and affords a better view of the Harbour; it also does away the objection with reference to the mud-bank at Farm Cove; it is susceptible of adequate drainage; it will not require higher foundations than the former site; I think it will not be subject to so much inconvenience from the noise which may be produced by extending the Quays in Sydney Cove; it is equally capable of improvement as an ornamental site, and with as good an access; it is equally well situated for public business, and will be more so when the public offices come to be erected, the site for which may be fixed on the vacant ground near the Old Mill, in continuation of Bent and Macquarie-streets. This site does away with the strongest objection I had to the other sites, inasmuch as it affords a considerable portion of ground, which may be thrown into the Town, and that in a most essential position, still leaving about 60 acres for the home park. There will, by this position of the house, be a saving of about £5,000 in respect of the enclosing wall; and the additional frontage afforded to the Town, will realize upwards of £60,000, at the rate of only £10 a foot—that is the lowest valuation; but in all probability, being the most valuable part of the Town, it will raise £30. This is independent of the Quay frontage in Sydney Cove. It will admit of Castlereagh-street, Phillip-street, and Macquarie-street being opened directly upon the Quay. None of the land proposed for water frontage need be withdrawn by choosing this site, judging by the ground as it now appears on paper; but I would recommend a more accurate survey of the ground, and the line of Macquarie-street to be picketed out on the spot. I am not aware of any disadvantages likely to arise from this site. It may be readily supplied with water. By placing the house in the spot I mention, it will harmonize with Macquarie Fort and the stables. The view from the sea will be greatly improved. It will be a better object in approaching the Harbour. In every respect, I think it is a better site than either of those proposed before. By the continuation of the line of Macquarie-street, it will terminate at the landing place near Fort Macquarie; and the eastern line of that street will form the western boundary of the Inner Domain. I would stop all communication with the Outward Government Domain from the Town in that direction by Fort Macquarie, for, by reason of its privacy, it has become the resort of disorderly people, and in the proposed site would be highly objectionable. Probably a road could be formed for foot passengers by scarping the rock upon the water's edge, by which means the road would not be so great a nuisance to Government House; or, with a view to the more ready access to the Outer Domain, an ornamental road might be made to open near the principal entrance, and pass to the Botanic Garden by the south of the stables. The other entrances will not be interfered with; they will remain as at present. The whole of the Outward Domain is, I understand, to be reserved for public recreation. An eligible site might be chosen on the ground surrendered to the Town for the erection of a Commercial Exchange. I think the present site of the house lately occupied by Chief Justice Forbes would probably be the best for that purpose, and which the proposed arrangement for new streets would facilitate. As a general proposition, I think the proceeds of the sale of the land given up to the Town by this arrangement will more than cover the expense of the new Quays in Sydney Cove, the building of the new Government House, and the building of new Public Offices. The sites of some of the present Public Offices, and the buildings already thereon may also be thrown into the market, and will realize a large sum. Great advantage will be derived by concentrating the public offices, in every point of view. The ground reclaimed for the new Quay at the head of Sydney Cove will be most eligible as a site for a Custom House, and be easy of access from the other public offices. The present Bathing House is well situated with reference to the site, and a private landing place may be made there. The principal entrance should be to the north of the building. The House from the lower part of the Town would be invisible; but from all the higher parts of the Town it would be a beautiful object as seen through the trees.

Capt. George
Barney.
6 Aug., 1836.

SATURDAY, 6 AUGUST, 1836.

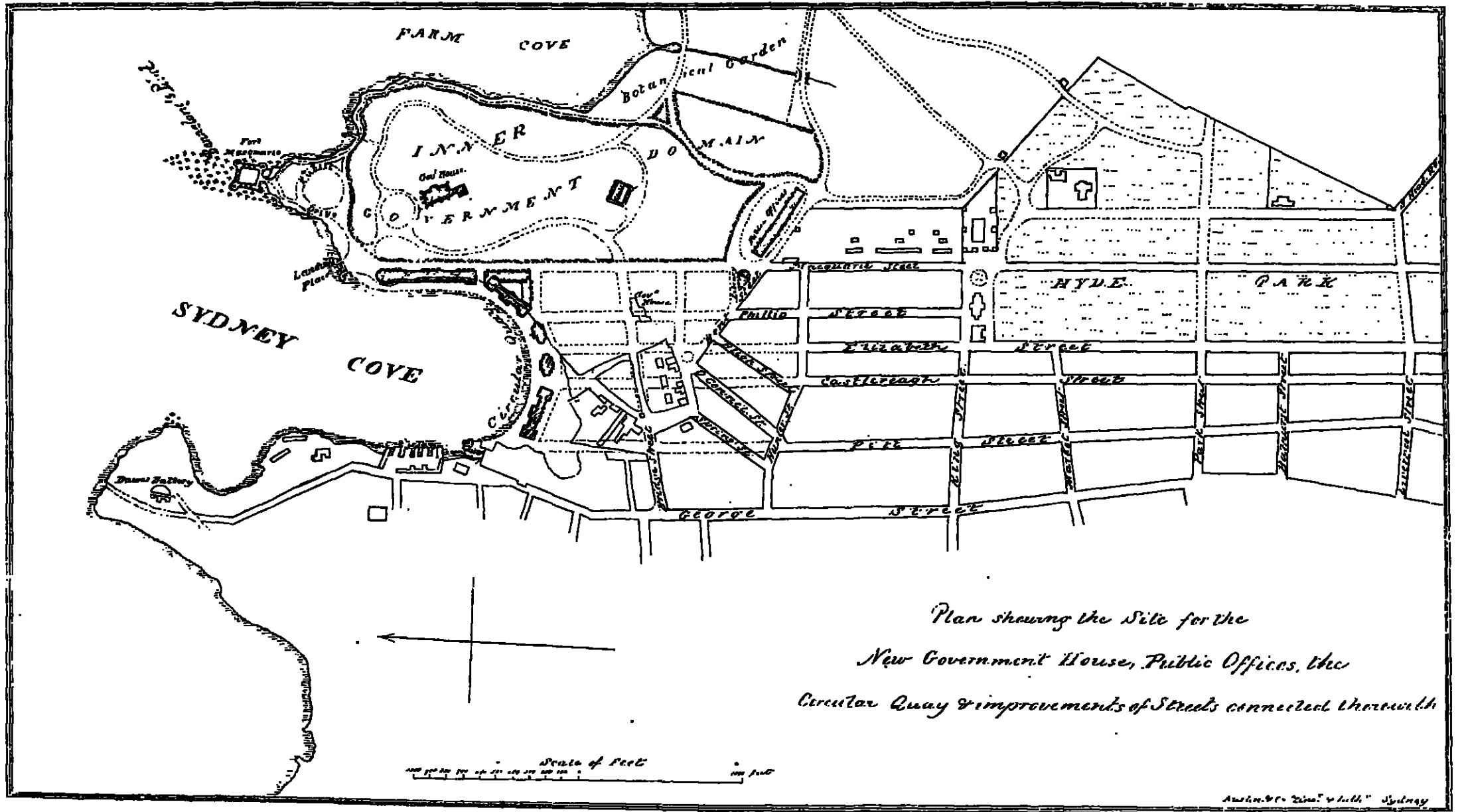
Mortimer William Lewis, Esquire, re-called and further examined :—

I have seen and examined the ground at Bennelong's Point, with a view to fixing another site for the new Government House. I think it is more eligible than either of those I have already mentioned, if the present stables are to remain standing. The new site possesses all the advantages of the building being seen from the Harbour and higher parts of the Town, and is free from all the annoyances the other sites would be subject to. The ground is complete in itself as a domain. I think it is more private than the other sites, but sufficiently public with reference to access as any Government House need be. It is quite as healthy as the others. The approaches by land and water will be good. The approach by water will be by the present steps at Fort Macquarie. The nature of the ground is such as to admit of every improvement being made consistent with a building of that character. The elevation is suited to the proposed new site, and would harmonise with Fort Macquarie and the stables. The level of the house would be such as to admit of a supply of water from the new aqueduct to the highest story in the building. The situation would be still sufficiently commanding

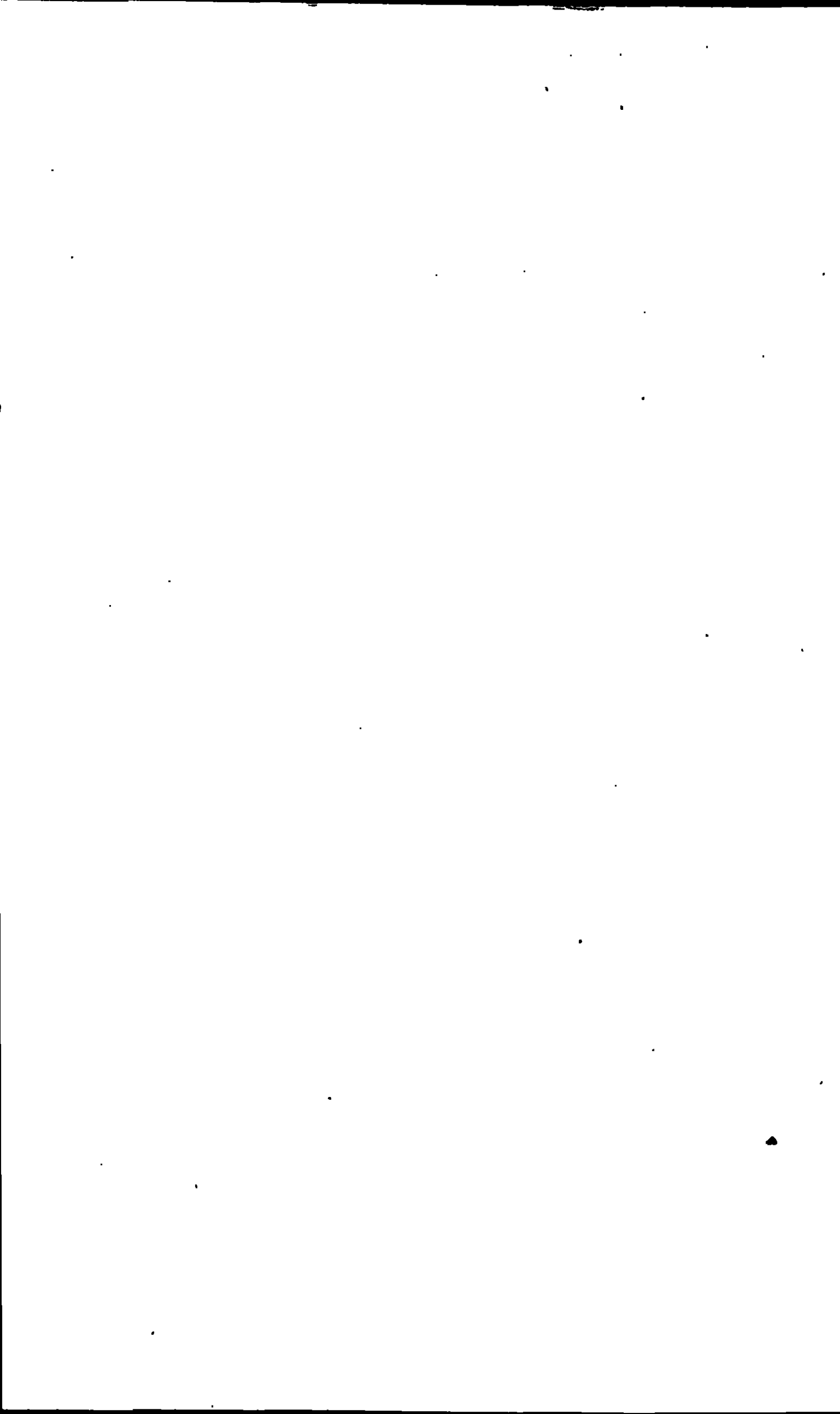
M. W. Lewis,
Esq.
6 Aug., 1836.

M. W. Lewis,
Esq.
6 Aug., 1838.

commanding: with reference to the adjoining ground and the Harbour. The site is capable of being well drained, and affords an excellent foundation. I know of no disadvantages. To enclose the ground round the house it would not cost one-fifth of what was originally proposed. It will leave about 50 acres for the Domain or pleasure grounds. A considerable quantity of land can be given up by choosing this site, without any injury to the new building. The quantity will be about 20 acres. This will admit of the northern prolongation of Macquarie-street, of Phillip-street, and of Castlereagh-street, all terminating on the New Quay in Sydney Cove. It would also admit of the eastern prolongation of Bridge-street, intersecting the beforementioned streets, and extending with a sweep to the entrance of the outer Domain, or road in rear of the Council Chambers. The north-east corner of Macquarie-street and Bent-street would form a good site for a range of public offices, and sufficiently capacious to embrace all that is required, and to concentrate the whole on that spot. The estimate of the frontage on the streets named, that would be available to public sale, is about 6,300 feet, which at £10 a foot, being the least value that could be put upon it, would realise £63,000. This is exclusively of the frontage on the Quays. The cross-streets may be taken at the same rate of valuation. I should say that the proceeds of the land so given up to the Town, would pay the expense of building the New Government House and Offices, the New Quay in Sydney Cove, and the New Government Offices for public business, provided the present public offices, and the ground they stand on, were thrown into the market as part of the same fund. This plan will not interfere with the New Quay, but on the contrary will render the frontages to it much more valuable, by bringing so many leading thoroughfares to it, and throwing sufficient space open for merchants to build their dwellings and warehouses upon, which otherwise could not be procured nearer than one mile from the spot. By this change of site nearly treble the quantity of land will be given up to the Town, than what was proposed with reference to the former sites of the Government House. The eastern side of the line in prolongation of Macquarie-street will form the western boundary of the inner Domain. Several good sites might be chosen for a Commercial Exchange in the ground given up. About Macquarie-place is the best spot. There would be a good position afforded for the proposed Library and Museum, affording good access for the public. The Government stables will be well situated for the new site, and the House will be free from the nuisances arising from the stables. For the privacy of the building it would be necessary to exclude the public from entrance into the Domain by Fort Macquarie. There cannot be a more healthy place for a site, than the one now selected. The ground possesses every advantage of comfort and ornament. There need be no sacrifice of the Allotments on the original plan for the Quay in Sydney Cove.



*Plan showing the Site for the
 New Government House, Public Offices, the
 Circular Quay & improvements of Streets connected therewith*



*REPORT from Committee on the proposed Quay at Sydney Cove, with
the Minutes of Evidence.*

Ordered, by the Council, to be printed, 12 August, 1836.

COMMITTEE APPOINTED TO EXAMINE AND REPORT UPON THE PLAN AND
ESTIMATE FOR A WHARF AT THE HEAD OF SYDNEY COVE.—

THE CHIEF JUSTICE,

THE COLONIAL SECRETARY,
THE AUDITOR GENERAL,

MR. BERRY,
MR. M'ARTHUR.

The Committee to whom the subject of the proposed Quay at the head of Sydney Cove was referred, having assembled on Monday, the 1st day of August, and taken the matter into consideration, and examined evidence thereon, (which will be found hereto annexed), have the honor to report for the information of His Excellency the Governor and the Honorable the Legislative Council, that the Plan proposed for forming a Circular Wharf from shore to shore at the head of the Sydney Cove, has been approved of by your Committee. The formation of this Wharf, and the preservation of the deep water in front thereof, seem to be perfectly practicable. The benefits derivable from the proposed Wharf, in the preservation of the Cove for Mercantile and Shipping purposes, are capable of great extension, by scarping the rocky shore along the eastern side of the Cove to the present landing place, near Fort Macquarie, which may be effected at a moderate expense. Taking this improvement in connexion with the Circular Wharf at the head of the Cove, accommodation for about thirty ordinarily sized Merchantmen will be afforded for the purpose of loading and unloading at one and the same time.

In consequence of the gradual deposit of sand and mud which have been accumulating for years past at the head of the Cove, (and which if not checked, would in a short time nearly render the whole of the Cove useless for commercial purposes) the water frontages adjacent thereto have become unavailable to the occupiers of land abutting thereon. By means of the proposed improvement, these persons will be greatly benefitted, by having ready access to the Wharf for the transit of merchandise from shipping in the Cove.

The quantity of land which will be reclaimed from the water by the proposed Wharf, will amount to about two acres. Your Committee would recommend that a portion of the land, so reclaimed, should be fixed upon as a site the most eligible for a Custom House.

The streets which may be constructed in prolongation of Macquarie, Phillip, and Castlereagh streets, upon the ground proposed to be surrendered to the Public, by the adoption of the plan for erecting the new Government House, will all terminate on the proposed new Wharves, thereby affording ready access to the Cove from the most important parts of the town.

Having reference to the main causes of the accumulation of sand and mud in Sydney Cove, namely, the improper material with which the leading streets of the town hitherto have been metalled, and the imperfect drainage thereof, your Committee cannot too strongly urge the necessity of removing these causes.

Your Committee highly approve of that part of the plan of improvement which proposes to cover in the Tank Stream from its sources to the front of the Circular Wharf. This, when so covered in, may be made available as a Drain for those parts of the town which are adjacent, and will remedy much of the inconveniences felt from the present imperfect sewerage of that part of the town.

Your Committee have been unable to ascertain accurately the time within, and the expense at which, these improvements may be effected. As to the former point, they have ascertained it to be necessary to send to England for Diving Bells and Dredging Machinery, for the purpose of completing the Circular Wharf; but the formation of the covered drain through the Tank Rivulet, may be commenced forthwith. The stones for the Wharf may also be quarried and prepared, and be in readiness for operations as soon as the foundation for the Wharf is cleared. Upon the second point, namely, the expense of the undertaking, the Committee have the strongest assurance, that it will be more than covered by the value of the water frontages abutting on the Cove, which will be open to public competition when the new Government House is completed.

Towards the expense of importing Diving Bells and Dredging Machines, your Committee would recommend the appropriation of a sum of £5,000 for the purpose of proceeding with the said work during the ensuing year.

For further information on this important subject, the Committee beg leave to refer the Council to the Appendix to this Report.

JAMES DOWLING,
Chairman.

MINUTES OF EVIDENCE.

MONDAY, 1 AUGUST, 1836.

HIS HONOR THE CHIEF JUSTICE IN THE CHAIR.

Captain George Barney, Royal Engineer Commanding, called in and examined :—

Capt. George
Barney.I August,
1836.• See Appen-
dix.

I have read all the papers relating to the proposed alterations in Sydney Cove, and have made a Report thereon to His Excellency the Governor. [*Report produced.*] This is the Report. **[It is read to the Committee.]* I have sounded to the depth of fifteen feet, with an iron rod, to the left of the mouth of what is called the Tank Stream, without touching the rock. I know that the bottom is rocky. Piling would not do for the purpose of making the Quay. The use of the Diving Bell is to clear away the sand and mud for the purpose of making a foundation on the solid rock. The building on the rock must be effected by means of the Diving Bell. Where I sounded, as already mentioned, and found fifteen feet of soil, piling there could not be permanent. I could set to work immediately with the proposed sewer and cover it over. I should not approve of covering the surface of the streets with wood laid in blocks, it would be too slippery in wet weather. The great art is not in making the road, but in attending to it after it is made. For the first twelve months a newly metalled road requires great attention. I think neither iron nor wood would do to cover the streets with. I think the Pennant Hill stone is very good for the purpose, but not so good as granite. With proper attention in scraping the streets after wet weather, they would be tolerably fair. No road can be kept in proper order without sufficient draining. If a hole is allowed in a new road, and the water permitted to lodge, it soon rots the parts around it, and it rapidly becomes destroyed. The proposed Wharf or Quay at the head of the Cove may be altered in its curve, so as to be adapted to the probable inequalities in the frontage of the ledge of rock, but not materially. Such an alteration in the curve would not interfere with vessels lying alongside. No useful back water can come from the Tank Stream. I do not approve of the plan of leaving a water frontage to the occupiers of ground on each side of the Cove, because a channel reserved for that purpose, would require constant clearing to make it available, and I am quite persuaded the occupiers themselves would never keep it clear as they ought to do. Suitable Diving Bells could not be made in this country. The occupiers alluded to, cannot make use of the present frontage, from the great accumulation of sand and soil in the Cove, and they would have no right to complain of being kept out of the use of water frontage, by the erection of the New Quay. With the present supply of material from the streets, in a few years a large portion of the Cove will be filled up; and I am of opinion, that no time should be lost in making the Quay. I could not commence the Quay without a Diving Bell, but the covered sewer may be set about immediately. I have examined the Cove sufficiently to be able to say, that the work is practicable, with a Diving Bell.

The stone work may be preparing until the Diving Bell arrives. Ironwork would be necessary to clamp the stones, and also cement. The work should be performed in the most permanent manner. The progress of the work will not at all interfere with the shipping and commerce of the town. There must be twenty feet of water in front of the Quay, all along the face of it. Twelve hundred feet of the rock on the Macquarie or eastern side of the Cove may be scarped, and require no masonry beyond what is necessary for the platform. There will be a frontage of twelve hundred feet at the New Quay, which, with the scarping of the Macquarie side, will make about two thousand five hundred feet altogether. This would afford accommodation for twenty vessels of average size. The quantity of ground redeemed from the water would be a frontage of about nine hundred feet. The Dredging Apparatus would cost about £2000; and two Diving Bells would cost about £300. It is highly desirable for the town that this work should be completed as soon as possible. The stones might be got immediately ready. A great deal of good stone might be got from the ground above Macquarie Point, which ought to come away, because it commands the Fort. A great deal of the work might be performed with convict labor. The sewerage of that part of the town, which naturally leads into the Tank Stream, might go into it as a main sewer. The sewer should be arched over with stone, and made sufficiently capacious to receive all that could be expected to drain into it. It should begin at the source. There is a micacious sandstone at Newcastle, well adapted for paving-stones for the main streets of Sydney. I would rather have the streets of Sydney paved than macadamized. The stone I allude to might be conveyed to Sydney at eight shillings per ton, from Newcastle. For the present there would be occasion to apply to the Council for a vote of £7000 to go on with the quay. I am not prepared to give an estimate of the whole expense of the undertaking. Divers may be had to work in the Diving Bells. There are several men here from Bermuda, who have been accustomed to that kind of work. Two punts would be required to attend the Dredging Machine.

APPENDIX.

From Captain Barney, Royal Engineers, to the Colonial Secretary, on the subject of the projected Quay at the head of the Sydney Cove.

Sydney, July 16th, 1836.

SIR,

I have the honor to return herewith, the Documents which accompanied your Letter of the 29th ultimo, relative to the proposed Quay, at the head of Sydney Cove.

In obedience to the order of His Excellency the Governor, I have given the subject attentive consideration. I have also examined the Cove, and Tank Stream, and submit the following observations :—

Admitting

Admitting the construction of the Quay to be a measure of high importance to the prosperity of Sydney in every possible point of view, I will proceed to consider the plan of the work.

I see no objection to the line of Quay proposed by the Committee, but it may prove advisable to take advantage of natural foundations, which may effect some unimportant alteration. It is, however, unnecessary to enter further on this subject at present.

From the evidence before the Committee, it would seem, that the great difficulty to be overcome is the Tank Stream, as the immediate agent of the deposit at the head of the Cove.

I have directed my attention more immediately to this point, and am led to consider that undue importance is attached to the effect of the stream. There is, no doubt, a considerable body of matter occasionally brought down and deposited between high and low water mark; indeed, under existing circumstances, the bed of the stream is in effect the main sewer of a large portion of the town, and from local position, it becomes the channel of conveyance of hundreds of tons of sand, annually, from the numerous and extensive streets inclining towards it, in addition to a contribution of every species of filth from the rear of the premises abutting upon it; but, in reference to the simple effect of the stream itself, as connected with the deposit in the Cove, I am decidedly of opinion, that it is only a very partial and unimportant assistant.

The deposit evidently has arisen, and continues to be fed by the soft material with which the streets are supplied, the whole finding its way into the Cove. This, however, will effect its own remedy as the improvement of the Town progresses, and the sandy beds of the streets substituted by a more durable material, with a necessary arrangement of drainage and sewers.

In this view, I would propose converting the bed of the Tank Stream into a permanent common sewer, directing its course immediately to the centre of the projected Quay. This sewer, being covered, will greatly reduce the quantity of soil conveyed into it; its present unsightly appearance will be removed; the unwholesome effluvia now arising will be obviated; the improvement of the streets may be carried over it, and the spring or source of the stream, may still be preserved for public use; all tending to the improvement of the town, and to the increase of the value of property.

A portion of soil will still be deposited in the Cove by the sewer, which will probably require to be lifted once in four or five years, by means of a Dredging Machine, at a trifling expense of labor. Under any circumstances, dredging must be resorted to in the Cove, which being devoid of current, must always be subject to formations of more or less magnitude. I would here observe, that a much greater evil than the deposit at the head of the Cove, is to be found in a similar deposit on its western shore, extending from Mr. Campbell's wharf, in front of the Dock Yard and King's Wharf; and which I also attribute to the ample supply of material afforded by the streets. There being no current, this matter immediately subsides on being forced into the Cove.

I think this argument fairly borne out by the observation, that the eastern shore of the Cove does not exhibit any considerable decrease of water, (corresponding with the western shore) not possessing the never failing supply from the streets. The only remedy for this evil is by the means before stated, viz: the use of proper material for the streets, and an improved system of drainage.

Under every view of the Committee, I consider the simple arrangement herein submitted, offers the most favorable result, combined with economy of expenditure.

I am not prepared with any estimate of the expense required in the completion of the work; indeed, without the assistance of a Diving Bell, it is totally impossible to ascertain the extent of foundation required, or the best line of formation of the Quay.

Under these circumstances, should His Excellency entertain this, or any other proposition for proceeding with the work, the assistance of two Diving Bells will be necessary, which, however cannot be obtained in this country.

A Dredging Machine is also essential to the clearing of the Cove; the most effective, and eventually the least expensive, will be a Dredger, to be worked by steam, which will not only be applicable to the Cove, but of the utmost utility in relieving the various river-courses of impediments which now operate so unfavorably to their navigation. Both Bells and Dredgers must be supplied from England, and should be complete to work at a depth of twenty-five feet. The framing required for the former, as well as the vessel for the latter, may be prepared in the Colony.

In absence of any correct data to work upon in the formation of a general estimate, it may perhaps seem advisable to appropriate £5000 for the Sewer and Quay, and £2000 for the required machinery, should His Excellency deem it expedient to commence the work without delay.

I have the honor to be,

Sir,

Your most obedient

Humble Servant,

GEORGE BARNEY, Captain,

Royal Engineers, Commanding.

To

ALEX. M'LEAY, Esq.,

Colonial Secretary.

*REPORT from the Committee on the proposed Gaol at Darlinghurst,
with the Minutes of Evidence.*

Ordered, by the Council, to be printed.

COMMITTEE APPOINTED TO EXAMINE AND REPORT UPON THE PLAN AND
ESTIMATE FOR THE GAOL AT DARLINGHURST.

THE CHIEF JUSTICE,
THE COLONIAL SECRETARY, | MR. BERRY,
THE AUDITOR-GENERAL, | MR. M'ARTHUR.

The Committee of the Legislative Council, appointed to take into consideration and report upon the best plan for erecting a Gaol within the walls now standing at Darlinghurst, in the suburbs of Sydney, and having obtained leave to sit, notwithstanding any adjournment of the Council, have now the honor of presenting their Report.

Your Committee have had the opportunity of reading and considering the Report of the Lords' Committee on Gaols in England, for the year 1835, which recommends the adoption of new principles in prison discipline—namely, complete separation and silence during the confinement of prisoners, whether tried or untried, the abolition of day-rooms, and the cessation of labor as a punishment or as an occupation, except where labor on the tread-mill is awarded. Keeping this recommendation and the directions of the Lords of His Majesty's Treasury in view, with reference to its adaptation to the principle of prison discipline in this Colony, your Committee have taken the evidences of competent witnesses as to the plans now in operation in England and in America, for the erection and construction of Gaols in those countries respectively, with a view to the adoption of a plan for a Gaol at Darlinghurst.

During the Government of His Excellency Sir Thomas Brisbane a quadrangular space of about three-acres and a half in extent, situated on an elevated and airy spot of land in the vicinity of Sydney, was enclosed at a very considerable expense, with substantial stone walls, twenty feet in height, for the erection of a Gaol. The plan at that time proposed having never been carried into execution, your Committee have now had under their consideration the plan of a Gaol the best adapted to the limits thus assigned.

It will appear from the evidence taken by your Committee, and appended to this Report, that the Gaol best adapted for this part of the Colony, is one framed on the principle of the Eastern Penitentiary at Philadelphia, in the United States of America, which is the last, and considered the best yet suggested for buildings of this kind.

Recommending this plan for adoption, your Committee now proceed to point out its principal arrangements and advantages.

It is proposed that the Building should accommodate four hundred and twenty-eight prisoners of all classes, including debtors and females, and exclusive of the Officers of the Gaol. Two floors only are at present recommended. Complete separation and classification of the tried and untried will be preserved. The prison will contain separate buildings for women, debtors, and boys, respectively, with suitable yards for air and exercise. Distinct buildings will be provided for Hospitals or Infirmarys for both sexes, respectively. Provision is made for the accommodation of the Keeper and Officers; a Chapel, kitchen, and other offices. The dimensions of the cells will be eight feet by five, and eleven feet in height, which, in the opinion of the Medical Officers, will be sufficient, with the means of ventilation proposed to be adopted. For inspection and supervision, the whole of the buildings and yards will be so arranged, that a single Watchman can inspect them to the remotest corner from one situation. Although it is at present proposed to limit the accommodation to four hundred and twenty-eight prisoners on two floors; yet the walls will be of sufficient strength to sustain another floor, if hereafter such increased accommodation should be deemed necessary, and this without affecting the means of preserving health, for the yards will still be sufficiently spacious for necessary air and exercise, even if all the cells were full. It is expedient, in the opinion of the Medical Officers examined, that in order to secure sufficient ventilation to the basement floor, ventilating openings should be made in the outer walls opposite each yard, which may be affected without either weakening the walls or endangering the security of the Gaol; but it is proposed that these openings, which are necessary by reason of the great height of the outer walls, should be limited to the eastern and northern sides of the quadrangle.

Your Committee, in recommending this plan, would suggest the expediency of appropriating one of the compartments or wings of the Gaol exclusively to such prisoners as shall have come free to, or shall have been born in the Colony.

The estimate of building the Gaol, according to the plan proposed to the Council in 1835, for the accommodation of three hundred and twenty prisoners, amounted to £45,000. The expense of erecting the Gaol, agreeably to the plan now recommended, will be greatly lessened by substituting flag stones for the arched roofs of the cells, as at first proposed. Flag stones of sufficient size and thickness may form the ceilings of the basement cells, and the floorings of the upper cells, respectively. Flag stones of this description, fourteen inches in thickness, and of any length and breadth, may be obtained in abundance from the Stone-quarries on Goat Island, which will answer the purpose as well as the arched ceilings originally proposed. Your Committee further recommend, that the roof of the Gaol should be covered with slates, to be imported from England.

The sketch of the proposed plan which your Committee recommend, and now append to the Evidence, will better elucidate the details, than any description which could be given in this their Report.

JAMES DOWLING,
Chairman.

Sydney, 26 August, 1836.

PLAN OF THE NEW GAOL FOR SYDNEY.

To contain 400 PRISONERS, IN SOLITARY CELLS.

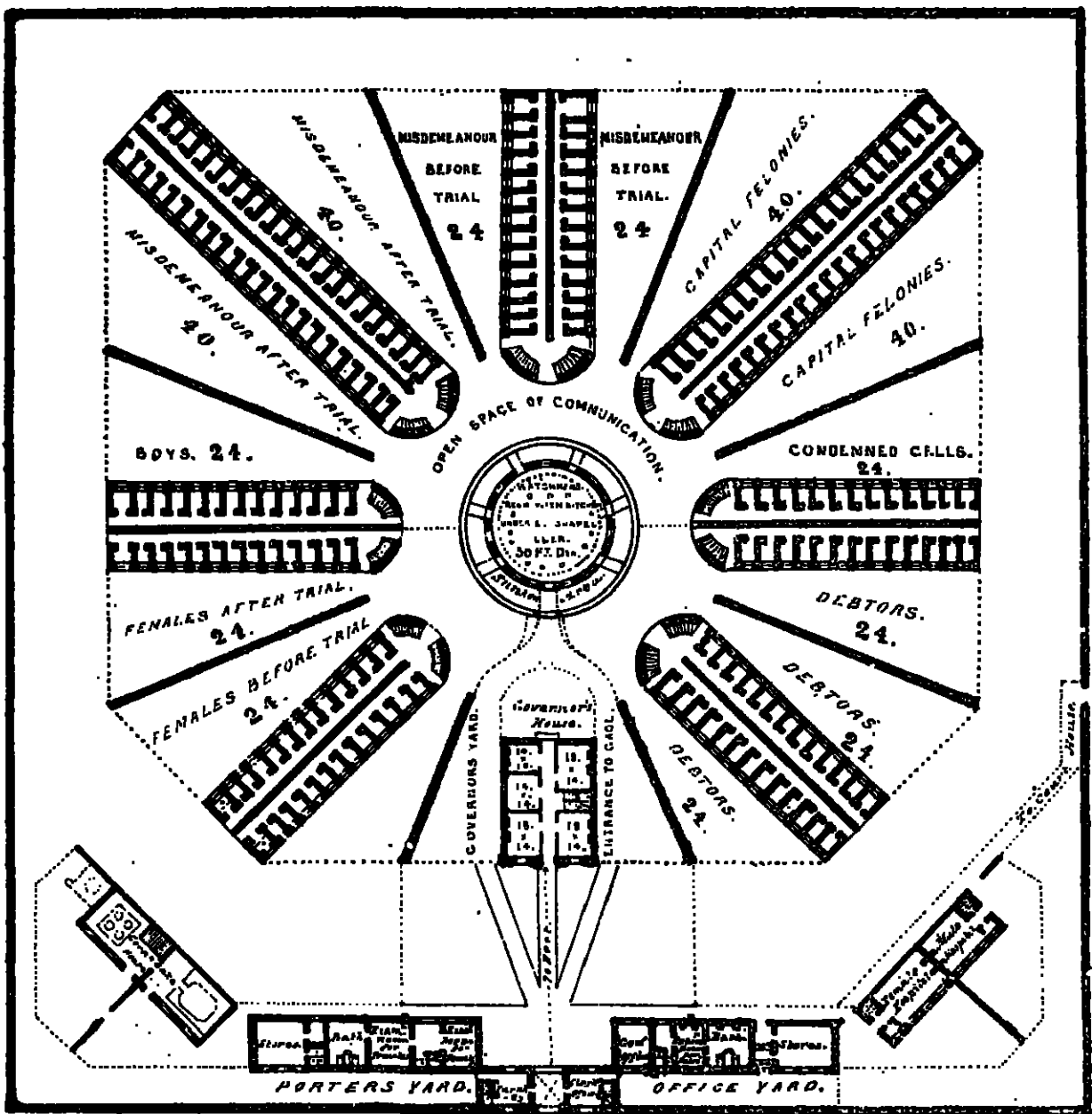
ELEVATION OF RADIATING BUILDING.



SECTION OF CENTRE BUILDING.



SECTION OF RADIATING BUILDING.



Geo Barney Esq R.E. Designer *Wm Lewis Esq Archt.*





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MINUTES OF EVIDENCE.

MONDAY, 1 AUGUST, 1836.

HIS HONOR THE CHIEF JUSTICE IN THE CHAIR.

Captain George Barney, Royal Engineer Commanding, called in and examined :—

Before I came out to this Colony, I went to inspect several Gaols in and about London, preparatory to my coming here. Amongst others, I visited Tothill Fields New Bridewell, Brixton House of Correction, Newgate, Middlesex House of Correction in Cold Bath Fields. I have seen Maidstone Gaol and the New Gaol at Coventry. I have inspected the interior of the New Gaol walls at Darlinghurst. I have seen the original plan of 1835. (*The witness looks at it.*) This plan has been carried into effect in the south of Ireland. It is objectionable, inasmuch as the Superintendent and Gaolers are so surrounded by prisoners, that if a combination were effected within and without, (which in this country may be possible) the Officers might be overpowered and secured, without the possibility of communicating with the exterior. I have seen a rough sketch of a plan drawn by Mr. Lewis, the Colonial Architect, which offers a better arrangement, and is free from the objection I have stated. (*Plan exhibited.*) This is, in some measure, on the plan of the Westminster Bridewell, which is the most approved of in England. By this arrangement, there are separate cells for each individual, whether tried or untried prisoners, without any day-rooms. By Mr. Lewis's arrangement, the debtors and female prisoners will be respectively kept distinct from the other prisoners. They are within the prison walls, but kept distinct from other prisoners. The women are to be all kept separate and distinct; and there is the same arrangement for the tried and untried females. This arrangement is made agreeably to the Treasury instructions. The debtors' and women's prisons are distinct from the body of the Gaol. There is an arrangement by which the women, both before and after trial, are separated. The main body of the building consists of a range for capital offences, embracing two distinct suites of cells and yards, for prisoners before and after trial. There is a range of solitary and condemned cells. There are two ranges for prisoners, before and after trial, for misdemeanors. There are 308 cells in all, which will contain as many as were originally proposed. It is proposed to have two floors, but it may be expedient to have three floors; the proposed strength of the walls of the building will admit of it. The cells will be constructed so as to prevent communication between the prisoners. The chapel is to be in the body of the building, as well as the Governor's residence, the latter opening into a court-yard, affording access to the Gaol entrance. It is not necessary to have the cells arched. Flat stones may be used for the purpose, and stones of sufficient magnitude may be obtained at Goat Island. The cells will be six feet by eight, and stones may be got at Goat Island thirty feet long. They will be equally strong with arches. They will answer the purpose of ceiling to the lower, and of flooring to the upper set of cells. They ought to be twelve or fourteen inches in thickness. They may be clamped together with iron, if necessary. This will be a saving of two-thirds of the expense of graining the cells, as before proposed, and answer the purpose just as well as if they were arched. Fourteen inches of thickness would be impervious to sound. There would be also an immense saving of time and expense in every respect. The site of the New Gaol is good. I think the arrangement of the building is perfectly consistent with the safety and health of the prisoners. There will be space enough for two tread-mills. Stones of any size can be procured to form the ceiling of one, and the flooring of another cell; and, if necessary, without any joining. There are to be eighteen inch walls, and the joints of the stones may rest on the cross walls. The day rooms are done away with in the plan. It is calculated to effect the silent system of imprisonment; and for sufficient vigilance on the part of the Gaolers. I have read the Report of the Lords' Committee of 1835, on the subject of Gaols. I am not aware of any preferable arrangement to that proposed by Mr. Lewis. The site of the New Gaol is well adapted for sewerage and drainage. Water might be introduced, by the tread-mill, from the new aqueduct.

Captain Geo.
Barney.
1st August,
1836.

Mortimer William Lewis, Esq., Colonial Architect, called in and examined :—

I have drawn a rough sketch for a New Gaol at Darlinghurst; upon the plan, in principle, of the Westminster New Bridewell. It affords a more airy space than the plan

M. W. Lewis,
Esq.
1st August,
1836.

M. W. Lewis, Esq.
1st August, 1836.

first proposed, in front of the Governor's house; he is not so confined as in the original plan. It admits also of the debtors' and women's prisons being separate, and removed from the body of the Gaol. The two prisons will not be so much under the Governor's eye, although nothing can enter without his observing it. The debtors' prison will hold forty-eight persons. There is no arrangement for female debtors. There is accommodation for forty-eight other women prisoners. Both plans are good for prisons, and I can hardly say which is the best. The debtors' and women's prisons are bounded by the outward wall. That is objectionable. This prison could not well be brought in advance, with a separate wall, in its present shape, without interfering a great deal with the general arrangement of the prison; being close to the outer wall, would admit of things being thrown over the exterior wall to the women and debtors. It would also facilitate the escape of the debtors and women: These are inconveniences not to be found in the original plan, which has a Governor's house in the centre. In the original plan there are six prison buildings. There is not sufficient space within the walls to admit of eight. The old one could be made to admit of twenty more cells than there are in the new plan. For the appearance of the Gaol, and for security, I think the old plan is the best. The estimate was £45,000 for three hundred and twenty prisoners. By adopting the new plan, and substituting flat ceilings for arched ones, the building would not be much increased in height by adding an extra floor, which would accommodate one hundred and sixty more prisoners. I approve of flat stone ceilings, as they are equally good with arches, and save an immense expense. The flat ceilings would take off £5000 from the original estimate, and £5000 more than the present estimate, would, in that case, pay for a third floor. The Gaolers prefer the open court. The wall of the Gaol is perfectly sound. It will only require fresh pointing. I could decrease the size of the court yard, by bringing the debtors' and women's prisons endways, and give the same accommodation. The flagged ceilings are as secure as arches, and would not interfere with ventilation. The distance between the inner and the outer walls is thirty-five feet. That distance was determined upon at Home, by the Committee of Parliament on prison discipline.

WEDNESDAY 3 AUGUST, 1836.

Captain George Barney, re-called and again examined:—

Captain Geo. Barney.
3rd August, 1836.

I have seen the amended sketch made by Mr. Lewis of the New Gaol, but I fear it will make the Gaol too confined, and it would be desirable to consult medical men on the point. In any case that would be advisable. By the proposed alteration, there will be four hundred and twenty-four prisoners in the same space. We never build barracks without consulting medical men.

SATURDAY, 6 AUGUST, 1836.

Mortimer William Lewis, Esq., Colonial Architect, re-called, and again examined:—

M. W. Lewis, Esq.
6th August, 1836.

Since I was last examined on this subject, I have sketched some alterations in the plan for the Gaol. They consist in a revision of the plans, with a view of accommodating a greater number of prisoners, and combining a greater classification with a better inspection of the whole of the buildings. The number it would now contain on two floors would be four hundred and twenty-eight prisoners. It contains another building in addition to the plan proposed to Council in 1835. It combines the advantages suggested by Captain Barney, and shown in the second plan or sketch in removing the Superintendent's House from the confined situation it stood in the plan first proposed. There will still be separate prisons for women and debtors, but within the second enclosure or body of the Gaol. There is a separate building as an Hospital or Infirmary for males and females. A separate building and yard is also provided for boys, which was not in either of the plans alluded to. One single watchman can inspect the whole of the buildings and yards to the remotest corner from one situation, which could not be done in either of the former plans, owing to the central buildings being divided into several apartments. I approve of this plan, and give the preference to it over the others. This will accommodate four hundred and twenty-eight prisoners, exclusive of the Officers of the Gaol. The yards will be smaller than in the old plans. Under the new system, they will be large for the increased number of prisoners, because they will be only removed from their cells for the purpose of air and exercise. I think the space large enough for such a number of persons, having the preservation of their health in view. The extreme length of each yard is one hundred and fifty feet by a breadth of fifty feet, and the average breadth will be about forty feet by one hundred in length. I think the building may be made for sufficient ventilation; the distance between each building at the entrance to the yards will be twelve feet. If that is not deemed sufficient, by taking off two cells from each of the buildings, an aperture could be obtained of double that extent; the buildings would then stand from the centre building thirty feet; they stand now about fifteen feet. The distance in the Westminster Bridewell from the centre building is about twenty-two feet, and between the buildings at the entrance is twenty-eight feet; and the extreme width of yard is about fifty feet. They are much shorter. That building contains only fifteen cells in each yard, but possesses day rooms of considerable extent. The sketch I have adapted is on the principle of the Eastern Penitentiary, at Philadelphia, in America, which I believe is considered the best of the buildings of that kind, as affording the greatest accommodation. This plan having but two floors, has the advantage of one having three, not being so high; for the higher the building the more objectionable, on account of ventilation or air in the yards.

SATURDAY,

SATURDAY, 20 AUGUST, 1836.

Thomas Macquoid, Esquire, Sheriff of New South Wales, called in and examined :—

I have seen and considered the plan last suggested, and the model now produced by Mr. Lewis the Colonial Architect, of the proposed new Gaol at Darlinghurst. In my opinion the plan produced is well adapted for a Gaol, and is decidedly the best yet placed under my consideration, for the Colony. In contemplation, that Circuit Courts shall hereafter be established, and Gaols built in country districts, I think that accommodation for 446 prisoners will be sufficient. A Gaol built upon the plan proposed, will be strong enough for all purposes of security. The site and plan will, unquestionably, be more healthy than the present Gaol in Sydney. The classification will be sufficient. In the debtor's Gaol some provision should be made for warming the apartments in winter time, by means of flues conveying hot air, which would be preferable to fire places. I am not aware that any provision has been made in the construction of this Gaol, for the conveyance of prisoners for trial, to the dock or bar; but I would suggest, as a means of preventing the necessity of employing other escort of prisoners to the bar, than the Gaol servants, and also the possibility of improper communication with them, that an underground passage should be opened out, so as that they might be conveyed directly from the Gaol to the bar for trial.

Thomas Macquoid, Esq.

20th August, 1836.

James Bowman, Esquire, Inspector General of Hospitals, called in and examined :—

I have seen and considered the plan and model of the proposed new Gaol at Darlinghurst. Supposing provision to be made for the accommodation of 400 prisoners on two floors, I think the high enclosing outer wall, as it now stands, would not admit of a proper circulation of air for the preservation of health, for unless there were proper apertures in that wall, the air could not come over and ventilate the lower floor. I am aware that the nearest cell would be 35 feet from the external wall. I think it would be necessary to have horizontal ventilating holes in the external wall, similar to those in a powder magazine. Allowance should be made for the heat of this climate. One hole opposite each yard, on the northern and eastern sides, would be sufficient; one foot in width and three in height would be sufficient. The holes should be parallel with the base course. There should be gratings to the holes to prevent internal, as well as external communication. I see no objection to the addition of a third floor. The prisoners so confined, would have sufficient space reserved in the plan, for exercise, if exercise is to be taken in divisions, even if the cells were all full. Supposing the cells proposed, are to be eight feet by five, and eleven in height, with two openings, one at the floor, and the other at the top, I think that space will be sufficient.

James Bowman, Esq.

20th August, 1836.

James Mitchell, Esquire, Colonial Surgeon, called in and examined :—

I have seen the plan and model of the proposed Gaol. Supposing the prison to afford accommodation for 400 prisoners on two floors, it would not be sufficiently ventilated, unless there were openings made in the outer wall, so as to effect a free horizontal ventilation, and with that view I would suggest, that there should be at least one opposite to each yard. The outer wall being 20 feet in height, the lower floor would not be sufficiently ventilated without some such provision. If these openings were made on three sides, they would, in a great measure, catch the winds which usually prevail in the hot and oppressive season of the year; and probably, if they existed on the northern and eastern sides, it would be sufficient, as the gateway on the western side, would answer the purpose when required. Without such a power of effecting a free ventilation, I do not think the Gaol would be sufficiently healthy, and as thorough draughts ought to be under control, there should be a power of checking them, when deemed necessary; adopting these suggestions, I see no objection to the plan under consideration. The ventilation of the cells will be complete so long as there is a free supply of air from without. Eight feet by five, and eleven in height, will be sufficient dimensions, care being taken to effect the requisite supply of pure air. It would be absolutely necessary to have an Hospital in the Gaol, with a view to diet, attendance, sleeping, accommodation, &c., in case of sickness.

James Mitchell, Esq.

20th August, 1836.

