

[Enclosure No. 3.]

1805.
30 April.

GOVERNOR KING TO LIEUTENANT MENZIES.

Sir, Sydney, May 8th, 1804.

By Raby's Boat the Raven I send you Twenty Englishmen, and I am sorry to say that their Conduct on board the Ship they came out in, was none of the best, still they are not of a worse Cast than people of that description generally are, and by mixing them with the Irish you have, I promise myself less evil will arise, than if they were all Irish. The Commissary will send you the Invoice of what Provisions are now sent—The Trades of the People sent, are named in the List. Two very compleat Salt Pans are come out, one of which will be sent to you by the Resource, and as you have a Salt Boiler I hope very soon to find that you will make an Abundance of Salt, as your Fuel is so very convenient for that purpose.—Stones should be got out for it as soon as possible, and some Bricks shall also be sent by the Resource.

Convicts sent
to Newcastle.Salt-pan to be
shipped for
Newcastle.

Raby has been unfortunate in losing his Boat, and I am sure your Candor will not allow you to neglect his Claim on attention by the Errors and misconduct of the Master of the James. I therefore request you will give him what assistance you can to compleat his Load, as I mean to assist him here on account of his heavy loss.

Assistance to
be given to
Thomas Raby.

I send a letter received for you by the Coromandel, and some News papers that were sent for Captn. Woodriff. We are in hourly expectation of the Experiment with Female Convicts, and the Buffalo from India.—The three Soldiers that go in the Raven are to remain as an addition to your Garrison—If I can, I will send you one or two Trusty men, that you may place a Confidence in.

Military for
Newcastle.

I send a Mr. William Douglass, who has been an Officer in the Navy, and from what he says himself, I am hopeful he will be of Service to you, I therefore request you will give him an Opening, whereby he may be enabled to recommend himself to your Confidence.

William
Douglass.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 4.]

LIEUTENANT MENZIES TO GOVERNOR KING.

Sir, Kings Town, Newcastle, 14th May, 1804.

By the Edwin and Raven I had the honor of receiving Your Excellency's letters of the 30th Ultimo 3rd* and 8th Instants with their respective enclosures.

With respect to the Convicts at Castle Hill attempting to liberate those here I am certain it is a plan that can never be

* Note 109.

1805.
30 April.Proposed action
in case of revolt
of convicts.

accomplished; in the first place I shall have timely notice of their approach from the numerous Natives with whom we are on the most friendly terms, even a few minutes would be sufficient to prevent it as we are always prepared—The plan I should pursue would be immediately to place the whole of the Convicts upon Coal Island before we beat to Arms or gave any Alarm order any vessel that may be in the harbour out; I could then muster Twenty six Armed men all of whom I may safely put confidence in and I think with that number I should be able to give Your Excellency a good account of the Delinquents.

Isolation of
convicts at
Newcastle.

The greatest precaution is taken to prevent any correspondence between those here and at Sydney and every communication with the Crews of Vessels shall be avoided.

Coal at
mine-head.

I have Seventy Ton of excellent Coal heaped at the mouth of the Mines and shall be very particular in specifying the quantity of that Article and Cedar that is sent to Sydney for Government and Individuals.

Revenue
anticipated
from Newcastle.

In my opinion if a sufficient number of Convicts could be spared and to employ them cutting Cedar and digging Coals disposing of them to Individuals at so much per foot and Chaldron it would bring in an immense Revenue.

Fish could certainly be procured here in great abundance but our Boat being under repair and from the want of men who understand it we have not been able to get but a few and those of a small size.

The moment the Salt pan is received it shall be erected but we have at present no Salt Boiler in the Settlement.

Supply of cedar.

I have not so much Cedar at hand as Raby requires and I am anxious to keep the Remains for the Resource I have therefore agreeable to Your Excellency's order rendered him every assistance.

Enclosed is a petition of the Chief Miner who is a hard working well-behaved man.

About Two hundred fathoms of good strong Rope and Twenty Iron pots are much wanting.

Enclosed are the Returns of Public Labor and some Orders respecting shipping which should Your Excellency approve of I could wish printed.

I have, &c.,

C. A. F. N. MENZIES, Commdt. N. Dt.

[Enclosure No. 5.]

GOVERNOR KING TO LIEUTENANT MENZIES.

Sir,

Sydney, May 24th, 1804.

By the return of the Edwin and Raven I received yours of the 14th and 21st* Instts.

* Note 109.

1805.
30 April.

Your plan in case of any Surprize from the seditious part of this Colony appears to me extremely proper and calculated to prevent any of their wild Schemes succeeding.

The Orders should be transmitted Quarterly, *i.e.* up to and including 30th June, 30th Sept., 31st Dec., and 31st March.—A very Strong Copper bottomed Boat is nearly finished for the Service of your Settlement and shall be sent when completed.

Boat for use
at Newcastle.

Bricks are sent by the Resource for erecting your Salt Pans, which with every material belonging to it shall be sent by Kable's Sloop, You will observe by the Invoice that every part is numbered and marked and Rivets are sent. You will of course cause it to be erected in the most convenient place for obtaining the Salt Water and Fuel and as much as possible under your immediate Eye.

Salt-pan.

Respecting printing the general Order you sent here I think the Measure is a proper one, but there is no occasion for printing that Part respecting the Letters.

I have sent you a Flag and Signals to make to Vessels on their first Arrival, which will be communicated to the Master of each Vessel before they Sail.

Signals for
shipping at
Newcastle.

The Chains you require are sent by the Resource.

Mr. Palmer informs me that he sent you the last Invoices, and as you have not acknowledged receiving them, he requests you will have the goodness to say when you receive any Papers, that I may direct him to send you.

A Pair of Sawyers shall be sent to you, and a House shall be framed and sent round for the Surgeon. I am sorry that from the Circumstances of my being obliged to settle Port Dalrymple and either Port Philip or Western Port, that I cannot comply with your Wish in sending more Carpenters but will not forget you on that head.

Frame house
for surgeon.

Your Regulation respecting putting the Sick, or those who pretend to be so, on Hospital Diet is very correct, and will prevent much abuse.

I have received the Petitions from the Persons, which you enclosed, as also the Monthly Return of Labor for April.

I wish to have a List of all the People you have, when the Resource leaves you, and their several Trades or Occupations.

Return of
inhabitants at
Newcastle.

The Mistake in sending more Flour than appeared on the Invoice originated with the Deputy Commissary, I have directed the Commiss'y to charge it in the present Invoices.

Six Natives of your neighbourhood having come here soon after you Settled, they now return with Bongaru in the Resource, I have directed them to be Victualled for Six Days and

Aborigines from
Newcastle
district.

1865.
30 April.
Intercourse
with the natives
on the Hunter
River.

given them a Jacket, Cap, Blanket, and 4 lbs. of Tobacco each the latter Article is sent to you to divide among them. I hope the Observations those People have made here will when they arrive with their Friends be of use, and am much gratified to learn that you continue on such good footing with them, to encourage which I am sure you will omit no means in your Power.

I do not think it would be advisable to let more than One or two Strange Natives come up at a time.

Swine, sundial,
and grain sent
to Newcastle.

Four Sows and a Boar are also sent as an addition to your Public Stock together with a Sun Dial and Stand, Ten Bushels of Maize are also put on board for feeding the Stock on the Passage, the Overplus of which Crafts* will deliver to you—As I do not wish Crafts to lose the Wind, I shall dispatch him without the Lime-burners if they do not come down in time.

I am, &c.,

PHILIP GIDLEY KING.

Monthly return
of marines at
Newcastle.

A MONTHLY RETURN† of Royal Marines, doing duty at Kings Town, New South Wales, for May, 1804.

Company.	Names.	Qualities.
28	Charles Menzies	1st Lieut.
111	Archd. Scrobie.....	Private.

C. MENZIES,
1st Lieut. Royal Marine Forces.

[Enclosure No. 6.]

GOVERNOR KING TO LIEUTENANT MENZIES.

Sir,

Sydney, June 7th, 1804.

Yours of the 31st Ultō.‡ I received Yesterday Evening by the Resource—We have but little else to expect than to be constantly harrassed by the Schemes of those whom it is our Duty to guard against by every means in our power—I feel much gratified with the discovery which has been made as preventing any bad consequences, and I can but approve of the measures you have taken respecting the Conspirators§; nor should those who are now in Double Irons be released from that Situation and hard Labour, until they have given the most unequivocal Proof

* Note 110. † Note 111. ‡ Note 109. § Note 103.

1805.
30 April.
Punishment of
ringleaders.

of their Amendment—Respecting the Six Ringleaders, you will be pleased to send two of the worst here in separate Vessels, double Ironed, and Hand-cuff'd, the others you will punish with two hundred Lashes each, and if you think they will be more secure, they may be put on Coal Island—Tierney for his diabolical proposal of Murdering the Officers and Soldiers should receive five hundred Lashes, or as many as he can take without endangering his Life—I hope these Examples will prevent any more of those desparate plans, and that I shall find by the next report they are again quiet—I have taken the necessary Steps respecting the two who made their Escape, in case they should be seen about the Neighbourhood of Hawkesbury.

I have dispatched the Schooner immediately with this Letter, and shall anxiously wait your account by her Return, or the return of any other Vessel.

By the next Conveyance some Spirits shall be sent.

I am, Sir, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 7.]

LIEUTENANT MENZIES TO GOVERNOR KING.

Sir,

Kings Town, 1st July, 1804.

I beg leave to enclose to your Excellency Quarterly and Monthly returns* etc. also the Orders for the different payments from Individuals for the Coals and Cedar supplied them from 30th March up to and including the 30th of June, in addition to which I have disposed of 10,000 feet of Cedar to Mr. Raby, but as his Vessel has not arrived the payment is not yet made. I also enclose a Statement of what has been Sent to Sydney on Government account with the assistance etc. afforded from the Settlement.

Sale of cedar
to Thomas
Raby.

I have been endeavouring to Strike a balance of the advantages and cost of this Settlement* for the first Quarter, and although some errors may have crept in through inadvertence yet upon the whole I believe you will find it tolerably correct, and I beg leave to assure you that every means in my power shall be exerted to reduce the expences attendant on its formation.

Cost of the
settlement
at Newcastle.

We always have been and still continue on the most friendly terms with the numerous Natives here, to preserve which I have directed the Storekeeper to victual Boungaree. He is the most intelligent of that race I have as yet Seen and Should a misunderstanding unfortunately take place he will be Sure to reconcile them; and I have given Strict directions to the crews of all vessels going up the river to treat them in a friendly

Intercourse
with natives.

* Note 112.

Conspiracy
amongst the
convicts.

1805.
30 April.

manner, as I know they have frequently been very ill used by some who are neither guided by principal or humanity.

Health of
convicts.

The late continued rainy weather has affected the health of a number of the prisoners here, and we will not be able, until more prisoners are sent, to supply Government and the hands required by Individuals to procure cedar and coals at the same time.

Examination
of the Hunter
valley.

I have been up the river and have brought 70 logs on a raft containing upwards of 26,000 feet of Timber. I examined with attention the quality of the Soil, which is luxuriant, and Situation of the Country, and a great number of eligible Farms might be had—one spot in particular about 40 miles from this would make a capital Government Farm, as there is high land in the rear to shelter the Stock, and build upon secure from Floods, and I do not think, as the Natives of that part frequently pay visits here on account of the Fishery, that they would be found at all troublesome, and even if they were, the means to prevent them could very soon be sent from the Settlement; as soon as more prisoners are sent, should your Excellency approve of it, the ground shall be cleared, which with very little trouble can be done, as it is but thinly clad with trees.

Escaped
convicts.

I understand that Riley and Tierney, who absconded from this, are taken—Should that be the case I could wish them to be sent back, to convince others of the absurdity of ever attempting to abscond.

Erection of
buildings.

I have been obliged to hire and pay Raby's Sawyers from the Store, to enable me to proceed with the different buildings in hand, the only pair in the Settlement being Sick.

Your Excellency will be pleased to observe that two Shillings being the Entrance and Clearance, money is deducted from each payment and which I allow (by your desire) to Mr. Tucker Storekeeper, for his attention in copying the public Papers.

I have, &c.,

C. A. F. N. MENZIES, Commdt.

[Enclosure No. 8.]

GOVERNOR KING TO LIEUTENANT MENZIES.

Sir,

Sydney, July 2nd, 1804.

I have to acknowledge the receipt of your of May 31st June 7th and ———* with their several Enclosures; And was much concerned to find that notwithstanding the lenity shewn to those sent to the Coal River yet that their sanguinary Plans were still carrying on—The removal of those two desperate Characters Neeson, and Smith, I hope will in some measure put a

Conspiracies
amongst
convicts.

* Note 109.

stop to their Contrivances—But you well know it will at all times be necessary for your being on your Guard and to Counteract their Designs.

I am sorry the reduced state of the number of Soldiers at this place will not admit of my sending you any Reinforcement from the New South Wales Corps. I think by embodying those you can depend on as an Association, you will greatly add to your Security, but care should be taken not to put Arms into the Hands of improper people.

As the duty of the Detachment is much harder in a new Settlement of the kind you have the direction of, than in a fixed Settlement, I have directed the Commissary to issue a Ration of Spirits to yourself, the Detachment, Surgeon, Superintendent, Storekeeper, and Overseer McGuire for twelve Months from this date, which proportion will be sent by the Resource together with a House in Frame, and Weather Boards for the Surgeon. I have also directed another Six Pounder to be sent and some Shot, but must recommend your placing it in as secure situation as possible, to prevent its being made an improper use of.

I am, sir, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 9.]

GOVERNOR KING TO LIEUTENANT MENZIES.

Sir,

Sydney, July 16th, 1804.

I have dispatched the Resource with the Articles you required by your last Letter—As you wish for leave of Absence to come here to settle such private Concerns as you have here, however much I regret your leaving the Command you have so well conducted, yet I cannot throw any Objection in the way of your coming here in the Resource—For which purpose I have directed a Subaltern of the New South Wales Corps to be sent to relieve you, and to whom you will give such general Instructions as you may judge necessary for ensuring the Regularity and Tranquility of that Settlement during your Absence—The Integrity will sail from hence on Wednesday and will lay to, off the Coal Island to Land Ensign Cressey, and from thence proceed to Norfolk Island on a Service that requires Dispatch—I therefore wish on her appearance you to send either the Resource or your Boat out, to take Ensign Cressey on shore—The Integrity's Signal is a Red and White Flag thus.*

What room there is in the Resource when you return in her may be occupied either with Coals or Cedar as most convenient.

I am, Sir, &c.,

PHILIP GIDLEY KING.

1805.
30 April.

Volunteers at
Newcastle
suggested.

Ration of spirits
for staff and
military at
Newcastle.

Leave of absence
for Menzies.

Ensign Cressey
to relieve
Menzies.

1805.
30 April.
Return of the
settlement at
Newcastle.

MONTHLY STATEMENT* of the Settlement at King's Town, New-
castle, for 21st of July, 1804.

A Surgeon.		Superintendent.		Storekeeper.		Marines belong to H.M.S. "Buffalo."		Officer in Command.		Non-Commissioned Officers.		Prison- ers.		Sick.		Weeks' Provisions remaining at full Ration.		Tons of Coals		Vessels.		
Gov.	Tn's.	Cedar.		Arrived since the last Return.		Sailed since the last Return.		Sent for per Government.		Sent for per Individuals.												
1	1	1	1	1	1	...	2	12	3	51	9	10	...	2	...	16	16½	...	12	Wks.	4	D.
8	16	2,941	5,000	William and Mary. George. Resouce. do		William and Mary. do. Colonial																

N.B.—14 Men of the New South Wales Corps is included in
the Casting.

C. A. F. N. MENZIES, Commandant.

[Enclosure No. 10.]

LIEUTENANT MENZIES TO GOVERNOR KING.

Sir, Kings Town, New Castle, 1st September, 1804.

It is with great pleasure I have to inform Your Excellency
of the safe arrival of the three Vessels with the Prisoners,
Provisions, Cattle and Boats.

Agreeable to Your Excellency's orders I have dispatched the
Francis immediately with a very fine Cargo of Coals and Cedar
and Thirty six beautiful spars for Oars.

I have given Mr. Throsby permission to return in the Schooner
to settle his private concerns, but from the extent of the Settle-
ment and having no person, who is capable of administering
relief to the Sick, I could wish his stay to be short.

Enclosed is a Letter, which I yesterday received from Ensign
Cressy, stating the loss of his baggage and his urgent want of all
those necessaries, which an Officer cannot possibly dispense with,
and which would have inconvenienced him very much had he

Arrival of
convicts, live
stock, and
provisions.

Coal and cedar
shipped on the
Francis.

Leave of absence
for Throsby.

Losses incurred
by Cressy.

* Note 111.

been obliged to wait for a successor, in consequence of which I
have thought prudent to comply with his request, and which I
trust will meet with Your Excellency's approbation.

In case of any accidents or a necessity for my superintending
the work up the River, it is I think absolutely necessary that a
Military Officer should be immediately sent as the command in
the present instance would devolve on a Lance Serjeant.

A quantity of Fustic shall be immediately collected—With
respect to the Monthly Accounts and expenditure of Provisions
and Stores during my absence at Sydney, I beg leave to decline
signing any papers or taking any responsibility during the time
Ensign Cressy commanded.

The Number of Prisoners might be increased and managed
with great security.

I have, &c.,
C. A. F. N. MENZIES, Commdt. N. Dt.

[Enclosure No. 11.]

GOVERNOR KING TO LIEUTENANT MENZIES.

Sir, Sydney, Sept. 8th, 1804.

In answer to that part of your Letter of the 1st Inst:
informing me of Ensign Cressy's statement of the loss of his
Baggage, and his urgent want of all those necessaries which
an Officer cannot possibly dispense with, and which would have
inconvenienced him very much had he been obliged to wait for
a Successor, And that you had thought proper to comply with his
request, And that Officer on his arrival here having stated his
Circumstance to me—I cannot but approve of the motives by
which you were influenced in giving him that leave.

Ensign Cressey having repaired his losses by the usual Allow-
ance being made to him, to which I have added three Ewes, as
some remuneration for the Stock he lost—I must request that
the Settlement may never be left without yourself or Ensign
Cressy remaining there, during the other's absence from King's
Town.

I am, &c.,
PHILIP GIDLEY KING.

[Enclosure No. 12.]

LIEUTENANT MENZIES TO GOVERNOR KING.

Sir, Kings Town, Newcastle, 5th October, 1804.

I have the honor of transmitting to Your Excellency the
Quarterly accounts—returns etc. for September also as directed a
copy of the written Instructions which I received at the time I
first took the command.

1805.
30 April.

The command
at Newcastle.

Returns during
Cressy's
command.

Leave of absence
granted to
Cressy.

Returns
transmitted.

1805.
30 April.
The military
command at
Newcastle.

By my Letter which accompanies this Your Excellency will perceive that I am at present deprived of my Military Command by a junior Officer in the Service being placed over me an instance of which was never before known in the Service although a number of Officers of the Royal Marines have at different periods of the War been appointed by the Commanders abroad to the Command of Islands and Ports in that number are the Islands of Curacoa and Goree and always retain their rank in the Army.

I have therefore to request Your Excellency's Instructions on this head and have to refer to you for my conduct on the present occasion.

Murder of a
native.

The three runaways sent back here had on their way to Sydney murdered the father of Boungaru in the most brutal manner and who was at the time advising them to return.

Shipping in
want of stores.

The Vessels belonging to Individuals are in the practise of coming here short of Provisions and making a request from the Stores for which their only motive can be in obtaining long credit.

I have, &c.,
C. A. F. N. MENZIES, Commdt. N. Dt.

[Enclosure No. 13.]

GOVERNOR KING TO LIEUTENANT MENZIES.

Sir, Sydney, October 9th, 1804.

I received your's dated 5th Inst. containing the Quarterly and other Returns for the Preceding Months.

Colonial status
of Menzies.

Having received no Communication from Col'l Paterson or any other Officer of the N. S. Wales Corps, since Miller's Boat sailed on the subject of the alledged Censure you had incurred I am much concerned that any Circumstance should have occurred to induce the Commandg. Officer of the N.S.W. Corps to exercise an Authority over you as a Military Man, which you do not consider correct. In delivering you the Territorial Commission I did, I certainly considered that you were accountable to me as Captain General and Governor in Chief for all your Transactions, Civil and Military, and that it remained with the Officer or Non Commissioned Officer, who held charge of the Detachment from the New South Wales Corps to make his particular returns to the senior Officer commanding the Corps in the Territory—As it appears that the first cause of Offence on your part has been that of giving Ensign Cressey of the N.S.W. Corps leave to come here to replace the Articles he was deprived of

Dispute
between
Menzies and
Cressey.

1805.
30 April.

the unfortunate and unexpected Shipwreck of the Vessel that his Baggage was in, which left him bare of those necessaries, an Officer could but ill dispense with.

Menzies' control
of the military
at Newcastle.

In every other Instance and indeed even in that (if his presence could not be dispensed with, and of which you must have been the best Judge) it certainly would have been more correct for you to have inclosed that Officer's request to me stating how far the Service would admit of his absence, and the Officer to have made his separate request to the senior Officer of his Corps in the Territory. However as Mr. Cressey's request to you was occasioned by urgent necessity and distress, and it appearing that you risked your Conduct on the most humane Motives, I am sorry it has been taken up in the manner it has been by the Officer Commandg. the N.S.W. Corps at this Place, more particularly so as your taking that Command was on the Spur of the moment on a most arduous and I may say daring Service, at a time when an Officer of the Corps could not be detached from hence, nor can I conceal from you that both Coll. Paterson and myself were much gratified at your Offer as a Military Officer, and Capt. Woodriffe's Concession, and as far as my Ideas of Military Command went I conceived that by sending the only Private Royal Marine there was in this District, that it might entitle you to an undoubted Command over the Non Commissioned Officer and nine Privates of the N.S.W. Corps who were placed under your Command to guard so many Desperadoes.

In this Opinion I am more guarded from a Communication* I have had with Coll. Paterson on the subject of his inted. Command at Port Dalrymple, a Copy of which I transmit you as I cannot but consider it as a Case in Point.

How far you may be guided in your Opinion as a Military Man You are the best Judge of. Your exertions in the Service you so handsomely volunteered, and in which you have acquitted yourself so much to my Satisfaction and the real Welfare of the Colony I trust will not be affected by the difference in opinion, when the propriety on either side remains in Doubt.

Had I received from the Commanding Officer of the N. S. Wales Corps any of the Communication you transmitted me Copies of in your's of the 5th Inst., I should have sent such further Instructions as the Case might require. That not being the Case I do not conceive you can be furnished with Documents more adapted to your Situation and Command than those contained in my Commission and first Instructions with such others as are contained in my Answers to your Official Letters.

King's
instructions
to Menzies.

1805.
30 April.
Cressy's refusal to sign returns.

Major Johnstone on Coll. Paterson's approaching Departure has waited on me with Ensign Cressy's Answer to Coll. Paterson's Letter, requiring him to sign the Account of expenditure and remains etc. of Provisions and Stores by his Orders during your Absence on leave from your Command—As that Letter contains a Refusal to comply with the Colonel's Orders, and that not couched in the most respectful Terms, Major Johnstone has signified his Intention to me of relieving that Officer and sending Ensign Draffen in his Room.

Respecting the atrocious and brutal behaviour of the three Runaways in murdering the Native, I request that if Proof can be adduced so as in your Opinion to convict them before a Criminal Court that the Murderers and necessary Witnesses etc. may be sent by the Resource.

You will observe that I have caused a Public Notice to be given, respecting the inconveniences you state of the Vessels not being provided with Provisions.

Provisions.

By the Resource the Provisions as Per Invoice transmitted by the Commissary to the Store-keeper are sent—a greater Proportion of Flour shall be sent when we can get it ground.

Robert Brown to visit Newcastle.

Mr. Brown* takes his Passage in the Resource with a Boat I have lent him, and have to request you will give him every Assistance in the Objects of his Pursuit, Victualling him and his Servant from the Stores.

The Resource is to be ballasted with Coals and fitted with Cedar, and I request your empty Spirit Casks, with all the good Iron hoops you can spare may be sent on that Vessel's Return.

Rations for military.

The Military are from the Date of your receiving this to receive the same Ration as every other Person, with the exception of Spirits which will be continued for the Twelve Months, as Stated in the General Orders of the 6th Inst.

I am, Sir,
PHILIP GIDLEY KING.

[Enclosure No. 14.]

LIEUTENANT MENZIES TO GOVERNOR KING.

Sir, Kings Town, Newcastle, 17th October, 1804.

Your Excellency's Letter of the 9th Inst. I had the honor of receiving by the Resource.

The question of military jurisdiction.

Your communication† with Colonel Paterson and which Your Excellency did me the honor of enclosing must certainly be considered as a case in point. In his answer to the 1st Query he states that he does not consider himself under the Military

* Note 115. † Note 114.

1805.
30 April.
The question of military jurisdiction.

Jurisdiction of Colonel Collins excepting they were serving together in Field or Garrison and yet he presumes to place a Junior Officer over me and threatens to bring me to a General Court Martial for attempting to dispute his Orders.

The murder of a native.

I am sorry to say that I do not think sufficient Proof can be adduced so as to Convict the runaways before a criminal Court for the murder of the Native I have therefore not sent them in the Resource.

I have sent the empty spirit casks but the Iron hoops have been such a length of time on the Casks that few are good and those are required in the Settlement.

The Prisoners stand much in need of Shoes as they have to penetrate into the woods in quest of Cedar.

Cressy's challenge to Menzies.

I transmit to Your Excellency a Letter which I have just received from Ensign Cressy addressed "On His Majesty's Service" and purporting to be a challenge, did this not correspond with his other Insane acts I should certainly have taken the steps which the Service points out in such a case but as he is on the point of being relieved for a disobedience and contempt of his Colonel's Orders it is not my intention to take any further notice of it at present than I now do by transmitting it to Your Excellency.

I have, &c.,

C. A. F. N. MENZIES, Commdt. N. Dt.

[Enclosure No. 15.]

LIEUTENANT MENZIES TO GOVERNOR KING.

Sir, Kings Town, New Castle, 5th November, 1804.

Provisions in store at Newcastle.

Herewith I have the Honor to enclose Your Excellency the Monthly Returns by which you will perceive that there remains at full Ration only one weeks flour and Spirits. I therefore on Saturday last reduced the proportion of Flour from Ten to six pounds and by next Saturday if a supply is not received must reduce it to four.

Assaults by natives.

One of the Sawyers belonging to Underwood and Cable has been severely beat by a party of Natives up Paterson's River whom they had very imprudently suffered to get possession of their Arms but I am happy to say he is in a fair way of Recovery.

I understand that Mr. Brown whom I furnished with Arms and ammunition for his protection has likewise been attacked up the North Branch.*

From these circumstances I have thought it more prudent to furnish Millers Boats with Cedar at the stipulated prices than allow them to procure it themselves.

* Note 116.

1805.
30 April.
The
superintendence
of cedar-cutters.

It now becomes absolutely necessary that two or three trusty men should be sent for the purpose of taking charge of our Boats going for Cedar as I am necessarily obliged to put Arms in their hands for their protection and Your Excellency is well aware of the Characters here.

Erection of
stone wharf
at Newcastle.

A well-built Stone Wharf is nearly completed Length One hundred and Eighty six feet, Breadth Thirteen feet Depth of Water at high Water Eight feet Two inches and at low water two feet.

I have, &c.,

C. A. F. N. MENZIES, Commandt. N. Dt.

[Enclosure No. 16.]

LIEUTENANT MENZIES TO GOVERNOR KING.

Sir, Kings Town, New Castle, 28th November, 1804.

I had the honor of Your Excellency's Letter of the 24th Instant* by the Resource.

Erection of
salt-pans.

By my Letter of the 21st Inst. Your Excellency will observe that we have begun erecting the Salt Pans but the prisoner Crump being Sick it will be impossible to speak positively as to its being completed however no exertion on our part shall be wanting.

Barracks.

The Military Officer's Barrack is just finished and a strong guard house shingled with a room for the Non commissioned Officers and a Black hole.

Intercourse with
the natives.

The trifling misunderstanding between Underwood's Sawyers and the Natives I regard only as a matter of course when people act so very imprudently, as all Savages will commit thefts when an opportunity is given; but it is somewhat strange to remark that so often as our Boats go up the River that they have never attempted to molest any person belonging to the Settlement, and I do not conceive that anything that has hitherto occurred will operate in the smallest degree against Settlers going up Pater-son's River.

Loss of cow
and calf by
Menzies.

Although the loss of a very fine Cow and Calf supposed to have strayed towards the Hawkesbury will be severely felt by me as an Individual, yet I would much sooner lose them both than send any considerable distance in quest of them in that quarter, which would more than probable be the means of opening a communication with that place thereby destroying the chief intention of this Settlement and the mischief arising from such a step than it is possible to foresee.

Oil for
coal-mining.

The Oil is nearly expended and should a supply of that article not arrive soon the Mines must stop Work.

* Note 109.

The Resource has on board a remarkable fine cargo of Cedar as per Bill of Lading likewise a quantity of Fustic.

1805.
30 April.

Thomas Desmond has absconded a second time and from what I can learn his intention was to go either to James McGlades or Brannon's Settlers at the Hawkesbury to assist in reaping their harvest.

Escape of
a convict.

I have, &c.,

C. A. F. N. MENZIES, Commdt. N. Dt.

[Enclosure No. 17.]

LIEUTENANT-GOVERNOR PATERSON TO GOVERNOR KING.

Sir, Outer Cove, Port Dalrymple, 20th February, 1805.

In consequence of a Complaint made to me by one of the Soldiers (John Short) under my Command, that a Convict Woman living in Ensign Anderson's Service had scandalously abused him and reflected on his former situation, and seeing the evil that might be attended in not noticing such impertinent Conduct, I conceived it my duty to protect the Character of any Soldier in issuing the enclosed Order (No. 1).

Dispute
between a
soldier and
convict woman.

Ensign Anderson waited upon me to know if the Order alluded to his Woman (as he called her). I told him it did, and that it should remain in force against any Convict, whatever situation they might accidentally be placed in, while under my Command.

Misconduct
of ensign
Anderson.

The day following I went to Western Arm* on Public business, which is about five Miles distant from Head Quarters. On my return, about three O'Clock in the Afternoon, the Acting Serj't-Major brought me the Regimental Orderly Book with the enclosed G.O. in Ensign Anderson's handwriting, which I erased, and wrote the accompanying. Not having the means here of bringing Ensign Anderson to Trial by General Court-Martial, and being aware that His Majesty's Service would suffer by allowing such Contemptuous behaviour to be offered to any Superior Officer, I have judged it necessary to remove him from this Settlement, with the Documents enclosed for Your Excellency's consideration, which I request to be noticed in your Military Letter, as I shall forward the same to His Royal Highness the Commander-in-Chief.

I have, &c.,

W. PATERSON.

[Sub-enclosure.]

COPY FROM REGIMENTAL ORDERLY BOOK.

Feb'y 15th (No. 1). R.O.—It having been represented to the Commanding Officer that a Woman Convict has scandalously

Regimental
orders.

* Note 117.