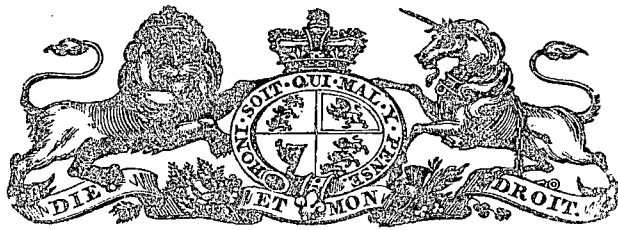


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1860.

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T A S M A N I A.

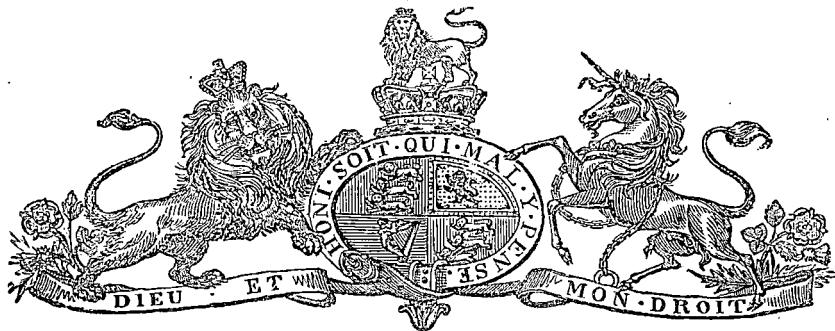
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CLAIMS OF THE COLONY ON THE IMPERIAL  
GOVERNMENT.

M E M O R A N D U M.

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Laid upon the Table by Mr. Attorney-General, and ordered by the House to  
be printed, 26 July, 1860.



*Government Offices, Hobart Town,  
12th May, 1860.*

#### MEMORANDUM.

WE had the honor, in August 1858, to lay before Your Excellency a series of Resolutions adopted by both Houses of the Local Legislature in reference to wrongs inflicted on the Colony by the measures pursued by the Imperial Government in respect to the immediate disposal, and the gradual liberation, of British Convicts; and also to the pecuniary injustice of the course taken by that Government in refusing to increase the contribution made to the Police and Gaols Expenditure of the Colony, after the changes brought about by the discoveries of gold in Australia had reduced the effective value of the sum originally fixed upon as its contribution to a fraction of what it had been.

In submitting the Resolutions adverted to, we entered into such explanations as were necessary to elucidate and enforce them, in a Memorandum which Your Excellency transmitted to the Right Honorable the Secretary of State; to which a reply, now before us, has been given by Sir E. Bulwer Lytton, of date 25th February, 1859.

We are very reluctant to arrive at any conclusion inconsistent with a most perfect reliance on the disposition of the Queen's Government to listen to our representations, and to give them due consideration; but, at the same time, we feel constrained, on a review of our Memorandum, and the reply thereto of Sir E. B. Lytton, to say, without intending the slightest disrespect, that there appears to us internal evidence that our representation in this instance has not received the attention to which it was entitled, as setting forth a pecuniary claim upon the justice of the Imperial Government.

Sir E. B. Lytton, adverting to the first of the Resolutions adopted by the Local Legislature, which complained of the insufficient contribution of the Imperial Government towards the maintenance of Police and Gaols, says:—"At the time when this Resolution was passed the contribution from this Country towards these purposes was about to become extinct. You have since learned, by my predecessor's Despatch No. 24, of the 13th May, that the reduced contribution will be continued for some years longer, at the existing rate of Six thousand Pounds per annum." A reference to the papers transmitted by Your Excellency, more particularly to the Postscript of 12th August which accompanied our Memorandum, will show that if, indeed, at the date of the adoption of the Parliamentary Resolutions the Despatch of Mr. Labouchere, adverted to by Sir E. B. Lytton, had not been received, it came to hand before the Resolutions were forwarded by Your Excellency to the Colonial Office; and that, as interpreters of the sense of the Parliament expressed in these Resolutions, we deprecated the partial measure of justice in the continuance of a contribution of £6000 to our Police and Gaol Expenditure being considered as a satisfaction of the claims set forth in our Memorandum. We desire to do so emphatically again, and on this occasion with the support of the Local Legislature, after it has had before it both the Despatches of Mr. Labouchere and of Sir E. B. Lytton. The continuance of a contribution toward our Police and Gaol Expenditure from the British Treasury, while there is the indisputable evidence of statistics to show that over twelve-thirteenths of the serious crime of the Colony is committed by those irreclaimable classes of criminals sent out here by the policy of the Imperial Government, is the barest measure of justice.

But, were that to be accepted by us as a satisfaction of the claims of the past which we have urged upon the British Government, we should be assenting to a most inadequate compromise, and exposing ourselves to the interpretation of having contended for more than we felt to be due to the Colony on principles of strict and impartial justice.

Fully persuaded, however, that the claims set forth in our Memorandum of 3rd August, 1858, are in no respect overstated, we cannot hesitate in reiterating them, and pressing them on the acknowledgment of Her Majesty's Ministers.

Sir E. B. Lytton contends that there is nothing to show that the Imperial Government ever undertook to bear two-thirds of the expense of the Police and Gaols, and says that the British Treasury have always denied that such was the intention. We are not aware that subsequent to 1846 (the period at which the acknowledgment was made of the right of the Colony to be reimbursed a proportion of that expense, and when the contribution of £24,000 was decided on,) any question has been raised between the Imperial and the Local Governments in the discussion of which the former has denied the principle of liability alleged by us; while we are aware that, in round numbers, the contribution agreed to (in 1846) bore the proportion of two-thirds to the expenditure in question. It cannot be that Her Majesty's Government agreed to pay a sum of £24,000 from the Imperial Treasury without reference to data? Was it by accident that that sum was fixed upon? Was no account taken of the actual burden on the resources of this Colony of its Police and Gaols? Was the sum of £24,000 a year guaranteed to us regardless whether that sum was a third of our outlay on Police and Gaols, or three times our outlay? Such a presumption is negatived by every consideration of reason and of fact.

Sir E. B. Lytton, however, goes on to admit as much as we need to insist upon:—"In order to afford some guide (he says) to the fixed sum which should be granted when a new arrangement took place in 1846, a proportion of two-thirds was taken of the actual outlay which had occurred in the previous years; but it has never been admitted that the Imperial Government undertook to pay two-thirds of any amount, without limit, which the Local Government may think fit to expend upon the Police and Gaols of the Colony." It so happened that the calculation of the Imperial Government was made in 1846; but had it been made in 1856, a considerably larger sum must have been paid to the Colony on precisely the same principle. For it is material to remark, that the contribution does not bear the character which Sir E. B. Lytton appears to attach to it; it was not a gift, it was not an act of grace, it was simply a payment of a debt—the reimbursement to the Colony of a sum advanced by it for a joint service of the Imperial and the Local Governments.

There is nothing novel in the principle for the recognition of which we contend; it is a principle which has been acted on familiarly in arrangements between the Imperial and Local Governments, and is so at this time. In Penal Establishments, in the Lunatic Asylum, in the Orphan Schools of the Colony, either the British Treasury or the Colony has been paid rateably, either to the Imperial or the Colonial authorities, according to whether the Establishment in question was under the immediate control of the Home or Local Government. And it would have only been in accordance with rule, that while the balance of liability was against the Home Government for Police and Gaols, as in 1846 when it accepted a responsibility of two-thirds of their annual cost, that their immediate management should have been under Imperial Officers, in which case, we ask, would not the Imperial authorities have exacted a larger contribution from the Colonial Treasury when the period arrived at which the discoveries of gold on the Australian Continent led to an augmentation in wages, and in the miscellaneous expenses of every establishment, public and private? At least they adopted this course in respect to Colonial Prisoners in the Convict Establishments, and to the Children of Free Parents in the Orphan Schools; and the Colony contributed without raising any question, recognising against itself the obligation of the principle which we contend ought equally to be acknowledged by Her Majesty's Ministers against the Imperial Treasury in respect to our Police and Gaols.

Sir E. B. Lytton's statement of the question at issue suggests a conclusion, both as to fact and inference, which we submit is not borne out by any evidence that can be adduced, and the justice of which we are constrained to impugn. He says, "It has never been admitted that the Imperial Government undertook to promise to pay two-thirds of any amount, without limit, which the Local Government might think fit to expend upon the Police and Gaols of the Colony."

It has never been contended that the Imperial Government engaged to pay two-thirds of a capricious and extravagant expenditure. But was it the interest of the Colony to rush into any such expenditure? Was a liability for one-third not sufficient to restrain it from any extravagance? And, as a matter of fact, was any extravagance indulged? On the contrary, the Local Legislature scrutinised the Police and Gaol Expenditure more severely than that of any other branch of the Public Service; and while, as respects those items in it which consisted of provisions of various kinds, the system of public tender insured the cheapest supplies, as respected the staff employed, such was the demand on the labour market in the years in question that it was with difficulty that the Police Force of the Colony was recruited at the wages given,

and it was imperfectly recruited. That extravagance in the Police and Gaol Expenditure of the Colony was *proved* against the Local Government, would perhaps constitute a reason why an abatement should be made in the payment for any particular year; but that *possibly* it might have been incurred, would never constitute a reason for setting aside a principle which had been accepted in determining respective liabilities for a joint service.

Sir E. B. Lytton affirms that the grant never varied from year to year, but remained at the same fixed amount; and says, that it would be impossible now to admit, many years after the practice of Transportation has, in deference to the wishes of the Colonists, been abandoned, that none of the parties concerned while it was still in force properly understood their own arrangements, and that a vast debt is, in consequence, now owing to the Colony. We reply, that the invariableness of the grant is the very burden of our complaint; that it is against the unfairness of that circumstance that we remonstrate. If, indeed, the Police and Gaol Expenditure of the Colony had exhibited only the trifling fluctuations which occur in ordinary years, probably no question of the present kind would ever have been raised. When, however, a change so remarkable as that wrought by the discoveries of gold in Australia took place,—a change which rendered the contributions of the Imperial Government towards Establishments maintained for the joint service of the Imperial and Local Governments less than it practically was when originally fixed, by the sum in 1853 of £19,829, in 1854 of £31,561, in 1855 of £43,795, in 1856 of £48,311, and in 1857 of £36,161,—surely it would have argued a culpable remissness on the part of those who represented the interests of the Colony had they omitted to prefer the claim of the Colony to an augmented contribution proportioned to the augmented charges it was required to defray. That Transportation has, in the mean time, been discontinued no way affects the merits of the question; while the assumption that the Colony was, in any sense which should silence its reclamations now, a party to any arrangements with the Home Government, is a position refuted by facts. In the partially Representative Legislature which preceded Parliamentary Government in Tasmania, the remonstrances of the elected Members were addressed to the Queen's Representative from year to year against the undue burdens thrown upon the Colonial Revenue; and since the Legislature assumed its present completely Representative character, not a Session has been concluded without the duty being enjoined on the Executive to renew remonstrance, and to press the claims of the Colony to indemnification for the past, and relief as respects the future. At least Two hundred thousand Pounds of the debt by which Tasmania is now burdened can be shown to have been incurred to cover charges which its Revenue ought not to have borne; and while the interest of this debt arrests the attention of Parliament from year to year when the Estimates are before it, there is no likelihood of its coming to regard its claims upon the British Treasury as belonging to that remote past to which the Despatch of Sir E. B. Lytton would consign, and by consigning extinguish them.

We therefore respectfully request that Your Excellency will, with the foregoing observations in reply to Sir E. B. Lytton's Despatch, submit that part of the claim of the Colony to which these observations relate for the reconsideration of Her Majesty's Government.

There is another portion of the claim, wholly unnoticed by Sir E. B. Lytton, as to which, whatever may be the ultimate decision of Her Majesty's Government upon that to which our preceding observations have been addressed, we entertain no doubt that the Secretary of State will recognise the right of the Colony to relief. We allude to the appeal for the re-adjustment, on more equitable principles than at present, of the rules determining the circumstances under which British Criminals who commit fresh offences shall become chargeable upon Colonial Funds.

In order to show the operation of the rules now in force, we have obtained from the Comptroller-General a Return (hereto appended) of all Convicts borne upon Colonial Funds during the year ending 30th April, 1859 (which was the last financial year at the time when we requested the Return to be prepared), showing (*int. al.*) the period for which each Convict had been free, conditionally or otherwise, prior to his last conviction, and the number of times each had been previously convicted of transportable offences. And we take the occasion of observing incidentally, that the delay which has occurred in addressing Your Excellency in reply to Sir E. B. Lytton's Despatch is mainly attributable to the time expended in the preparation of this Return, and in analysing it.

The rules at present in operation were prescribed by His Grace the Duke of Newcastle in a Despatch to Sir W. Denison, dated 14th February, 1854, as follows:—

That Convicts who committed fresh offences should be punished at the expense of the Imperial Government, whilst Free Men, or Expires, or holders of Conditional Pardons who committed offences would be punished at the expense of the Colony. In order, however, to provide equitably for the case of hardened Convicts, who might commit fresh crimes very shortly after having served out their time, His Grace authorised the Governor further to adopt

the following Rule:—"Any Convict who, within twelve months of becoming free (either by expiration of sentence or by a receipt of a Conditional Pardon), shall be convicted of an offence for which he is sentenced to a punishment of two years or upwards, shall be maintained at the expense of the Imperial Government; but no claim whatever shall be admissible upon the Home Government in respect of the punishment of a Convict for any fresh crime which he may commit after the lapse of one clear twelvemonth from the date of his becoming free."

The operation of these rules in accumulating a burden on the Local Treasury was accelerated by the Rules in respect to Pardons and Conditional Pardons promulgated in the two following Notices:—

*"Convict Department, Comptroller-General's Office, 18th July, 1854.*

THE Lieutenant-Governor directs it to be notified that, under instructions received from the Right Honorable the Secretary of State, male and female Ticket-of-Leave holders will, from this date, be required to serve with good conduct only half of the period for which they would have had to serve under previous Regulations for a recommendation for a Conditional Pardon.

Ticket-of-Leave holders becoming eligible under this notification for a recommendation for a Conditional Pardon must send in their applications on the usual printed form to the Comptroller-General of Convicts, through the Police Magistrate of the District in which they may be resident.

J. S. HAMPTON, *Comptroller-General.*"

*"Convict Department, Comptroller-General's Office, 18th July, 1854.*

THE Lieutenant-Governor directs it to be notified that, under instructions received from the Right Honorable the Secretary of State, male and female Passholders will, from this date, be required to serve only half of the period for which they would have had to serve under previous Regulations for the indulgence of a Ticket-of-Leave.

Petitions from Passholders who will thus be eligible for the indulgence of a Ticket-of-leave must be sent in, on the usual printed form, to the Comptroller-General of Convicts through the Police Magistrate of the District in which they may be resident: and no application will be entertained from any Passholder who has been under Magisterial sentence until the completion of six months (with good conduct) from the expiration of the last sentence.

It is also notified that, under the instructions above referred to, Passholders who have no offence recorded against them since their arrival in the Colony will be allowed a further deduction of one-fourth of the diminished period of service for a Ticket-of-Leave.

J. S. HAMPTON, *Comptroller-General.*"

The inequitable operation of these rules, in transferring the charge of the maintenance of incorrigible British Criminals from Imperial to Colonial Funds, will be manifest from an inspection of the Return to which we have referred. It will be seen that, of 337 Convicts borne upon Colonial Funds during the year ending April 1859, 305 had been British Convicts, 8 could not be traced, but had all probably—most of them certainly—belonged to the same category, and only 24, or one-fourteenth of the whole number, had always previously been free. Of the 305 British Convicts, 63, or more than one-fifth of the number, were re-convicted within two years after liberation; 124, or more than two-fifths, within 3 years; 164, or more than one-half, within 4 years; 186, or more than three-fifths, within 5 years; 216, or more than five-sevenths, within 6 years, and the remainder after various longer periods. Of these 305 British Convicts, with the cost of whose maintenance the Colony was burdened,—all of whom were, of course, under a second conviction,—149 were under a third, 47 under a fourth, 14 under a fifth, 6 under a sixth, and 3 under a seventh conviction of felony or other transportable crime. And it is to be borne in mind, that the great majority, if not the whole, of these were liberated under the rules above mentioned before the expiration of the original sentences of transportation; so that, in some cases, it actually happened that British Convicts became chargeable upon the Colonial Funds during the term of their British sentences of transportation.

These facts speak for themselves, and scarcely require comment. They demonstrate that the existing system operates merely as a process by which the burden of maintaining irreclaimable British Felons is gradually, but surely, shifted from British to Colonial Funds. We are satisfied that this result was never contemplated by the Imperial Government. We submit that in strict justice the Colony ought, instead of being chargeable with the 337 Convicts shown in the Return, to be only chargeable with the 24 who were first convicted in the Colony: for we conceive it to be beyond question, that the charge of maintaining the incorrigible Criminals of one country ought never, in justice, to become a burden on the resources of another country into which they have

been introduced for the advantage of the former ; and we think that the fact of the commission of a second crime is of itself proof that the Criminal is irreclaimable. If, however, this should not be conceded, the Return amply establishes that a large proportion of the Criminals comprised in it are irreclaimable : and surely a case is made out calling loudly for an alteration in a system by which so much and such great injustice is caused.

It is manifest that the limit of twelve months after liberation, fixed by His Grace the Duke of Newcastle as the period after which a Convict committing a fresh offence shall be chargeable on Colonial Funds, affords no criterion whatever of the reformation of the Convict, when we find that more than one-half of those convicted of fresh crimes are so convicted within 4 years after liberation, and nearly all—all but two-sevenths—within 6 years ;—that, of 305 who have been convicted a second time, 149 have been convicted three times, 47 four times, 14 five times, 6 six times, and 3 seven times, of felonies and other grave crimes.

After the clear and unimpeachable evidence which we have thus been enabled to adduce of the oppressive operation of the existing system, we submit, with the fullest confidence in the sense of justice of the Secretary of State, that the rules laid down in 1854 should be altered. If His Grace should not concede what we cannot but think strict justice requires, viz. that a British Convict committing a fresh crime at any time during his life should be maintained at the expense of the Imperial Government, yet he will have no hesitation in acknowledging the justice of much extending the period beyond which the conviction of a fresh offence is to cast the burden of the maintenance of the Convict upon the Colony. We submit that that period ought not to be less than six years ; and that whatever alteration in the rule may be assented to by His Grace shall be retrospective, so that the Colony may be reimbursed all expenses incurred beyond the amount which would have been incurred if the rule had originally been prescribed in the terms in which it will stand when altered.

In conclusion, we desire to say that, if either in this or in our former statement we seem in any respect to have exceeded those limits which official rule and practice sanction,—if there appear a warmth, a persistency, or a personal reference transgressing those bounds,—we beg that it may be imputed to our deep and unhesitating conviction that the claims we urge are strictly and scrupulously just and honest, and to our solicitude that they should not be prejudiced, and the sense of the Local Parliament (which we have been entrusted to convey) inadequately represented, by a timid exposition.

FRANCIS SMITH.  
WILLIAM HENTY.  
FRED. M. INNES.

*His Excellency* SIR H. E. F. YOUNG, *Knt., C.B.*,  
*Governor of Tasmania.*

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A D D E N D U M.

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*Government Offices, Hobart Town,  
14th June, 1860.*

In forwarding to Your Excellency, for transmission to the Right Honourable the Secretary of State, duplicate of our Memorandum of 12th May last, we take this opportunity of correcting an error which, though it does not affect the argument, or detract from the force of the considerations urged in that document, we think it right to point out.

In the Memorandum it is stated that, of the 337 Convicts shown by the Return appended to have been borne on Colonial Funds during the year ending April 1859, 305 had been British Convicts, 8 could not be traced, and only 24, or one-fourteenth of the whole number, had always been previously free. The correct numbers are 33 previously free, and 11 who could not be traced; but, as these 11 all arrived by Convict Ships, they were, without doubt, all transported. Therefore the statement ought to have been, that, of 337 Convicts borne on Colonial Funds during the year ending April 1859, 304 had been British Convicts, and only 33, or one-tenth of the whole number, always previously free.

FRANCIS SMITH.  
WILLIAM HENTY.  
FRED. M. INNES.

*His Excellency Sir H. E. F. YOUNG, Knt., C.B.,  
Governor of Tasmania.*

CONVICT DEPARTMENT.—COMPTROLLER-GENERAL'S OFFICE.

RETURN of all Convicts chargeable to Colonial Funds during the Year ending 30th April, 1859, showing Period for which each had been Free, conditionally or otherwise, prior to last Conviction;—original Period of Transportation, and Place whence transported;—Number of Times each has been tried before Criminal Assize or Courts of Quarter Sessions, whether in this Colony or elsewhere.

NAME.	SHIP.	Period Free, conditionally or otherwise, prior to last Conviction.		Original Sentence of Transportation.	Place whence transported.	Number of Times tried before Criminal Assize or Courts of Quarter Sessions.	
		Yrs.	Mths.			In Colony.	Elsewhere.
Damper, George	Stakesby	1	7	7 years & 7 years	Wilts & Hobart Town	2	1
Varley, John	Wm. Miles	2	9	Life and 7 years	King's Lynn & Launceston	2	1
Brown, John	Lord Hungerford	9	8	3 sentences of 7 years each	Cumberland & Hobart	3	1
Renfree, John	Equestrian 2	2	2	7	Plymouth	1	1
Callaghan, William	M. S. Elphinstone 1	2	8	7	Cornwall	1	1
James, John	Agincourt	3	5	10	Worcester	1	1
Carroll, William	Joseph Soames	1	3	7	Warwick	1	1
Pryce, William	Triton	1	7	7	Bristol	2	1
Smith, William	Palmyra	1	6	10	Leeds	1	2
Andrews, William	Theresa	2	9	7	Clerkenwell	1	3
Whatley, John	Ratcliffe 2	1	4	7	New Sarum	1	2
Kearnes, James	Emily 2	2	4	7	Dublin	1	2
Wood, John	Candahar	6	3	7	C. C. Court	2	2
Radford, James	Gilmore 2	5	6	10	Somerset	3	2
Clarke, James	Agincourt	1	6	10	Yorkshire	1	1
Cooper, William	Hungerford	26	8	7	Berks.	1	1
Warlock, Charles	Earl Grey	5	9	7	Bristol	1	2
Hollidge, William	Moffatt 1	15	1	7	Kent	1	1
Power, John	Georgiana	3	1	7	Hobart Town	2	
Hope, Thomas	Cressy	2	9	10	C. C. Court	1	1
Higginson, James	Westmoreland	2	4	15	Shropshire	3	1
Valley, James	Tory	1	8	7	Antrim	1	1
Boucher, John William	M. S. Elphinstone	2	10	7	Glasgow	1	1
Grace, John	Egyptian	7	9	7	Meath	1	2
Wilson, John	Blenheim 1	10	3	7	Liverpool	2	1
Grant, Patrick	Emily 2	3	1	7	Waterford	2	3
Fitzpatrick, John	Lord Auckland 2	2	4	7	Dublin	1	3
Edwards, Joseph	M. Soames	4	4	7	Ipswich	1	2
Blake, John	Emily	3	5	10	Lancaster, Preston	1	3
Buchanan, John	Elphinstone 3	7	1	7	Glasgow	2	2
Connell, John	Theresa	1	11	7	Clerkenwell	1	2
Zanker, William	Duke of Richmond	6	2	10	York	1	1
Melton, George	Stratheden	5	0	7	Lincoln	1	1
Johnson, Henry	Equestrian 2	1	7	7	C. C. Court	1	2
Leyshon, David	Tortoise	3	4	10	Glamorgan	1	2
Mitcham, Thomas	Elphinstone	3	8	10	Perth	1	2
Gilhooly, James	Iron Tasmania	never before	convicted		—	1	
Drew, John	Clyde	3	0	Life	Warwick	1	1
Howell, William	Cornwall	1	5	10	Croydon	1	2
Parker, Walter	Elphinstone	5	9	14	Liverpool	1	2
Luke, Thomas	Strathfieldsaye	6	2	Life	Cornwall	1	1
Nicholson, James	Coromandel	9	3	7	Aberdeen	1	2
Blore, Emanuel	Lord Petre	3	4	10	Stafford	1	6
Claridge, William	Somersetshire	1	1	14	C. C. Court	1	2
Baker, Edward	Anson	3	7	10	Canterbury	1	1
Eagan, James	Emily 2	1	4	10	Tipperary	1	1
Saville, George	Marion, 2	1	11	7	C. C. Court	1	2
Little, William Joseph	Surrey 4	7	3	7	Salford	1	2
Eynon, James	Somersetshire	4	5	10	Bath	1	2
Ward, John	Constant	5	8	7	Dublin	1	5
Kirkman, Thomas	Theresa	3	10	7	Bolton	2	4
Williamson, James	Westmoreland	6	8	7	Lancashire	3	2
Pound, Joseph	Ratcliffe 2	1	1	7	Marlboro'	1	2
Johnson, Henry	Palmyra	2	8	7	Oxford	1	1
Dodwell, William	D. of Northumberland	4	2	10	Berks.	1	2
Griffin, John	Prince Regent	7	7	7	Kerry	1	1
Rogers, George	Palmyra	2	8	7	Exeter	1	2
Clarke, William	Arab 2	9	9	Life	Bury St. Edmonds	1	1
Duffy, Patrick	Maitland	9	3	7	Louth	1	1
Rafferty, Andrew	London	1	10	10	Edinburgh	1	1
Cory, William	Equestrian 1	5	0	7	Cornwall	1	1



NAME.	SHIP.	Period Free, conditionally or otherwise, prior to last Conviction.	Original Sentence of Transportation.	Place whence transported.	Number of Times tried before Criminal Assize or Courts of Quarter Sessions.	
					In Colony.	Elsewhere.
Chapman, Henry	Eucalyptus	Yrs. Mnths. Never before	Years. convicted.	—	1	
Halladay, Charles	Hydrabad 1	2 4	10	Lincoln	1	1
Ison, Lee	Rodney	2 4	10	Ipswich	1	1
Moore, Edward	Hydrabad 1	1 2	10	Warwick	1	1
Wilson, John	Constant	5 10	7	Fermanagh	1	3
Taylor, James	Elizabeth and Henry	2 3	7	Wicklow	1	2
Carr, Peter	ditto	3 9	7	Louth	1	2
Scott, George	Susan 1	10 7	7	Devon	1	4
Wilson, George	Elphinstone 2	7 11	7	Derby	2	1
Shackleton, John	Marquis of Hastings	3 8	10	Salford	1	2
Roberts, Henry	Rodney 2	1 3	7	Nottingham	1	1
Blackmore, William	Elphinstone 1	8 1	Life	Somerset	2	2
Daley, Peter	British Sovereign	8 0	7	Dublin	1	1
Bowden, Richard	Atlas	10 2	14	Devon	1	1
Howell, John	Free	First conviction.		—	1	
Sucker, Raspberry	Bangalore	3 2	7	Durham	1	1
Benney, Henry	Palmyra	2 11	7	Cornwall, Bodmin	1	2
Howard, Charles	John Colvin and M. Stuart	First conviction.		—	1	
Shadbolt, Benjamin	Mayda	1 8	15	Hertford	1	1
Neale, George	Asia 5	1 3	10	Warwick	1	2
Henry, William	Richard Webb	7 5	7	Antrim	1	1
Murray, John	Pest. Bomangee 3	1 8	7	Kilkenny	1	1
Baker, William	Fairlie	1 8	7	Gloucester	1	2
Mills, Francis	Ratcliffe 2	2 2	7	Chichester	1	1
Fitzcummins, Patrick	P. Regent 2	5 0	10	Kerry	1	2
Goring, Emanuel	Elphinstone 3	7 5	7	Gloucester	1	1
Pritchard, William	ditto	3 5	7	C. C. Court	2	2
Wallace, William	Augusta Jessie	Not identified		—		
Gillies, William	ditto	10 4	7	Aberdeen	4	1
Smith, John William	Palmyra	3 6	7	Lincoln	1	2
Downes, Edward	Anson	2 6	10	Kent, St. Augustins	3	1
Diver, John	Lady Kennaway 2	1 5	7	Glasgow	1	2
Gilchrison, William	Semiramis	First conviction		—	2	
McDonald, Martin	Blenheim 2	1 9	7	Antrim	2	1
Crane, Thomas	Ratcliffe	4 2	7	Cork	1	2
Bowser, Thomas	Governor Phillip	2 11	Life.	Campbell Town, N.S.W.	1	2
Smith, John	Rodney 1	1 3	10	New Sarum	1	1
Ballantyne, William	Flying Squirrel	3 0	14	Melbourne	1	2
Curtis, John	Anson	6 0	7	C. C. Court	1	2
Watehorn, John James	Blenheim 4	2 0	7	Wicklow	1	2
Poole, William	Eden 2	1 3	7	Gloucester	1	1
McCaffery, Michael	J. Watson	4 10	7	Dublin	2	3
Welham, William	Barossa 2	7 10	7	C. C. Court	1	2
Fernside, John	Adelaide	2 1	7	York	1	2
Tonks, William	Oriental Queen	1 7	7	Clarkenwell	1	1
Lee, John	Tasmania	First conviction		—	1	
Barry, James	Mary	20 4	7	Norfolk	1	1
Johnson, Hugh	Lady Montague	Cannot be traced		—		
Day, William	Barossa 2	2 2	10	Maidstone	1	1
Groves, Richard	Mangles	14 4	7	Surry	1	2
Hardy, William	M. Soames	1 6	7	Clerkenwell	1	1
Beville, George Mortimer	Lady Kennaway 1	3 6	7	Bristol	1	1
Williams, John	William Jardine 1	2 0	7	Preston	1	3
Callaghan, John	Hydrabad 3	Cannot be traced		—	1	
Garside, James	Cornwall	3 0	7	Knutsford	1	2
Rogers, James	Lady Montague	2 1	7	Birmingham	1	1
Tucker, Silas	Fairlie	2 4	10	Bath	1	2
M'Call, John	China	1 1	10	C. C. Court	1	2
O'Connor, John	Black Swan	First conviction		—	1	
Thompson, William	P. Bomangee 4	2 2	7	Gloucester	1	1
Allison, Robert	Free	First conviction		—	1	
Mawby, John	Candahar	5 0	10	Salford	1	1
Chambers, William	Ratcliffe 2	Cannot be traced		—	1	
Firth, James	Lord Goderich	9 0	7	York	1	2
Clarke, Matthew	Cadet	4 7	7	Westmeath	3	1
Reidy, James	Louisa	1 4	15	Campbell Town, New South Wales	1	2
Sullivan, John	Hydrabad 3	1 2	7	Cork	1	1
Berry, Stephen	Blundell	3 4	Life	Bridgewater Assizes	1	1
Stretton, James	Surrey	4 9	10	Leicester	1	1
Verdon, Thomas	Lady Montague	2 2	7	Liverpool	1	1
Barron, John	Rodney 3	1 3	7	Limerick	1	3
Claridge, James	Blenheim 3	2 4	10	Warwick	1	1
Denis, James	Equestrian 3	1 4	10	Liverpool	1	1

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					In Colony.	Elsewhere.
Beecham, William	M. Soames 1	Yrs. Mnth. 5 10	Years. 7	Northampton	1	2
Wheatley, John George	Henry Porcher	7 8	14	Somerset	1	1
Harknott, John	Isabella Watson	7 11	7	Cork	2	1
Smith, Samuel	Blenheim 3	1 10	7	C. C. Court	1	1
Cowell, John	Rodney 1	1 3	7	Clerkenwell	1	1
Hitchen, William	Gilmore	18 8	7	York	2	2
Marsh, George	Wm Jardine 2	1 9	7	Worcester	2	2
Graham, Thomas	Free	First conviction		—	1	
Armstrong, Patrick	Hydrabad 2	1 11	7	Limerick	1	2
Taylor, Henry	Duncan	6 5	10	Oxford	2	2
Kelly, William	Free	First conviction		—	1	
Pearle, John	Lord Dalhousie	1 6	7	Not stated	1	1
Donoghue, Michael	ditto	2 1	7	Kerry	1	1
Collins, George	Aboukir	1 6	7	Coventry	1	1
Travers, Martin	Lord Dalhousie	2 1	7	Galway	1	1
Reader, William	Hydrabad	4 11	7	Launceston, free before	2	
De la Hunt, John	Lord Auckland 2	1 2	10	Dublin	1	1
Davis, James	Equestrian 2	1 10	10	Warwick	1	2
Cocum, Joseph	Elphinston	8 6	7	Bristol	2	2
Sexton, George	Somersetshire	6 0	10	Norfolk	1	1
Fronde, Edward	A Native	Native, first conviction		—	1	1
Craig, Henry	Blenheim 2	2 1	7	Armagh	1	1
Nichol, Robert	Mermaid	First conviction		—	1	
Burridge, Henry	London	6 5	7	Louth	1	1
Butler, James	ditto 2	4 2	7	Carlow	1	1
Flood, John	Lord Goderich	9 0	7	Liverpool	1	1
Smith, George	Neptune	Cannot be traced		—	1	
Johnson, David	Black Swan	Free to Colony first conviction		—	1	
Burridge, John	Australasia	Ditto	ditto	—	1	
Hart, Samuel	Marion 2	4 3	10	Nottingham	1	1
Mitchell, John	St. Vincent	1 8	10	C. C. Court	1	2
Dickenson, James	Aboukir	2 9	7	Coventry	2	1
Weeks, James	Hydrabad 3	1 10	7	Cork	1	2
Sewell, John	Maria Soames	4 0	14	Spalding	1	1
Kennedy, John	Eliza	First conviction		—	1	
Harris, John	Asiatic	7 7	7	C. C. Court	1	1
Boucher, Joseph Porteous	Waratah	First conviction		—	1	
Jones, Henry	Cornwall	1 8	10	Worcester	1	2
Riley, Thomas	Lady Kennaway 2	Cannot be traced		—	1	
Myers, Louis	Mangles and Lady Franklin	9 7	7	C. C. Court	2	2
Rigby, William	Moffatt 3	3 10	10	Ditto	1	2
Brindley, William	London 2	3 0	7	Down	1	1
Murphy, John	Rodney 3	1 11	7	Wexford	1	2
Burns, William	Hydrabad 2	2 5	7	Waterford	1	1
Thompson, William	P. Bomangee 1	2 0	10	Clerkenwell	1	3
Vanderville, Richard	Marion 1	5 7	7	C. C. Court	2	2
Little, William	M. of Hastings 1	7 5	Life	Surrey	1	1
Boor, George	Eden	14 4	7	Lincoln	1	1
Colquhoun, James	Black Swan	First conviction		—	1	
Edinburgh, Charles	Forfarshire	5 1	10	C. C. Court	1	1
Grant, William	Blenheim 3	2 7	7	Ditto	1	2
Jones, George	Somersetshire	7 1	10	Warminster	1	1
Tulley, Francis	Kinnear	5 4	10	Kings Co.	1	1
Aschroft, Jeremiah	Lady Montague	1 4	7	Shewsbury	2	1
Barton, Alexander	ditto	1 3	7	Dumfries	1	2
Hillock, Patrick	Tory	4 3	7	Tyrone	3	1
Cameron, William	Cornwall	3 7	7	Stirling	1	6
Dorman, Albert	Blenheim 1	1 7	7	Down	1	2
Donnelly, William	P. Bomangee 3	1 1	7	Armagh	1	1
Garrett, Robert	Layton 4	1 1	15	C. C. Court	1	1
Reeves, Thomas	Equestrian 2	5 4	7	Middlesex	2	3
Hipkins, George	Titania	First conviction		—	1	
Maker, Thomas	Isabella 1	5 10	7	Chester	2	1
Ford, Patrick	W. Jardine 2	1 4	14	Malta	1	1
Frikir, Belshasar	Williamsburgh	First conviction		—	1	
Grimmer, Frederick	Cressy	6 1	7	B. St. Edmonds	1	2
Goulden, James	W. Jardine	3 3	10	Liverpool	1	2
Ward, John	Lord W. Bentinck	6 9	14	New Brunswick	1	1
Brown, Joseph	Ratcliffe 2	4 2	10	Oxford	1	1
Rowley, Samuel	W. Jardine	6 4	7	Bradford	1	2
Corrigan, James	Neptune	5 9	7	Lancaster	2	1
Robinson, Robert	P. Bomangee 3	3 9	7	Kings Co.	1	1
Chambers, Edward	Theresa	2 11	10	Preston	1	1
Galvin, Michael	Lady Kennaway 2	1 11	7	Birmingham	1	1

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		Yrs. Mths.	Years.			
Billington, William	Bangalore	4 4	15	Leicester	2	1
Mott, John	P. Bomangee 4	2 4	7	Lymington	1	1
Hough, Joseph	Theresa	2 11	10	Banbury	1	3
Smith, William	Lady Kennaway 2	2 0	7	Birmingham	1	2
Love, Charles	Asia 3	8 10	Life	Stafford	1	1
Cox, Thomas	P. Bomangee 4	2 0	7	C. C. Court	2	1
Pelham, John	Palmyra	3 5	7	ditto	1	2
Hayes, John	Equestrian 2	2 7	10	Preston	2	2
M <sup>r</sup> Intrye, Edward	Forfarshire	5 0	15	Manchester	2	1
Comer, Robert	Challenger	7 10	7	Adelaide	1	1
Luck, Joseph	Moffatt 3	5 8	10	North Allerton	1	1
Gilham, James	John Calvin	1 9	10	Lewes	1	1
Wolfe, Charles	Aboukir	1 7	7	Coventry	1	2
Hill, James Cummings	Heather Bell	First conviction		—		
Squires, James	Strathfieldsaye	13 5	14	Dorset	1	1
Fletcher, Daniel	Ratcliffe 2	4 6	7	Edinburgh	1	2
Cosgrove, Peter	Barossa 2	8 0	7	Liverpool	1	1
Bones, Francis	Manlius	18 4	Cannot be traced		1	
Johnson, Benjamin	Asia 4	5 6	14	Colchester	2	1
Reading, John	Sir G. Seymour	8 0	7	C. C. Court	1	1
Jenkins, Robert	Nile	2 7	7	ditto	2	1
Coglan, Richard	North Briton	3 6	15	Dublin	1	3
Kenny, John	London 2	2 6	7	Derry	1	1
Moseley, Samuel	Cornwall	4 6	7	Ipswich	1	2
Mellors, William	M. of Hastings	15 6	7	Nottingham	2	2
Challis, Samuel	Fairlie	2 6	7	Clerkenwell	1	1
Lee, William	Gazelle	1 6	7	Madras	2	1
Francis, Thomas Edward	Lady Franklin	3 2	15	Sydney	1	2
Chandler, Edward	Palmyra	5 6	7	C. C. Court	1	1
Webster, Aaron	Layton 2	16 3	7	York	1	1
Oldham, John Wright	Equestrian 3	2 9	10	Liverpool	2	1
Clarke, Michael	Waverley	7 0	10	Sligo	1	1
Hunter, Charles	City of Hobart	First conviction	on record	—	1	
Williams, John	Marion 2	3 1	10	Birmingham	1	1
Loape, John or James	Rodney 3	Cannot be traced				
Barry, John	Tory	4 6	7	Dublin	1	3
Hayes, William	Asia 1	11 6	7	Liverpool	2	1
Rushforth, Benjamin	Sir R. Peel	2 0	10	Wakefield	2	4
Hay, John	Picard	First conviction	on record	—	1	
O'Hara, Patrick	P. Bomangee 4	2 0	7	Glasgow	1	1
Page, Robert	Lady Kennaway 2	11 0	Life	Norfolk	1	1
Logue, James	Ratcliffe 2	Cannot be traced		—	1	
Frost, Charles	Blenheim 3	3 8	7	C. C. Court	1	1
Parker, William	Emily	Cannot be traced		—	1	
Bennett, Thomas	Rodney 1	2 0	7	Burn	1	2
Conroy, Martin	London 2	3 0	7	Galway	1	1
Harding, Paul	Jane	First conviction	on record	—	1	
Wickman, William	Lady Kennaway 2	3 0	7	Worcester	1	2
Finizian, James	Blenheim 4	1 6	10	Kildare	1	1
Conlan, John	Free	First conviction	on record	—	1	
Buncombe William	P. Bomangee 4	3 0	10	Launceston	1	1
Charlton, George	Blundell	1 0	10	Newcastle-upon-Tyne	2	1
Springhall, John	Moffatt 3	9 3	7	Cornwall	2	2
Davis, John	Agincourt	3 11	15	Stafford	1	1
Fletcher, William Hill	Hindustan	2 10	15	C. C. Court	1	1
Liddy, Thomas	Halcyon	2 4	7	Adelaide	1	1
Merchant, John	Neptune	17 0	14	Essex	1	2
Burns, James	Tortoise	8 1	10	Halifax	1	1
Davis, James	Layton 4	8 3	10	Birmingham	1	1
Willett, Henry, alias Dennis Tighe	Lord Auckland 2	5 0	7	Dublin	1	3
Rooke, John	Commodore Hayes	13 9	14	Not stated	2	1
Regan, John	Yarra Yarra	First conviction	on record	—	1	
M <sup>r</sup> Cabe, John	Lord Auckland 2	4 9	7	Queen's County	1	1
Temple, William	Moulton	First conviction	on record	—	1	
Marks, James	Sir R. Peel	7 0	7	Aylesbury	1	1
Smith, Edward	Equestrian 3	2 8	7	Manchester	1	1
Kelly, Michael	Hydrabad 3	2 6	10	Clare	1	1
Whitehouse, Abel	Rodney 2	2 9	7	Stafford	1	2
Hassett, Michael	ditto 3	2 0	7	Clare	1	2
Grace, Perrie	Cadet 1	3 7	15	Queen's County	1	1
Fox, William	Palmyra	5 7	7	Kent, St. Augustins	1	2
Shean, Jeremiah	London 2	2 7	7	Cork	1	1
Kelly, Bernard	Tory	5 3	7	Roscommon	1	1
Murphy, John	London 2	2 11	7	Cork	1	1

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		<i>Yrs. Mths.</i>	<i>Years.</i>			
Sharrocks, Joseph.....	Ratcliffe 2 .....	3 1	10	Leeds.....	1	1
Shepherd, John .....	Agincourt .....	5 0	10	C. C. Court.....	1	1
Driver, Robert .....	Clyde .....	14 2	Life	Norfolk .....	1	1
Fulton, Jacob .....	Bee .....	First conviction	on record	—	1	
M'Cullom, Hugh .....	Ratcliffe 2 .....	6 2	7	Glasgow .....	1	3
Acton, John .....	Lord Lyndoch .....	Cannot be traced		—	1	0
Appleton, Thomas .....	Lady Kennaway .....	3 1	7	Stafford .....	2	1
Haley, Thomas .....	ditto .....	1 9	7	C. C. Court.....	1	2
Baker, John .....	Rodney 2 .....	1 4	7	Limerick .....	1	1
Shore, William .....	Eden 2 .....	7 10	7	Lancaster .....	2	5
Mackay, Patrick .....	Panama .....	First conviction	on record	—	1	0
Shaw, Joseph .....	Woodford 2 .....	14 0	Life	Lancaster .....	1	1
Greeney, Robert .....	St. Vincent .....	1 11	15	C. C. Court .....	2	2
Timms, Martin .....	Equestrian 3 .....	3 1	10	Northampton .....	1	1
Pinnon, William .....	Rodney 2 .....	0 10	10	C. C. Court .....	1	2
Pearson, Samuel .....	A native .....	First conviction		—		
Dobson, Samuel .....	Oriental Queen .....	4 1	7	Clerkenwell.....	1	1
Rowles, Joseph .....	David Malcolm .....	1 0	Life	Aylesbury .....	1	1
Ward, Frederick .....	Rodney 2 .....	4 8	7	C. C. Court .....	1	1
Mayho, Joseph .....	Neptune.....	6 1	7	Stafford .....	2	3
Smith, James.....	Recovery .....	5 6	Life	Bedford .....	2	1
Neill, Michael .....	Hydrabad 3 .....	4 8	10	Kerry.....	1	1
Launcester, William .....	Great Britain .....	First conviction	on record	—	1	
Taylor, James .....	Governor Ready .....	8 7	Life	Warwick .....	1	1
Rolfe, William .....	Anson .....	5 6	10	C. C. Court .....	1	1
Lavelle, Anthony .....	Lord Auckland 3.....	1 8	7	Sligo .....	1	1
Parsons, Henry.....	Emily .....	Cannot be traced		—	1	
Carter, John .....	Isabella 2 .....	8 9	10	C. C. Court .....	1	1
Baker, Richard .....	Lord Lyndoch 2 .....	5 4	7	Surrey .....	1	2
Smith, Thomas .....	Barossa 1 .....	2 11	15	Stanford.....	1	1
M'Namara, Lawrence.....	Alibi .....	2 1	7	Dinapore .....	1	1
Connors, Daniel .....	Lady Raffles .....	8 3	10	Middlesex .....	2	1
Nelson, Richard .....	Richard Webb .....	10 4	7	Armagh.....	1	1
Whittaker, William .....	St. Vincent .....	1 9	7	Stafford .....	1	1
Oakley, John.....	Lady Montague .....	2 0	7	Worcester.....	1	1
Rowlands, William .....	Moffatt 1 .....	12 0	Life	Montgomery .....	1	1
Humphreys, William .....	Equestrian 2.....	6 9	7	Salop .....	1	2
Day, John .....	Hydrabad 2 .....	4 6	7	Tipperary .....	1	1
Smith, John .....	Forfarshire.....	9 6	7	Nottingham .....	1	1
Glover, Thomas.....	Lady Bird .....	First conviction	on record	—	1	
Ashby, John .....	Equestrian 2.....	2 3	7	C. C. Court .....	2	2
Fairlie, James .....	Lord Dalhousie.....	3 7	7	Antrim.....	1	2
Whitmarsh, William .....	Royal George.....	22 0	7	Southampton.....	1	2
Taylor, Edward.....	Nile .....	3 3	7	Doncaster .....	1	1
Collier, George.....	Surrey 3.....	5 7	Life	Gloucester.....	1	1
Doyle, William.....	Cressy .....	1 6	15	Lancaster .....	2	2
Wood, Alfred.....	Free .....	First conviction		—	1	
Richardson, James .....	Moffatt 2 .....	5 0	7	Durham.....	2	1
Hanslowe, Richard .....	Amelia Thompson.....	First conviction		—	1	
Constantine, Thomas .....	Equestrian 1.....	5 3	10	Salford.....	1	2
Fleming, Thomas .....	St. Vincent.....	2 0	7	York .....	1	1
Davis, Mark .....	William Jardine 2.....	3 7	7	Dorchester.....	1	1
Bartlett, David .....	Eliza 1 .....	21 1	7	Wilts .....	1	1
Jones, John.....	Orielton Queen.....	1 11	7	C. C. Court .....	1	2
Stewart, William .....	Blenheim 4.....	4 2	7	Antrim .....	1	2

W. NAIRN, *Comptroller-General.*