

(No. 49.)



1872.

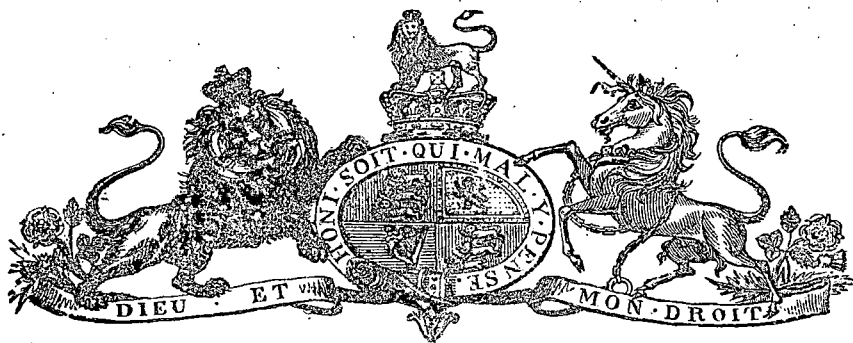
T A S M A N I A.

H O U S E O F A S S E M B L Y.

DESPATCHES AND CORRESPONDENCE

**IN REFERENCE TO THE CLAIMS OF THE COLONY AND THE
IMPERIAL GOVERNMENT.**

Laid upon the Table by the Colonial Treasurer, and ordered by the House to be
printed, July 10, 1872.



MEMORANDUM.

MR. WILSON has the honor to return to the Governor the Despatch, with its enclosures, from the Secretary of State for the Home Department, dated the 4th October last, announcing the acquiescence by the Lords Commissioners of the Treasury in the modification of the original terms of transfer of the Port Arthur Establishment to the Colony, as proposed in His Excellency's Despatch to the Home Secretary of the 24th February, 1871.

The adjustment of the claims of the Colony upon Her Majesty's Government arising out of the maintenance here, for so many years, of Imperial Penal Establishments has occupied the attention and exercised the patience of every successive Colonial Ministry since the inauguration of representative institutions.

Mr. Bruce's Despatch announces the final settlement of this vexed question and long outstanding dispute; and the Governor's Advisers, while reflecting with natural satisfaction on their own share in the conclusion of this protracted negotiation, deem it their duty to record their grateful acknowledgments of the valuable support which their efforts and arguments to this end have invariably received from His Excellency in his communications to the Secretary of State.

The terms on which this long and complicated controversy is now finally settled may be justly deemed at once reasonable and liberal; and the arrangements which have been sanctioned by Her Majesty's Government, on the suggestion of His Excellency's Ministers, determine a question largely affecting Imperial and Colonial interests in a manner satisfactory to both.

The Legislature and the Colony will not fail to recognise the friendly and conciliatory spirit which has influenced the Imperial authorities in their reception of the Colonial proposals; and the Governor's Advisers beg to congratulate His Excellency on his having been officially instrumental in bringing about the termination of a dispute which has proved a fertile source of irritation and difficulty between the two Governments, and the settlement of which removes, probably, the only remaining cause for difference of opinion on the subject of their mutual relations between Her Majesty's Government and the people of Tasmania.

J. M. WILSON.

Colonial Secretary's Office, 24th January, 1872.

His Excellency the Governor.

(Copy.)

Whitehall, 4th October, 1871.

SIR,

I HAVE the honor to acknowledge the receipt of your Despatch of the 24th of February last, and accompanying Memoranda, having further reference to the proposed transfer of the Imperial Convict Establishment at Port Arthur, Tasmania, to the Colonial Government.

In reply, I have to transmit to you the enclosed copies of a letter from the War Department and enclosure bearing upon the subject, and to state that the Lords Commissioners of the Treasury have signified to me their intention to consent to a modification of the terms as proposed in your Despatch of the 24th of February last quoted above; viz.—

1. The Colonial Government to take over the Establishment, with buildings, stores, &c. whether the property of Her Majesty or of the War Department, but to pay for stores on their way out.

2. Upon the Colonial Government foregoing all claim to their requisition for buildings of £8000, and to an alleged sum of £11,015 in the Convict accounts, the Imperial Government to exempt the Colony from payment of the sum for munitions of war and military stores handed over to it when the Imperial Troops were withdrawn.

I have the honor to be,
Sir,

Your obedient Servant,

The Governor of Tasmania.

H. A. BRUCE.

(Copy.)

War Office, 8th September, 1871.

SIR,

I AM directed by the Secretary of State for War to acknowledge the receipt of your letter of 19th ultimo, 12,930, transmitting a letter from the Home Office dated 10th August, with enclosures, on the subject of the transfer to the Colonial Government of the Imperial Convict Establishment at Port Arthur, Tasmania.

In reply, I am to acquaint you, for the information of the Lords Commissioners of Her Majesty's Treasury; that, after having fully considered the proposals made in the Despatch from the Governor of Tasmania, dated 24th February, 1871, Mr. Cardwell concurs in the recommendation of the Secretaries of State for the Colonies and Home Departments, and of the Chairman of the Directors of Convict Prisons, that the proposals in question should be accepted.

I am also to request that you will lay before their Lordships the enclosed detailed lists of the munitions of war and military stores comprised in the claim of £5190 2s. 5d. which the War Department has made against the Colony; and I am to acquaint you that in addition to the above sum there is a claim of £26 12s. for four unserviceable cast-iron guns sold to the Colony, making an aggregate of £5216 14s. 5d., the claim for which will be withdrawn in the event of their Lordships' acceptance of the terms proposed by the Governor in his Despatch of 24th February herein referred to.

I have, &c.,

(Signed)

H. R. STORKS.

The Secretary to the Treasury.

(No. 3.—CONVICT.)

SIR,

Government House, Tasmania, 12th February, 1872.

I HAVE the honor to forward a memorandum addressed to me by Mr. Belstead, Governor's Secretary for the Penal Establishment in this Colony, enclosing a return of convict stores the property of the Imperial Government, which are now in the charge of the Officer of Control Department in Hobart Town, and requesting instructions as to their disposal. These stores were omitted to be valued at the time that the valuation of all convict stores at Port Arthur was made under my instructions prior to the transfer of the Establishment to the Colonial Government; and the Control Officer now estimates their original cost at between £5000 and £6000. Mr. Belstead, however, is of opinion that if sold in the local market they would not realise more than one-fifth of the original cost price, being articles for which there would be no demand in the Colony; or which from lapse of time have become out of date and unsuited to the present requirements of the Convict Service. Although in your Despatch of the 4th of October, 1871, informing me that the Lords Commissioners of the Treasury had consented to a modification of the terms of transfer of the Imperial Convict Establishment to the Colonial Government these stores are not expressly mentioned, I presume that it is the intention of Her Majesty's Government that all stores, except those actually on their way out from England, should be handed over free of cost to the Colonial Government. At all events, looking to the comparatively small value these stores would now fetch in the Colonial market, I recommend that they should be so included in the general transfer. I shall therefore direct that they be provisionally transferred to the Colonial authorities, on the understanding that they are to be given up again should Her Majesty's Government decide that they be otherwise dealt with.

To the latter portion of Mr. Belstead's memorandum reference is made to the appropriation of the rent received from the coal mines on Tasman's Peninsula, which have been for nine years past leased at a rental of £200 a year, which has hitherto been paid to the Imperial Government. In my Despatch of 22nd March, (No. 5.—Convict) I called your attention to this subject; and I shall be glad to be informed whether it was the intention of Her Majesty's Government that these mines should be included in the general transfer of the Establishment on the Peninsula, which took place on the 1st of June, 1871, and the rental became payable from that date to the Colonial Government.

I have the honor to be,

Sir,

Your most obedient humble Servant,

CHARLES DU CANE.

The Right Hon. the Secretary of State, Home Department.

Secretary's Office, Penal Establishment, 19th February, 1872.

SIR,

I HAVE been directed by the Governor to acquaint you that His Excellency has addressed a Despatch to the Right Honorable the Secretary of State for the Home Department requesting instructions as to the interpretation to be placed upon Mr. Bruce's Despatch, No. 87,365, of the 4th October, 1871, with reference to the disposal of the convict stores now in the charge of the Military Store Officer, and intimating that, pending a reply, the stores will be handed over to the Colonial Government on their undertaking to return or pay for them should the Secretary of State not have intended them to be included in the terms of his Despatch.

The Governor is anxious to be informed when the Colonial Government will be prepared to take over the stores, &c. on the conditions above stated.

I have, &c.,

(Signed)

C. T. BELSTEAD.

The Hon. the Colonial Secretary.

Colonial Secretary's Office, 23rd February, 1872.

SIR,

I HAVE the honor to acknowledge the receipt of your letter, under date the 19th instant, acquainting me that the Governor has requested instructions from the Secretary of State for the Home Department as to the interpretation to be placed upon Mr. Bruce's Despatch of the 4th October, 1871, with reference to the disposal of the convict stores now in the charge of the Military Store Officer, and intimating that His Excellency will allow the stores in the meanwhile to be handed over to the Colonial Government on their undertaking to return or pay for them should the Secretary of State not have intended them to be included in the terms of his Despatch.

In reply, I have to request that you will inform His Excellency that the Colonial Government is prepared to take over the stores on the conditions mentioned in your letter.

At the same time I deem it right to state that, in the opinion of the Colonial Government, the terms of the first clause of the original conditions of transfer, as set forth in His Excellency's Despatch to Mr. Bruce of the 24th February, 1871, and acquiesced in and accepted by the Secretaries of State for the Home and Colonial Departments and the Lords Commissioners of the Treasury, as intimated in Mr. Bruce's Despatch of the 4th October last, are so precise and definite as to leave no doubt of their comprehension of all convict stores in the Colony at the date of the transfer, whether in Hobart Town or at Port Arthur.

I have, &c.,

(Signed)

J. M. WILSON.

The Secretary Penal Establishment.

Secretary's Office, Penal Establishment, 26th February, 1872.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 23rd instant, intimating for the information of the Governor that the Colonial Government are prepared to take over the convict stores in Hobart Town on the conditions mentioned in my letter of the 19th instant; and I have, by His Excellency's desire, instructed the Commissary of the Control Department accordingly.

I have, &c.,

(Signed)

C. T. BELSTEAD.

The Hon. the Colonial Secretary.

TASMANIA.—No. 5.

Downing-street, 27th March, 1872.

SIR,

I HAVE to acknowledge your Despatch No. 6, of 27th January, enclosing a memorandum from Mr. Wilson, the Chief Minister of your Government, on the subject of a Despatch which you had received from the Secretary of State for the Home Department announcing the consent of the Lords Commissioners of the Treasury to a modification of the terms for the transfer of the establishment at Port Arthur to the Colonial Government.

The tenor of Mr. Wilson's memorandum has afforded much satisfaction to Her Majesty's Government.

I have the honor to be,

Sir,

Your most obedient humble Servant,

KIMBERLEY.

Governor DU CANE.