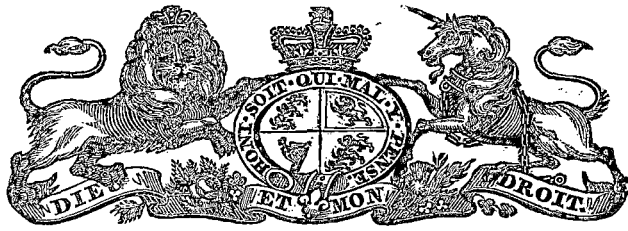


(No. 4.)



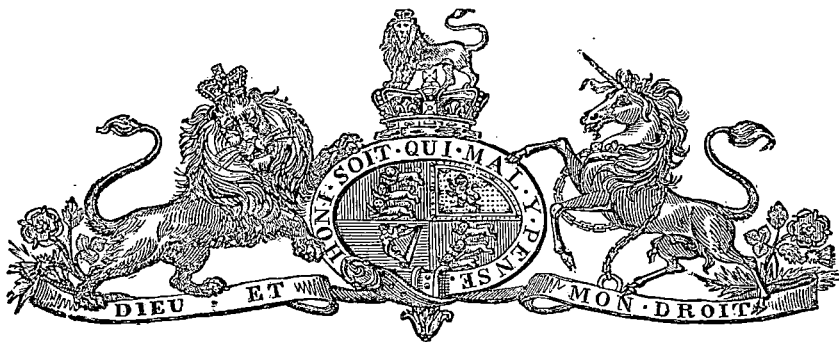
1859.

T A S M A N I A.

D E S P A T C H.

CLAIM OF THE COLONY ON THE IMPERIAL GOVERNMENT
ON ACCOUNT OF POLICE AND GAOLS.

Laid on the Table by Mr. Colonial Treasurer, and ordered by the House to be
printed, 5 August, 1859.



(No. 19.)

Downing-street, 25th February, 1859.

SIR,

I HAVE had under my consideration your Despatch No. 75, of the 12th August last, accompanied by a series of Resolutions adopted by both Houses of the Legislature on certain questions arising out of the presence of Convicts.

The First Resolution complains that the Imperial Government should not make a fair contribution towards the maintenance of Police and Gaols, and towards Administration of Justice. 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 of May, that the reduced contribution would be continued for some years longer, at the existing rate of Six thousand Pounds per annum.

The Second Resolution represents that the Imperial Government, having undertaken to bear two-thirds of the expense of Police and Gaols, has, in fact, paid much less; and that on this account alone it owes the Colony a sum of One hundred and ninety-three thousand Pounds. This Resolution assumes that the Imperial Government had undertaken to bear two-thirds of the expense, however large it might be, of Police and Gaols. But the British Treasury have always denied that such was the intention. In order to afford some guide 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 year; but 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. This view was steadily acted upon in all the years which followed 1846. The grant never varied from year to year, but remained at the same fixed amount; and 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 whilst it was still in force properly understood their own arrangements, and that a vast debt is, in consequence, now owing to the Colony.

The two next Resolutions complain of the introduction into Tasmania, after the time when Transportation from the United Kingdom ceased, of the Convicts who had been confined in Norfolk Island. Upon this it must be observed, that Norfolk Island was at that time a Dependency of Tasmania,—that, in so far as regards the transfer of the main body of the Convicts from Norfolk Island to Port Arthur, no practical effect could be felt by the Colonists, inasmuch as the Prisoners were still kept in strict confinement; and that, in so far as regards their gradual admission into the mass of the inhabitants, when, by the lapse of their sentences or the nature of their conduct, they became entitled to release, this was a result which would equally have taken place, as a matter of course, had they undergone their whole period of confinement in Norfolk Island; and that no change whatever was made in this respect by bringing them to serve the last part of their term of imprisonment at Port Arthur. For these reasons I cannot agree that the introduction into Tasmania of the Prisoners from its Dependency of Norfolk Island has constituted a grievance, or furnished any just ground of pecuniary demand upon this country.

But I readily adopt my Predecessor's opinion, that the Colony possesses sufficient claim to a continuance for some years of the existing grant for Police and Gaols; and I am very glad that to this extent (though to this extent only) it has been practicable to meet the objects of the Resolutions which you have transmitted.

I have the honor to be,
Sir,

Your most obedient humble Servant,

E. B. LYTTON.

Governor Sir H. E. F. YOUNG, C.B.,
&c. &c. &c.

JAMES BARNARD,
GOVERNMENT PRINTER, TASMANIA.