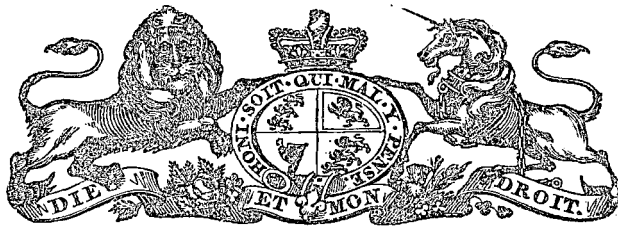


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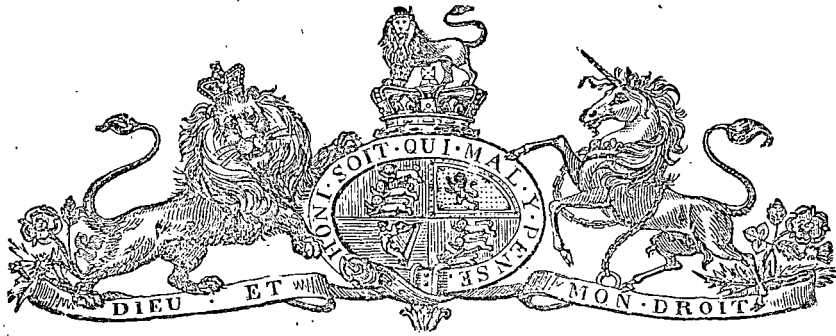
1865.

T A S M A N I A.

MR. BASSETT DICKSON.

CORRESPONDENCE WITH THE GOVERNMENT.

Laid upon the Table by Mr. Colonial Treasurer, and ordered by the House to be printed, September 5, 1865.



Glen Ayr, Richmond, 17th June, 1865.

SIR,

I HAVE to request that the sum of £252 15s. 5d. paid by me as Deposit on Lots 2093 and 1592, in the County of Cumberland, Parish of Hawksdale, may be refunded to me, and the said Lands resumed by the Government, for the following reasons:—

In April, 1864, I wished to purchase Crown Lands for Pastoral purposes, and made enquiries of the Surveyor-General as to the quality of the Lands in various parts of the Colony then offered for sale in the *Gazette*. The Surveyor-General gave me every information in his power, and I thank him for his courtesy; but as he had no knowledge of some Lots (in fact Lots 2093 and 1592 of 2032 acres) he referred me to Mr. Sorell, the Government Surveyor, who measured the Lands referred to. I called on Mr. Sorell, who described these Lots as "good land," well adapted for pastoral purposes, and stated that if I purchased them I would on seeing them be well pleased with the quality of the land. I purchased them at 10s. per acre on the faith of the Government Surveyor's description, and wrote to my Overseer to visit them and let me know the result. He did so, and sent me a most unfavourable report. I became doubtful, and visited the land myself, and became convinced of the fact that the land is very bad indeed, consisting of a barren rocky surface with scrubby timber growing very thickly between the rocks. I could scarcely ride over the land, and value it (chiefly on account of its situation) at 2s. 6d. per acre. I immediately applied to the Surveyor-General requesting my Deposit to be refunded to me,* under the peculiar circumstances of the case; but he informed me he had no power to do so, and gave me to understand there was no remedy for the injustice of which I complained. I fretted much in consequence, and a serious illness was the result; and I refused to attend one or two subsequent sales of Crown Lands lest I should be again misled,—but having regained my health, I now appeal to your sense of justice, and that of your Colleagues who form the Executive Government, to grant my request.

I do not impute blame to Mr. Sorell, the Government Surveyor, but I believe he mistook the Lots in question for others in the vicinity purchased by Mr. Axford, from whom I have since purchased them.

I have the honor to be,
Sir,

Your most obedient Servant,

BASSETT DICKSON.

The Hon. the Colonial Treasurer.

* On one Lot only, not two as now asked for.—J. E. C.

REFERRED to the Surveyor-General for his remarks.

JAMES MILNE WILSON.

17 June, 1865.

MEMORANDUM.

IN returning the correspondence which relates to Mr. Bassett Dickson's application for the restitution of the Deposit Money he has paid on two lots*, purchased from the Crown, that lay near Lake Echo, I cannot recommend you to assent to his request.

Mr. Dickson called at this Office to inspect plans and get whatever information he could of many lots he wanted to purchase, all near Lake Echo; but as he asked a question or two which I was not able to reply to, I told him I had little doubt if he called on the Surveyor who marked them off he would be able to answer him, which he did. But I regarded all this as the usual preliminary

* Lots 2093 of 1206 acres and 1592 of 826 acres.

act of a person about to inspect the land, either by himself or his agent, before making the purchase. Not a day passes but half a dozen visitors appear here on precisely the same errand as Mr. Dickson came on, any or all of whom might just as well turn round on us whenever it suited them to repudiate a purchase, because we had obliged them in the first instance with the best information we had on the subject they were enquiring about.

But I believe the reason why Mr. Dickson wants to throw back these Lots on the hands of the Government is this: that though they were most essential to his estate when he first purchased of us at Lake Echo, they have ceased to be so now, since he has acquired much contiguous land from Mr. Axford, whose estate it seems was depreciated by Mr. Dickson's act of buying up all the Crown Land around him, and who had therefore to sell to Mr. Dickson.* Mr. Sorell always told me that the Lot 2093 was the "key," as he termed it, to the Crown Land purchased by Mr. Dickson. But if it has ceased to be so since he has made other purchases, that is no reason why we should take it back. Indeed, if we did so, a thousand other purchasers may force us to do the same thing; and the Land transactions of the Crown may soon be in inexplicable confusion if such flimsy complaints and unreasonable requests as Mr. Dickson's are complied with.

I cannot allow it to escape your notice, that when Mr. Dickson first commenced this correspondence his complaint was confined to a single Lot which he desired to throw up, and get back his money (Lot 2093 of 1206 acres); but he now contrives to squeeze in another of 826 acres, which he wishes to thrust back on us also.

J. E. CALDER.
29 June, 1865.

I omitted to state that an illustrative sketch accompanies this, showing Mr. Dickson's lands at Lake Echo, those purchased from Mr. Axford being shaded pink, and those from the Crown purple; while the Lots he now wishes us to take back are each marked with two rough crosses.

J. E. C.

The Hon. the Colonial Treasurer.

* See Mr. Sorell's letter, 8th July, 1864.

Richmond, 6th July, 1864.

SIR,

I HAVE just received Mr. Dickson's letter, and at once hasten to reply that Mr. Dickson asked me about a great number of Lots of Land, respecting all of which I gave him the best information I possessed, at the same time telling him that it was impossible that I could remember the particulars of every individual lot, more especially as some blocks of Land he referred to were surveyed by my authorised assistant Mr. Hurst.

I have, subsequently to Mr. Dickson's purchase, expressed the above to him in nearly the same terms; and if Mr. Dickson chose to run the risk of purchasing land which he himself could easily have visited, on the faith of a description which I told him at the time was imperfect and necessarily so (likewise explained), the fault I consider rests with himself.

If required by you I will enter at more length into the matter. Mr. Dickson himself, I think, does not accuse me of giving him wilfully wrong information. As to the value he should place upon the information I gave him, I carefully guarded myself as above stated.

I return Mr. Dickson's letter herewith, and have the

Honor to remain,
Sir,

Your most obedient Servant,

H. PERCY SORELL.

Is it not quite possible that Mr. Dickson himself may have erred in purchasing a "different Lot in the vicinity?"

The Surveyor-General.

Richmond, 8th July, 1864.

SIR,

WITH reference to my Report on the Diagram showing Lot 2093, I have the honor to state that I see no reason to alter the opinion I gave Mr. Dickson "that the Land in question was worth 10s. per acre."

If proof were required in support of that opinion, it is abundantly supplied by the fact, that when I made the survey I then considered the value of the Lot to be 15s. per acre, and I have since modified my Estimate; not that I believe its intrinsic value to be less than I originally represented, but simply from the altered condition of the Colony.

Mr. Dickson told me that he was anxious to invest capital in the Crown Lands at the Lakes, and mentioned that Mr. Jillett had purchased a Lot near the Great Lake at the rate of 5s. per acre, and which was said to be worth 15s. an acre.

Incited by Mr. Jillett's good fortune, Mr. Dickson speculated in several blocks of land: and had that gentleman exercised ordinary discretion in looking at the ground before he bought it, he would have been prevented the opportunity of endeavouring to fix on me an imaginary grievance that alone is chargeable to his own neglect.

It seems that Mr. Dickson, since his purchase of the land referred to, has acquired the adjoining property from Mr. Axford, who parted with it rather than be compelled to fence. Can it be possible that Mr. Dickson, having gained the object he may have had in view, now wishes to repudiate his bargain with the Government? I am inclined to that belief from the fact that, when I represented to Mr. Dickson that his purchases had forced Mr. Axford to sell his land, he acknowledged it to be true.

Regretting that I have to trouble you with this explanation, I now most respectfully leave the matter in your hands.

I have the honor to be,

Sir,

Your obedient Servant,

H. PERCY SORELL, *District Surveyor.*

The Surveyor-General.

Colonial Treasury, 4th July, 1865.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 17th ultimo, requesting that the sum of £252 15s. 5d. paid by you as a deposit on Lots 2093 and 1592, in the County of Cumberland, Parish of Hawksdale, may be refunded to you, and the lands resumed by the Government.

It causes me very much regret that, because granting your request would create such an unheard-of precedent, I am unable to comply with it.

I have, &c.

(Signed) CHARLES MEREDITH.

BASSETT DICKSON. *Esquire.*

Glen Ayr, Richmond, 13th July, 1865.

SIR,

REFERRING to your letter of the 4th instant, in which you express "very much regret that, because granting my request that the sum of £252 15s. 5d., paid by me as a deposit on Lots 2093 and 1592 in the County of Cumberland, Parish of Hawksdale, may be refunded to me, and the lands resumed by the Government, would create such an unheard-of precedent, you are unable to comply with it," may I therefore request you to return me my letter to you making such request, or, if you prefer it, an exact copy thereof; as I wish to seek that justice from Parliament which it appears to me you deny me; and I think it necessary to have the letter referred to, or a copy thereof, for the purpose.

It appears to me that whether the precedent my case would create would be "unheard-of" or not has nothing to do with the matter, and is altogether illogical, the simple question being, in my opinion,—Is the claim just, or not? If just, it should be granted; if unjust, it should be denied, and the grounds of refusal assigned.

I am indeed disappointed at finding a Colonial Treasurer of Tasmania whom I previously believed to be a just Minister acting on the principle of expediency, not on that of strict justice.

If I cannot obtain justice from Parliament, I intend to seek it from the Supreme Court of the Colony, and ascertain the fact whether the principle of justice or expediency will triumph in Tasmania.

I have the honor to be,
Sir,

Your most obedient Servant,

BASSETT DICKSON.

*To the Hon. the Colonial Treasurer and the Executive
Government of Tasmania, Hobart Town.*

P.S.—With reference to the “unheard-of precedent” which you state my claim, if admitted, would form, I beg to remark, that in all human probability no precedent whatever would be formed thereby, as no similar case ever occurred previously, and cannot again occur, if the Surveyor-General be requested not to refer future applicants to the District Surveyors, or those Surveyors be requested to furnish only such information as may be relied on. But even if injustice has been done in other cases, surely such injustice should be remedied without delay by an honest Executive Government, no matter what inconvenient results may follow.

B. D.

Colonial Treasury, 17th July, 1865.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 13th instant, and, in compliance with your request, I enclose you a copy of your former letter of the 17th June last.

I have, &c.

(Signed) CHARLES MEREDITH.

BASSETT DICKSON, *Esquire.*