

SOUTH AUSTRALIA.

REPORT OF COMMISSION

APPOINTED BY

THE GOVERNOR-IN-CHIEF

TO INQUIRE INTO THE MANAGEMENT

OF THE

NORTHERN TERRITORY EXPEDITION;

TOGETHER WITH

MINUTES OF EVIDENCE AND APPENDIX.

ADELAIDE :

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1866.

COMMISSION FROM HIS EXCELLENCY THE GOVERNOR-IN-CHIEF.

D. DALY, Governor.

His Excellency Sir DOMINICK DALY, Knight, Captain-General and Governor-in-Chief in and over Her Majesty's Province of South Australia and the Dependencies thereof, and Vice-Admiral of the same, &c., &c.—

To William Littlejohn O'Halloran, of Adelaide, in the Province of South Australia, Esquire, Auditor-General; William Milne, of Adelaide aforesaid, Esquire, M.P.; and Charles Henry Goode, of the same place, Esquire, M.P., greeting:

Know ye, that I, relying on your prudence and fidelity, have appointed you and by these presents do give unto you or any two of you full power and authority diligently to inquire into and report upon certain charges against the Honorable Lieutenant-Colonel Boyle Travers Finniss of mismanagement, neglect of instructions, and maladministration of the Government of the Northern Territory. And for the above purposes to examine and re-examine *vivâ voce*, or in writing, or both *vivâ voce* and in writing, all witnesses who shall attend before you for the purpose of giving evidence on these matters, and to call for all writings, books, and documents necessary for carrying on the said inquiry. And I give to you, or any two of you, full power and authority to do all such other acts and things as may be necessary and lawfully done for the due execution hereof. And I require you, without delay, to report to me the results of the aforesaid examination.

Given under my hand and the public seal of the said Province this first day of March, in the year of our Lord, one thousand eight hundred and sixty-six, and in the twenty-ninth year of Her Majesty's reign.

By His Excellency's command,
JOHN HART, Chief Secretary.

CHARGES AGAINST LIEUT.-COL. THE HON. B. T. FINNISS.

1. That during the period he was in command he showed an utter want of management of the men under his charge, leading to the total disorganization of the party, the destruction of stores, and other great waste of the funds of the settlement.

2. That he neglected to carry out the instructions of the Government contained in Despatches dated 14th April, 1864, and 10th February, 1865. Pages 1 to 4 and 61 to 64.

3. That without previous examination of the country, and contrary to the opinion expressed by the Government, and in opposition to the views of his surveying staff, as well as to those of the agents or preliminary land-order holders, whose opinions were entitled to consideration, he ordered the surveys to be made and continued in localities where the lands for the purposes of settlement are worthless.

4. That in sending away an armed party for the express purpose of "retaliating" upon the blacks on the 8th day of September, 1864, he caused the death of a defenceless prisoner, and violated the principles which have hitherto actuated this Government in their treatment of the natives, thereby bringing the Colony into disrepute.

5. That he greatly erred in entrusting the command of such a party to a person of insufficient responsibility, and in not furnishing the leader with written instructions.

6. That without authority first obtained from the Government, and without sufficient reason, he left the Territory and the party under his charge, and proceeded to Timor in the *Beatrice*.

REPORT.

FIRST CHARGE.—The expedition to the Northern Territory which was dispatched from Adelaide under the command of the Hon. Lieutenant-Colonel B. T. Finnis, in April, 1864, included many persons unfitted for the work for which they had been engaged. The Government Resident did not, in the opinion of the Commission, meet the difficulties of his situation with tact in the management of his men, with skill in organizing their labor and developing such efforts as they were capable of making, or with energy in sheltering the stores upon which the party were dependent; and waste of time, labor, materials, and of funds was the consequence. So much personal animosity is displayed by some of the witnesses for the prosecution as to render their testimony of comparatively little value; but it is quite clear that insubordinate tendencies early manifested themselves. After the lapse of a few months a prevailing spirit of opposition and discontent was increased by an insufficient supply of suitable food, by a sense of neglect arising from unfrequent communication with South Australia, and from the effects of a climate not favorable to European labor. Deprivation of animal food, in consequence of Government not having sent further supplies, as promised, induced lassitude and want of zeal; and there was no opportunity of discharging unsuitable characters in the selection of whom the Government Resident had no voice.

SECOND CHARGE.—The Commission are agreed that the Government Resident failed to carry out, in several important respects, the spirit of the instructions framed for his guidance by the Government, contained in Despatch dated 14th April, 1864. For instance, that portion of instruction No. 1, enjoining “the establishment and cultivation of kindly feelings” between himself and party; the 16th, impressing upon him the necessity of carefully housing and protecting his Stores; the last part of the 18th instruction, regulating his dealings with the Aborigines; and instruction No. 25 (with corresponding instruction to Mr. James Thomas Manton, second in command), as to handing over charge of the party in event of Lieutenant-Colonel Finnis’s “inability, from any cause whatever.” A majority of the Commission consider that instructions 12 to 14 were likewise disregarded, by the Government Resident prematurely fixing the site of the capital; for although it is possible that no better or healthier site on the coast may be found than Escape Cliffs, yet they think this did not justify Lieutenant-Colonel Finnis in fixing upon a locality surrounded by swamps, and so little elevated above the level of the sea, without sufficient previous examination of the coast and adjacent country.

THIRD CHARGE.—The Commission (with one dissentient voice) consider that sufficient attention was not given to the opinions of the Government, the surveying staff, and the agents of landholders, before the surveys were made. But the Commission are far from thinking that the land surveyed is “utterly worthless.” On the contrary, the evidence places beyond a doubt the fact that the soil is rich, and that the land adjacent to the Adelaide River will prove very valuable for the cultivation of tropical productions, such as cotton, sugar, coffee, rice, &c. Also that the country is well adapted for the breeding and rearing of cattle and sheep, as it has been shown that stock placed there improved rapidly; but the Commission had no evidence before them to show whether the wool would deteriorate or not.

FOURTH AND FIFTH CHARGES.—The proceedings of the Government Resident *in retaliation* against the aborigines was not in the spirit of the instructions received by him for his dealings with the native race, and the sending an armed aggressive party against them on the 8th September, 1864, in charge of an inexperienced youth, and without precise written instructions (which resulted in the shooting of a defenceless prisoner), was highly indiscreet and reprehensible.

SIXTH CHARGE.—The general order issued by the Government Resident, No. 147, dated 11th August, 1865, intimates that his projected absence from “head-quarters” was for the “examination of the coast,” and places the charge of the depôt at Escape Cliffs in the hands of Mr. Clement Young, Postmaster and Accountant; whereas Colonel Finnis quitted his post in the Northern Territory and the charge entrusted to him for a foreign settlement beyond sea, without sufficient reason, and without taking the precaution to hand over the command of the expedition during his absence from the territory to the next senior officer, Mr. James Thomas Manton, as expressly directed in his instructions.

W. L. O'HALLORAN, Chairman.
C. H. GOODE.
H. E. BRIGHT.

Adelaide, May 16, 1866.

I cannot concur in the finding on so much of the second and third charges as imputes to Lieutenant-Colonel Finnis a breach of the 12th, 13th, and 14th Instructions, and

and also blame for not paying sufficient attention to the opinions of the surveying staff and of the land agents—for the reasons following :—

First. He is directed in those very instructions to make himself primarily acquainted with “*the advantages of Adam Bay,*” by a careful perusal during the voyage of works expressly provided for him ; and there is no doubt this very course of reading thus prescribed to Colonel Finnis imbued his mind with prepossessions in favor of a spot so highly recommended by men of reputation who had preceded him (see letter of 15th April, 1865, in Parliamentary Paper No. 15 of 1866), as well as by the apparent desire of the Government, for that locality is pressed on his attention by Government itself, as the site (if possible) of the first settlement under certain named conditions of salubrity, secure port, &c. ; “*failing to find which at the mouth of the Adelaide River or on its banks,*” he is “*then*” to examine other defined localities. Having, as he deemed, found on the spot indicated all the essential conditions required, and having satisfied himself by personal inspection, and to the best of his judgment that Adam Bay contained all that was needed for an infant settlement, he, in the exercise of the discretion given him, there fixed the site of a township and of the first settlement, deeming further examination of the coast a *secondary object* after the successful attainment of that which he had been ordered to seek. Subsequent exploration confirmed his first impressions.

I am of opinion Lieut.-Colonel Finnis faithfully (and almost literally) carried out his instructions numbered 12 to 14, in respect to the site for a settlement. I cannot deem the completion of the town survey, after disapproval by Government of the site as a *capital*, any intentional disrespect. It ceased, of course, to be the intended capital, and, as pointed out by Colonel Finnis, its survey was continued not “*as such,*” but as a necessary secondary township, which was within his instructions.

Second. With respect to the town and the rural surveys made and continued in opposition to the views and representations of the other named parties, Lieut.-Colonel Finnis, himself an experienced surveyor, was under no obligation to yield up his own matured judgment and conscientious conviction, founded on personal examination and under the weight of official responsibility (which he and not they had to bear), to the prejudices of his surveying staff, composed (with one exception) of young and comparatively inexperienced men ; or (after a fair consideration of their arguments and representations) to the views of the three land agents who found themselves in his camp.

Third. It seems quite probable from the evidence before the Commission, both personal and documentary, that the site chosen for port and capital may prove (with the aid of Asiatic and Creole labor) to be the best that offers on the northern coast. It has a good available back country. The Adelaide River traverses a rich region for 120 miles, down which stream produce could be more cheaply, speedily, and securely taken than by any land-transit. Passable roads, where required, could be evidently opened up without unusual difficulty or expense through the very limited extent of indifferent land contiguous to the Cliffs, while the geographical position of port and harbor for purposes of trade and commerce is confessedly highly favorable.

W. L. O'HALLORAN.

MINUTES OF PROCEEDINGS.

Wednesday, 7th March, 1866.

Present—

The Auditor-General in the chair.

Mr. Milne

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Mr. Goode.

The Commission from His Excellency the Governor-in-Chief was read.

On the motion of Mr. Milne, seconded by Mr. Goode, the Auditor-General was requested to act as Chairman to the Commissioners. The Hon. B. T. Finniss applied for a copy of the Commission. Granted.

The Chairman suggested that reporters of the press should be requested not to publish reports of the proceedings upon the Commission until the inquiry was finished.

It was resolved, that as the Commission was open to the public there was no need to interfere in the matter.

The charges against the Hon. B. T. Finniss were then read.

The Hon. B. T. Finniss requested that his son should be allowed to sit with him, and assist him as his clerk in his defence. Granted.

Mr. Milne pointed out that the documents before the Commissioners were incomplete, inasmuch as the whole of the Hon. Mr. Finniss's journal was not before them.

The Chairman was requested to apply to the Government for the completion of the journal.

The Hon. B. T. Finniss stated that the copies of the whole of the documents furnished by him to Government, as Resident in the Northern Territory, had not been furnished to him, and that they were necessary for his defence.

The Commissioners informed the Hon. Mr. Finniss that he was at liberty to apply personally to Government for such documents as he might require.

The Crown Solicitor informed the Commission that the Government proposed to instruct a non-professional person to act for them and to call witnesses in support of the charges.

The Hon. B. T. Finniss agreed, but suggested that the person appointed should be in the public service.

The course proposed by the Government, and assented to by the Hon. Mr. Finniss, was agreed to by the Commissioners.

Mr. Goode objected to the Commissioners having to send for the witnesses, as they should be summoned by the Government.

The Chairman and Mr. Milne concurred.

Commission adjourned until Friday, 9th March.

Friday, 9th March, 1866.

Present—

The Auditor-General in the chair.

Mr. Milne

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Mr. Goode.

Minutes of last meeting read and confirmed.

Mr. F. Rymill appeared to conduct the charges against the Hon. B. T. Finniss, on behalf of the Government.

He proceeded to bring the first charge before the consideration of the Committee.

In support of this charge he produced as documentary evidence a paragraph from General Instructions, No. 1; from Government Resident's Despatch, No. 12 of 4th October, 1864; from Additional Instructions to Government Resident, 10th February, 1865; Despatch of 16th October, 1865; and General Order, 9th November, 1865.

Mr. Rymill then called, in support of this charge, Mr. Wm. Pearson, surveyor, who was examined.

Mr. Milne expressed his opinion that the Government should supply the Commission with proper plans and maps of the Northern Territory, which he considered absolutely necessary.

Mr. Rymill, in the course of Mr. Pearson's evidence, produced certain maps and plans, which the Commissioners suggested should be hung on the walls of the room for immediate reference.

At the conclusion of Mr. Pearson's examination, the Commission adjourned until Wednesday, 14th March, at half-past ten a.m.

Wednesday, 14th March, 1866.

Present—

The Auditor-General in the chair.

Mr. Milne

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Mr. Goode.

The minutes of the previous meeting were read and confirmed.

Mr. Rymill resumed the prosecution of the first charge against the Hon. B. T. Finniss.

He produced the following documentary evidence :—Letter from the Chief Secretary to the
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X. MINUTES OF PROCEEDINGS OF NORTHERN TERRITORY COMMISSION.

Hon. B. T. Finnis, of the 10th February, 1865 (p. 64). Letter from the Government Resident of 1st May, 1865 (p. 65). Letter from the Chief Secretary, of 21st September, 1865 (p. 19.), and Mr. McKinlay's Despatch of 27th November, 1865 (Parliamentary Paper No. 131).

Mr. Rymill was requested to procure some spare copies of Mr. McKinlay's Despatch for the use of the Commission.

Mr. William McMinn was called as a witness by Mr. Rymill, and partially examined.

The Commission adjourned until Friday the 16th March, at half-past ten o'clock, a.m.

Friday, 16th March, 1866.

Present—

The Auditor-General in the chair.

Mr. Milne | Mr. Goode.

The minutes of the previous meeting were read and confirmed.

Mr. Rymill laid on the table spare copies of Mr. McKinlay's Despatch for the use of the Commission.

The examination of Mr. W. McMinn was concluded.

Mr. A. R. Hamilton was called by Mr. Rymill and partially examined.

The Commission adjourned until Wednesday, the 21st March, at half-past ten a.m.

Wednesday, 21st March, 1866.

Present—

The Auditor-General in the chair.

Mr. Milne | Mr. Goode.

The minutes of the previous meeting were read and confirmed.

Mr. Rymill intimated that he should now call evidence generally as to the first, third, and fifth charges, and one witness as to the fourth charge, and should not call evidence on the other charges.

Mr. A. R. Hamilton's evidence was completed.

Mr. Charles Hake was called by Mr. Rymill and examined.

Mr. George Warland was called by Mr. Rymill and examined.

Mr. A. R. Hamilton was recalled by Mr. Rymill and re-examined.

The Commission adjourned until Friday the 23rd March, at half-past ten a.m.

Friday, 23rd March, 1866.

Present—

The Auditor-General in the chair.

Mr. Milne | Mr. Goode.

The minutes of the previous meeting were read and confirmed.

Mr. J. P. Stow was called by Mr. Rymill and examined.

Mr. J. L. H. W. Roberts was called by Mr. Rymill and examined.

Mr. Charles Hake was recalled by Mr. Rymill and re-examined.

Mr. W. McMinn was recalled by Mr. Rymill and re-examined.

Mr. George Warland was recalled by Mr. Rymill and re-examined.

The Commission adjourned until Wednesday the 28th March, at half-past ten, a.m.

Wednesday, 28th March, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode.

The minutes of the previous meeting were read and confirmed.

Mr. Ebenezer Ward was called by Mr. Rymill and partially examined.

Mr. Job Austin was called by Mr. Rymill and examined.

Commission adjourned until Wednesday the 4th April, at half-past ten a.m.

Wednesday, 4th April, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode.

The minutes of the previous meeting were read and confirmed.

The cross-examination of Mr. E. Ward was concluded.

Mr. John Stuckey was called by Mr. Rymill and examined.

Mr. J. Absolom Howe was called by Mr. Rymill and examined.

Mr. Francis Edwards called by Mr. Rymill and examined.

Mr. John Stuckey was recalled by Mr. Rymill and re-examined.

The Commission adjourned until Friday, the 6th April, at half-past ten a.m.

Friday,

Friday, April 6th, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode.

The minutes of the previous meeting were read and confirmed.

Mr. Stephen King was called by Mr. Rymill and examined.

A letter from the Chief Secretary was read appointing Mr. H. E. Bright, M.P., a member of this Commission in the place of the Hon. William Milne, who retires.

Mr. Bright was introduced by the Hon. W. Milne and the Hon. Walter Duffield, and took his seat on the Commission.

Mr. William Pearson was recalled by Mr. Rymill and re-examined.

Mr. F. J. Packard was called as a witness by Mr. Rymill and examined.

Mr. Rymill then intimated that the evidence on behalf of the Government was closed, and that he would be prepared to sum up the evidence at the next meeting.

The Commission adjourned till Tuesday, 10th April, at half-past ten a.m.

Tuesday, 10th April, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode

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Mr. Bright.

The minutes of the previous meeting were read and confirmed.

Mr. Rymill summed up the evidence on behalf of the Crown, as follows:—

Mr. Rymill said he had now to review the evidence which he had brought forward, and produce documentary evidence in support of those charges which were not referred to by the verbal evidence. In doing so he would no doubt be led to state things which would perhaps be unpleasant to some persons in the room, but he must fulfil his duty. The first charge against Mr. Finniss was:—"1. That during the period he was in command he showed an utter want of management of the men under his charge, leading to the total disorganization of the party, the destruction of the stores, and other great waste of the funds of the settlement." In the first place, the *Henry Ellis* was fitted out to proceed to the Northern Territory, and Mr. B. T. Finniss was appointed Government Resident. It was his duty to do everything in his power to promote the welfare of the party under his charge, and for the successful carrying out of the expedition. Instead of that, however, he had the sheep placed in the hold, were they were smothered, and he allowed horses which had the strangles to be taken on board. Mr. King had reported the fact to Mr. Finniss, but he did not attend to it. He also left the wharf with a prejudice against Mr. Ward, a member of the expedition, as was shown in the following letter from Mr. Finniss to the Chief Secretary:—

Northern Territory, South Australia, October 4, 1864.

Sir—I do myself the honor to enclose a letter from Mr. Ward (enclosure No. 2,747, 1864), written as his exculpation from the charges on which I suspend him.

He has mixed up so much argumentative and controversial matter in this communication, and so much additional recrimination, that I presume it is written as a newspaper article intended for publication.

I have before fully explained my views with regard to Mr. Ward; and I can safely bear out his assertion that I was prejudiced against him before leaving Adelaide, for I thought there was not a more unfit person for the post he undertook, or for any Government post, than Mr. Ward. He got every business with which I entrusted him in confusion; he was always ready with plausible excuses for delaying my correspondence, both then and since. But having been appointed to office, I tried to make him useful, and gave him in some degree my confidence. He is a troublesome and unscrupulous agitator, and with whom no one on earth could work for twelve months.

I have, &c.,

B. T. FINNISS, Government Resident.

With regard to the portion—"But having been appointed to office, I tried to make him useful, and gave him in some degree my confidence"—he (Mr. Rymill) would be able to show that that was entirely untrue. It would appear that Mr. Finniss never endeavored to conciliate Mr. Ward and give him some confidence, but they would find that when letters were expected at the Northern Territory, Mr. Finniss, who was about starting up the river, requested that the boxes should be sent to him, when Mr. Ward said he could not, as such a course would be contrary to his instructions as postmaster. Mr. Finniss then told Mr. Ward not to look at his letters, when he replied that he could not tell to whom they were addressed if he did not look at them. Mr. Finniss then told Mr. Ward that he was not to finger them. That was addressed to Mr. Ward before the other members of the party, and if that was giving him his confidence he thought Mr. Finniss must have an extraordinary idea of giving his confidence to any one. The first clause of the instructions was as follows:—"The officers and men forming the expedition appointed to proceed with you to the Northern Territory are under your entire authority and control, and you will be held responsible to the Government for their good conduct and for their faithful and efficient discharge of their duties. You will therefore impress upon them, collectively and individually, the necessity for prompt and cheerful obedience to your orders, and you will endeavor by every means in your power compatible with strict discipline to establish and cultivate kindly feelings between yourself and them." The action of Mr. Finniss as regards the men under his control was a breach of that instruction, for instead of cultivating a kindly feeling between himself and the party it served more to promote enmity amongst them. The 7th clause of the instructions was as under:—"Mr. Gregory's horses having suffered so much on the voyage to Victoria River, but few of them were able to do their work when landed, and many died soon afterwards. Your attention is therefore particularly directed to the necessity for taking every possible care of your stock on board ship, and for which purpose you will appoint regular relief watches by day and by night. You will also guard against their being roughly handled in landing; and if at first it should be found they do not take willingly to the natural herbage of the country you will cause them to be fed from your stock of fodder." And yet it appeared that Mr. Finniss had left the harbor with sheep smothered in the hold of the vessel, and with horses that had the strangles. Then, as regards drilling the men on board the vessel during the voyage, it might have been very well to have drilled the men on shore; but the idea of drilling men on board a ship which was rolling about and causing the men to hold on by the backstays or whatever they could to support themselves, was, he thought, ludicrous in the extreme, and it would also tend to produce anything but pleasant feelings amongst the men to be laughed at by the crew. The idea of drilling men in such a manner to defend themselves against the natives, whose mode of battle was, it was well known, by stealth, and not in open warfare, was absurd. The officers of the party had been to a great extent ignored by Mr. Finniss, and the laboring men had been put above the officers. The fact of Mr. King complaining to Mr. Finniss of the interference with the details showed the feeling which existed amongst the officers. Another instance was that in which a man named Atkinson, was reported by Mr. Pearson, and when the case was stated to Mr. Finniss he invited Atkinson into his tent, treated him to some wine, and then sent him back. The man of course laughed at Mr. Pearson, and did as he thought fit. As to the officers having any control over their men, he thought that when they were treated in such a manner it was a perfect impossibility. At one time the food ran short, and the following was contained in a memorandum by Mr. Finniss, dated November 21, 1864:—"The Government Resident trusts that the men under his command will bear patiently, as they have hitherto done, the privations and difficulties, in the full assurance that everything will be done to remedy these inconveniences unavoidable in all expeditions of exploration

exploration and new settlements. And, in conclusion, he holds out the assurance to all those who faithfully and loyally do their best to ensure the success of the first Northern Expedition that a careful record will be made of their services, and the means at the disposal of the Government will be brought to bear in recompense of good and steady conduct." With reference to that memorandum, Mr. Roberts, who was placed under the Storekeeper, Mr. King, was spoken of by him as being a very efficient officer, and there had never been any complaint against him. Now, the memorandum which he had read gave the men to understand that should there be any promotion or recompense amongst the party those of the first expedition would have the preference of such promotion. But Mr. Hulls, who had arrived by the *South Australian*, and had engaged as a laborer, and who, it was well known about the camp, was a reporter for the *Register*, was taken in a boat party by Mr. Finniss. On his return from the expedition he was placed in the store over Mr. Roberts, who, although he had done his duty satisfactorily to his superior officer, had to go with the survey party, which was much harder work. He thought such treatment was unnecessarily harsh. On one occasion a man named Ware went out in the morning, and in the evening was found in a boggy swamp, and brought into camp in a delirious state. It had been attempted to show that the man was suffering from *delirium tremens*, but he would point out that there was no possibility of the man having obtained spirits where he was. Mr. Pearson, seeing the man's condition, sent Mr. Roberts to inform Mr. Finniss of the circumstance. Roberts saw Mr. Finniss; but was told to see him the following morning, which he accordingly did, and told Mr. Finniss that he considered the man was dangerously ill; upon which Mr. Finniss said that the man should remain where he was, as it was better for him to die at the cliffs than the Narrows; and he blamed Mr. Pearson for sending Roberts, as his life was worth much more than an old man's. Such a reply as that must have the effect of producing feelings of dissatisfaction amongst the men. It was the general rule with those employed in the Government service that, if they were incapacitated from attending to their duties by reason of illness, they should still receive their salary; but Mr. Finniss issued a general order that any of the party being too ill to attend to their work, their salary should be reduced to one-half. That was, he considered, a hardship on the men, for which there was no necessity. And an order was also made that all persons unfit for work should be discharged. Now, he would ask was that fit treatment towards the party. Then there was the case of Mr. Pearson, who was suffering from a bad leg, at the Narrows, and the doctor suggested the advisability of his removal; but Mr. Finniss ordered him to remain there, saying he would do as well at the Narrows; although the cliffs are admitted to be more healthy than the Narrows. All these circumstances showed an utter want of regard for the feelings of the men on the part of Mr. Finniss. On one occasion the men objected to the water from the wells, and made tanks and gutters to catch the rain water, which they found beneficial to their health. By-and-by, Mr. Finniss, through his servant, removed the tanks and appropriated them to his own use, leaving the men to drink the well water. Now, if there had been a scarcity of water in the settlement, he (Mr. Rymill) could have seen why the tanks were taken and kept full; but when there was an abundance of water in the wells, he could not see any excuse for taking the tanks. At another time the late Government Resident was occupying three tents, while the men had three or four tents, which did not afford them sufficient accommodation, so they erected a kind of shelter with a tarpaulin; but while the men were away on one occasion, Mr. Finniss converted the tarpaulin to his own use, and when the men returned they saw the tarpaulin in use as a floorcloth in Mr. Finniss's tent, and they had to find shelter under the trees or any other place. With respect to the guard of fifteen men kept parading between the Government Resident's tent and the store, that was a waste of time, as there were men at work all day long at the same place; therefore there was no necessity for such a guard. It was clear that there was no risk, for at one time, while Mr. Finniss was away, the guard was dispensed with, and during that time nothing was taken; therefore that waste of men was perfectly useless. As to the various squibs which had been circulated about the camp, it was no doubt wrong of the men to do so; but he would point out that where a man made himself appear so ridiculous there would sure to be remarks made about him; and as to the letters "B. T. F.," he (Mr. Rymill) had been assured on good authority that the words spoken of in the evidence had been applied to Mr. Finniss long before he went to the Northern Territory, only that the word "Thundering" was used in the place of "Tom." He thought there was little doubt but what Mr. Bennett had carried tales to Mr. Finniss about the men. It had been said that the mess-room was a public place; and so it might be in some measure, but it was not very pleasant for the men to sit down with a spy in their midst. Then with regard to the remarks which Mr. Finniss addressed to the men, on one occasion he told Mr. King that something which he had said was a lie. This had been said before the others and no apology appeared to have been given, therefore Mr. King ceased to interfere with the men again. He told Mr. Hamilton one day while on parade that he was drunk, but Mr. Hamilton denied it; whereupon Mr. Finniss said, "Then you are smoking, sir." He also called Howe and Warland "thieves and rogues" before the whole party. When Mr. Edmunds on one occasion remonstrated with Mr. Finniss in reference to the surveys and about the swamps, he replied, "It's a lie, there are none." He also insulted Mr. Ward, who had complained against the Sunday parade, and he (Mr. Rymill) might say that his views accorded with Mr. Ward in that respect; but Mr. Finniss ridiculed what he called his religious scruples, and suggested something about his reading Shakspeare on Sunday. He would like to know of what use such a drill was against the natives, for the party were surrounded with mangroves, and the natives might attack them from all points of the compass. On one Sunday Mr. Finniss landed from the *Beatrice*, and seeing no one at work inquired the reason of it. He was informed that it was Sunday, when he said "Sunday be damned." But he subsequently said he must have lost a day. The fact of his having sold grog to the men evinced a want of dignity on the part of Mr. Finniss, and there was no doubt that it tended in a great measure to increase the drunkenness which at the time prevailed in the camp. In a letter from Mr. Finniss to the Chief Secretary, dated October 16th, 1865, the former wrote as follows:—"I am unwilling to recount mere hearsay in the absence of authentic reports from Mr. Manton, but I cannot fail to perceive that a spirit of dissatisfaction prevails from the highest to the lowest. Neither officers nor men like to quit head-quarters, and I believe all would like to return. It is no use keeping men with this feeling. I anticipated it to a great extent from the obstacles and difficulties that were thrown in my way when I proposed to start the party. The feeling of dissatisfaction may be gathered from every plan and every report. The plans carefully record everything that can be conceived damaging to the place, and not an acre of ground is mentioned in the references fit for human habitation or cultivation. Lagoons are described sometimes fresh, and in other places no reference is made, leading a distant stranger to the inference that they are salt. The country is described as inundated in the plains, although it is impossible that inundation can occur from the flooding of the river on such plains. In all countries where a rainy season prevails, there will be marks of a heavy rainfall and saturation of the soil; every gully and stream becomes a torrent, and the flat country is everywhere for a short time but a large lake. Mr. Manton cannot discover available land anywhere, or any locality fit for the site of a town. The plains are too wet; the hills are too rocky. There is a thorough disgust with the country, because men's positions and prospects are not what they expected. It is uphill work, and were it not that there are some staunch men amongst the party, sufficient to enable me to hold my own to the last, there would be nothing left but to abandon the place. At the same time Nature has given us as fine a country as men could desire. One of the most plausible and most disappointed men seems to be Warland." The following is a general order issued by Mr. Finniss, and dated Escape Cliffs, November 9, 1865:—"The Government Resident, having received the orders of His Excellency the Governor-in-Chief to repair to Adelaide by the *Ellen Lewis* on special duty, hereby notifies that he has handed over command of the expedition to Mr. Manton. The Government Resident takes this opportunity of thanking the officers now in the Government service for the support and assistance he has invariably received from them. To Mr. Manton for his exertions in pushing on the survey under very serious obstacles and difficulties he is specially obliged. In taking leave of the men of the expedition the Government Resident would do injustice to the party which has been most frequently under his own individual supervision were he not also to record his sense of their toil and hardships, and of the unvarying respect and obedience which they have manifested towards him from the first, and he expresses his wish and hopes that they will render to Mr. Manton equal assistance." Any one looking at the letter and the order would know they were by the same person only from their having the same signature, otherwise they were most contradictory. He thought that after looking at those two statements one would be able to understand Mr. Finniss's other actions. There was certainly to the credit of the men no disobedience of orders, but such folly must affect the men to a great extent, and they could not place any reliance in their leader. The next thing he had to refer to was as to the destruction of the stores. It appeared that on June 24, 1864, leave was given to several of the party to go on shore, and the following appeared in the journal signed by Mr. Finniss respecting the trip:—"The tide ran out so fast that the boat was left high and dry

on the beach, and consequently the party were unable to get back until the next tide. In consequence of this their supply of water ran short, and a search was at once made for some. After some little labor one of the party found promising indications near where a number of cockatoos and small birds were hovering about. After scraping a hole about a foot deep with a large knife (the only implement available) sufficient water was obtained to fill the kegs, and it proved very sweet. This discovery adds materially to the value of the rich land already discovered so near the coast, Escape Cliff being at a considerable distance from the Adelaide River. The soil, so far as seen on this occasion was of a rich friable chocolate mould, with no indication of ever being flooded, but full of moisture notwithstanding. The grass was very thick, and four to five feet high, and the timber, although somewhat too plentiful for the purposes of pastoral settlement, was of a very useful description. Between this soil and high water-mark there is a narrow strip of sandy soil, sustaining a varied and beautiful tropical vegetation, and below high water-mark the coast is almost everywhere fringed with a belt of mangroves." That journal was kept by Mr. Ward, but having been signed by Mr. Finnis he must have been aware of it. The goods were shipped from the *Henry Ellis* to the *Yatala* to go up the river some forty or fifty miles. Mr. Finnis had made no exploration; but if he had, then his account of Escape Cliffs must have been incorrect. However, the goods were taken up the river and put on shore at a place where the fresh water had to be carted a mile and a-half. They were afterwards taken back to Escape Cliffs, which they had passed some two months previous. He would point out the great waste and damage which must have occurred to the goods in these frequent transshipments, and considerable expense might have been saved. Then it is in evidence that some of the perishable goods were left under water. The cargo of the *Yatala* was left on the banks of the river for two weeks exposed and without a soul near it. Certainly a tarpaulin was placed over the goods when landed at Escape Cliffs, but they were left on the damp ground so that it rotted many articles. The cattle feed was stored where the horses could get at it, and two of them died in consequence of overgorging themselves with the feed. Mr. King stated that he could have built a store with broad palings in a week which would have covered all the goods. Then the perishable goods which had been placed under shelter were made use of before those which were exposed on the beach. One would have thought that the chest containing the funds of the expedition would have been taken care of; but, no, it was left on the beach below high water mark, and when Mr. Ward and some others were on one occasion attempting to remove it Mr. Finnis ordered them to let it remain, and some time after the blacksmith was directed by Mr. Finnis to remove the locks of the chest, which had become rusty. There was a great disparity in the time which the men worked—some commencing early of a morning, while others took it comparatively easy, but none working more than six hours a-day. The party arrived in June, but nothing was done as to surveying until after Christmas, so that there was nothing to show what had been done. Mr. King estimated the whole value of the things on the ground, including that taken from Adelaide, at about £500, while Mr. Stow valued it at £287, exclusive of the things taken with the party, but inclusive of any improvements made by Mr. Finnis. He (Mr. Rymill) might have gone at much greater length on that matter, but he did not think it necessary; therefore he should not bring forward any more respecting the first charge. The second charge was as follows:—"That he neglected to carry out the instructions of the Government, contained in despatches dated 14th April, 1864, and 10th February, 1865 (pages 1 to 4, and 61 to 64)." He had shown that as to clause 1 of his instructions Mr. Finnis had not cultivated a kindly feeling amongst his party. He then read clause 12 of the first instructions, page 2—"You will, during the voyage, make yourself acquainted with the advantages of Adam Bay as a place of settlement by a careful perusal of the works and documents particularized in the margin; and on your arrival there you will proceed to ascertain by personal inspection whether it offers the following advantages:—1st. A secure port or harbor, easily navigable, conveniently situated as a port of call for vessels trading to Malaysia and India. 2nd. A healthy site for a capital at or near to the port or harbor, in close proximity to fresh water and timber." It was admitted that the port or harbor was convenient to the places mentioned, but as to the other part all the witnesses stated that there was no fresh water, no timber, or building stone at the site fixed upon by Mr. Finnis, and that it was impossible that it could be healthy as it was surrounded by swamps. There was evidence that it would be impossible to get into the interior in the winter except by the river, the banks of which were not suitable for landing goods at any place. In a letter, dated February 10, 1865, from the Chief Secretary, the following instructions were conveyed to Mr. Finnis:—"There is no subject of greater importance in connection with your duties than the judicious selection of a site for the metropolis or principal town of the Territory, and there is no other subject on which so much discussion has taken place, or respecting which so much dissatisfaction has been expressed. The selection of the Escape Cliffs for that purpose, the suitability of which you so strongly and decidedly support, is condemned by everybody, including those resident there, and those whose only knowledge of it is derived from reports. You will perceive from a report of a meeting of holders of land orders held at Adelaide on the 10th ult., and which I enclose, that they do not approve of your choice. The meeting authorized a committee to prepare an address to His Excellency the Governor-in-Chief, which they did on the 18th ultimo; the report of the interview, the copy of the address, and His Excellency's remarks you will also find enclosed. The Government had previously determined not to approve of the site at Escape Cliffs for the capital, and you will therefore not survey it as such. It may serve as a temporary location, and may ultimately become a subsidiary township; but the universal feeling is that it is utterly unfit for the principal town, and certainly before such a site is selected, situated as it is on a narrow peninsula, far removed from the interior, in the neighborhood of swamps, not well supplied with fresh water, and deficient in building materials, a thorough examination of the seaboard and interior must be made, extending from Adam Bay to Port Darwin and Port Paterson, and if necessary to the Victoria River. For this purpose Mr. Fred. Howard, R.N., in command of the *Beatrice*, has been instructed to render you every assistance and co-operation. Your first instructions (clauses 13 and 14) are very explicit on this subject, and it is generally thought that you too readily accepted the site at Escape Cliffs without sufficient examination of other places, and that opinion is to some extent supported by the remarks in your Despatch, No. 16, of 6th October last, in which you state you avail yourself of the opportunity of the sailing of the *Beatrice* and *Yatala* to take a view of the harbors, assisted by the judgment of Commander Hutchison, before you finally declare the site for the capital; and in a Despatch written a few days later, you state, 'I see nothing in Port Darwin or Port Paterson to cause any alteration in my opinion as to the superior advantages of Adam Bay for a place of settlement.' Now it would have been far more satisfactory to the Government and to the public if you had stated what was the nature of your examination of Ports Darwin and Paterson, and in what respect they were inferior to Adam Bay. As the land at the head of the waters called Port Darwin is not more than thirty miles distant from the Adelaide River, surprise has been expressed that you had not organized an exploring party to examine the country between the Adelaide and those waters; and if you have not yet done so, it is the desire of the Government that no time should be lost in ascertaining the nature of that country, together with other parts of the seaboard, and of the interior also whenever it is practicable. This may be done by dispatching a small party, selected from the many good bushmen you have with you (such as Auld, King, Warland, Litchfield, and others) without interfering with your surveyors and their men, who, pending the selection and approval of the capital, should be employed in the survey of rural lands on the banks of the Adelaide, and in any good localities that may be discovered." He had shown that Mr. Finnis never did examine the harbors. It appeared that Escape Cliffs had never been given up as the capital. Mr. Finnis had certainly gone out exploring after receiving direct instructions to do so; but there was no place, in his opinion, like Escape Cliffs, and it appeared to be a foregone conclusion with him that it was to be the site of the capital, and such it should be as long as he had anything to do with it. In a letter dated May 1, 1865, Mr. Finnis wrote as follows:—"As to health, I have already gone into that point. As to deficiency in natural advantages, it contains all the natural advantages, in a greater or less degree, that can be expected in one locality. The area of ground is sufficient for the survey of a city as large as London; but my motive, as I have often explained, in dividing the town was, because Escape Cliffs was the site for health and whatever enjoyment can be found in such a climate by Europeans. If not surveyed for the capital, it would have been taken up by some shareholder, and laid out as perhaps the only sanitary residence on the north coast. The land is equal to most of the land in the interior. It is suited for market gardens, dairy farms, sugar, and, above all, for cotton. It grows many fruits to perfection; the proof of which is that they have ripened and been eaten, without that careful cultivation which is practised elsewhere. Building materials are as plentiful as in Adelaide when it was first settled, except limestone; but the tropical substitute is found in the reefs close to the shore, which can be burned into excellent lime, as has been proved here. In the Mauritius, where I have resided many years, no other description of lime is used, than that obtained from burning coral rock, which is, in short, all lime. Rough building stone can be carted immediately from the beach, and superior

superior sandstone is plentiful, both on the coast approaching Cape Hotham, and at short distances anywhere on the coast, with water carriage to cheapen it. Timber abounds; indeed it is the obstacle to our surveys. Ironbark, a very superior wood, with which the large boat is being now rebuilt; paperbark, equal to red gum; and softer woods of different kinds for planking. I don't know what site could be found to possess more advantages in this respect. All the building material of London and other cities is imported. Such is the case in Adelaide; roofing and deals and iron are all imported. But to return to the reason of my division of the capital. It was to secure to first purchasers the wharfage of what must be, in spite of all the powers in the world, the seaport of the Adelaide River. I recollect the opposition made in the selection of the site of Adelaide by Colonel Light, by those who wished the capital at the present port. 'Bring the ships to our doors,' was then the cry. The Land Company at Port Adelaide has made a large profit by investments in a swamp, of which the water has to be banked out for four feet at high tides and south-west winds. At the Narrows, the lowest part of the frontage is only six inches covered at high tide, with deep water close alongside. The port between the Narrows and Point Ayers, where I purposed to place the Port of Palmerston, is infinitely superior to Port Adelaide, and there is plenty of room for the whole city on dry solid ground, and for its extension across the river if necessary. But I consider this site will be unhealthy, because the easterly winds come across swamp and low country, and the malaria of the Adelaide River must taint its atmosphere at certain times. The supply of water is also not sufficiently certain to enable me to pronounce that it is to be found in abundance. Hence, I surveyed the port between the Narrows and Point Ayers for the convenience of shipping and wharfage, and the site at Escape Cliffs for health and cheerfulness. I saw nothing in the Act of Parliament to prevent this, and my instructions pointed to the probability of having to survey three sites. If difficulty should, however, be raised on this point, then I would put the capital entirely at Escape Cliffs. The waters of Adam Bay are always tranquil, except for very short periods at a time—from December to February—when north-west gales obtain, blowing with great violence, but raising no sea to cause a ship to drag her anchors. There is a better landing-place, where I had marked the principal street in my plan of the town, than is to be found at Glenelg—much nearer of access from the land, and nearer to the anchorage of the shipping. Thus, Escape Cliffs has a harbor of itself, which is available at most times of the year, which would be preferable to having a good harbor at the cost of all other advantages, especially with a good harbor to leeward and close by, viz., the north of the Adelaide River, for refuge." Mr. King stated that the land only extended back for half a mile. If the land was equal to that in the interior, then Mr. Finniss's account could not have been correct. There was evidence that one man had been employed for three days in selecting a suitable piece of wood for the keel of the *Julia*; but as to all the statements in the letter, witnesses had been called who proved directly opposite. It also appeared from the letter, that if difficulty should arise, Mr. Finniss, notwithstanding the letter sent to him, would still make Escape Cliffs the capital. He then read clause 18 of the instructions, as under:—"You are referred to the instructions which have been handed to the surgeon, acting also as protector of aborigines, in which will be found the duties devolving upon that officer, with respect to the care and treatment of the aborigines, of whom the information hitherto obtained is somewhat contradictory. They are represented by some as friendly and inoffensive, and by others as treacherous and quite ready to attack any one who may visit their shores. Your duty will be to exercise the greatest caution and forbearance in communicating with them, to warn your party to studiously avoid giving them the slightest offence, and should you find them sufficiently trustworthy to have intercourse with them, or to enter into any dealings with them, you must insist upon every transaction being carried out on your part with the most scrupulous exactness; and while it may be well to encourage communication with them, by showing them that you are prepared to trust them, you will take every precaution against their taking you by surprise, by being always prepared to act on the defensive, by keeping regular watch in your camp, and by ordering your party not to move about the country in small parties or unarmed. Above all, you must warn your party to abstain from anything like hostility towards them, and to avoid the extremities of a conflict, which must only be had recourse to in self-defence, and only then from absolute necessity. You will show them that, while you are anxious to gain their goodwill and confidence by kindness and judicious liberality, you are able to repel and, if necessary, punish aggression;" but it is in evidence that his conduct towards the natives was the very reverse of his instructions. The third charge against Mr. Finniss was:—"That without previous examination of the country, and contrary to the opinion expressed by the Government (pp. 62, 63), and in opposition to the views of his surveying staff, as well as to those of the agents of the preliminary land-order holders, whose opinions were entitled to consideration, he ordered the surveys to be made, and continued in localities where the land for the purposes of settlement was utterly worthless." Mr. Finniss had only made three explorations before selecting the site, and those three were so unimportant that they could scarcely be called explorations. On July 8, 1864, the late Government Resident and a party started with the intention of going to some hills, about twelve or fourteen miles distant. They were three days away, but never reached the hills, and assigned as a reason that they could go no further on account of the swamps, and that was in an opposite direction to Escape Cliffs. On the 18th July, a party went to the Narrows, but did nothing. On the 23rd July, a party went out without orders to get some fish and game, and while out saw some very fair country, which they reported, but no notice was taken of it; and those were the only three explorations made before the capital was decided upon. He here read a letter to G. S. Walters, Esq., Agent-General, from Mr. Finniss, dated October 11, 1864, informing that gentleman of his having selected Escape Cliffs as the site of the capital; and also the following extract from a letter from Mr. Finniss, dated December 19, 1864, in reply to one received by him from Messrs. Stow and Stuckey:—"Firstly, however, I have the honor to acquaint you that the site of Palmerston was settled before the departure of the *Beatrice*, in the middle of October last, and that both the Government in Adelaide and the London proprietors have been made acquainted with the fact; therefore the selection is now irrevocable." He submitted that the third charge was clearly proved by what he had shown. He had called several surveyors, all of whom disapproved of the site fixed upon; and it was in opposition to the views of the agents for the holders of preliminary land orders, who went irrespective of the Government, and they honestly told Mr. Finniss that they could not recommend the site to their constituents, and they put down their reasons for so doing; but notwithstanding all these objections, Mr. Finniss was not influenced, but persisted in going on with the survey and fixing the site of the capital. All showed that there were large swamps, and that in winter the back country could not be approached except by the river, which was a tidal river and overflowed and inundated the surrounding country; and as there was no drainage, the water lay and evaporated, and caused large swamps. Mr. Manton's report showed that the place fixed upon was not eligible for the capital. He produced a plan showing the country around the Narrows. Nothing appeared to thrive at Escape Cliffs. The horses would not work, and the sheep lost weight; but there was better land in the interior. In a letter to the Chief Secretary, dated October 6, 1864, Mr. Finniss said:—"I am now altogether without funds, or at least shall be so in a few days. A supply should therefore be sent. Bills on London, &c., can only be negotiated by sending a vessel to the islands at a great cost. For supplies to be derived from thence, they will of course answer; but I ought to have cash. The men have their dealings with themselves and with the stewards of ships, and they like to send their own cash to Timor for supplies. I would suggest, however, that instead of paying the men who desire to remit to Adelaide by procurative orders, as I am doing at present, that a credit should be established at one of the banks, say the English, Scottish, and Australian Bank in Adelaide in the name of the Government Resident or the Accountant here, and that he should have authority to pay by cheques drawn against such credit, which should always be watched by the Treasurer in Adelaide, and varied in amount according to the growing expenditure of the place. I have now, in conclusion, a suggestion to make with regard to the mode of selecting rural lands. If I am to defer notice of selection until 250,000 acres of land, at least, are surveyed, this will be the result—the surveys will be obliterated long before completion, by fires which must overspread this country, or no one can move through the long grass by excessive growth of underwood, and heavy rains saturating the ground and destroying spade marks, and by white ants, which in three months leave the wood of the country nothing but a shell. Stone is not to be had, except at long intervals, and that of such a hard texture as not to be easily broken by a hammer. These difficulties can be partially, perhaps wholly, met by altering the regulations; by legislation if necessary, giving power to the Government Resident to call on holders of land orders to select, as soon as blocks of, say not less than 20,000 acres shall be ready, on a month's notice. The order of choice could then be determined in Adelaide, and the numbers of the land orders, with the order in which they were entitled to be used in selection, communicated to the Government Resident. There are some details of minor importance to be attended to in the scheme; such as, on the opening of a block for selection, how long the holders of land orders may withhold their

their selection if they do not approve of the land offered, and what notice they should give on each occasion of their intention to withhold the exercise of their right. If any proprietors, with a large block of land, when it came to their turn, might indicate the locality for survey under certain restrictions, to prevent the cost of distant operation away from settlement and supplies, and where the survey parties might be exposed to danger from natives." It would be seen that that entirely contradicted Mr. Finniss's previous statement about good wood and stone. Mr. McKinlay, in his first report, said:—"I am sorry to say, on our arrival here, Mr. Manton, with two other survey parties, were absent up the Adelaide with nearly all the available transport power, in the shape of a team of bullocks, &c., the horses of the settlement remaining on the cliffs, being in such indifferent condition as to be unable to remove the goods to their proper destination, and even up to the present moment the great bulk of the stores are lying on the beach with indifferent protection and scarcely out of high water reach. Much more might have been done had there not been so much disorganization here. To form any estimate of the state of matters found on my arrival here is beyond the power of my pen, and would require a personal inspection to be properly conveyed to one's senses. A greater scene of desolation and waste could not be pictured; the whole improvements on the settlement would be much over-estimated at £200, exclusive of the wooden houses forwarded here from Adelaide. As a seaport and city this place is worthless; the land up the Adelaide I have visited, where the survey parties have been employed, and not one individual landholder out of every hundred could make a selection upon which he could erect his homestead, without the almost positive certainty of being washed off by the floods that must of a certainty occur nearly every season;" and this was fully borne out by Mr. Manton's report. Mr. Rymill then read charge 4, as follows:—"That in sending away an armed party for the express purpose of 'retaliating' upon the blacks on the 8th day of September, 1864 (pp. 32, 33), he caused the death of a defenceless prisoner, and violated the principles which have hitherto actuated this Government in their treatment of the natives, thereby bringing the Colony into disrepute." He had, he said, already referred to clause 18 of the Instructions in reference to the aborigines, and he should not say anything as to the conduct of Mr. Finniss with respect to the natives, except that in many cases it was most inhuman. The goods were left on the beach and the natives were caught stealing some—and it was well known that natives would always thieve if they could get a chance, as it appeared to be in their nature to do so. A party was sent out after them, and Mr. Pearson, being thrown from his horse, was speared, and one native was shot. An inquest was held, and there the matter ended. On a subsequent occasion a horse came into camp with a spear through its leg. Mr. Finniss immediately organized a party of seven mounted men and nine on foot, and placed them under the command of Frederick Finniss, who was about twenty years of age, to whom orders were given to search for and recover the stolen property. The Protector of Aborigines and other officers were there, but they were ignored, and the command given to young Mr. Finniss. Mr. McMinn, who had charge of the foot party, asked Mr. Finniss, jun. what was to be done, when he replied, "Shoot every b—y native you see," and that was the way the poor defenceless creatures were dealt with. One native was overtaken and shot, and yet this was done before there was any identification, and the party went to the natives' camp, recovered the stolen property, and destroyed the camp. On his return Mr. Finniss complimented his son by saying, "Well done, Freddy, I thought you would let them see." Now that was legally a murder by shooting the native. A man named Alaric Ward was out some time afterwards and murdered by the natives; but he (Mr. Rymill) believed that if it had not been for the gross provocation given to the natives previously that Alaric Ward would have been alive at the present moment, and this was approved of by Mr. Finniss, as was shown in a letter from him to the Chief Secretary, dated October 5, 1864. If those proceedings were in accordance with the instructions then Mr. Finniss must have had an extraordinary idea of the manner in which his instructions were to be carried out. The matter brought disgrace not only on Mr. Finniss, but on the entire Colony. The fifth charge was:—"That he generally erred in entrusting the command of such a party to a person of insufficient responsibility, and in not furnishing the leader with written instructions." Nothing could be said to justify such an action, for how was it to be supposed that a boy like that was to exercise control over a body of men, who would, in such circumstances as they were placed in, become greatly excited? The Protector of Aborigines wished to go, but Mr. Finniss would not allow it. However the error was so palpable that he thought it unnecessary to dilate further upon it. Then, as regarded the last charge against Mr. Finniss, which set forth—"That without authority first obtained from the Government, and without sufficient reason, he left the Territory and the party under his charge, and proceeded to Timor in the *Beatrice*"—it was shown in the correspondence that there was no necessity for Mr. Finniss to go to Timor; but even if there had been, he should have placed Mr. Manton in his place. He, however, did not do so, and no one knew where he was going to. He had violated the 25th clause of his instructions, which stated, that in the event of the Government Resident being unable to attend to his duties that Mr. Manton should take command. [The Government reporter, Mr. Stevenson, then read a lengthy report (see evidence, p. 68) by Mr. Finniss, showing the reasons of his going to Timor, and the document was ordered to be printed]. That report gave a description of postal arrangements, which might have been obtained at the Post Office; of the Asiatic race, which might easily have been obtained elsewhere; and the obtaining of vegetables, which might have been done by the Assistant-Storekeeper; therefore, he contended that the reasons assigned were most trivial, and did not show the necessity of Mr. Finniss going to Timor. He had called evidence before the Commission which he contended fully bore out the charges. He might have called many other witnesses, who would only corroborate the evidence already given, and therefore he did not wish to take up the time of the Commission. The expedition had started under auspices which might reasonably have led to the supposition that it would prove a success; but something had occurred to mar such success; and the Commission would have to find, from the facts brought before them, the cause of such. The interest in the selections was not confined to South Australia, but there was a large interest possessed by persons in England. If the Government appointed a person to carry out the expedition successfully they had failed in so doing; but had they endeavored to appoint a man who would show them how *not* to do it, they could not have done better, for in all the annals of exploring expeditions he never met with one to compare with this. He should not say any more, but would reserve to himself the right of reply if Mr. Finniss called witnesses in defence.

The Hon. Mr. Finniss requested that the Commission should adjourn until he had been furnished with printed copies of the remaining portion of the evidence already taken. He stated that he would then be prepared to call evidence in refutation of the charges. The Commission agreed to this course.

Mr. Rymill requested that the Hon. Mr. Finniss would supply him, as far as possible, with the names of the witnesses he intended to call, which was agreed to by Mr. Finniss, so far as he could do so.

The Commission adjourned till Wednesday, the 18th April, at half-past ten a.m.

Wednesday, 18th April, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode

Mr. Bright.

The minutes of the previous meeting were read and confirmed.

Mr. Rymill stated that he had not yet received from the Hon. Mr. Finniss a list of the witnesses he intended to call.

The Hon. B. T. Finniss stated that the only witness he should be able to call this day would be his son; and that the first day on which the Commission sat when he made application for his son to assist him, he had mentioned that he intended to call him as a witness. Mr. Finniss also mentioned the names of the following persons whose evidence he proposed to tender, viz.:—Messrs. Litchfield, Lloyd, Murray, Fitch, and Baker.

Mr.

Mr. Rymill said that, as he was not present the first day on which the Commission sat, he was not aware that notice had been given of Mr. Finniss's intention to call his son as a witness, at all events he had had none; and he should not therefore be prepared to cross-examine him at this sitting.

The Commissioners decided to hear Mr. F. R. Finniss's evidence-in-chief to-day, and then to adjourn, so as to give Mr. Rymill an opportunity of cross-examining him at the next sitting.

Mr. F. R. Finniss was then called as a witness by the Hon. B. T. Finniss and examined.

The Commission decided to sit in future on Wednesdays, Thursdays, and Fridays, at half-past ten a.m.

Commission adjourned till the following day at half-past ten a.m.

Thursday, 19th April, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode

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Mr. Bright.

The minutes of previous meeting read and confirmed.

Mr. F. R. Finniss was cross-examined by Mr. Rymill.

Mr. F. Litchfield was called by the Hon. B. T. Finniss and examined.

The Hon. B. T. Finniss laid upon the table report from Mr. Manton, dated 23rd January, 1865; report of the gardener at Escape Cliffs, dated 13th November, 1865; report of Mr. Clement Young, dated 16th March, 1865; report of the carpenter at Escape Cliffs, on the timber in the Northern Territory; all of which were read.

The Hon. B. T. Finniss also laid before the Commission samples of water, stone, earth, and wool from the Northern Territory.

The Commission adjourned till the following day at half-past ten a.m.

Friday, 20th April, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode

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Mr. Bright.

The minutes of the previous meeting were read and confirmed.

Mr. M. E. Fitch was called by the Hon. B. T. Finniss and examined.

The Hon. B. T. Finniss also laid on the table certain documentary evidence, which was read, and ordered to be printed among the minutes of evidence.

The Commission adjourned till Wednesday, the 25th April, at half-past ten a.m.

Wednesday, 25th April, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode

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Mr. Bright.

The minutes of the previous meeting were read and confirmed.

The Hon. B. T. Finniss laid on the table, for the use of the Commission, lithographed plans of the surveys and explorations of the Northern Territory.

Mr. William Reid was called by the Hon. B. T. Finniss and examined.

Mr. F. Litchfield was recalled by the Hon. B. T. Finniss and re-examined.

Mr. M. E. Fitch was recalled by the Hon. B. T. Finniss, and re-examined.

Mr. J. F. Lloyd was called by the Hon. B. T. Finniss and examined.

Mr. Wm. Reid was recalled by the Hon. B. T. Finniss and re-examined.

The Hon. B. T. Finniss laid further documentary evidence before the Commission, which was received and ordered to be printed.

The Commission then adjourned till the following day at half-past ten a.m.

Thursday, 26th April, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode

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Mr. Bright.

The minutes of the previous meeting were read and confirmed.

The Hon. B. T. Finniss laid before the Commission further documentary evidence, which was read and ordered to be printed.

Mr. Samuel Baker was called as a witness by the Hon. B. T. Finniss and examined.

Mr. William S. Murray was also called by the Hon. B. T. Finniss and examined.

The Hon. B. T. Finniss stated that he should only call one more witness—Henry Baumgertel.

The Commission adjourned till Wednesday, the 2nd of May, at half-past ten a.m.

Wednesday, 2nd May, 1866.

Present—

Mr. Goode

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Mr. Bright.

The minutes of the previous meeting were read and confirmed.

The Hon. B. T. Finniss laid before the Commission further documentary evidence, which was read and ordered to be printed.

Mr.

Mr. Henry Baumgertel was called by the Hon. B. T. Finnis and examined.

The Hon. B. T. Finnis tendered himself for examination by the Commission and by Mr. Rymill; but the Commission decided not to examine Mr. Finnis.

The Hon. B. T. Finnis then intimated that the evidence for the defence was now closed and requested a week's adjournment to enable him to receive printed copies of the whole of the evidence, and to prepare his statement.

The Commission adjourned till Thursday, the 10th May, at half-past ten a.m.

Thursday, 10th May, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode

Mr. Bright.

The minutes of the previous meeting were read and confirmed.

The Hon. B. Finnis read the following statement in reply to the charges made against him:—

Gentlemen—Having now laid before you such evidence as appears to me necessary in answer to that which has been produced by the Government in support of the charges made against me, I propose to say a few words on my own behalf; and, although it is necessarily in some degree painful to me to stand in the position in which I am now placed, yet I am glad that the Government should have decided upon instituting this inquiry. If it has done nothing else, at least it has reduced to their true proportions the accusations of which I have been the subject, and has shown how unfounded or exaggerated are the various charges that have been so widely circulated against me. No one can have read the evidence which has been given upon this inquiry, especially that of Mr. Jefferson Stow and Mr. Ebenezer Ward, without being struck with the contrast that it presents with the statements contained in the published letters of these gentlemen; and it has fallen still further below what, since my return here, I have found to be unpublished slanders that have been propagated. But this inquiry has done more—it has afforded me an opportunity, which I should not otherwise have had, of vindicating my character and conduct, and of showing that my course throughout has not only been prompted by a regard for the interests intrusted to my care, but has been worthy of approval and support.

In dealing with the charges made against me, and in narrating the course of action which I adopted, for the purpose both of showing its propriety, and of explaining the difficulties and obstacles which I had to surmount, it will not I think be necessary that I should go into minute details. The evidence, if such it can be called, which Mr. Rymill, as the representative of the Government, has called, relates in fact to so many trivial circumstances, and is in other respects so vague and general, that I cannot attempt to follow it through all its trivialities. I believe that I shall most satisfactorily answer it by bringing before you a brief connected statement of my proceedings from the commencement—only referring to details when necessary for the completeness of my narrative. Before doing this, however, I wish to say a few words in answer to the address in which Mr. Rymill professed to sum up the evidence, and which I must presume embodies all that he could deduce from the statements of the witnesses, or could assert from what he had heard outside of this Court. The points upon which he has insisted, and to which in these preliminary remarks I shall confine myself, are—Firstly, mismanagement of the party; secondly, waste of stores; and, thirdly, disobedience to the instructions of the Government with regard to the site of the town.

I need hardly call your attention to the circumstance that the witnesses on the part of the Government, with scarcely a single exception, are persons who avow, or who show that they are actuated by, personal feelings against me; that most of the statements which they make are destitute of all circumstances of time, or place, or person, and therefore impossible to be met by counter evidence on my part; and that some of them, to which special reference was made in the summing up, depend for their effect upon the precise words which I am alleged to have employed, which are now, after many months, repeated against me by hostile witnesses, relying entirely upon their personal recollection. These circumstances will not, I am sure, escape your attention. But it is scarcely necessary for me even to allude to them; for, taken literally, what do all these charges amount to?—nothing, I will venture to say, which would weigh for a moment in estimating the conduct of a person placed, like myself, in a position of unusual responsibility and difficulty, with scarcely one officer upon whose support he could rely, or, rather, surrounded by officers the majority of whom, secretly or openly, thwarted all his operations, and with no means of enforcing his orders. And I am sure I may assert that never before has any officer of Government, of whatever rank, been subject to an inquiry like the present upon such evidence as has now been laid before you. With regard, then, to the first point—the management of the party—it is not easy to deal with it, partly because of the absurdity and partly because of the vagueness of the charges. As respects the charge of Mr. E. Ward that I drilled the men and that they were told to stand at ease when the vessel rolled, and had to cling to the rigging to keep their footing—magnified by Mr. Rymill into drilling the men on board ship when the vessel was rolling heavily—I need give no other answer to this than to refer to the statement of Mr. Ward, in his evidence, that the drill only commenced after we had passed the Leuwin, when, consequently, we had got into the region of settled weather; and to the journal of that gentleman [see journal, May 16th, 1864, p. 11, Parliamentary Paper 89], from which it No. 60. will appear that fine days were selected for the drill. But will it be believed that the Government—who, in my instructions, directed me to form the men into a volunteer force, and who had caused them to begin to be instructed in drill before we left Port Adelaide—could now bring it forward as a charge against me that I had availed myself of the opportunity furnished by the voyage to continue the drill which they had commenced?

As to my ignoring the officers, and treating the men with marked consideration, I would ask, whether as to the first, it would be likely that I should be able to maintain friendly social relations with officers who, during the voyage, long before there was any pretence for complaint of insult or ill-treatment on my part, were accustomed to speak of me as “the B. T. F.,” understanding by that term, among themselves, “The Bloody Tom Fool” [see evidence of E. Ward, question, No. 1782]; and as to the second, I would merely point out, that the persons among the laborers, whose names have been mentioned as treated with this marked consideration were, Mr. William Patrick Auld, the son of Mr. Patrick Auld, of Auldana, Mr. Litchfield, the son of an officer in the army—the equals in social position, in education, and in manners, of any of the officers, and my own son; and that the marked consideration described consisted of my having them to breakfast with me, together with Mr. Wadham and Mr. Packard, on the occasion of starting with them on an exploring expedition, and of my being sometimes surrounded by them on an evening while sitting in the open air, where I was accustomed to receive their reports.

And with this I should pass over this portion of the charge, but for the circumstance that Mr. Rymill has allowed himself to be betrayed into an accusation against one of the officers utterly unwarranted by the evidence, and quite false in fact, and which a feeling of what was due to his own position, selected as the representative of the Government, and therefore bound to protect those who are in the service of Government, in a position of equal standing with his own, should have prevented him from making. I allude to his statement with regard to Mr. Bennett that he was well known to be a spy in the officers' mess-room. I believe Mr. Bennett to be quite incapable of doing anything dishonorable, and I can affirm that I never heard one word from him with regard to anything that passed in the officers' mess-room, or as to anything said or done by the officers at any time. It was not, in fact, until after my return to Adelaide that I ever knew of the existence of the caricatures and lampoons which were exhibited and read at the mess, except in so far as I could conjecture their existence while in the Northern Territory from brief and ambiguous notices in the Adelaide papers that reached me by post. [See Mr. Bennett's letter in Appendix]. Not being aware, Nos. 51, 52. while in the Northern Territory, of the importance which vague and irresponsible slanders would assume, and the weight which would be attached to them by Government, I had always discouraged the reports which others, not

Mr.

The Nos. in the margin refer to papers in the Appendix.

Mr. Bennett, for he never spoke to me upon the subject, were willing to bring me; and I consequently remained in ignorance of everything but the mere fact that some things derogatory to myself were said at the officers' mess. I trust that a consideration of what is due to an absent gentleman, who is no party to the proceedings, and is not even aware of their existence, will induce Mr. Rymill to withdraw this accusation, and to express his regret for having made it.

As regards the alleged insult to Mr. Ward, in requesting or ordering him to go on board the *Henry Ellis* that night, it is sufficient to say, that not merely was the Government liable to a penalty if the expedition was not ready to sail the next day, but Mr. Ward had charge of the box containing the specie sent out with the expedition, five hundred pounds in amount, and that he had left it in his cabin, and had intrusted the key of his cabin to the steward. In order to explain why that order was given, and as to the alleged insult in the presence of Mrs. Phillips and others, in requesting him not to allow my letters to be fingered, I must say that, reasonably or not, his conduct had led me to believe that such a request was necessary, and that I was not aware of anything in the manner in which it was made that was objectionable. I did not intend any insult, and I do not think any one present supposed that I had any such intention, nor did I learn from Mr. Ward himself that he had felt it as such, until I heard his evidence given before this Commission.

Upon this point I would only add that the evidence, even if taken to be completely correct, and in no respect colored by the feelings of the witnesses, or inaccurate on account of the time that has elapsed since the occurrences detailed, would only show that on some half a dozen occasions in the course of three times as many months, I had been betrayed into hasty expressions towards some of the officers and others of the party. In so far as this was the case, I can only express my regret at the occurrence; but considering the difficulties I had to encounter, and the manner in which those difficulties were increased by the inertia or hostility of the majority of the officers, it could, I think, hardly be a matter of surprise if I had been occasionally unable to restrain myself.

As regards my alleged inhumanity in the case of the sick, I will only refer to the instance of Ware. I knew that he had been habitually intoxicated, and suffered from *delirium tremens*; in the night during the rainy season, Mr. Roberts came to the camp drenched to the skin, in order to fetch the doctor. It is notorious how great is the danger to life from exposure to rain in the tropics, and feeling how useless was the errand at that time, for the doctor certainly would not dream of proceeding to visit the sick man till the morning, and impressed by the great risk which Mr. Roberts had run, I did not reprimand him for bringing the message, *out* expressed my feeling that he ought not to have been sent on a fruitless errand at such a time, at the risk of his own life, which under the circumstances, I certainly thought, and possibly said, was of more value, not than that of an old man, but than that of Ware; and this remark, made out of a feeling of regard to Roberts, and care for his health, which I thought was needlessly endangered, is now tortured into a proof of my disregard to the health of the party.

I feel, however, that this answer in detail to the various points upon which the Government, through their representative, have attempted to support these charges, really has a tendency to draw away your attention from what is to me and to the public the obviously important question—Did I wisely and properly employ the means at my disposal for the prosecution of the undertaking?

No. 61. The answer to this question involves the answer to the two remaining charges—the waste of stores, and disobedience to the instructions of the Government; and it will enable me to show what were the means at my disposal, the difficulties I had to encounter, and the results which I actually accomplished. As you are aware, from the instructions which have been put in—[see instructions of 14th April, 1864, in Appendix, Parliamentary Paper, No. 36, pp. 1, 2, 3, 4]—the object of the expedition was not primarily exploration, but preparation for settlement. The Government, relying upon the general accuracy of the statements which had been made by the various persons who had visited the country, had fixed upon Adam Bay as the place of “rendezvous,” and had indicated the vicinity of the Adelaide River as the place of settlement, unless I failed to find there the three requisites of available land, a secure harbor, and a healthy site for a town. If these requisites were wanting, then I was directed to examine other localities in a specified order, and finally, to decide upon that place which ultimately might appear to possess the greatest number of advantages. In accordance with my instructions, I made myself acquainted with all that had been written upon the subject, and the result of this was to lead me to the same conclusion as that of the Government. I was satisfied that unless some drawbacks existed which had not been noticed by previous investigators, the spot indicated (I might almost say selected by the Government), would ultimately prove the most suitable locality for a settlement. The decision of this question must, however, necessarily be a matter of time, demanding careful consideration, and a personal examination of the country; and anything done previous to this decision, must necessarily be temporary, and liable to change.

I arrived in Adam Bay on the 20th June, and found the *Beatrice* at anchor there. On my arrival, the first and most pressing necessity was to provide for the live stock. Out of 150 sheep which had been put on board, only fifty-five were alive, all in a very weak and miserable condition, and the draught cattle and horses were in a condition of extreme weakness from scarcity of water.

No. 62. It was, therefore, necessary that the stock should be at once landed at some place where pasture and water were obtainable. [See my Despatch, 10th August, 1864, Parliamentary Paper No. 89, p. 4.] I was informed by Captain Hutchison, that the crew of the *Beatrice* had been unable to find water in Adam Bay. The only place, therefore, where I was certain of being able to obtain pasture and fresh water, was on the banks of the Adelaide River, about forty miles from its mouth; and, after having myself visited the river in company with Captain Hutchison, who had previously observed it as fit for the purpose, I decided upon landing the stock there, and this task, with the assistance of the *Beatrice*, was accomplished without any casualty; the whole of the stock also, on our arrival, being safely landed at the place I had chosen.

No. 8. Having secured the stock, I determined to form an encampment at the spot, and collect all the stores there, with the object of dispensing with the cost by services of the *Henry Ellis*. And I was in hopes that a suitable place for a permanent *depôt*, and probably for a town, might be found higher up the stream, upon some rising land which had been pointed out to me by Captain Hutchison as suitable for the purpose. With this object, I pressed the discharge of this vessel, in the hopes that I might complete it within the lay days, and thus save the £464 which were to be paid for a months' detention of the vessel, if these days were exceeded. Owing, however, to the insufficiency of the means at my disposal, I was unable to effect this. In the beginning I had only the *Beatrice* and the *Julia*, and the men of my party. The long boat of the *Henry Ellis* being useless, and, indeed, being broken up on arrival, whilst the vessel was short handed. In fact, the only assistance rendered by the crew of the *Henry Ellis*, was the service of a mate and four men in one of the boats employed in bringing up the *Beatrice*. [See Captain Phillips's letter in Appendix.] The master had refused to remove his vessel inside of the river, where the cargo might have been landed from the ship's side, or transferred to the other vessels, and had anchored more than three miles from the shore.

No. 7. On the first of July I received the first intelligence of the arrival of the *Yatala* in Adam Bay, crippled by the loss of her rudder and false keel. On hearing this, and finding that she might be available for river navigation, I made arrangements for the discharge of the *Henry Ellis* within the time allowed. The *Yatala* was to load with as much cargo from her as she could take on board, come up to the river camp, and there discharge this with her own stores, then to return to the *Henry Ellis*, and fill up again. Captain Hutchison undertook to discharge the wooden houses, which were too bulky to be taken on board the *Yatala*, at Point Charles, the nearest land, and after that to load up with the rest of the cargo of the *Henry Ellis*, if the *Yatala* could not receive it all. These arrangements were, however, frustrated [see Captain Hutchison's letter of July 11, 1864, in Appendix] by the circumstance that the *Yatala* grounded twice in coming up the river, and arrived at the camp on the 16th of July, which was the last of the lay days of the *Henry Ellis*, instead of the 13th, as I expected. She was, therefore, unable to return as had been arranged, and take on board the last of the cargo before that day. And thus, as it was compulsory upon me to pay the *Henry Ellis* for another month, there was no longer any motive for postponing every other work to the mere task of taking the cargo out of her; and I, for the first time, felt that I had leisure for other duties. The next question which then occupied my attention was that of a permanent *depôt*. The spot which I had selected on the river was never intended to be more than temporary, as it would be sure to be wet and swampy in the rainy season.

But I had been in hopes that a suitable site might be found upon the high lands further up the river. The difficulties and delays which I had experienced in the transport of stores to this temporary *depôt* made me feel that some very peculiar

peculiar advantages of soil, climate, and position in any place which I might select, would be required to overcome the disadvantage resulting from the difficulty of access. The camp was forty miles by water from the mouth of the river, and the channel was too tortuous to render it safe for a vessel to beat up. It was necessary to tow the *Beatrice* up by boats, and to anchor at every change of tide. It is true that there is an admirable anchorage and great facilities for discharging cargo at the Narrows; but there was no practicable road from that to the hills to the southward. And as no master of a vessel visiting the settlement could be expected to tow his vessel up the river, it would be necessary either to discharge the cargo into boats which would have to work up the river, or to provide a steam tug, at the cost of the settlement, for the purpose of moving the vessel up; and neither of these appeared to me practicable. And the examination which I had made of the *Beatrice Hills*, pointed out to me by Captain Hutchison [see Journal, 8th July, 1864, Parliamentary Paper 89, page 13], as probably affording a suitable site, and of the other elevated ground within a moderate distance from the navigable waters of the river, showed me that they would be all inaccessible in the rainy season, unless roads were constructed at a considerable expense. At any rate, whatever may be the ultimate suitability, if it was determined to incur the necessary expenditure to make them available, they were quite unsuitable for the permanent depôt of the preliminary expedition; as if established there, we should, for half the year, be cut off from all communication. It became, therefore, a matter of necessity to fix upon some other place as the permanent depôt, and I availed myself of the leisure afforded by the unexpected detention of the *Henry Ellis* to make the requisite investigation for this purpose. With this view, I sent a party across the river to examine the country to the eastward, and if possible, to find Stuart's track, and I placed it under the command of Mr. W. P. Auld [see my instructions to Auld, Parliamentary Paper No. 89, page 16], who was a thorough bushman, and who had accompanied Stuart across the continent. I had at first intended to join him at the Narrows, and examine for myself the land at the mouth of the Adelaide River, and between that river and the Alligator; but I afterwards arranged with Captain Hutchison to accompany him in the *Beatrice* to examine Ports Darwin and Paterson. The serious illness of Captain Hutchison however, prevented this arrangement from being carried out, and I was then myself too ill to be able to ride on horseback; I, therefore, sent Auld's party to explore the country between the Adelaide and Alligator rivers, and, if possible, without detriment to the objects of the expedition, to discover Stuart's flag on the coast. Previous to this, I had dispatched a party on foot to Chambers Bay to open the communication in that direction, and another on foot also to the site of the wells at the sandy beach, for the purpose of ascertaining if there was a practicable route from the Narrows to Escape Cliffs; at the same time I directed a party to search for water at the sandy beach where I heard that water had been discovered. I received a favorable report from these parties—practicable tracks having been found—and water having been procured, which was pronounced to be good by Mr. Howard and Dr. Goldsmith, the latter of whom brought me a canteen of it for the purpose of corroborating his statement. Having received these reports, I determined upon establishing the permanent depôt at Escape Cliffs, leaving the question of the site of the capital to be decided by future investigation. I next proceeded in the *Yatala* to the River Camp, at which I arrived on the 27th July, and after landing Dr. Goldsmith, who had accompanied me, and giving the necessary instructions to Mr. Manton, I left again in the *Julia*, for the purpose of superintending the various works then in progress. I left twenty men in camp with Mr. Manton, and made all arrangements for the safety of the party against any attacks of the natives, who were increasing in numbers, and were daily becoming more bold, troublesome, and threatening. Had these instructions been obeyed, it is probable that the affray which resulted in the wounding of Mr. Pearson, and the death of a native, would not have occurred. On the 29th I arrived at Escape Cliffs, and found that Auld's party had returned in safety, after a successful exploration of about fifty miles to the south-east, in which direction the back country between the Adelaide and Alligator Rivers was then proved to be accessible by a practicable road from the Peninsula of Cape Hotham, and I then moved all the parties up to the more cheerful and elevated position which afterwards became my permanent camp. Up to this time it would be difficult to accuse me of inertness or negligence. Before the 16th of July I had not been unoccupied for a single day. I had to fix on a place for a camp, and then to make arrangements for the landing of the stores, and personally to superintend the carrying out of these arrangements. Up to the 8th of July I was fully occupied in these duties, and I had passed the greater part of my time in boats, moving between the *Henry Ellis* and the River Camp. On the 8th of July, having seen the *Yatala* unloaded at the River Camp and dispatched her on her second trip, I started with a party of five men to examine the *Beatrice Hills*, where I hoped to find a suitable spot for a permanent depôt, and was absent till the 13th, when I expected to meet the *Yatala* and close the mail for the *Henry Ellis*; and I have just described the manner in which I was occupied until establishing myself at Escape Cliffs on the 29th. Between the 29th of July and the 26th of August, my party, which only amounted to twenty-one men, had to perform the task of completing the unloading of the *Henry Ellis* and of discharging the *Yatala*, which was engaged in bringing down stores from the camp; and, besides, they had to furnish a watch at night, to tail the horses, and fetch water from the well at Sandy Beach. The work of unloading and landing the cargo was especially laborious. The *Henry Ellis* was more than three miles distant from the beach, and the cargo had to be taken in boats as near to the shore as practicable, then carried to the beach, and afterwards across the beach to the foot of the cliffs, then raised to the summit, and afterwards carried to their places of destination—and all this had to be done by the men without the aid of punts, or cranes, or jetties, and, at first, without the help of animal power. The work, too, could only be performed at certain states of the tide, which varied from day to day, and thus it was impossible to have any regular hours of labor. At this time, moreover, the supplies began to fail, and the men were left almost entirely without animal food [see my Despatch, 16th August, 1864, Parliamentary Paper 163, p. 1; and private to Chief Secretary, 13th August, 1864, Parliamentary Paper 163, p. 1]; and when all these circumstances are borne in mind—the necessary division of the party—the laborious and unaccustomed nature of the work, which had to be performed by Europeans in a tropical climate—the irregularity of the hours of labor—and the insufficiency of provisions—it will not be a matter of surprise that there should have been at this time much apparent and some real confusion and disorder, and that articles should be left for a while unsheltered, and that some time should have elapsed before all the various works necessary to collect and secure the stores and to shelter the men were completed.

But there were other circumstances to which I must in my own justification advert as affecting the whole conduct of the expedition. In the choice of the necessary stores and outfit, I had been consulted by the Government, and my requisitions had for the most part been complied with, at least as far as possible. But with regard to the officers and men the case was different. I had no voice in their nomination, and the majority were persons who had no previous experience or training to qualify them for the duties they had to perform. Many of those who engaged as laborers were induced to take that position, not so much for the sake of their wages as from a desire to see life in a new settlement, and in the belief that they would speedily rise to higher employment, and they were impatient and discontented when they found that their hopes in this latter respect were unfulfilled. They would have been willing enough to have ridden about the country exploring, or to encounter fatigue and danger in any task of adventure, but they did not willingly or efficiently perform the laborious works required in the first instance, and they submitted with reluctance to the observance of those precautions which were necessary to our position in the midst of unfriendly and possibly treacherous savages; and on those men I had no means of enforcing my authority, but firmness and persuasion. They were in no respects indebted to me for their appointment, and they soon found that the circumstances of the expedition forbade them to hope for any higher employment at my hands; they were consequently neither influenced by a sense of obligation, nor by a hope of advancement; I could not punish them, and if I had discharged them they must still have remained in the camp, drawing their rations, living in the tents, and associating with the others of the party, giving an example of idleness, while their dismissal would at the same time have increased the work to be performed by those who remained. And besides this, I found almost from the first, that I could rely upon no support or help from my officers; that the men would be encouraged in neglect or disobedience by them, and that every incident would be made use of to weaken my authority over the laborers. And when to this again is added the circumstance already alluded to, that after a short time the supply of meat began to fail, and the men had to live upon flour, with only the occasional addition of fish and kangaroo, and sometimes kangaroo rats, which I, as well as others, have been glad to eat, some idea may be formed of the difficulties of my position. Let it, however, be understood that I do not make these statements in the way of complaint; whatever might be my difficulties I was fully prepared to encounter them, and I had no doubt that I should ultimately overcome them. In my Despatches to the Government [see my Despatch, 6th Oct., 1864, Parliamentary

No. 66. mentary Paper 89, pp. 41, 42, 43], I referred to these various points as far as appeared necessary under the circumstances; but I refrained from mentioning many of the most serious, and but for this proceeding I probably should not have recurred to the subject. But when I am charged with neglect and incompetence, because the work of landing and securing the stores was not accomplished as quickly and as satisfactorily as it is supposed it might have been, or because less was done in the work of exploring and surveying than was anticipated, it is necessary for my own justification, that I should call attention to those matters, not for the purpose, however, of accusing others, but merely of defending myself.

No. 1. With regard, for instance, to the article of provisions, I had, in the first instance, when it was understood that the party was to consist of thirty persons, made a requisition for 300 sheep and 7,800lbs. of salt meat, exclusive of the supplies for the voyage. [See extract from approved requisition in Appendix.] Afterwards the number of the party was increased to forty, but only 150 sheep were shipped and 7,800lbs. of salt provisions, including 2,000lbs. of American pork in half-barrels, and this was to furnish supplies for the voyage as well as for the Expedition after landing. The sheep were so crowded that numbers died during the voyage. [See Journal—Appendix.] In fact, it will appear from Mr. Ward's Journal that they began to die from suffocation before the vessel sailed [see Journal, April 28, 1864,

No. 67. Parliamentary Paper No. 89, p. 11]; others were killed for food. We landed only fifty-two, and these had mostly lost their wool from heat and overcrowding, and were in a very poor condition. During the voyage, however, I had suffered no uneasiness on this account, because I had been informed that beef would be brought on by the *Beatrice* from Sydney, and because my Instructions distinctly informed me that it was the intention of the Government to send an increase to the Surveying Staff in the course of two or three months, when, of course, I expected the residue of the sheep, and additional provisions. [See printed Instructions in Appendix.] After arriving at Adam

No. 61. Bay, however, I found that the *Beatrice* had brought no beef, and I was shortly afterwards informed by Captain Hutchison that he had heard from good authority that it was not the intention of the Government to send any vessel to the settlement until after they had heard from me. Even, therefore, if all the provisions had been sound, and there had been neither waste nor loss, both of which are at any rate possible incidents of establishing a settlement in a new and little known country, there would probably have been a deficiency before the arrival of any fresh supplies. But, in short, the whole of the pork, packed in small barrels, amounting to 2,000lbs., was little better than blubber, and quite uneatable, so that the settlement was, in fact, left without a supply of meat from August to December, when the *South Australian* arrived, excepting the small supplies procured by the *Beatrice*. With regard to the supply of money the case was somewhat similar. I had on my arrival, for all purposes including payment of wages, £500 in specie, and £1,500 in bills upon the Agent-General, and out of this I was to pay the *Henry Ellis*, and when I had done this and sent £100 to Timor, with Captain Hutchison, for the purchase of provisions, I had only £400 in bills. I could not therefore have retained the *Henry Ellis* as a store ship had that been desirable; and I had not the means of keeping up the payments to the men. I mention these circumstances merely to show the nature of my difficulties. [See my Despatch, 6th October, 1864, Parliamentary Paper 89, page 43; see also 3rd October, 1864,

No. 68. Parliamentary Paper 89, p. 20.]

The arrival of the *South Australian*, though it removed one substantial cause of complaint, the want of provisions, added less than I had hoped to the effective strength of the party, for the majority of persons who had engaged as labourers were unsuited to the position; and although they might be men of education, artisans, chainmen, axemen, and laborers of the survey staff, stockmen, carters, mariners, and others, as they are described in the Chief Secretary's letter—[see Chief Secretary's letter, dated 28th October, 1864, Parliamentary Paper 36A, p. 1]—engaged as laborers to ensure their employment, with the prospect of promotion should they deserve it. And although there were amongst them men capable of filling important and trustworthy situations, and entitled to my consideration should better occupation offer, they were not qualified for the execution of the work which it was requisite they should perform. One gentleman, within a few days, applied to be appointed a stipendiary magistrate, another for the post of assistant storekeeper, another to have charge of the stock, and another was disappointed at not being made mate or commander of the *Yatala*, all which appointments, somehow or other, they had understood were likely to be open to them.

No. 69. These, however, were matters which time and patience would to a certain extent have righted; but with that party came Mr. Jefferson Stow. Unfortunately before arriving he had imbibed the opinion, either from the then Treasurer, Captain Hart—who had endeavoured to impress that idea upon myself before starting—or from Mr. Gregory, whom he had seen at Brisbane, that the Victoria was the best place for the formation of the settlement, and hence he was from the first a determined opponent of the course which I had pursued in fixing on the Adelaide. I do not suggest that Mr. Jefferson Stow was otherwise than sincere in his opposition, but I venture to claim for myself greater experience of the requirements of a new settlement, and a wider knowledge of the country. However, had Mr. Jefferson Stow, who represented a large number of land-orders, been with us from the first I should have been glad to avail myself of his suggestions, and should have, at any rate, advised with him before finally deciding upon the site of the capital. But before his arrival I had decided, and had communicated that decision to the Agent-General, for the information of English proprietors. [See my letter to Agent-General of 10th Oct., 1864, postscript 11th Oct., Parliamentary Paper 89, p. 94.] And the vessel which brought Mr. Jefferson Stow brought also a

No. 69. Despatch from the Government, assuming that I had not only fixed upon the site of the capital, but had also commenced the task of surveying. [See Despatch, 28th October, 1864, Parliamentary Paper 36A, pp. 1, 2.] After this, it was too late to change, even if I had considered it desirable. But, the presence of Mr. Jefferson Stow, his known preference of another site, his active opposition to myself, and his confident statements, that the site of the capital would be changed on his recommendation, had a very injurious effect on the conduct of the party. Mr. Ebenezer Ward had been enabled to exert an influence greater than belonged to his position and ability, because of the power which, whether truly or not, he boasted himself to possess with the Treasurer. But Mr. Jefferson Stow was the brother of the Attorney-General, a special correspondent of the Press, and the representative of a large body of landholders, and his opposition carried with it a much greater weight. I have no doubt of the sincerity of that opposition—he has shown it by the disinterested assistance which he has rendered to the Government representative during the whole of this inquiry; and if his zeal has led him, without pay, to devote so much of his time to support the Government charges against me, you can judge whether it was likely to be less active or demonstrative when he was a resident at Escape Cliffs, and you can understand how much such an opposition from a person with such claims to consideration would encourage the discontented and depress the willing. That, under such circumstances, I was able to maintain my authority, and to push forward the task of surveying, is of itself a proof that I was not quite so deficient in the qualities required for my position as the Government charges would assume.

I have already stated that when I first established a camp on the Adelaide River I was in hopes to have selected the site of the proposed capital in some position up the river. My instructions pointed to that locality, and I concurred in the opinion of its advisability, assuming that suitable places for the purpose must exist. The exploration that I made, however, satisfied me that there was no place which could be selected for the purpose capable of being made available with the means at the disposal of the Government, since all of the high grounds were separated from the river by swamps, which would be impassable in the rainy season without the construction of a causeway; and my experience of the difficulties of sailing up the river made me feel that the principal town ought to be, and would be for many years, in some spot accessible for shipping, where they might lie and discharge in safety. The only place which appeared to me to combine the various requisites of healthy situation, secure anchorage, and communication with the interior was Escape Cliffs. When I ultimately decided upon fixing upon that as the site of the future capital of the settlement I had not visited the Victoria River, nor fully explored Port Darwin and Port Paterson; but I had seen enough of the two latter to satisfy me that in the first and most essential particular—that of health—they were far inferior to Escape Cliffs, and that, while they were less favorably situated as ports of call, there was no reason to suppose they could offer equal facilities for communication with the interior. The same explorations which showed me that there was no suitable site for a town at the head of the navigation of the Adelaide River satisfied me that the land in the vicinity of the river was admirably adapted for settlement, comprising large tracts suitable for the cultivation of tropical productions, and high lands fitted for pastoral occupation. In accordance, therefore, with my instructions, which obviously contemplated the establishment of a settlement at Adam Bay [see my Instructions, 14th April, 1864, Parliamentary Paper 36, p. 2.;

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also, Mem. by Mr. Earl, p. 9.; also extracts from Letter and Journal of Lieut. Helpman, R.N., p. 9.; see also Letter from Lieut. Pascoe, R.N., 6th April, 1864, in Appendix], unless on examination it should appear unsuitable. I decided upon fixing the capital at Escape Cliffs. There is no point of my administration which has been more assailed than this, and there is none upon which I feel more confidence in the soundness of my opinion, and upon its being ultimately universally admitted to be correct. Since the choice was made, I have visited other places, which before I only knew from the published reports of those who had seen them, and I have fully explored Ports Darwin and Paterson, and I deliberately state as the result of my investigation, that there is no other place upon the coast hitherto visited, which offers a similar combination of advantages. Port Darwin, which is a magnificent harbor, is land-locked, and therefore unhealthy; Port Paterson is full of reefs and dangerous of approach; and the Victoria river is too difficult of access, and its navigation too perilous to form a port of call, or to be suitable for the first site of a settlement. In pronouncing this opinion upon the Victoria River, I only confirm from my own observation the reports of Mr. Howard, and others better qualified than myself to give an opinion upon its capabilities as a harbor, and I am sure that any one who may visit it in a vessel will arrive at the same conclusion. With regard to the productiveness of the soil at Escape Cliffs, I refer to the reports of the gardener [see Parliamentary Paper No. 15, p. 17, and Appendix], and I myself grew maize, melons, &c., in the immediate vicinity of the camp, and found it abundantly productive, and the Adelaide River opens up a spacious region of available country. The harbor of Adam Bay is accessible at all times, and offers secure anchorage in one or another portion in all seasons [see my Despatch No. 54, 19th June, 1865, Parliamentary Paper 83, p. 1; also my Despatch, 16th Oct., 1865, with enclosures, Parliamentary Paper 83, pp. 12, 13]. The place selected for the lower town affords a perfectly secure anchorage, and in some parts facilitates for landing from the ship's side at the present time, and throughout it offers equal facilities for the construction of wharfs, &c., to those which are furnished by Port Adelaide [see my plans of surveys; also chart by Capt. Hutchison, R.N.], and the distance between the two portions of the town is less than that between Adelaide and the Port. I remember the time when attacks as noisy and as reiterated as those of which I have been the subject, were made against Colonel Light, for the selection of Adelaide as the site of the capital of South Australia, and Port Adelaide as its port. Then, too, it was said that the land of the plains would produce nothing, and that the chief part of the suggested port was under water. The authorities by whom Colonel Light was appointed, however, supported him in his decision, and the event has shown the wisdom of their course; and I feel no doubt that the opposite course pursued by the Government in this instance, which has rendered useless nearly the whole of the expenditure, will ultimately, if persevered in, prove ruinous to the settlement.

The party left under charge of Mr. Manton, joined me on the 26th August. [See Journal, August 26th, 1864, Parliamentary Paper No. 89, p. 52.] On their arrival, other works necessary for the formation of a permanent depot were undertaken. The camp ground had to be laid out and cleared, the wells to be deepened and enlarged, and new ones sunk, and the stores to be housed before the rainy season. This was a time to which I had originally looked forward to be able to devote to the purposes of exploration. But I was prevented from availing myself of it by two causes: firstly, from the want of provisions, for I could not have taken out an exploring party without a proper supply of animal food; and second, the conduct of the officers. The three persons next in authority, and who must have been left in charge of the camp, were Mr. Manton, Dr. Goldsmith, and Mr. Ward. Dr. Goldsmith, whether ignorantly or wilfully, had already raised the absurd cry that the water was impregnated with copper, and therefore poisonous, which he actually disseminated among the men, and he plainly told me that he would do every thing to thwart my proceedings. Mr. Ward had been the person to prepare and move a rider to the finding of the Coroner's Jury, reflecting upon my choice of the site of the camp; and Mr. Manton had stood by while this was done, sanctioning it by his silence if he did not, as I can now have no doubt was the case, have a share in preparing it. And though this was the only overt act on the part of Mr. Ward, I had abundant opportunities of observing on his part, and on that of most of the other officers, the existence of a spirit of opposition, which made me feel that the utmost care and caution on my part were required to prevent the men from breaking out into open mutiny. I should not have ventured, therefore, to leave the camp in the charge of any one else for the purpose of exploring, even if I had had the requisite provisions for the purpose. I therefore remained at the camp, pushing on the work as speedily as circumstances would allow, and maintaining order among the party, until the return of the *Beatrice* with Captain Hutchison from Timor. Unfortunately, the state of Captain Hutchison's health compelled him to sail for Adelaide. I, however, availed myself of the opportunity to accompany him with the *Julia* as far as Port Paterson.

I then had an opportunity of seeing both Port Paterson and Port Darwin, and I was satisfied from my observation, that neither of these ports offered advantages comparable with those which were possessed by Escape Cliffs. I do not trouble you with the details of my inspection of these places, so far as I am aware, no person has suggested that either of them would be suitable for the site of the capital. On my return, accordingly, I determined to fix the site of the town at Escape Cliffs, and to survey the country land in the vicinity of the Adelaide.

At this time every person who had seen the land in the neighborhood of the Adelaide River, including Mr. Ward, Mr. Stephen King, and Mr. Pearson [see Mr. Pearson's and Mr. Ward's reports of July 27th and 28th respectively, Parliamentary Paper 89, page 3], so far as I was aware, entertained the same opinion with regard to the fertility of the soil and its suitability for the purpose of settlement that the Government had formed from the reports of others who had previously visited it. I know that opposite opinions have been since expressed, but I believe it is sufficient to appeal to the common knowledge of everybody, to say that a tract of land comprising more than half a million of acres, watered by a river deep enough for large vessels for more than fifty miles, and for light steamers for more than 100 miles from its mouth, in part consisting of swamp and alluvial flat and in part of low hills rising as they recede from the coast to an elevation of 800ft., must be a suitable place for a settlement. No one could for a moment compare the appearance of fertility presented prior to cultivation by the plains of South Australia from Adelaide to Clare, with that by the land in the neighborhood of the Adelaide River. Of course, I do not mean to say that better land may not be found within the limits of this Territory, though I doubt it, but it must be borne in mind, that my business was not to explore but to prepare for settlement. No better proof of this can be given than the following pages of my original Instructions [Parliamentary Paper No. 36, page 2, paragraphs 12, 13, and 14]. And this is confirmed by the passage in the Chief Secretary's Despatch of the 28th October, 1864 [Despatch of Chief Secretary, October, 1864, Parliamentary Paper No. 36, page 1], in which the Government assume that the site of the capital will, before that Despatch reaches me, have been decided upon, and that I should have proceeded with its survey. The main subject of doubt appears to have been whether it may not be necessary or advisable to form more than one town, a port and a capital at the head of the navigation of the Adelaide, or even a third. I was prepared for such a contingency, but I should have regretted its necessity, because in an infant settlement the establishment of two separate towns, at a considerable distance, appeared to me always to be avoided if possible, and especially was it to be avoided in a settlement whose resources were as small as those of the Northern Territory. However, for the reasons already mentioned, it appeared to me that it would be unwise to establish a town at or near the head of the navigation, or rather I should perhaps say, it appeared to me that so far as foreign trade is concerned the navigation of the Adelaide practically ceased with the Narrows, as no vessel would sail further up. And I believe that experience has shown that easy access from the sea is of more importance to commercial prosperity than anything else; and that while there would be no difficulty in bringing down the produce of the interior to the port of shipment in rafts, flat boats, or small sailing vessels, as used to be done at New Orleans and New York, there would have been a serious difficulty, if not an impossibility, in inducing foreign vessels to proceed fifty miles up the tortuous channel of the Adelaide, adding to the risks, and lengthening the duration of the voyage without any compensating advantage.

By the *Beatrice* I had a Despatch from the Government, to which it is necessary now particularly to allude, because it is part of the charge now made against me that I did not obey them. In that Despatch [see Despatch from Chief Secretary, 10th February, 1865, Parliamentary Paper, 89, pp. 61, 62, 63], I am informed that "the Government had previously [to being worked upon by a deputation of shareholders] determined not to approve of the site of Escape Cliff for the capital," and I am instructed "not to survey it as such." I call attention to these last words because, they show that while the Government did not approve of Escape Cliffs as the site of the capital, they had no intention of ordering its abandonment, or of forbidding me to survey it as the site of a township. But the Government even there do not forbid me to select Escape Cliffs as the ultimate site of the capital if, upon investigation

- gation a more favorable spot should not be found, for they go on to say:—"Certainly before such a site is selected, situated as it is on a narrow peninsula, far removed from the interior, in the neighborhood of swamps, not well supplied with fresh water, and deficient in building materials, a thorough examination of the sea-board and interior must be made, extending from Adam Bay to Port Darwin and Port Paterson, and, if necessary, to the Victoria River." It is obvious from this, that the Government would not assume for themselves the responsibility of deciding upon the site of the capital, or even of deciding that ultimately Escape Cliffs should not be the site. They, however, instructed me only to be satisfied with this, if after an examination of the sea-board, extending "if necessary," as far as Victoria River, no site possessing superior or equal advantages could be found. Under these instructions, and with the very strong impression which I had as to the ineligibility of the other places named, and with the knowledge that the coast had been so carefully surveyed as to leave no hope of finding any new harbor suitable for the purposes of foreign trade, it would have been a grave dereliction of duty on my part if I had altogether stopped the surveys at the cliffs. If a secondary town, it would still require to be surveyed, and should there be any settlement upon the Adelaide River, as was still the intention of Government, evidenced by their instructions to employ Mr. Manton and other surveyors in surveying rural lands there, as this place would necessarily be the site of a town of some kind
- No. 77. [see Despatch, 10th February 1865, Parliamentary Paper 89, p. 64]. This Despatch reached me in April, at the close of the rainy season, when all work in the open air is still difficult, and when, owing to the nature of the country, intersected by streams and swamps, exploration by land is almost impossible, I had previously in spite of all obstacles, succeeded in getting the surveys advanced, and the work was proceeding slowly, but as regarded the results, satisfactorily, in spite of the weather. I had been in fact induced to urge on the surveys, at a time when my own feelings would have bid me to spare the men the exposure and risk of this work, in consequence of the Despatch of the Government, of the 28th October, 1864, which reached me in December, at the commencement of the rainy season, and in which they appear to assume, not merely that I should have definitely fixed the site of the capital, but should have proceeded with its survey. As I had been prevented from doing the latter before the receipt of their Despatch, I was most anxious not to lose any time in pushing on the surveys, so soon as the other more necessary works were completed. But having done this, I did not feel justified in abandoning the surveys, and thus render useless all the time and expense previously devoted to the object, but I diminished the scale of the townships to be laid out, making, however, such reserves as would allow of the enlargement of the survey to the full dimensions of the proposed capital, in the event of the Government being led, as the result of fuller investigation, to alter their decision with regard to its site.
- It is not necessary for me to enumerate in detail all the steps that I then took. As soon as the survey of the town on the smaller scale was completed, I employed Mr. Manton in the survey of rural sections on the Adelaide, in accordance with the instructions from the Government. [See Despatch 10th February, 1865, Parliamentary Paper, No. 77. No. 89, p. 61.] I took steps for the exploration of the country between the Adelaide and Port Darwin, and I visited in the *Beatrice* successively, Port Darwin, Anson Bay, where I discovered Daly River, Port Keats, and the Victoria Rivers, only looking at Port Paterson in passing, for that was known to be too unsafe for the object.
- No. 78. The result of these investigations was communicated to the Government—[see Despatch, 1st September, 1865, No. 79. Parliamentary Paper, No. 83, pp. 8, 9; Despatch, May 2nd, 1865, Parliamentary Paper, No. 15, p. 13]—and in my first Despatch after the receipt of the Despatch of the 10th February, I detailed fully my examination of Port Darwin, and subsequently suggested to the Government four places which were the best adapted—[my Despatch, No. 80. No. 60, 31st July, 1865, Parliamentary Paper, No. 83, p. 6]—I might almost say the only sites adapted, if rural land was to be laid out at the Adelaide River, for the site of a capital, pointing out at the same time the advantages and disadvantages attached to each. I have already stated that the result of these more detailed investigations, and of my visit to the Victoria River, confirmed my opinion of the superior advantages of Escape Cliffs and of the Adelaide River, and I beg to refer you to the marginal references to my Despatches, to show the reasons of that opinion. [See my Despatch, 10th August, 1864, Parliamentary Paper, No. 89, p. 5; also my Despatch, 10th No. 82. August, 1864, Parliamentary Paper, No. 89, pp. 4, 5; also of 6th October, 1864, Parliamentary Paper, No. 89, No. 86. pp. 41, 42; also my Despatch off Port Paterson, say 11th October, 1864, Parliamentary Paper, No. 89, p. 44; also No. 83. my Despatch, 8th December, 1864, Parliamentary Paper, 89, pp. 57, 58; also my letter to Agent-General, No. 59. 9th December, 1864; also my Despatch No. 36, of 15th April, 1865, with enclosure of 19th December, 1864, No. 84. Parliamentary Paper, No. 15, p. 1, 2, 3, 4, 5, 6; also my Despatch, No. 41, 1st May, 1865, Parliamentary No. 85. Paper, No. 15, pp. 10, 11, 12; also Mr. Howard's Report, 1st May, 1865, Parliamentary Paper, No. 15, p. 18.] As I No. 86. was necessarily absent from the settlement in making these explorations, and as supplies were necessary to be procured for the health of the party, I determined on myself proceeding in the *Beatrice* to Timor. In doing this I had two objects: the first was to save the time that would be occupied if the *Beatrice* had returned to land me at Escape Cliffs instead of proceeding direct from the Victoria, which it was even doubtful if Mr. Howard would have done, since it might, with the westerly winds then setting in, have caused a delay of a month at a time when his crew were attacked with scurvy; and in the second place, when the *Beatrice* had gone before, she brought very inadequate supplies, and when the *Yatala* was sent under the charge of Mr. Davis, she was wrecked. I should, no doubt, be absent from the settlement for a fortnight longer, but the larger part of the expedition was employed with Mr. Manton up the Adelaide River, engaged in work of surveying, and I had placed the party at the depôt in a position of perfect security, and had confidence in Mr. Clement Young, my third officer—[see G. O., No. 147 Appendix]—whom I had appointed to the charge of the camp there, and whom I had furnished with full instructions how to proceed during my absence. My mission to Timor was successful. I procured supplies which were of the utmost importance to the party, and I found that, with the exception of several cases of scurvy and a general feeling of depression, that were occasioned almost solely by the want of animal food, which had again failed, and the inadequate nature of the sustenance for some time past, all had gone on well. The supplies which I bought had a great effect in restoring the health and spirits of the party.
- I have throughout all that I have yet written abstained from reference to the conduct which I pursued with regard to the natives, because I was desirous of keeping that part of the subject separate from the other; and I now proceed to say a few words upon that topic. My instructions required me to exercise the utmost forbearance, and only to have recourse to arms when absolutely necessary for self-defence, and I was most anxious to carry out those instructions. In our early intercourse with the natives, I endeavored, by the most scrupulous forbearance, and by kindness and liberality to win their confidence, and to establish friendly relations with them, but without success. It was obvious that they resented our occupation of the country, and that nothing would restrain them from stealing. And their numbers and strength, and the nature of their weapons, and the nature of the country, made them formidable enemies. From the first, therefore, I took precaution, which have been represented as unnecessary; but which experience proved to guard against surprise, by having a sergeant of volunteers and three men always on duty, and by having a sentry to watch the camp day and night. While Mr. Manton's party were engaged in moving down stores to the river bank for shipment on board the *Yatala*, in order to their removal to the depôt, at Escape Cliffs, a distance of about 200 yards, a party of the blacks plundered the stores in the face of the sentries whom they intimidated by threats of spearing them, and were only driven away by being fired on by others of the guard; but who were threatened by Mr. Pearson, who came up at the time, for having used their firearms to prevent stealing. [See Evidence, questions 1544, 4386.] Afterwards, when the sentries were withdrawn, the blacks renewed their plunder of the stores, and there was a general feeling of apprehension that an attack would be made during the night, which induced Mr. Manton to keep the whole party on guard during the night, partly at the camp and partly at the river side with stores. In the morning a party was sent to recover the stolen property, with instructions not to fire on the natives on any account, only to save the lives of themselves and the cattle. This party was attacked by the natives—Mr. Pearson was unhorsed and wounded, another of the party was struck by a spear and disabled, and two horses were speared. The noise of the conflict brought a party to the rescue, and one of the natives was shot by Alaric Ward, when the whole party of natives retreated. The result of this expedition showed that four men on horseback, well armed and dispatched to recover stolen property was attacked, and probably would have been all killed by the natives, had it not been that the attack was made sufficiently near to the camp to allow of the rest of the party coming forward to the rescue. As it was, the result of the affray was such as to impress upon Mr. Manton and the officers of his party so great a terror of the natives [see Mr. Manton's letter, August 13, 1864, Parliamentary Paper 89, p. 17], as to lead him to object to dispatch Auld with five men, whom I had directed to be sent to be employed at the depôt
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depôt at Escape Cliffs, and even to send away the doctor. Under these circumstances I proceeded to the River Camp in the *Yatala*, and brought off Mr. Manton and his party. In a little less than a month after this—on the 4th September—a party of natives made their appearance, some painted white, which is the mark of mourning, and that they have a death to avenge, and some painted red, their war paint. They were recognized as belonging to the same tribe which had made the attack on Mr. Pearson's party, and it could scarcely be doubted that their intentions were hostile. On the 7th September, one of the horses came into camp with a spear sticking in his hock. A mounted party was dispatched to bring in the cattle, and it was found that another horse had been speared in three places. It was obvious from this that some decisive measures must be taken. Neither property nor life was secure so long as the natives were lurking in the neighborhood of the camp, and neither the work at the camp, nor the task of exploring or surveying could be carried on. It was a position of very great difficulty for me. To remain on the defensive, as I had hitherto done, was to encourage the natives, by securing them complete impunity, for they could choose their own time for attack and plunder, and would be secure of immediate shelter among the trees and long grass, and of escape, before they could be effectually followed. I might, no doubt, have proceeded in forms of law. I might have had an information sworn before me that certain property had been stolen from the camp, and was supposed to be in a hut or huts belonging to certain natives, whose names were unknown; and I might have issued a warrant to search for the goods, and, if found, to take into custody the owner of the house or place where they were concealed. But apart from the mockery of such a proceeding as applied to natives ignorant of our language and our laws, and independent of our authority, though possibly by a fiction of law, amenable to the tribunals of the Colony, what was to be the result of such a course? Who was to identify the owner of a hut, supposing the stolen property should be found in one—so as to justify his arrest? And, if the property was found exposed on the ground, or being up in the branches of trees, who was to be held responsible? And here, if these difficulties had been overcome, and an arrest had been made, what was to be done with the prisoner—where was he to be kept—upon what evidence was he to be committed—and how was he to be transmitted to Adelaide for trial? It appeared to me that to attempt to deal with these men as I should have done with British subjects in a place where the law was peacefully administered was not merely absurd in principle, but even certain to result in complete failure; and that my only course was to treat them—as what, in fact, they were, as outlaws, and that they were to be made to feel that our previous forbearance had not been, as they would imagine, the result of conscious weakness, but that we possessed the power to defend ourselves, and to attack and punish those by whom we were assailed or injured. The Government had sent the party to occupy their territory without regard to their wishes, and if we were to remain there we were to overcome their hostility; and this, as we had proved, could not be done by means of conciliation and forbearance. It only remained to attempt the other method of teaching them to respect us by making them feel our power. Impressed by these considerations—knowing the responsibility which I incurred, but believing that the course upon which I at length determined was the only safe and prudent course under the circumstances, I dispatched an armed party of sixteen men under charge of my son. I have been blamed for this selection, because of his youth, and his relationship to myself; but when the safety of the party and very possibly the success of the expedition depended on my choice, I had no other feeling than to select a person whom I could trust, and whom his followers would willingly obey.

Of my officers, Mr. King and Mr. Pearson were ill, and Mr. Davis, even if I had considered him suitable, was fully occupied during Mr. King's absence, by his duties as storekeeper—the stores being then scattered and in process of being moved. Mr. Manton and Dr. Goldsmith were out of the question—the former from my experience of his management of the party during the affray at the River Camp, and the latter from his avowed hostility to myself and his expressed determination to thwart all my proceedings. And Mr. E. Ward had already shown that spirit of insubordination which led to his removal a few days after, and in other respects was altogether unsuited for the task. There remained then only four young men, Messrs. Hamilton, Wadham, Watson, and Bennett, who had neither the training to enable them to lead a party of armed men, nor the confidence of the men whom they would have had to command. In these respects my son was well-qualified, since he had been accustomed to drill the men, who were thus used to obey him, and who had a confidence in him which led them willingly to accept him as their leader. I would not fetter him with written instructions, but I told him that he was, if possible at all hazards, to get in contact with the natives whom he must treat as armed bushrangers and felons, and pursue and capture, or kill if he could not capture. In giving these instructions, I fully realized the possibility that they would lead to the killing of one or more natives, and I deliberately accepted the responsibility. In fact, matters had arrived at such a state that it was absolutely necessary to prove practically to the natives that we were the more powerful, or to abandon the enterprise. I was compelled, in obedience to my instructions, "to show the natives that while anxious to gain their goodwill by kindness and judicious liberality, I was able to repel and punish aggression." The former had been uniformly tried in the first instance, and it had resulted in open organized plunder, and a murderous assault upon the party sent out to recover the plundered goods. The check which the natives had then sustained had made them more cautious but not less aggressive, and it only remained to try the effect of a display of force directed expressly to their capture or death. I had no fear that any wholesale slaughter would ensue—in fact, I thought it more probable that the whole would escape; but I relied upon the demonstration as showing them that we had the superior power and that we were determined to use it for our own protection, and thus to awe them into quietude, if not into submission. It was not for me to inquire whether or not we had the right to enter their territory and to occupy it against their will. I had been sent there for the purpose of forming a settlement, and I could not allow myself to be defeated by their hostility. Perhaps the best way of making my position intelligible will be to ask you to suppose that instead of those natives, a party of bushrangers, driven from New South Wales, had established themselves in the Northern Territory, had plundered the stores of the expedition, fired upon a party sent to recover them, wounding two, and had afterwards lurked about shooting the horses, stealing everything they could lay their hands upon; would it not have been my plain duty to send an expedition against them without the formality of a warrant, for who was to identify them, and to drive them off the place—giving them such a lesson as might make them feel that it was no longer safe to remain in the neighborhood? And when the natives had actually done all these things was not my duty the same? If there had been on the part of any member of the expedition any outrage or injury against the natives; had they been wronged in a single particular, so that their conduct might have been attributed to a desire of obtaining redress or revenge, the case would have been different. In that case I would have done my utmost to pacify them by making them see that we sympathized in their wrongs, and were willing to punish the wrong doer. But nothing of this sort occurred. I firmly believe that there was not a single act of which they could complain on the part of any member of the expedition. The only act which for a moment bore such an appearance was that some of the crew of the *Henry Ellis* thoughtlessly took some spears which they had found. But these were immediately returned by my orders to the place from which they had been taken, with some presents added to compensate for the taking. With this single involuntary exception, their property and persons were uniformly respected; and more than this, our forbearance in allowing them to plunder without retaliation was carried to the very verge of weakness. It was in fact only when it was shown that the objects of the expedition, the exploration and survey of the country, and even the very safety of the party were at stake, that I determined upon the measures of reprisal which have since been so seriously questioned.

The measures adopted by me proved effectual—at least, for the time. It was nearly eight months before any of the tribe again showed themselves in the neighborhood of the camp at Escape Cliffs, and they were then emboldened to return by their having been admitted on board of the *Beatrice*, which, in accordance with their customs, they appeared to regard as condoning the past, and hence of assuring them of immunity in coming into our vicinity; and by this time we had learned the view taken by the Government of the previous action on my part, and were not prepared to encounter the risk of driving them away again.

It was suggested by Mr. Rymill that the unhappy death of Alaric Ward was the result of the reprisals which I ordered. To what, then, does he attribute the intended murder of Mr. Pearson and the remainder of his party? The fact is, that the natives will not, except under the influence of fear, tolerate the presence of any white settlers among them; and they will always be ready here, as they have been in every settlement which has been formed or attempted in the region, to slaughter any defenceless member of the party who may be away from the rest, or to attack the party itself if it is found off its guard. I may refer to the attack upon Admiral Stokes, who was speared

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by the natives without provocation, and without communication even with them, and only saved by the arrival of a second boat's crew—to the attack made upon two of the officers of the same ship at Escape Cliffs—to the account given by McGillirray of the continued hostility of the natives at Port Essington and Raffles Bay, which was only terminated when, by the slaughter of many of the tribe, they were made to recognize the superior power of the settlers—to the circumstance that Gregory was compelled to fire on the natives—and, more recently, to the murder of a party of wrecked seamen from a Swedish barque who had landed at Port Essington, in the hope of finding a British settlement there—and, later still, to the circumstance that the settlement at Cape York had been attacked by the natives, who were only repelled after there had been a loss of life on both sides. I am sure that if a settlement is to be established in the Northern Territory it will be necessary to the security of life and property of the settlers that the natives should be made to feel the power of the Government to repress and punish aggression, and this can only be done by means similar to those which I employed.

In the statement which I have thus made, I have endeavoured to refrain from all remarks not necessary to my own defence against the charges which you are appointed to investigate, and I have referred to the conduct of others only so far as it appeared requisite for this purpose. I have no desire that my own vindication should degenerate into an attack upon my assailants, however just such a course might be. I will only add two remarks. The first is, that the reason assigned by the Government for recalling me is the Chief-Secretary's Despatch of the 21st September, 1865 [see Despatch of Chief Secretary, 21st September, 1865]. "That the delay in taking steps to ascertain the nature and capabilities of the country, is most apparent in the inaction which took place after your party had been so considerably augmented by the arrival of the steamer *South Australian* in December last, from which time until April following, when you received my letter of the 10th of February last, complaining of your want of energy, scarcely anything had been done towards advancing the settlement of the country," is not now made one of the charges against me. And indeed how could it be, when Mr. Jefferson Stow has stated in his evidence, that during the rainy season it is impossible to explore—and the period referred to in that Despatch was within the rainy season. [Mr. Stow's evidence, questions 1394, 1395.] And the second is, that the instructions given by the Government to Mr. McKinlay afford practically a full justification of my procedure, so far as the selection of a site at Escape Cliffs is concerned. It will be remembered that my task was to prepare for the establishment of a settlement, and my instructions directed me in the first instance to visit Adam Bay and the Adelaide River, and if I failed to find a suitable place there, then examine various specified localities to the westward; and it was only in the event of my being unable to find any fit site in that direction that I was to examine the country to the eastward. But if now, after the added knowledge of two years, the Government find that they cannot decide upon the proper site for settlement, so that they are compelled to suspend the whole work until the interior of the country is explored, can I properly be blamed for selecting an unfit site, even if that were shown to be the case? The Government have admitted, wrongly as I believe, that not one of the sites to which they directed my attention, and at one of which they expected me to establish the settlement, is fit for the purpose, or why send Mr. McKinlay in another direction to explore; and they therefore admit that I could not have selected a better site without undertaking the work of exploration, for which neither the organization of the party, nor the means at my disposal were adapted. If, indeed, the Government had fixed upon a spot for settlement, within the district primarily referred to in my instructions, that I had overlooked or rejected, they would be justified in now asking you to condemn me for want of judgment or for disobedience of orders; and if they had satisfied you that the spot thus selected possessed advantages superior to those at Escape Cliffs, I must have admitted the justice of the censure. But their instructions to Mr. McKinlay practically admitted that between Adam Bay and the Victoria no such place exists. They point out defects, or what they allege as such, in the site selected by me, and no person has attempted by any statement of the comparative advantages to show, that any other place would really be more suitable. If, then, the Government are right in the course which they have now taken, they were wrong in that which they originally pursued. If after the experience of two years, exploration of the interior is now necessary, they ought not to have relied upon the statements which navigators and explorers had made; and they should have refused to send out a surveying party until both the coast and the interior were explored, and it had been ascertained whether or not a place existed which was suitable for settlement. And I may remark, in passing, that if this had been done, it is most probable that the Adelaide River would have been the site selected; for the first impression produced by the harbor, the river, and the land in its vicinity upon all who have seen them, including the members of my own party, was in a high degree favorable. It was not until some time after we had been established there that this opinion became altered in the minds of some. But, assuming it to have been an error to undertake the task of settlement without previous exploration, am I in any way responsible for that error?—had I any share in determining the course of the Government? Assuredly not. I had nothing to do but to obey my instructions to the best of my judgment and ability, and that I have done. There may, no doubt, have been errors of judgment in matters of detail, for it is impossible to escape such. I feel, too, that I may, under the pressure of difficulties, have been impartial, or even petulant. I may not at all times have made the requisite allowances for others; and, if so, I can only repeat my regret at the occurrence, and ask you to remember how impossible it is for any one at all times to guard himself against such errors. But I can honestly affirm that I gave up my whole time, thought, energy, and judgment to the undertaking; and, having well weighed all the objections that have been urged, I still believe that the choice of a site for the capital and for the settlement will ultimately prove to be the best.

It is matter of sincere regret with me that an enterprise so important, and which, in spite of difficulties and opposition had been carried through so far by me as that, if my proceedings had been confirmed, the work of settlement might have been commenced six months ago, and the whole country land might have been surveyed ready for selection within about a year from this date, should now be exposed to the imminent risk of failure by the course which the Government have decided upon taking, ill-advised and needless as I believe that course to be. It was no part of the plan of the Government, nor was it implied in the terms of sale, that the purchasers should be guaranteed absolutely the best site in the territory. The territory was to be settled on the faith of the reports of previous explorers. It was upon these reports that the Government and the purchasers alike relied. And all these pointed to Adam Bay and the Adelaide as the most suitable locality. Relying on this universal testimony, the Government gave me my instructions. And has not the event justified them? Assuming the truth of all that has been said against the site at Escape Cliffs, is it not nevertheless the fact that there is a healthy site for a town, a secure harbor admirably situated for foreign trade, and which must be the point of mail and telegraphic communication with India and Europe, and a river affording means of laying open the interior? And there is practically an unlimited tract within which to survey land. It is known that in the two former particulars no part of the coast to the eastward affords equal advantages; and there is no reason, that I am aware of, for supposing that the land in the interior in that direction is of a more fertile or available character—what ground has the Government for believing that the country in the neighborhood of the Liverpool or the Roper is superior to that on the Adelaide? And yet, upon the mere chance that this may prove the case, they have decided to stop the surveys which they had in so many words directed me to undertake—[see Despatch of Chief Secretary, 10th February, 1865, p. 64, Parliamentary Paper 89]—thereby rendering the expense already incurred for the purpose almost useless; for, before these surveys could be resumed, their traces would be nearly or quite obliterated, and postponing for an indefinite period the fulfilment of their engagements to the purchasers of land. And whatever may be Mr. McKinlay's report, what course are the Government going to adopt? If he recommends another site, are they to transfer the party thither, and recommence the work of survey, and of preparation for settlement, and out of what funds? If he fails in discovering a district for settlement comprising the three essential requisites of a healthy site for a capital, a secure and accessible harbor, and easy communication with the interior, are they to abandon the enterprise—and in that case, what answer are they to make to the purchasers of land, whose money they have received and expended, on what they will then admit to have been an ill-considered and fruitless undertaking? I ask these questions, because they are necessarily suggested by the present inquiry, and because my reputation is, to some extent, involved in the result of the undertaking. Whether the settlement, if formed, could have succeeded without arrangements for the introduction of Chinese or Coolie labor—whether Europeans would have been able to labor with safety in such a climate, may be, perhaps, doubtful; but at any rate, if my acts had been confirmed by the Government, there would have been a port through which the needful labor might be produced, and a field in which the settlers might exert their energies. And in the Northern Territory, as formerly

in South Australia, it would have been easy to have allowed those who were dissatisfied with the land offered for selection, in the first instance, to suspend their right of choice until some of the locality which they might prefer had been discovered and surveyed for selection—thus to do full justice to them, without in the mean time causing delay in settlement.

It is true that I do not anticipate that the Northern Territory will become useless. It is very probable that Mr. McKinlay—who is understood to be the agent for numerous purchasers as well as the servant of the Government—may discover other districts besides those which are already known that are suitable for pastoral purposes, and thus furnish a wider field for the growth and export of wool and stock; and for that purpose, perhaps, it may be immaterial, or even advantageous, that the country is not occupied by an agricultural population. But, even then, I believe it will be found that Escape Cliffs will be the site of the town and Adam Bay the place of export. So far, however, as concerns the formation of a settlement, such as that originally contemplated by the Government, and the fulfilment of their undertaking to those who purchased town and country lots upon the faith that such a settlement would be established, I fear that their recent action has destroyed all prospect of a realization of that project; and for my own sake, as one of those purchasers, and for the credit of the Colony, I regret that this should be the case.

I have now concluded. I feel that I have very imperfectly stated my own case, but trust that I have not omitted any important point; and I fully rely upon your report to vindicate me in all essential particulars, and especially in what I feel to be the most important of all—the selection of the site of the settlement.

B. T. FINNISS.

Adelaide, 10th May, 1866.

The statement was ordered to be printed.

Mr. Rymill requested that his statements should be printed also. The Commission assented.

Mr. Rymill stated that he should be prepared to make a reply to Mr. Finniss's defence on the following day.

The Commission adjourned until the following day at half-past ten a.m.

Friday, 11th May, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode

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Mr. Bright.

The minutes of the previous meeting were read and confirmed.

Mr. Rymill made the following general reply on behalf of the Crown:—

Mr. Rymill said—Gentlemen, it has now become my duty to reply to Mr. Finniss's address and Mr. Finniss's evidence, and in doing so I may have to refer to the evidence I have placed before the Commission as being contradictory to what he has brought forward. Mr. Finniss, in his defence, has to a great extent, ignored the charges against him. He deals with the case in a general manner, blaming his officers and men, and the Government for their instructions, but he does not attempt to rebut the evidence on four of the charges. He ignores it altogether, although the question to be decided is whether those charges have been supported by what the witnesses have said. Mr. Finniss's statement, as well as what I may say, goes for nothing in the way of evidence. He states that in the course of the inquiry I have introduced trivial matter. Now how could I prove the first charge—mismanagement of the party—except by finding out instances in which the Government Resident has conducted himself in a way calculated to bring his command into contempt, to lower himself in the eyes of the men, and weaken the authority which his responsible position ought to have given him? These things I have proved, and they have not been contradicted. For example, in his treatment of Mr. Ward, with respect to his letters, he says he had no intention of insulting him; but what could be more insulting to him than to accuse him of fingering his letters? Then, again, it has been shown that he charged Mr. King, in presence of others, of telling a lie, that he called Howe a thief, that he called Warland a thief, and that he said to Packard, "There are no swamps; it's a lie, sir." Again, in his address, he had stated that Ware was suffering from *delirium tremens*, whereas Dr. Goldsmith had said that he was not, but from the effects of exposure. And yet Mr. Pearson was condemned for risking the life of Roberts in sending him to fetch a doctor. Then Mr. Finniss alleged that the men who joined the expedition as laborers had no intention to work, but only went to the Territory in hope of obtaining promotion. If that was the case, an opportunity of affording them promotion was given him. But what does he do? When Hulls, who was sent up as a laborer, comes, because he was said to be a reporter, he places him over Roberts and Hake, members of the first party, who had done their duty honestly and straightforwardly, although he had made a memorandum to bear them in mind. This was a cause of dissatisfaction to the men, and a proof of want of management on the part of the Government Resident. Then, in respect to the destruction of stores, Mr. Finniss states that he had to go to the river camp. He lands the things brought by the *Henry Ellis* there, although he must have known that water had been found at Escape Cliffs, to which place he removed two months afterwards. He says that he used all dispatch in the discharge of the vessel, to save the payment of £460, which would become due on the detention of the vessel; but had he shown a little more judgment in the selection of a camp, this £460 might readily have been saved. Had the dépôt been formed at Escape Cliffs, there is little doubt but the *Henry Ellis* might have been dispatched before her lay-days expired; but, instead of that, he passes by the very place to which he subsequently returns, and for no reason either, for water was known to exist at the very spot beyond which they carried the stores. Thus a two months' delay and injury to the stores in transporting them from one place to the other were necessitated. Mr. Finniss has tried to prove that the stores were housed, whereas Mr. King states that they were not stored between September and May, and Mr. Stow also gives evidence that they were not stored when he left. My witnesses concur in saying that the stores could have been built in from fourteen days to six weeks, and one of the witnesses called for the defence states that they could have been erected in two months. So it is clear that, if proper orders had been given, they might soon have been put up. And who is to blame in this matter? The Storekeeper wrote to the Government Resident upon the subject, but he took no steps to supply the want of stores. Mr. Finniss, in his defence, does not deny these things. With regard to his conduct towards the men, he says he regrets it, and no doubt most of us when we do wrong regret it; but where a man acts improperly, he must put up with the penalty of his wrong doing. Then, the charge of breach of instructions is ignored altogether. The first direction to him is that they should "endeavour to foster friendly feelings" amongst the men, while the evidence proves that he did nothing of the sort. He leaves the Colony with a strong prejudice against one officer, whom he considers not fit to hold any place under the Government, and from the evidence it will be seen how he conducts himself towards the rest of the party. Another of his instructions requires him to take care of the stock; but it is in evidence that some of the sheep were smothered in the hold before the vessel sailed. He must have known from his experience, that he ought to have reported this circumstance, and that the Chief Secretary, the head of the department, was the proper person to address. Nothing of the kind, however, is done. He leaves the stock in this state, and is it to be wondered at that after the expedition landed they run short of provisions. If ordinary foresight was not exercised, how could it be a matter of surprise that the supply should fail. Mr. King informed the leader of the party of the state of matters, and so far as we know no notice was taken. Next come the instructions with regard to laying out the township. It is true that they direct Mr. Finniss to go to Adam Bay; but if a suitable place for a town was not found there he was to examine the country from the Victoria River to the Bight, avoiding Port Essington and Raffles Bay. There can be no doubt that the evidence proves Escape Cliffs not to possess the capabilities required by the instructions. The absence of stone and timber, and the smallness of the tract of available land, show that it has not the requisites pointed out. In respect of the natives, the Government Resident was told to maintain a friendly attitude towards them, and on no account to proceed to extremities

extremities unless the personal safety of the party was endangered. That is a separate charge, and therefore I will not go further into it at present. Then the last breach of instructions consists in the fixing of a site for the capital, although asked to desist. This matter must be left to the Commission, who will be able to form their own judgment from the despatches put in. The third charge is, "That without previous examination of the country, and contrary to the opinion expressed by the Government," &c. As to that we know what was the extent of the explorations made. The first was to the Beatrice Hills, the second to the Narrows and Julia Plains, and the third by a foot party. Their was another occasion, indeed, in which Mr. Finnis stated that he went to examine Port Darwin and Bynoe Harbour. It is in evidence that he left Escape Cliffs on the 8th September, arrived at Port Darwin on the 10th, that he went on shore, and stayed for a short time collecting specimens of talc, &c., and then went on to Bynoe Harbour, which he reached on the evening of the 11th. On the 11th also he wrote to the Agent-General, stating that he had seen these ports, but his hurried inspection could not be called an exploration; and how could it be said, on the strength of it, that Port Darwin was not suitable for the site of the settlement? It is hardly necessary, indeed, for me to recapitulate the evidence showing that the examination was inadequate. Then the following portion of the charge, of which I have already given the commencement, was that the Government Resident acted against the advice of his surveying staff. All the witnesses state that the members of staff disapprove of his selection. We have had the evidence of Mr. Hamilton on the subject, also of Messrs. Pearson and McMinn, and we have the hearsay testimony of Mr. Manton and others. Even Mr. Finnis's witnesses could not say that his action was approved, so that that part of the charge is uncontradicted. Then, as to his going against the advice of the agents of land-order holders, we have the letter written by Messrs. Stow, Stuckey, and Bauer before us, and its direct and *bonâ fide* contents were borne out by all the evidence. Mr. Finnis says Mr. Stow had his mind made up when he went there. Mr. Stow asserts this to be utterly untrue. He went out entirely unbiassed to act as best he could for his constituents. He gave expression to his objections, and they were put in writing, and are now before the Commission. The agents acted honestly and straightforwardly, and refused to take out sections which were under water and utterly unfit for holdings, as Mr. McKinlay describes them. The fact of the country being swampy Mr. Finnis ignores, although the witnesses all agree in their statements on this point. One of those, called by himself, says that the swamps extend almost from one end of Chambers Bay to the other. Then there is Mr. King's evidence, that of Palmerston itself, during a certain period of the year, one and half mile is under water, leaving only half a mile of available land; that the Cliffs can only be avoided by traversing a narrow neck of country, the rest being all untraversable in the wet season. One man states that there is no stone, others that there is a kind of rock obtainable, but there appears to be nothing which can be called good building material. The timber, moreover, which is affected by the ants, is small and hollow, and unfit for building purposes. As respects the rural lands, it is sufficient for me to refer to Mr. Manton's report, which represents them as being unadapted for occupation owing to their being under water. That gentleman was the second in command of the party, and his statements we are bound to believe. Mr. McKinlay likewise says that any settlers there would be swept off—that they could not remain during a flood. Mr. Finnis's own statement in his defence bears out the accounts of Mr. Manton and Mr. McKinlay. He says, "I have already stated that when I first established a camp on the Adelaide, I was in hopes to have selected the site of the proposed capital in some position up the river. My instructions pointed to that locality, and I concurred in the opinion of its advisability, assuming that suitable places for the purpose must exist. The exploration that I made, however, satisfied me that there was no place which could be selected for the purpose capable of being made available with the means at the disposal of the Government, since all of the high grounds were separated from the river by swamps, which would be impassable in the rainy season without the construction of a causeway." Then take the evidence of Mr. Finnis's son. He is asked, "Could you find ten square miles of available dry country on the Peninsula?" He replied "Yes;" but it must be remembered that that Peninsula is twelve miles long and eight miles broad, tending to a point. Taking the whole area at fifty square miles, it will be seen that forty out of that fifty are worthless. As regards the natives, I can say very little. We have had it in evidence that there was an assault upon Mr. Pearson, and that a native was shot, so that it appears that the blacks got the worst of the arrangement on that occasion. Passing on another month we find nothing on the subject except the record of some thieving, and of the spearing of some horses. This last act seems to have been the last feather which broke down Mr. Finnis's forbearance. He ordered out a party to go out and attack the natives, and I would say nothing of its proceedings, as they are detailed in the evidence. It is strange, however, that Mr. Finnis, in explaining why no officer was sent out in charge of the party, should have stated that Mr. Davis could not go because of his duties as storekeeper. It was undoubted that he had the full confidence of the men, and it was out of the question to urge that he could not have left the stores for three or four hours. Far better to have let them rot on the ground than jeopardize our position in the settlement by putting an incompetent person in charge of the men. And no one can say what the result of the sally might have been. The evidence, at all events, shows that the officer in charge had no control over the men, and was unable to maintain discipline among them. The orders in reference to shooting the blacks I need not repeat; but as Mr. Finnis was directed not to proceed to extremities except for personal defence, it is clear that he exceeded his instructions. The natives made the same sort of inroads there that they always make, and with forbearance and care there is small reason to doubt that hostilities would have been averted. I have said before, and I will say again, that the accumulation of provocation given the blacks was, in my belief, the direct cause of Alarie Ward's death. I consider that it is only a fair inference to draw that their attack was simply in retaliation for what had been inflicted upon them. As to the charge of putting his son in command, I think I have shown that it was quite unnecessary, and that it exhibited a want of taste for the Government Resident to place his own son, who was a chairman, over the heads of Mr. Manton, Mr. Davis, and other officers. His own witnesses refer to the natives as being as peaceable as those about Adelaide. In respect to the charge laid against Mr. Finnis for leaving the settlement for Timor, there is in the defence nothing whatever to answer. Any one might have gone as well as himself; and the fact of his going without telling any one of his intentions was to be borne in mind. His son even was not positively aware of it. He simply gave certain instructions to Mr. Young, and stated that he purposed exploring the coast. What would have been the consequences supposing any difficulty had arisen? Supposing his ship had proved unseaworthy, and he had been unable to return, what would have been the result? He might have been absent for three or four months; and what would have been the state of the settlement in the mean time, irrespective of the circumstance that he had committed a breach of his instructions? I must now refer to the evidence Mr. Finnis has brought before you. He has thought proper to state that Mr. Stow has been acting against him by advising and talking to me in reference to this investigation. I can only say that Mr. Stow has not done more than any other gentleman would do. I was placed in a very awkward position. I was in England when these despatches were published; and when I asked Mr. Stow for information he has given it me, and has enabled me to put the case before the Commission in a clearer light than I could otherwise have done. He has not assisted me in any spirit of animosity, but has merely explained certain points to me, and I feel obliged to him. The first witness called in defence, that I will speak of, was Mr. Finnis's son. His evidence was that of a son on the part of his father who is on trial. I will say no more about him. Then there is Mr. Litchfield. He went out as a labourer; he was advanced to be storekeeper, and afterwards was made Inspector of Police with an increase in pay of 4s. per diem. Mr. Finnis had no more right to appoint him to that office than I have, and anything he did in the capacity of Police Inspector is illegal. Still there must have been some reason for creating that post, and I say that the evidence Mr. Litchfield gave must be received with great caution, as he has been in a manner paid for it. Next come Fitch and Reid, two seamen, who, without hesitation, gave their evidence as to the agricultural capabilities of the soil, as if they had been acquainted with the subject of tillage from childhood. Then comes Lloyd. He went out on an exploring expedition at the very best period of the year, and he writes a favourable report of the country, which finds its way into print, and consequently he feels committed to it, although at another season the aspect of the territory he traversed would probably be very different. Baker's evidence follows. This witness was at variance with the whole party on the ground that he carried tales to Mr. Finnis. He says that his life was threatened, and expresses wonder that he is alive; and it is only fair to assume that most of his statements given in contradiction to the Government witnesses were induced by pique and spite. As to Murray, I say nothing; his evidence is of little value. The last witness is Baumgartel, Mr. Finnis's steward. He nullifies the force of his assertions altogether by his last answer to Mr. Bright, to the effect that drunkenness did not prevail at the settlement; whereas its presence

is admitted on all hands, and was even made the subject of a General Order by the Government Resident. No one else is produced for the defence. The evidence of Messrs. King, Stow, Stuckey, and Pearson had been left entirely unanswered. Comparing the credibility of the witnesses on either side, those called by the Government far outweigh those produced for the defence. Mr. Finniss's choice, moreover, was very limited. There was not an officer that would speak for him, and I believe he could not have called another man; whereas I might have brought forward 20 or 30 others to corroborate what has been advanced on the part of the Government. There is very little more for me to touch upon; but I wish to point out, that during the whole of my reply I have entirely confined myself to the evidence. In conclusion I will draw attention to an inconsistency on the part of Mr. Finniss. He had, while in the settlement, condemned Mr. Manton, and every one of his officers, for reporting unfavourably of the country; but when he leaves the settlement what does he do but write a general order, thanking Mr. Manton for his general support, and the men of the party for their good conduct. This strange inconsistency is quite unexplained. It seems almost impossible to imagine any man to act in such a way. Mr. Manton is condemned before the members of the Commission, but is praised for his general support at the settlement. No one could place confidence in a man that pursued such a line of conduct, for he states before the face what he denies behind the back. It is easy to understand that he should soon lose all control over the party. As regards Mr. Bennett, Mr. Finniss expressed a hope that I would retract what I have said. I would willingly do this if I could do so honestly; but I am still of opinion that he acted as a spy, and I am sorry that Mr. Finniss's remark should have rendered it necessary for me to repeat the term, which I consider justified in a great measure from the evidence I have produced.

The Commission adjourned *sine die*.

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MINUTES OF EVIDENCE.

Friday, 9th March, 1866.

Present—

The Auditor-General in the chair.

Mr. Milne

|

Mr. Goode.

Mr. Rymill and Mr. B. T. Finniss were also present.

Mr. William Pearson called in and examined :

Mr. William Pearson,
March 9th, 1866.

1. (*By Mr. Rymill*)—What is your name?—William Pearson.
2. You are a surveyor?—Yes.
3. Were you engaged to proceed to the Northern Territory?—Yes, I received a commission.
4. When did you leave Adelaide?—About the 29th April, 1864, to the best of my belief.
5. In what vessel?—The *Henry Ellis*.
6. On what day did you arrive at the Territory?—I don't remember the exact date; it was some time in June.
7. Can you speak as to the conduct of the men on board ship?—I did not see any misconduct. There was something said about stores being plundered on board, but I do not know the facts myself. I know of nothing else wrong.
8. When the party arrived what was done?—Manton and myself and eight men were busy erecting a stockyard.
9. How long was it before you commenced surveying?—In December, 1864, about the latter end. I had been unwell.
10. Did anyone else commence surveying before you?—I think Edmunds and Packard did shortly after the *South Australian* was discharged.
11. Do you remember when that was?—The *South Australian* sailed about the 11th December, 1864, to the best of my recollection.
12. What were you engaged about from June to December, 1864?—I was on the sick list from wounds received from the natives. After I recovered I told off the men to keep watch round the camp.
13. Do you know anything about the stores?—There were two stores built; one was for provisions.
14. What sized store was it?—I think about 30 feet by 16 feet; I am not certain.
15. What other buildings were there?—The Government Resident's house was scarcely finished.
16. What kind of house was it?—Weatherboard. I think it was taken from Adelaide ready to set up.
17. What other buildings were there?—There was a small log place about 14ft. by 16ft., I think, which was used as a hospital.
18. These were all finished when the *South Australian* arrived?—Yes, and some wells sunk.
19. How many?—I think three in from what was known as Sandy Reach, and one at Escape Cliffs.
20. What was the depth?—The one at the cliffs I think was about 30ft, and the others from 6ft. to 10ft.
21. There was no slabbing down the wells?—No.
22. What soil was it?—It appeared to be sandstone,
23. (*By Mr. Milne*)—Was it soft or hard?—I can't answer, for I did not pay particular attention.
24. Can you say as to the other three wells?—I cannot answer.
25. (*By Mr. Rymill*)—Was anything else done?—There was a stockyard and a hut for stores up the Adelaide River, about forty to fifty miles away.
26. Away from Escape Cliffs?—Yes.
27. (*By Mr. Milne*)—Was this before the arrival of the *South Australian*?—Yes.
28. (*By Mr. Rymill*)—How many men were there when you got there before the arrival of the *South Australian*?—Forty altogether, officers and men. One had died, and one left in the *Yatala*.
29. (*By Mr. Milne*)—There were only thirty-eight then?—I think two came up in the *Yatala*.
30. (*By Mr. Rymill*)—How long was it before the *Henry Ellis* was unloaded?—I don't know; I was up the river.
31. When did you go?—The day after our arrival, or the next day.
32. When did you return?—I think in the latter end of September.
33. Was the *Henry Ellis* there then?—No.
34. Do you know how long she had been gone?—I think she went in August.
35. What was on the beach when you returned to the settlement?—I think there were some cases,

Mr. William Pearson,
March 9th, 1886.

cases, but I am not positive. The greater portion of the things were on the top of the cliffs, near the Government Resident's tent.

36. How were they stored?—They were piled up in sacks, with logs underneath.

37. How much flour was there?—Several tons.

38. Anything over it?—Nothing.

39. No covering?—No.

40. Were the other stores protected?—I did not notice.

41. (*By Mr. Goode*)—Was there anything to cover them with; no tarpaulins?—No, there were none. I think none were sent.

42. But there was no difficulty in getting grass suitable for a covering?—No; there was plenty of grass to be got.

43. (*By the Chairman*)—Could not thatch have been made?—Yes; thatch was made and used afterwards.

44. (*By Mr. Goode*)—How long did the stores remain in that state?—I think that in October the store was finished and the things moved in.

45. And when were they placed on the cliffs?—In July, when they were landed from the *Henry Ellis*.

46. They remained there from July to October?—I don't know exactly.

47. (*By Mr. Rymill*)—When you returned from the river, what did you do?—I was on the sick list.

48. Do you know what the other men were doing?—General work, I believe.

49. Can you say what work?—No, I cannot.

50. How many men were up the river?—I can't say; I think eight or ten men.

51. Then there were thirty when you came down. What had they done?—I had nothing to do with the men. I was sick, and not paying attention. I was suffering from my wounds.

52. Then, when you say the men were employed in general work, you don't know that there was any work done at all?—I understood that there was some surveying, and wells sunk, and the store in process of building; and a watch was kept, which occupied several men.

53. You have described all the work there was to show since your arrival and the departure of the *South Australian*?—To the best of my knowledge.

54. (*By Mr. Finniss*)—Was any survey made at the lower camp?—I don't know; I made none.

55. Are you not aware that one was made?—I don't know; I have no recollection.

56. Before you were wounded?—I don't say not; I have no recollection.

57. Are you sure that you did not make one yourself?—I did not, unless you mean the rough sketch that I took going up the river.

58. You went up the river in a boat?—Yes.

59. Who was with you?—I think it was Ward, Watson, and Machell.

60. Before you were wounded?—Yes.

61. Did any of you land?—Yes.

62. On which side of the river?—On the left hand side, going up.

63. Was that on the same side as the camp?—No, on the other side.

64. Who landed?—We all landed.

65. What distance did you walk?—I think it was about two miles.

66. Did you reach any hills?—I did not.

67. You made a report?—Yes.

68. And sent in a plan?—Yes.

69. What was your opinion of the country?—Not at all favorable. The country improved a little up the river; but my general impression was not favorable.

70. What country are you speaking of?—Around the Adelaide River.

71. You made an excursion on horseback?—Yes.

72. Who went with you?—King, Ward, Goldsmith, and Litchfield.

73. Did you go to the Bald Hill—the Beatrice Hill?—We went on top of it.

74. You put up a mark there?—Yes.

75. Did you go up on horseback?—No, I waded across the creek.

76. Why did you not ride?—I did not choose to risk losing my horse. If I had been on duty I should have ridden over; but, being out without special orders, I did not.

77. Did you attempt to ride across?—I found the ground soft, and jumped off my horse and left him there.

78. Did you get wet?—My horse came out, and I got off. I then went on foot to see if the ground would bear me, and found it was too wet; so I knew it would not bear the horse, and I relinquished the idea of taking the horse over.

79. Was that a place a dray and cattle could cross?—No.

80. Did you look for any other place?—No.

81. Shortly after, there was an affray with the natives?—Yes.

82. You were wounded?—Yes.

83. How many went out?—Four.

84. On horseback, or on foot?—On horseback.

85. What was the result?—I got severely wounded, and one native was shot. I don't know any other result.

86. Did the party retreat or pursue?—I was wounded, and cannot say what the others did.

87. Did you come back alone?—One of the others did. I think it was Litchfield, but I don't recollect exactly.

88. What caused your loss of memory?—I had a severe wound in my head, and my recollection of the event is very confused.

89. What surveys did you make?—I commenced the survey of a line from Escape Cliffs to the Narrows.

90. When was this?—About the latter end of December—between Christmas and the departure of the *South Australian*.

91. You

91. You received instructions to run this line?—Yes.
92. From what point did the line start?—From the post from which observations were taken at the cliffs, then along the street of the township to the Narrows.
93. What was the direction?—Due south.
94. Do you know the object of the survey?—To connect the Narrows with Escape Cliffs. [Mr. Rymill produced a map and plans of the Northern Territory, and the witness pointed out the different localities.]
95. Was anyone else surveying?—Mr. Hamilton was surveying the coast line and I had to run the straight line.
96. Point out where you went on the boat expedition?—[Witness pointed out the place on the map]. It was up to a rocky bar above the arm of the river.
97. Which arm; the north or the south?—I don't recollect which; it can easily be identified by the rocky bar.
98. (By Mr. Milne)—What distance was this up the river?—I forget the distance.
99. (By Mr. Finniss)—Can you point out the rocky bar. [Witness referred to map.] Here it is; I landed just below the bar on the east side of the river.
100. In what direction were the Hills?—To the east.
101. Where did the others—Ward and Watson—land?—We all landed there. The day before we stopped lower down, where they walked inland.
102. Where were Manton's Hills?—We passed them; it was beyond them.
103. Here [referring to map] is Beatrice Hill; where did you land?—Nearly in the straight between Beatrice Hill and Manton's Hill, and nearly equidistant from each spot.
104. Point out the creek which you tried to cross, and the track to Beatrice Hill. [The witness complied.]
105. You stated that the *Henry Ellis* was gone when you came back to the cliffs. Did you see anything discharging from the *Yatala*?—Yes; the goods brought down the river in the *Yatala*.
106. Do you recollect the kinds?—There was flour amongst it.
107. Were you much on the sick list?—From the encounter with the natives till December, and then in February again, until I left. The only good time was between December and February. I had bad legs.
108. (By Mr. Rymill)—The only survey you made was during that period?—Yes.
109. You were prevented from illness from doing more?—Yes.
110. (By Mr. Milne)—Mr. Pearson, you received notice that you were going to be examined this morning?—Yes.
111. Have you not brought any dates with you or memoranda of the occurrences which took place?—I could have given the dates if I had referred to my diary, but I did not like to do that; I thought I had better trust to my memory.
112. (By Mr. Rymill)—You are in the Government service now?—Yes.
113. (By the Chairman)—What was the nature of the relations between the Government Resident and the officers and men on board ship?—As far as I know they were amicable, except when the stores were plundered; but about this I know nothing myself. I only heard rumors.
114. As far as you know, did the party pay proper attention and respect to the Government Resident?—I did not see anything to the contrary. The men would do anything for the Government Resident.
115. You were on good terms with him?—I always obeyed orders to the best of my ability.
116. Did Mr. Ward do anything to counteract the authority of Mr. Finniss?—I was told of something afterwards when I was up the river; I did not know anything myself up to the time of leaving the vessel.
117. When the vessel arrived, were the men hearty and willing to obey orders?—I believe so.
118. On the arrival at the territory, were orders immediately given for the employment of the men—they were not left idle?—I don't know; I was up the river. I supposed that they were not left idle; but I left too early to know. I believe they were busy unloading the stores.
119. Did the men work cheerfully?—There were idlers. Some men will not work; but, generally speaking, they worked well.
120. Had they any prejudice against the Commanding Officer?—I am not aware of any.
121. Was he kind to them?—I don't know. I have nothing to complain of myself.
122. How long was it before the men were under shelter?—As soon as the tents were up.
123. How long was it before the store was finished and the goods sheltered?—The store was finished in October and all the stores in the *Henry Ellis* were under shelter.
124. What was the value of the works done?—I am not competent to answer the question. Men cannot work in that climate as they can here. Five hundred pounds would, I think, cover the cost, exclusive of labor. The climate was not suitable for European labor.
125. Was there any drunkenness, gambling, or disorganization?—There was drunkenness occasionally. I heard of gambling, but was not cognizant of any myself. I never saw an order disobeyed wilfully.
126. Was there much waste of stores?—Some pork and beef were condemned by a Board of Survey, and there were some preserved potatoes which went bad.
127. Do you know the cause?—I don't know; I think some were shipped in bad order, or damaged on board ship. There were holes in the tins of potatoes.
128. Do you know of any cause of complaint?—I don't know. Orders were given, and, as far as I know, obeyed.
129. Was any portion of the canvas belonging to the *Yatala* used for covering the stores?—Yes.
130. When?—After the arrival of the *South Australian*—not before.
131. In the first instance, were the stores unprotected?—They were lying on sleepers. The *South Australian* brought new sails for the *Yatala*, and then the old ones were used for covering the stores.

132. Do

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132. Do you know of any damaged flour?—I did not know of any. No Board of Survey was held.
133. The pigs were not fed upon it?—There were no pigs in the settlement then.
134. (*By Mr. Goode*)—What was your impression of the general management?—If it had been at my own cost I should have been much dissatisfied. I should not have thought that I had received value for my money.
135. Where was the blame?—I don't say.
136. Where was want of management shown by the Government Resident?—I decline to answer.
137. (*By the Chairman*)—We must insist upon an answer to this question?—I should not consider, if I had sent out the expedition under an overseer, that I got value for my money.
138. Who was chiefly responsible for this?—No doubt there were faults on both sides.
139. What do you mean by both sides?—Both the commander and the men; I believe both committed errors. It was always my opinion.
140. Was any want of ability shown by the Government Resident?—In managing men?
141. Yes?—I don't think so. I think the men got disgusted with the country, and I believe that was the first cause of their going wrong.
142. Were all the party disorganized?—Certainly they would obey orders, but there was no spirit; they obeyed as their duty, but not heartily. They worked reluctantly, but never disobeyed orders.
143. What was the cause?—The men considered they were doing useless work. They saw no benefit to themselves or others, and no chance of the place going ahead.
144. Was every opportunity taken to find a better place?—I don't think so. I never approved of the place.
145. What was done?—Mr. Finniss was out exploring for three or four days, and I was told that a party went on to the Julia Plains to examine the country. This is all that was done up to the time of the *Beatrice* leaving.
146. How many miles were the Julia Plains away?—The Julia Plains were about twenty-five from Palmerston, as the crow flies.
147. You do not know whether anything further was done or not?—Only from hearsay.
148. Was there any destruction of stores?—Only what I have mentioned before—the pork and the preserved potatoes.
149. These were bad when landed?—Yes.
150. Were any destroyed through want of proper care?—Some might have suffered through not being housed.
151. And they might have been housed?—Had the men been put to work at once it might have been done.
152. Do you consider that there was any waste of funds by the way in which the men were set to work?—I should not have been satisfied myself to spend so much for the work done.
153. (*By Mr. Milne*)—Do you think that it was impossible for the men to work as much there as they could here?—I think that men could not do so much there as they could here.
154. Whose fault was that?—The men did not do as much as they might have done, for they were disgusted.
155. What treatment was objected to?—For one thing they did not like the routine of the guard that was kept, and they did not like so many being crowded together in the tents; they were too close. There were a great number of trivial things, and one with another, the men got disgusted.
156. (*By the Chairman*)—Were there any other than could have been expected from the nature of the case?—There could have been no complaint in this climate, but they could not do the same in that.
157. But in the East Indies, and other climates just as hot, men are put in tents and do not complain?—Yes I believe so.
158. Had they any legitimate cause of complaint?—The principle ground of complaint was that they were not as well off there as they would have been had they been in the bush here.
159. Was all done that could be done to remove their cause of complaint?—I do not know. I was ill a long time, and do not know what really took place. I do not wish to speak from hearsay.

Commission adjourned.

Wednesday, 14th March, 1866.

The Auditor-General in the chair.

Mr. Milne

Mr. Goode.

Mr. Rymill and Mr. B. T. Finniss were also present.

Mr. William McMinn examined:

160. (*By Mr. Rymill*)—What is your name?—William McMinn.
161. You were one of the party which left Adelaide by the *Henry Ellis*?—Yes.
162. When did you arrive at the Northern Territory?—On the 21st June, 1864.
163. What position did you hold in the party?—I was a chainman.
164. What distance did the vessel anchor from the settlement?—About five or six miles.
165. I believe the goods were removed from the vessel to the river camp?—Yes; the discharging commenced the day after our arrival.
166. Was there any exploration at the cliffs before the goods were landed?—Not by our party.
167. How were the goods taken up?—Two loads by the *Beatrice* and the rest by the *Yatala*.
168. Were the goods landed at the river camp?—Yes.

169. How

Mr. William McMinn,
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169. How long did you stay there?—I think about five weeks.
170. (*By Mr. Milne*)—Where was this camp?—From forty to fifty miles up the river, on the western bank.
171. (*By Mr. Rymill*)—How long was it before you came back?—I think about six weeks.
172. Was there any reason for moving back?—I do not know of any.
173. Were there any exploration trips towards the cliffs?—No.
174. The goods were reshipped and brought back?—Yes.
175. Did this improve the goods?—No, it caused damage, especially to those in cases.
176. After arriving at the cliffs was there any discontent as to the arrangements?—The men were discontented at the site, and dispirited at moving from the river camp to a site which was, in their opinion, no better.
177. Were there any guards at Escape Cliffs?—Yes, until after the arrival of the *South Australian*.
178. How many men constituted these guards?—There were two sergeants and three men each day.
179. And how many men in the party?—Thirty-one men; the rest were officers.
180. Who were sergeants?—Some were officers, some chainmen, and some laborers.
181. Did the men who were on guard one day work the next?—There was no regular rule.
182. The men were not properly called out?—Sometimes those on guard did not work the next day if they were not called out.
183. Do you mean that the men who were on this duty one day did not work the next?—Not as a rule, but very often they did.
184. Was there any difference in the bearing of the Government Resident towards those who approved of the site of the settlement and those who did not?—Yes.
185. How was it manifested?—By his outward behaviour.
186. Were those who disapproved of the site treated worse than those who approved?—His manner to them was more haughty.
187. Who were known as the sailors in the party?—The crews of the *Julia* and the *Emily*.
188. Did they go from Adelaide?—Some were engaged in Adelaide as seamen, and others of the party were added afterwards.
189. Were the sailors more with the Government Resident than the rest of the party?—Yes.
190. Did he show them more favor?—The sailors' duties were light to those of the land party.
191. You remember the sailors hoisting the goods by the derrick to the cliffs?—Yes.
192. How many of the land party were engaged in carrying the goods?—Four or five.
193. And how many sailors at the derrick?—The coxswain and boat's crew of the *Julia*. I should say about eight men.
194. Was there any complaint made by the land party?—We thought we had two or three times more work to do than the sailors, and only half the number of hands.
195. Did the Government Resident hear anything about it?—We changed with the sailors once, but the Government Resident ordered us back again because he said the sailors were more fitted for that duty at the derrick.
196. Did he say anything else about the sailors?—He said, before three or four, that the sailors were the best men of the party.
197. You sometimes harnessed yourselves to a cart to draw the goods?—Yes.
198. Was there any dearth of tents?—Yes; the men were without any.
199. How many did the Government Resident himself use?—Three.
200. (*By Mr. Goode*)—Had the men no tents?—The boat's crew had two, and there were only three others up for some time.
201. What covering had the men, then?—They only used hammocks.
202. (*By Mr. Rymill*)—Do you remember when some of the men stretched a tarpaulin over them while they were eating their dinner?—Yes.
203. What became of that?—The Government Resident's servant took it away for a floor-cloth to his master's tent.
204. Then the men were left without shelter?—There were only the trees, and the men got their meals under them the best way they could.
205. Was there an alarm of blacks given at night?—Yes; given by Auld.
206. Did a party go out?—Yes.
207. Did they find any traces?—No.
208. Did they make a report?—No; I think not.
209. Was the matter mentioned?—Only casually in conversation.
210. Did the Government Resident hear of it?—Yes; but he was disinclined to believe us, and sided more with Auld. Our statement was pooh-poohed, and Auld's believed.
211. Who went on the party?—Davis, Hake, Atkinson, and Pennycuik.
212. What was Davis?—An officer.
213. And Auld?—A laborer.
214. Do you remember any instances in which the laborers were treated as officers?—I cannot call any to mind at present.
215. Was there any such case?—Yes, some men were treated with more consideration than some officers.
216. Do you remember any instances in which laborers were taken in to the Government Resident's tent to tea?—Yes, several.
217. What was the effect on the men so treated?—They seemed to be put in the position of officers, and treated their own officers' commands lightly.
218. Do you attribute this to the conduct of the Government Resident?—Yes.
219. Was the first party short of provisions?—Yes.

220. Did

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March 14th, 1866.

220. Did the men petition the Government Resident?—Yes; for compensation for short stores.

[Mr. Rymill read here extract from memo. by Government Resident, p. 51, Parliamentary Paper, 89.]

221. What was inferred by the men from the language of the Government Resident in this memo.?—That in case there was any addition to the officers, the men of the first party should have the preference.

222. Who were in the store at that time?—Mr. King was storekeeper, and under him Roberts and Hake. Roberts kept the books, and Hake was storeman.

223. On the arrival of the *South Australian*, was Hulls placed in the store?—Yes.

224. What as?—Over Roberts, as bookkeeper.

225. What was his position in the party?—Laborer.

226. Were Roberts or Hake guilty of misconduct?—No.

227. Nothing to justify their removal?—No.

228. Did Hulls say how he got the position?—Yes.

229. What?—When he came ashore he told the first party that he was special correspondent for the *Register*. Mr. Finmiss took him a trip up to the Narrows, and he expressed a high opinion of the country before he had seen half an acre of it, though he changed his opinion after he got his situation. He said he showed his letter to the *Register* to Mr. Finmiss.

230. What was his opinion afterwards?—He denied in his second letter all that he had said in his first.

231. Then I understand that Hulls was taken by the Government Resident for a trip in the *Julia*—that he was put in the store over Roberts and Hake, and that they were guilty of no misconduct?—Yes.

232. What was the position Hulls got by his appointment?—He was recognized as an officer, though Roberts was only considered a laborer. Hulls joined the officers' mess.

233. Had he any special proficiency to qualify him as an officer?—He had no opportunity to show it that I know.

234. To what did the first party attribute his promotion?—To his not acting in a straightforward manner.

235. How?—On his landing, he unjustly praised the country, without caring whether it was true or not. When his appointment was made, and not till then, he altered his opinions. The men used to call him what they liked. No one understood why he was appointed.

236. In your opinion, had his being Correspondent of the *Register* anything to do with it?—Yes.

237. Do you remember Atkinson, who was then on the survey being reported by Mr. Pearson, and bringing the report himself to the Government Resident?—Yes.

238. What was Atkinson?—A chainman.

239. After Atkinson came out of the Government Resident's tent, what did he say?—He was in laughing vein; and when we asked if he was sacked, he said, "pooh, no;" and said that he had had two or three glasses of sherry.

240. Did he go back to the same place?—Yes.

241. With reference to the stores, was the flour which arrived by the *South Australian* placed in store?—There was no accommodation for it when it arrived.

242. There was a store built?—Yes; but it was not sufficiently large to hold all the goods by the *South Australian*. It held some of the more perishable articles, but not the bulky ones.

243. Was the flour damaged in consequence of the exposure?—It was out the whole of the rainy season with only the old sails of the *Yatala* as a covering. Some of it, in fact, was there when we came away.

244. There was some pork reported bad. By what ship did that arrive?—By the *Henry Ellis*.

245. Some pork was served out previous to this?—Only at the River Camp.

246. What was done with the pork when it arrived at Escape Cliffs?—It remained at the top of the derrick for two or three weeks.

247. Was the weather hot or cold?—It is always hot there during the days.

248. When it was opened, in what state was it?—Putrid.

249. Had the exposure anything to do with this?—I imagine so.

250. (*By the Chairman*)—Was the pork exposed to rain as well as to heat?—There was no rain then.

251. (*By Mr. Rymill*)—How was it packed?—In light American barrels.

252. And up the river the pork was good?—Yes.

253. When was the first store built?—In November.

254. And the second ship was expected there in November?—A vessel was generally expected about six months after our arrival.

255. Were any steps taken to erect a store for the fresh goods expected?—There was only a small store, but it was not quite filled with the goods by the *Henry Ellis*.

256. (*By the Chairman*)—What was the size of the store?—I think about thirty-five feet by twenty feet.

257. (*By Mr. Rymill*)—There were no steps taken to erect a second store for the goods by the second ship?—No; the hospital was a building about thirteen feet square, and part of that was used as a store.

258. Was there any drunkenness among the party?—Yes; now and then.

[Mr. Rymill read extract from General Order No. 108, page 16 of Parliamentary Paper No. 83.]

259 The men were allowed rations of rum?—Yes; one gill a day.

260. Were there any other means of obtaining spirits?—Those who did not drink their allowance sold to those who did.

261. There was no other way?—No.

262. Some

262. Some spirits were bought from the Government Resident's servant?—Yes.
263. How was this done?—When the grog became scarce he, among others, sold it to the men.
264. What was his name?—Baumgartel.
265. Where were the spirits got?—From the Government Resident's house.
266. Was there any hesitation in his supplying them?—Sometimes, and sometimes not; it depended upon the stock. They paid for a bottle if they wanted it.
267. Was this at the time of the general order against drunkenness?—That was issued after I left.
268. What was Baumgartel?—Mr. Finniss's steward.
269. Were there any complaints about the water?—Yes, the men complained of its effects.
270. Did they get any tanks?—We obtained the storekeeper's permission to make use of some tanks that were lying idle about the camp; three parties made use of this permit and fitted bamboo gutters to their mess tent to catch the rain water.
271. You had an objection to the well water?—This was the rainy season, and we found our health improved by the use of rain-water.
272. Did the Government Resident say anything on the subject?—No. We found the tanks taken away one day when we came home, and we found they were taken to the Government Resident's house.
273. Was there anything guarding them there?—The Government Resident sent orders that no one was to take it away.
274. You had taken the tanks with the knowledge of the storekeeper?—Yes.
275. Did a dispute ever take place between the Government Resident and King?—One Sunday some words passed.
276. What were they?—It was in some matter about the bullocks, and the Government Resident told King that whatever he was asserting was a lie.
277. Was King's statement supported?—Dyer supported it.
278. What was said to Dyer?—The same, I think; but I do not exactly remember, for I moved from the store.
279. (*By Mr. Milne*)—What was the subject of the dispute?—I don't exactly know. It was something about bullocks and the driver.
280. (*By Mr. Rymill*)—Do you remember Warland getting into trouble?—Yes. He took a bucketful of water from the tanks after they were taken away. [Mr. Finniss objected to the answer, as it only referred to a matter of hearsay.]
281. You knew nothing personally about this till Warland was sent for?—No.
282. When Warland was sent for, you were present?—Yes; there was an altercation; but its opening was too low for me to hear what passed. The tone got higher afterwards. Warland was called a thief by the Government Resident for taking the water. Other remarks were made in an angry tone; but not distinctly enough for me to hear.
283. This was before the men?—It drew a good many round.
284. How long did it last?—Over ten minutes.
285. Were any other epithets used?—I don't know after the first one. I heard the word "thief," but not the others distinctly.
286. From what you say, do you consider the conduct of the Government Resident calculated to bring the command into the contempt of the men and officers?—In my opinion, it was.
287. (*By Mr. Milne*)—What led you to form this opinion?—What I have already stated, and various other trivial matters.
288. Was Mr. Finniss's difference of treatment shown in offensive language or manner?—In difference of treatment towards different parties.
289. There was favoritism?—Yes.
290. (*By Mr. Goode*)—How long were the men without tents?—They landed at Sandy Beach a month before the tents were brought down.
291. There were others in existence?—The river party had tents.
292. What was done with the tanks?—They were placed under the roof of the Resident's house to catch water.
293. Were they required there?—Not all of them.
294. Were there sufficient without them?—There were two iron tanks which the men did not take.
295. Were there more than were required?—More rain fell than would fill all the tanks.
296. Then they were used where they were put?—Yes.
297. Was there any further waste of the stores than their not being taken care of?—The transshipment caused some damage. Some of them arrived after being up the river much broken, and the articles dropped out of the packages when coming ashore.
298. Were they damaged then on their arrival?—Yes, by the transshipment from the *Henry Ellis*, and the carriage up the river and back.
299. Had you sheep on board?—Yes.
300. What was their condition when you started from Adelaide?—Very fair; middling.
301. And what when you arrived?—Very poor; the accommodation on board the *Henry Ellis* was very limited, but that was the fault of the ship.
302. Was the party disorganized?—Orders were obeyed in every case.
303. You do not think there was any disorganization?—Not to that extent; not disorganization.
304. The party worked harmoniously together?—There were no dissensions among the parties themselves.
305. What did the discontent arise from?—From dissatisfaction with the country principally.
306. (*By the Chairman*)—What was your office?—Chainman.
307. Had you any personal quarrel with the Government Resident?—No.
308. What was your cause of dislike?—Not personal.

309. Was

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309. Was your judgment formed by his bearing towards others?—To all the party as a body.
310. Was that offensive?—Often. For instance, when the boat's crew worked less than the land party he praised them more.
311. You judged then of the quality of their work?—Yes.
312. There was jealousy of favoritism?—No; we did not envy the position of the sailors, but we did not like those being praised who did not deserve it.
313. You say there were not enough tents—had the Government Resident enough?—There were twenty-one tents for forty-two men.
314. Why were not the others used?—They were at the River Camp.
315. Where were the three the Government Resident had brought from?—They were formerly at the River Camp.
316. When you had no tents did you do anything to get them?—No; the men were at work all through the day.
317. The men were not allowed to remain idle then?—No; they were at camp work, landing cargo principally.
318. Did they build any huts for themselves?—No; the site of the camp was not fixed.
319. Did they build nothing to keep themselves from exposure?—They did not mind the exposure so much, they wanted places to stow away their property.
320. There were plenty of bushes about?—Yes, but they were no protection.
321. Could you not have built something like wurleys for protection?—Yes, but no time was allowed in working hours.
322. Did you ask for time?—No.
323. Could you not have built underground huts?—No; there was only a foot depth of sandy soil, and the rest was rock.
324. Had you liberty to ask the Government Resident's servant for the rum?—There was no prevention; it was a well-known fact that he sold it.
325. Did you pay for it?—Yes.
326. What became of the money?—I don't know.
327. Where did he procure it?—I have heard him say himself from the Government House. I have been present when he has got it for others.
328. You say that none of the men refused to do their work?—There may have been exceptional cases; but, as a party, the men were not disorganized to that extent.
329. Did the men do a fair day's work?—It is hard to say; I could not well answer.
330. The climate is unsuitable?—Yes, it is too hot; and Europeans cannot work through the rainy season, it is too hot and moist.
331. (*By Mr. Milne*)—When were you employed about your own work?—Not till after the *South Australian* arrived, on the 5th December.
332. How were you employed before that?—In landing cargo, camp work, keeping guard, and building stores.
333. How many men of the party were engaged in everyday work while you were a laborer? All, excepting two coxswains, the stockmen, and one or two in the store, the cooks, and the guard.
334. What was the distribution of the party?—There were five cooks, four men for stock purposes, five for daily guard, two helping Mr. King in the store, and two coxswains—leaving thirteen men for every day work.
335. How were the men supervised?—Mr. Manton called us to work sometimes, sometimes Mr. King, and sometimes it was a coxwain, or some of the junior surveyors.
336. Where were the leading officers at this time?—In their tents, I suppose.
337. And during working hours?—Sometimes they were fishing or amusing themselves.
338. Did the Government Resident come to see what you were doing?—Very seldom.
339. How often?—Sometimes not once a-day, sometimes not once a-week.
340. Was he at Escape Cliffs then?—Yes; our work was not definite—some were digging a well.
341. I want to know how the officers supervised the men—if they saw that a proper amount of work was done?—There was no proper supervision. Sometimes the Government Resident, or any other of the officers, came to see how we were getting on.
342. Do you attribute the small amount of work done to the absence of supervision?—Yes; and to the effect of the men not liking the country, and thinking their work useless to a great extent.
343. You are speaking of Escape Cliffs?—Yes; we knew nothing else about the Northern Territory except the river camp.
344. Did you share that opinion?—Yes.
345. Why?—In the first place, there is a very small extent of high land available for a township. The cliffs are limited to about half a mile; then there are swamps; then the country falls quickly inland; then there are swamps again which stretch almost from the river to Chambers Bay. Then there are extensive mud flats, and small necks of land and a deep swamp which never dries up, and again a swamp at the back; there were swamps close up to the Narrows which were under water at spring tides. It is hard to wend your way through the swamps, and you cannot go in a straight course. [The witness pointed out on the map the position of the various localities he described, and the position of the swamps, &c.]
346. Was there a garden planted?—There was only one finished when I came away. [Witness pointed out the locality.] Another was being made.
347. Were the men always employed?—Not always; when there was nothing definite going on they remained in their tents, if there was no one to put them to work. The climate was very hot and men were not inclined to work.
348. Then there was no properly organized way of putting the men to work?—Mr. Manton would call us to work about nine o'clock, and the men were relieved from guard about that time. If they were not down at their tents when the others were called they would not be called out, and so they would remain in their tents all day. This was usually the case.

349. Then

349. Then the working party was further reduced to eight men?—Yes.
350. Were there no regular hours for work?—Yes; we commenced work at nine o'clock and worked till twelve, then there was an hour or two for dinner, and three hours more work in the afternoon. We had to work for six hours a day.
351. If the days were hot, were not the mornings cool?—The climate is not like this; the sun rises hot there.
352. But is it not much cooler in the morning?—We tried working in the morning, but we gave it up.
353. You preferred working during the day?—One way was as good as another. We generally went to work after breakfast.
354. But surely it was cooler before nine o'clock?—Yes, but not much. We had our choice whether we would work in the morning or during the day. The carpenters sometimes worked their half day in the morning. Mr. Manton would say that, as long as six hours' work was done, it did not matter when it was done, as long as one man could not separate from his party.
355. There were not always officers supervising the men?—No.
356. The Government Resident would sometimes not visit the men for a week while he was at Escape Cliffs?—No, certainly not every day.
357. You say that some of the pork was putrid. Was that the same kind as the supply at the River Camp?—A great deal opened there was good.
358. Was it in different sized casks?—The American, which was bad, was in smaller casks; the Irish was in larger.
359. Was any in the smaller casks opened at the River Camp?—Yes, and it was good. I opened some myself.
360. Did you see the pork on the derrick?—Yes.
361. Were the casks leaking?—I don't remember.
362. (*By the Chairman*)—Were the casks in good order?—Some of them may have got twisted by the moving, they were not strong enough.
363. (*By Mr. Milne*)—The tanks you say were removed, by order of the Government Resident. What became of the water?—It was not distributed at all.
364. How was it used?—For domestic purposes by the Government Resident, I believe.
365. What was the capacity of the tanks at the Government Resident's house?—About 1,500 gallons, I should think.
366. (*By the Chairman*)—What was the capacity of the small tanks?—400 gallons; they were ship tanks.
367. (*By Mr. Finnis*)—How many tanks were there?—Four square and two round.
368. How many at my house?—Two square and two round I know of definitely.
369. Was there water in all of them?—I never went to see; enough rain fell to fill them all.
370. Are you sure that none of them were out of order?—None of the square ones, that I knew of.
371. How many square ones were at my house?—Two.
372. They held 800 gallons?—Yes.
373. How much did the others hold?—200 gallons each.
374. Then there would only be 1,200 gallons altogether; that is not the same as 1,500, is it?—No; I did not say I was certain there were 1,500 gallons.
375. How do you know the water was used for domestic purposes?—I have seen the cook take it out in buckets.
376. What do you mean by domestic purposes?—Washing and other work.
377. Were the tanks full when you came away from the Territory?—I was not within 100 yards of Government House when I came away.
378. You cannot say that they were not full?—I know we did not get any of the water.
379. Were you short of water?—Of rain water.
380. In other respects?—The other water was not good, it caused dysentery and straining at the stomach. When mixed with spirits it turned black; and the men's excrements were always black.
381. How do you know?—I judged by myself.
382. Were you told that the water was unwholesome?—It was the general remark throughout the camp by the members of the party.
383. Name one?—It was in conversation and we were all agreed. When we compared the effects they were alike.
384. You were present during the conversation between Warland and myself?—I was very close to you.
385. How close?—I walked up to within ten yards of you.
386. Where was I?—At the back door; outside, if I recollect rightly.
387. What time was this?—About eight o'clock in the evening, after dark.
388. Do you know the reason for what I said?—I heard nothing about it till afterwards. I did not see him take the water.
389. Do you know that he did?—I heard others say so.
390. Could anyone get grog from my servant?—Yes, in limited quantities.
391. Was my house the Government store?—No.
392. Then my servant was not selling Government stores out of my house?—I presume they were rations passed out of Government hands that were sold.
393. Then the sale was limited to our own rations?—I cannot say.
394. Who drew the rations for me and my party?—Your servant.
395. For how many?—Four, I think.
396. The quantity sold would not exceed that of four rations?—No.
397. Others in the camp sold their rations?—Yes; several.
398. Then there was nothing strange in my servant selling?—No.

399. The

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399. The men used to save up during the week and then take their rations at the end?—
I have done it myself and shared my allowances with others.
400. When did you leave Escape Cliffs?—On the 7th May, 1865.
401. How?—In the *Forlorn Hope*.
402. To whom did that boat belong?—To myself, as one of a company.
403. Were you not employed just previously to your leaving at the Narrows as a
surveyor?—There was no agreement, except a verbal one, to serve as a surveyor at £120 a-year,
and to get £200 if I behaved myself.
404. The period for which you were engaged had not expired when you left?—There
was no time mentioned in my engagement.
405. Were you not a Government officer?—I was only verbally engaged, I had no
authentic engagement as such.
406. Did you not receive pay as a Government officer?—I received none after I was
appointed a surveyor.
407. Why was that?—There was three months pay stopped for advances made to me in
Adelaide.
408. Was there no adjustment of accounts?—Never with Government.
409. Why?—There was three months' pay drawn, as I have said, and the difference of pay
was so slight after I was made a surveyor that it was not worth applying for.
410. Did you intend to leave at the time you did?—I always intended to leave at the end
of twelve months if there was a ship there ready to sail.
411. Did I engage you on those terms?—There was no term mentioned in my engagement.
There was no ship there at that time. I did not make any engagement to stay longer.
412. You were engaged to remain longer?—No word was said about it.
413. When you say you did not like the selection of Escape Cliffs, what do you mean?—I
mean that I did not like it as a city or a depôt, and I did not like being stuck there without any
opportunity of finding a better place.
414. What did you do after your engagement?—I went to work.
415. Was it not unreasonable then for you to go looking about for other places?—I did not
mind so that something was done.
416. Was it your place to advise me what to do?—No; you could do as you pleased yourself.
417. You were at the River Camp?—Yes.
418. Did you go inland at all?—No; I went to the Narrows. I had to go inland a little on
the road with the party [witness pointed out route on the map]. We were compelled to keep out
on account of the swamps and could not get closer to the river. The general character of the
country was swampy.
419. How were the swamps formed?—By the rain and the creeks emptying themselves into
the swamps.
420. Were you a reporter for the press?—No; I wrote to Adelaide, and some of my letters
were published.
421. How did you describe the country?—I said that some of it was very good, and that
there were beautiful creeks; but I do not remember the exact words.
422. Your report then was generally favorable?—Yes, so far as I had seen the country; but
I gave a bad report of Escape Cliffs.
423. What did you know of the country?—I had been at the Narrows and Sandy Beach,
and had made trips across to Chambers Bay.
424. You said the country falls inland. At what rate does it fall?—I don't know.
425. What is the height of the cliffs?—North of Dombey Flat, they are about ten to fifteen
feet; and at Escape Cliffs, from twenty-eight to twenty-nine feet.
426. Is there a gradual fall?—They are not connected, there are swamps between. There
is Billy's swamp, two miles from the camp, I went there in charge of cattle; there was good feed
on some of the swampy parts.
427. Then the country was not unavailable?—Not in some seasons.
428. Have you been to Chambers Bay?—Yes.
429. Did you try to do so?—Not particularly, for my business was not urgent.
430. Did you send in a letter of resignation when you left the cliffs?—Yes.
431. Is this [producing letter] your hand-writing?—Yes.
432. You say you were present at the conversation between myself and Mr. King; what
was it that I said?—You said "It was a lie, or he was a liar." As Dyer was called up, I supposed
it was something about his conduct you were talking of.
433. Were the words "liar," or "a lie," applied to Mr. King? You said you heard the
words; what were they?—I can't say whether they were "a liar," or "a lie."
434. Did I say that Dyer had been telling a lie?—I don't know whether the words were
used with reference to Dyer or to King.
435. What was Dyer?—A bullock driver.
436. What were the bullocks doing?—They were drawing logs and water.

Commission adjourned.

Friday, 16th March, 1866.

Present—

The Auditor-General in the chair.

Mr. Milne

Mr. Goode.

Mr. Rymill and Mr. B. T. Finniss were also present.

Mr. W. McMinn called in and re-examined:

437. (*By Mr. Finniss*)—Did you leave the river camp on the 20th July, 1864?—No; on the
13th July. 438. Who

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438. Who left with you?—Auld, Fred Finniss, Pennycuick, Boucaut, and Packard.
 439. Did you see any natives on your road?—Yes.
 440. Were they troublesome?—We thought their behaviour betokened trouble.
 441. Did they fire the grass on your track?—Yes.
 442. When did you cross the Narrows?—On the 18th July.
 443. Was the *Yatala* there?—Yes.
 444. And the *Beatrice*?—No; the *Beatrice* was about a mile lower down.
 445. How did you cross?—In the *Beatrice's* boat.
 446. You swam the horses across?—Yes.
 447. Was one of them lost?—It died on the other side, but it was not drowned in swimming across.
 448. What was the horse's name?—Tommy.
 449. What did you do after swimming the horses across?—We went on board the *Yatala*.
 450. Where did you go to?—On board the *Henry Ellis* that evening, and the next morning to the wells on the Sandy Beach.
 451. Did you take a message on board the *Henry Ellis*?—I don't remember.
 452. Why did you go on board then?—To get materials for sinking the wells.
 453. Orders were given to three of you?—Yes; to Packard, Pennycuick, and myself.
 454. What became of the rest of the party?—They started on an exploration trip to the eastward.
 455. Who went?—Wiltshire, Auld, Fred Finniss, and Boucaut. Dugald started, but he came back on the evening of the 19th or the morning of the 20th.
 456. Where were you then?—On the beach close to the wells.
 457. Who were with you?—Pennycuick and Packard.
 458. Was Davis there?—No.
 459. How long did you remain there?—From the Tuesday till the following Monday.
 460. Did Davis join you?—Yes.
 461. Had you any tents?—No.
 462. How did you sleep then?—In our hammocks.
 463. How did you get there?—In a boat from the *Henry Ellis*.
 464. Were there tents on board the *Henry Ellis*?—I am not aware.
 465. Did I come to the Sandy Camp?—On the Sunday after our arrival there.
 466. Did I sleep there?—Yes, one night.
 467. Were you there when Auld's party came back?—Yes.
 468. (By Mr. Milne) Will you point out on the map the position of the Narrows and where the *Henry Ellis* was lying?—[Witness complied].
 469. (By Mr. Finniss)—Did you see the *Julia* anchor, with me on board?—No.
 470. Did you see me at Escape Cliffs afterwards?—Yes; you came on horseback from the Sandy camp.
 471. Do you recollect Monday the 1st August, you were sent out to show Auld, Packard, and Davis, a likely place to find water?—I do not recollect it.
 472. Was not my son with you?—I don't recollect being sent on such message. I remember only visiting the party while at work.
 473. But you were sent?—Not that I recollect.
 474. Do you recollect the *Yatala* being at the cliffs after her return from the first trip?—Yes.
 475. You recollect landing goods there?—Yes.
 476. Do you remember the date?—I cannot say when she came.
 477. Was it the 3rd August?—It was about the beginning of August.
 478. How many boats were engaged in unloading?—Three.
 479. Was the *Julia* one?—Yes.
 480. How many trips did the boats make in a day?—I don't know.
 481. Did they make two trips?—The *Julia* generally made two, but I did not put down any note of the number.
 482. There were only certain states of the tide in which the goods could be landed?—Yes.
 483. The boats were employed until the tides did not serve longer?—Yes.
 484. And they were sent to the *Henry Ellis*?—Yes.
 485. Do you remember the first tent pitched at Escape Cliffs?—Yes.
 486. Who was it for?—Yourself.
 487. Do you remember the second?—No.
 488. Was I in the tent?—Yes.
 489. Was not Mr. Hamilton in a tent to take charge of the stores?—I do not recollect.
 490. Do you recollect some sheep being landed about this time?—No.
 491. Were any killed?—One or two, I think.
 492. Do you remember the construction of the derrick?—Yes.
 493. Who put it up?—Wiltshire superintended, and we and the boat's crew worked at it.
 494. You were set to work after that?—Yes.
 495. Did you get all the heavy things up to the top of the cliffs?—Yes.
 496. On the same day?—It took us several days.
 497. (By the Chairman)—When was the derrick erected. Was it on the 3rd August?—I do not know.
 498. (By Mr. Finniss)—Do you recollect getting up a six-pounder gun, and small casks, and other things?—I cannot say on what days.
 499. Was it not before five o'clock that day?—I cannot say.
 500. Did you not make notes of these things?—Not of such trivial circumstances.
 500A. Did you make any notes?—Yes.
 501. Did you not communicate them to the men in the camp?—I may have told some of them, but I did not make it my business to tell.
 502. Do you recollect the *Julia* going for water?—Yes, but I cannot say what day it was.
 503. Was

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503. Was it before breakfast?—I don't know.
504. Do you remember Davis landing and taking up his position at Escape Cliffs?—Yes.
505. When he arrived, and I and my party were there, and the exploring party, how many were there?—Including the boat's crew?
506. Yes?—From seventeen to twenty.
507. When Davis landed how many tents were there?—He brought one square tent on shore.
508. How many others were there?—Three which you occupied, and two which the boat's crew had.
509. What date was it that I occupied them?—I cannot tell.
510. Was it in August?—I think you had three in August.
511. Where was the first tent pitched?—About 100 yards from the derrick.
512. This was in August?—To the best of my recollection.
513. You recollect Manton's party coming down afterwards?—Yes.
514. Before Mr. Manton came down in August, had I river tents?—Yes.
515. There were four square tents and two round ones?—Yes.
516. How did Manton's party come down?—In the *Yatala*.
517. When the *Yatala* was discharged the first time?—No; she went up to the river camp again.
518. While she was away did I have three tents?—Yes.
519. Mr. Davis had one?—Yes.
520. And there were two round tents?—Yes.
521. Did I occupy the tents between the starting of the *Yatala* and her next return, for that fixes a date?—Yes; Mr. Manton did not come down till her second trip.
522. There was a cart on top of the cliffs?—Yes.
523. That was landed from the *Yatala*?—Yes.
524. When was it put together?—In August.
525. On the 4th August?—I can't say.
526. It was during the same interval?—I think so.
527. When were you harnessed to the cart?—In August, I think.
528. In August or September?—It might have been August or September.
529. What harness had you on?—We had no harness on. Some of us went between the shafts and pulled and others pushed behind the cart.
530. Were there horses there?—Yes; more fitted to do the work than we were, but we obeyed orders.
531. Who gave the orders?—You yourself. You were there.
532. Did you object to do this work?—No; only amongst ourselves.
533. How far did you take the things?—About a-quarter of a mile to your place.
534. And did you take them?—Yes, with difficulty.
535. How much flour did you take?—About a ton.
536. Davis and Hamilton occupied a square tent?—Yes.
537. Do you remember the *Julia* going at daybreak, for palings from the *Henry Ellis*?—Yes.
538. The *Yatala* brought palings?—Yes.
539. Do you remember my going in the boat, to the *Beatrice*, on the 8th August, on a Sunday?—I remember it was about that time.
540. Were you harnessed to the cart before the 8th August, or after?—I cannot say, I have not the dates to show.
541. Who went with you?—Hamilton and Pennycuik, I don't recollect the other persons.
542. You were employed up to the 8th, at least, in moving goods?—Yes, in landing cargo and hoisting the goods up to the cliffs.
543. Can you describe the difficulties you had in landing the goods?—There was a mud flat, and the land party had to go out into the water to get to the boat to take the goods.
544. Where were they taken to?—To the foot of the derrick, about eighty yards.
545. Was there a heavy sand?—Yes.
546. They were taken by the derrick to the top of the cliffs?—Yes.
547. Did you carry them from there?—They remained there a long time, and were then taken to a platform at the site of the present camp, about a quarter of a mile.
548. This was what is called lumping?—Yes.
549. It is heavy work, is it not?—Yes.
550. You are not fond of lumping work?—Not of any work in particular.
551. Are men not paid higher for that work usually?—I don't know; the men that worked hardest often seem the worst paid.
552. There were no wharfs at Escape Cliffs, or cranes or conveniences for landing goods?—No.
553. You have been to Port Adelaide?—Yes.
554. You remember a heap of stores for the *Henry Ellis* lying on the wharf there?—Yes; lumber waggons and bales of hay.
555. And some arm chests?—No.
556. It rained one day there while the goods were on the wharf?—One night it did.
557. Now, if the goods were left out at Port Adelaide, where there is every convenience, is it any wonder that they were left out at Escape Cliffs?
- [Mr. Rymill objected to the witness answering questions which involved only matter of opinion or inference.]
558. Who was in charge of the survey party to which you belonged?—Mr. Edmunds.
559. Where was his party employed?—Both at Escape Cliffs and at the Narrows.
560. You were with him at both places?—Yes.
561. You were in charge of a party yourself afterwards?—Yes.

562. Whose

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562. Whose party?—Mr. Hamilton's.
563. Did you write any reports?—Two, I think.
564. You took over the instruments, and reported that?—Yes.
565. When did you commence surveying at Escape Cliffs with Mr. Edmunds?—In December about the 20th.
566. When you were at the river camp do you remember my going out on horseback to explore the country with a party about the middle of July?—Yes.
567. Do you remember my sending a party across the river?—Yes.
568. Who was in charge of that party?—Auld.
569. Were you one of them?—No.
570. Do you remember a party consisting of Pearson, E. Ward, Goldsmith, and Litchfield going up the river in a boat?—No; I remember Machell and the others going.
571. Do you not remember when Pearson and the others went to Beatrice Hill?—No; I had left the river camp before that time.
572. A day or two after the arrival of the *Henry Ellis* parties went for a trip up the river in boats?—Yes.
573. Did the party who were in the gig land at the Narrows?—Yes; I was not in the gig myself, but saw them there.
574. Who were the party?—Phillips, Ward, Watson, Roberts, Atkinson, Packard, and one or two others.
575. Where did they land?—Just a little above the Narrows.
576. Where did they go to?—To the Shell Mounds. [The witness pointed out the spot on the map.]
577. What party were you with?—I was in the dingey.
578. Who were with you?—Murray, Edwards, and I forget the other; there were four of us.
579. Were you with the gig or the *Julia*?—We were behind all the boats.
580. And did you land?—Yes.
581. Did you go to the Shell Mounds?—No.
582. Who was in charge at the river camp when I left?—Mr. Manton.
583. Was King there?—Yes.
584. Whose duty was it to pack the goods—Mr. Manton's or the storckeeper's?—They were under Mr King's control, if the men were supplied to him.
585. Did you see any pork there?—Yes.
586. Did you see twenty barrels there for rations?—I cannot say how many barrels.
587. Where did the pork, landed at Escape Cliffs, come from?—I don't recollect whether it came from River Camp or the *Henry Ellis*.
588. When you were up the river, were all the stores taken?—No.
589. What was done with the others in the *Henry Ellis*?—Some was landed by the boats and the *Yatala*.
590. Any by the *Beatrice*?—Not after I came down.
591. Some sheep were lost on board the *Henry Ellis*?—Yes.
592. What from?—Over crowding and want of water.
593. Was there enough water on board?—I don't know; we were put on short allowance before we landed.
594. How many sheep were landed?—Fifty.
595. And how many sailed from Port Adelaide?—150.
596. Had the expedition any salt beef?—No.
597. Was it all pork?—Yes.
598. The greater part was in small American barrels?—Yes.
599. Was it fat?—Yes.
600. Was it Navy or emigrant ship's pork?—I don't know.
601. Did you like it as well as Irish pork?—No; it was inferior in every respect.
602. It was not in such strong barrels as Irish pork?—No.
603. Did it leak easily?—Yes.
604. Was it hot at Escape Cliffs?—Yes.
605. If a tarpaulin were spread over the goods, would that make any difference of temperature?—There would not be much difference if it was spread close on the goods.
606. Was there rain at Escape Cliffs prior to the time the first store was finished?—Yes, only on two occasions, but it was heavy while it lasted.
607. What caused the discontent of the men?—Dissatisfaction at the site, and being removed from the river camp to a site they considered hardly better.
608. Did they not like the River Camp?—I cannot say about the River Camp. When I left, the men did not know that they would have to stop there.
609. When did the men first express their dissatisfaction at the site?—The first party expressed it at their arrival at the cliffs, before Manton came down.
610. How was it shown?—By the men, among themselves.
611. What was said?—The men found fault with the place not being a suitable site for a town.
612. They did not say it was not a suitable place for a camp?—I cannot say; they did not care about stopping there. They were dissatisfied with that portion of the country for a settlement.
613. Did they know that the settlement was to be there?—Not definitely; it was rumored so.
614. Before Manton's party came down?—Yes.
615. Who said so?—I cannot state; it was generally understood.
616. Yet you cannot name any one in particular?—No.
617. (*By the Chairman*)—Was it understood by the men that they were to have any part in the choice of the settlement?—No.

618. They

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618. They at once formed their opinion, then?—The men could not go about with their eyes shut. They formed their own opinions, though they acted under their leaders at the same time.

619. (By Mr. Finnis)—Did you ever express that opinion to me?—It was not my place.

620. Did anyone else?—I don't know.

621. Did I know anything about it?—Not officially.

622. You slept in hammocks?—Yes, for about a month.

623. They were slung on two trees?—Yes.

624. You had canvas covers to the hammocks?—I had not; some of the others had.

625. Men often sleep in the bush without these covers; do they not?—Yes.

626. Is that thought any grievance?—No.

627. Were you ever in my three tents?—Yes.

628. What did you come for?—With messages from the storekeeper and other business.

629. Did I receive the men and officers in my tent?—Yes.

630. Were stores kept in my tents?—Firearms were.

631. Gunpowder?—Yes.

632. And the surveying implements and stores?—Yes.

633. Who else was in my tents besides myself?—Your son.

634. Any one else? Was Cowie there?—Not that I know of.

635. Was Baumgartel?—Very likely.

636. Did you ever have tea with me?—No.

637. Did you ever have a glass of sherry with me?—Not at Escape Cliffs.

638. Which of the laborers had tea in my tent?—Auld and Litchfield; I don't know of any others.

639. How do you know that they had tea?—By their remarks afterwards.

640. Did not some of the laborers have tea in the officers' tents?—Not that I know of.

641. Did not Hake have tea with Davis?—When we were all at the derrick we all messed together.

642. Did not you have tea with Davis?—Yes; when we were all together.

643. Did that interfere with the positions of men and officers?—No; we all messed together, and each contributed his share.

644. Then it was only when I gave the men tea at my own expense that bad feeling was produced?—It was not the fact of its being at your expense.

645. Did not the officers have tea with me after they came down from the river camp?—I don't know; some of them did, I believe.

646. Did not Bennett?—Yes.

647. Manton?—Not to my knowledge.

648. Pearson?—Not to my knowledge.

649. Ward?—Once or twice.

650. Davis?—Not to my knowledge.

651. Do you not know that all the officers messed with me until they got places of their own?—No.

652. When was the tarpaulin taken from the men, for use of my tent?—I have not got the date down.

653. Did you make a note of it at the time?—Yes.

654. Did you tell anyone else?—There was no necessity to do so.

655. Did you not tell anyone of it at any time?—Very likely, but I did not make it my business to do so.

656. You know Mr. Jefferson Stow—did you not tell him?—Not at Escape Cliffs.

657. Have you told him since?—I may have done so.

658. Were the party at Escape Cliffs short of provisions?—Yes.

659. When?—Before the arrival of the *Beatrice*, about the middle of October.

660. Before that was the party short of provisions?—Only for two or three weeks. We were killing two or three sheep a week.

661. About the latter part of September the party was short of meat?—Yes.

662. Do you remember when I came down with the first party from the river in the *Julia*?—Yes; it was five or six days after we had been camped at Sandy Beach, sinking wells.

663. What food had you?—Salt meat, flour, sugar and tea.

664. Had you any pork?—We had pork and beef.

665. Where was the beef got?—From the *Yatala*, I believe.

666. You have spoken about a petition about the food. You inferred, from my reply, that I promised to the men that they should have anything good, in the way of situations, that might turn up, before the second party?—We understood that the first party would be preferred before others.

667. And Hulls's appointment was considered against this promise?—Yes.

668. Where is he now?—At Escape Cliffs.

669. If he were here, would he confirm your statement that he received his appointment because he was a reporter?—I don't know.

670. Did he say so to me?—I don't know.

671. Was Roberts a reporter?—Not that I know of.

672. Before he went to the Northern Territory?—Yes.

673. Was Hulls?—No.

674. Roberts was promoted from a laborer to the store?—Yes.

675. Was that because he was reporter to the *Advertiser*?—No; Mr. King recommended him.

676. And yet you think that Hulls was promoted because he was a reporter for the other paper?—Hulls was a compositor before he left Adelaide.

677. Which of them writes the best hand?—I can't say.

678. You

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678. You have seen Hull's handwriting; is it good?—Very fair
 679. Is Roberts's good?—It is fair; one is not better than the other.
 680. You say that Atkinson came to my tent with a letter from Pearson, while the party was at Sandy Camp; do you know what was in the letter?—I don't know.
 681. Was Atkinson ill?—I don't know. He was on the sick list several times.
 682. Was he ill the day before?—I don't know.
 683. How did he come to Sandy Camp?—I believe he walked.
 684. Was there anything strange in my giving a man a glass of sherry after a hot walk?—Not under some circumstances.
 685. What did he tell you?—I asked him if he had got the sack; and he laughed, and said he had had two or three glasses of sherry.
 686. Who was in charge of the stores after the arrival of the *South Australian*?—Mr. King.
 687. Who assisted him?—Roberts and Hake.
 688. (By Mr. Goode)—When were they appointed?—Not until after the departure of the *Henry Ellis* from Adelaide.
 689. (By Mr. Finnis)—Was Mr. King unwell in September or August?—In September, I think he was ill on board the *Yatala*, and for some time after.
 690. Who did his duty for him?—Davis, while he was there, and Roberts afterwards.
 691. When did Davis leave?—On the 9th of October.
 692. Whose business was it to see to the landing and housing of the stores?—The store-keeper's, if he had men at his disposal.
 693. And if he was not satisfied with his assistants should he not have conferred with me?—He did not talk on such subjects with me.
 694. You say that a ship was expected in November?—We expected a ship about six months after our arrival.
 695. (By Mr. Rymill)—As to the water stored in the tanks at the Government Resident's tent, was any of it distributed among the party. Not while I was in the camp.
 696. When did you leave it?—In April.
 697. When was the tank taken from the men's tent?—About February.
 698. Then from February to April the water was stored in the tanks and not used by the camp?—No, it was not.
 699. Was there any fear of the water running short?—No, the wells gave an abundant supply of water.
 700. A store was taken from Port Adelaide ready to fit up?—Yes.
 701. What was done with it?—It and the wooden houses were rafted ashore at Point Charles. [Witness pointed out on the map the position of Point Charles.]
 702. Why was this done?—To expedite the discharge of the *Henry Ellis*.
 703. They were afterwards brought to Escape Cliffs from Point Charles?—Yes.
 704. When they were brought, were any of them deficient?—I cannot say.
 705. When the framed store was put up was any part of it deficient?—There was not sufficient framing for it.
 706. Why was this?—I suppose some of it was lost.
 707. It was not there at any rate?—No.
 708. You remember that Mr. Finnis made a trip to Port Darwin in the *Beatrice*?—Yes.
 709. Was the store commenced then?—Yes.
 710. Mr. Manton was in charge then?—Yes.
 711. What did he do?—He took the daily guard of five men and set them to work on the store.
 712. In what condition was it when Mr. Finnis came back?—The walls were finished, and most of the rafters fixed.
 713. How long was it after Mr. Finnis returned before the store was completed?—
 714. When Mr. Finnis came back was the daily guard resumed?—Yes.
 715. Was there any threatened attack of the natives averted, or did any ill consequences ensue from discontinuing the guard while he was away?—No.
 716. About this affair between Mr. Finnis and King, did Mr. King tell you about it?—Yes; he told me he had been called a liar.
 717. Was the grog sold by the Government Resident's servant more than one person's rations?—Yes.
 718. (By Mr. Milne)—Respecting this grog, do you know of your knowledge how much was sold from the Government Resident's tent?—It was sold on several occasions.
 719. In what quantities?—Two or three bottles at a time.
 720. How much was obtained in a week or a month?—It varied very much; I cannot state exactly.
 721. Well, approximately?—About half a dozen in a week.
 722. At what price was it sold?—The price varied according to supply, from five shillings to seven shillings per bottle.
 723. Where you told whence it came; whether it was Baumgartel's own rations or that of others?—I was informed by the Government Resident's servant that the grog was obtained from his master's house.
 724. There was no reason to suppose that they came from any private supply of the Government Resident; they were only the accumulations of his rations?—Yes.
 725. What was the greatest quantity sold in one week?—Half a dozen bottles, I should say.
 726. (By the Chairman)—Do you know whether the Government Resident ever was aware of these transactions?—I don't know.
 727. Was he present on any occasion?—No.
 728. You say the grog was the Resident's rations. Was there more than one ration sold?—Half a dozen bottles would be the rations of two or three.

729. It

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729. It might be only partly the Government Resident's savings?—Yes; and the rest from his son and the serving man.

730. Do you know that any belonged to Mr. Finniss's son?—The servant said that it belonged to the Government Resident.

731. (*By Mr. Finniss*)—At that time, was the grog short in the camp?—No.

732. There was abundance?—Yes.

733. I asked you this question the other day, and you then gave a very distinct answer. Do you wish the Commission to infer that the Government Resident sold the stores?—No.

734. This grog was private property?—Yes.

735. How did you know so much about Government House?—After work and after tea we used to congregate on the cliffs near your cook's galley for the sea breeze and get rid of the mosquitoes as much as possible, and without going out of our way we used to hear the transactions.

736. Then these negotiations generally took place about the cook's galley?—Yes.

737. You heard that the wooden houses were rafted over?—Yes.

738. Who from?—Some one that saw it done. I think it was one of the boat's crew.

739. Do you recollect the buildings being erected?—Yes.

740. Under whose superintendence were they erected?—The carpenter's, I believe.

741. Did you see Mr. Manton directing the work?—Yes, I think so.

742. You recollect Mr. Manton laying out the sites?—Yes.

743. Did you see the buildings put up?—Yes.

744. Was there any difficulty in putting them up?—Not great difficulty.

745. They were sent in frame?—Yes.

746. Were all the boards fitted?—No.

747. They had got sand on them?—Yes.

748. They were rafted over you say?—Yes.

749. Then I suppose they got wet?—Yes.

750. They were lying on the beach, afterwards?—Yes.

751. Then they got warped?—Yes.

752. Did the warping cause the difficulty?—Yes, to some extent.

753. You say that in my absence the store was put up, and that Mr. Manton discontinued the guard in the day-time; do you know whether he disobeyed my orders in doing so?—No.

754. Do you know whether he asked me about it first?—No.

755. Do you remember an affray with the natives, in which some flour sacks were destroyed?—I heard that some were destroyed by the natives, but I was not present.

756. You heard that such a thing happened?—Yes; but not in the daytime.

757. Do you remember the natives gutting a tent and stealing the things, while the men were at breakfast?—No, I was in Adelaide then.

758. Was there no danger from the blacks?—Not at Escape Cliffs, but there was at the Narrows.

759. Was there any danger at Escape Cliffs?—Not in the daytime; there might have been at night.

760. Do you remember hearing of the murder of Ward?—Yes; but I don't know anything about that.

761. You remember going to Chambers Bay with Roberts?—Yes.

762. Why did you turn back?—We did not know the road exactly, and we saw the smoke of a fire, which we inferred was a native's fire.

763. That deterred you from going on?—We could not get up to where the natives were. We were in an impenetrable scrub, and could not get forward.

764. You did not know that it was the fire of the party you were going to meet?—No; we did not know it then. We knew that it was not natives' fire afterwards. We had no particular reason in going to meet the party, as we were only going to fetch back some fish.

765. But you thought it wise to come back?—We did not think it wise to incur the risk of meeting the natives.

766. Do you know that the natives did rob at Escape Cliffs?—On one occasion.

767. Do you remember their spearing some horses in the daytime?—I don't know that it was in the daytime; the horses came in speared about daybreak.

768. Do you recollect Mr. Manton saying that if the men worked hard at the store that they should have a holiday when the Government Resident came back?—We generally had a half-holiday on Saturdays; and one Saturday, when the weather was threatening, Mr. Manton promised that if we would work at the store that afternoon, he would recommend that we should have a holiday some other day.

769. Only one day?—Yes.

770. And did you get the holiday?—Only one day.

Mr. Arthur R. Hamilton called in and examined:

771. (*By Mr. Rymill*)—What was your position in the first party?—Junior surveyor.

772. After you arrived the greater portion of the stores were taken up to the River Camp?—Yes.

773. And afterwards to Escape Cliffs?—Yes.

774. Were they much damaged by the removal?—Yes, the cases were a good deal knocked about and some of the articles fell out.

775. Do you know whether there was any exploration at Escape Cliffs before the River Camp was determined on?—I am not certain. The Government Resident went out one day in a boat and was away for a few hours; that was the only exploration I know of except one up the Adelaide River for about seven miles from the mouth by the men in the boats.

776. Do you know how the store, sent from Port Adelaide, was taken to Port Charles?—No, it was brought back on a raft with the wooden houses.

777. Was

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Mr. A. R. Hamilton,
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777. Was there any other way of taking it except rafting?—It might have been brought on the deck of the *Yatala*.

778. Were the stores left uncovered at Escape Cliffs?—The flour was placed on logs, and tarpaulins put over it until the big store was built.

779. The big store is the one you have heard mentioned as built under Mr. Manton's direction?—Yes.

780. When you landed at Sandy Beach had the Government Resident a tent?—Yes.

781. How many tents were there at the Cliffs?—There were two or three round tents, and the Government Resident had three.

782. Who occupied the tents?—I was told off to one with one or two of the land party, and the seamen had two. The Government Resident occupied three with his son, and steward, and servants.

783. How many servants had the Government Resident?—Two able-bodied men.

784. Did they do anything else?—When the men were landing cargo, the Government Resident sent his servants to help.

785. Only then?—That was all that was going on at that time.

786. Do you remember any laborers dining with the Government Resident?—Some had breakfast with him one morning at the River Camp, before going out exploring.

787. When you had charge of the stores, on the survey party, do you recollect two sailors of the party leaving you?—Yes.

788. They came away without your knowledge?—Yes.

789. Did you tell the Government Resident?—I told him that the weather was threatening and the stores were unprotected, and that I wanted men to help to get them under shelter. He told me to get the men to help. I told him that they would not come; and he asked them why they would not. They said they had not had their tea; and he told them to get their tea and then go and help with the stores.

790. Do you remember the exploring parties being under the charge of laborers?—I never heard of one being under the command of an officer.

791. Where were you surveying?—I had to make a traverse of the coast, from Escape Cliffs to the mouth of the Adelaide River, and afterwards to run the main lines of the streets in South Palmerston, as the Narrows Township.

792. Had you to go through water to work?—Yes.

793. Point out where you were working?—[Witness pointed out the locality on the map]. I had to walk two and a-half miles to get to work, through water knee deep and ankle deep. I was walking all day, except half an hour which was spent in surveying.

794. Point out the direction of the road from North to South Palmerston?—[The witness pointed out the track on the map.] The direction was south, but we had to make this detour and edge away to avoid the swamps.

795. Why could you not go in a straight line?—Because there was a large swamp in the road about a mile across.

796. (*By Mr. Milne*)—Were these swamps caused by the tides?—Partly; and their extent depends also on the severity of the rainy season. There was a thick belt of mangroves, also, on road, with boggy, salt, muddy soil on both sides. I walked about a quarter of a mile among the mangroves till I struck a creek, and had to return.—[Witness pointed out the spot on the map.]

797. When you found you could not cross the creek, why did you not go round the other way?—There was a large scrub round the creek, and I could not force my way through it; it was all muddy and swampy.

798. Do you think the plans were made before the surveys?—I was not at head quarters to see the plans made, but I assume the country was adapted to the plans. I had to work from a plan.

799. Did you find that some of the allotments were in a creek, and did you report that to the Government Resident?—I reported to the Government Resident that some of them were below high water mark. [Witness pointed out locality on map.]

800. Did you ask him to come and see them?—I did; and he said he would come some fine day.

801. Did you make a report about the line at the townships?—On one occasion I reported that if the north and south line of the township were extended, it would end in a creek, and that another line was impracticable, and that the Government Resident said that the line must be run, and afterwards that it was my duty to do the work and not to make remarks; or words to that effect.

802. How far did you lay the line out?—I laid it out to within a chain of the creek, and then resigned.

803. You did not peg out the allotments?—No; I only ran the street lines and fixed the banks of the river.

804. (*By Mr. Milne*)—What data were given you?—The allotments were shown, and a line given with an angle at which to lay them out.

805. And the distances and size?—Yes.

806. And for the river survey?—I had no particular data for that.

807. (*By Mr. Rymill*)—You are speaking of the survey at the Narrows. How long were you there?—From the middle of January to the 3rd April.

808. How often did the Government Resident come to see you?—Once before the 3rd April, and once on the 3rd April.

809. How long did he stay?—On the first occasion, he came up the river in the boat *Julia* and landed, and was on shore about an hour or an hour and a-half.

810. Who was in charge of the party?—I was senior surveyor after Mr. Pearson became ill. Smith was then sent out.

811. (*By Mr. Milne*)—Who commanded the party?—We each had a party, and after Pearson was ill I had charge of both.

812. Then

846. Are they hard or swampy?—The banks are muddy, but the tops of the bank is loose, black, porous soil. Mr. A. R. Hamilton,
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847. You were surveying at the Narrows—are the allotments, with the river frontages, of any value?—Those for a short distance from the Camp, where the ground rises about ten feet, would be, but the majority would not.

848. Why?—The river is lined with dense mangrove scrub, indicating high water mark. [The witness pointed out the line of mangroves].

849. How much is South Palmerston under water at spring tide?—I cannot say exactly.

850. Can you say of your own knowledge?—I believe the blue line, on the plan, shows high water mark.

851. What proportion of the allotments would be under water generally?—All those round the creek and the river banks would be submerged at the high spring tides. I judge so because of the mangroves which only live where the salt water comes. [The witness here referred to the map].

852. Can you state how North Palmerston is bounded?—On the north by a creek, Cape Hotham being about five miles distant; on the east by a peninsula towards Chambers Bay. I believe there are swamps at the back, but I never was over in that direction; on the west by an inlet and swamps; and on the south by swamps. [The witness drew a rough plan showing the localities.]

853. Would those allotments at the Narrows be fit for occupation?—I should not like to live on them.

854. Why?—In the first place because of the mosquitoes and sand flies, and in the next place you would be over your ankles in mud whenever you walked out of doors.

855. What is the extent of the swamp between the Narrows and Escape Cliffs?—In the wet season, when I was there, it was nearly a mile wide of water.

856. How many natives—adult natives, I mean, did you see altogether?—I cannot say.

857. Can you give an estimate?—I should say not much more than a hundred.

858. What reason had you for leaving off surveying?—My time had expired.

859. (By Mr. Milne)—You have stated that, in your opinion, Mr. Finmiss's conduct in some instances, caused dissatisfaction amongst the men—Will you mention in what respect?—In the first instance, partiality was shown to the boat's crew on our arrival.

860. The crew were not his own men; they belonged to the *Beatrice*?—No; the crew of the *Julia*, attached to the party.

861. Was there any other matter which tended to dissatisfaction in your opinion?—I don't think he put the right men in the right place, and I don't think he was judicious in the division of labor.

862. Is there anything else that occurs to you—did the natives seem a more powerful class of men than they are here?—I should say they were more muscular.

863. Was their conduct such as to lead you to believe that they meditated an attack on the encampment?—In a position like that it is well to be prepared for attacks, for natives are usually treacherous.

864. Was there anything particularly hostile in their manner?—Not when they visited the River Camp.

865. You were at the River Camp?—Yes.

866. Did you go far inland from the river banks?—No.

867. I mean in exploring the country?—No.

868. How were you employed there?—In taking the breadth of the river, setting out the camp, and other small matters.

869. How long were you there?—Not quite a month.

870. Can you not judge of the character of the country on either side of the river?—As far as I could see, the country was level, with clumps of inferior timber.

871. What was the country about Palmerston like?—It was of the same character; but the trees were scarcer, and only in patches.

872. Was there no large timber about the camp either?—Here and there was a good tree; but there was no comparison with South Australian trees—they were most of them hollow.

873. What kind were they?—A sort of eucalypti—something between gum and stringybark, more like blue gum.

874. (By Mr. Goode)—Respecting that part of South Palmerston of which you have spoken, do you think there would be more difficulty in making embankments there than at Port Adelaide?—I could not answer that question unless I considered the matter.

875. You know what embankments were made at Port Adelaide?—Yes.

876. Do you think there would be much greater difficulty in making them at Palmerston?—I can't say.

877. From what you saw, do you think there is much probability of the town being well situated for commerce?—Do you mean North and South Palmerston?

878. Yes?—If the back country was taken up, I see no objection to its being made a small port of.

879. Is the country likely to be taken up?—I cannot say. Some people may take it up.

880. (By the Chairman)—You say the land is not fit for agricultural purposes?—Not as far as I can judge.

881. Would it do for pastoral purposes?—The feed is coarse, and not suitable for sheep. It might do for cattle.

882. You do not know whether there was any destruction of stores or provisions?—Only that they suffered from the journey up the river.

883. What kind of provisions were injured?—Flour and sugar.

884. Was there any flour condemned?—I do not know.

885. Any pork?—Some pork was condemned.

886. Were you on the Board of Survey?—Yes.

887. How

Mr. A. R. Hamilton,
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887. How much was condemned?—Seventeen barrels.
888. Any beef?—No; we had none.
889. There was nothing else then?—Not that I am aware of.
890. What was the value of the seventeen barrels of pork? It was American, was it not?—
Yes; it was in small barrels.
891. Were there any facilities for obtaining wine or spirits in the camp?—I know that a
gill a day was served out to each man, and those who did not drink their allowance would sell it.
892. Do you know who sold their grog?—I do not know.
893. Was any sold from the Government Resident's tent?—I don't know; I am not aware
that there was.
894. (*By Mr. Finniss*)—Were there any sick men at the camp in September and October?—
Yes.
895. What do you think of the climate at Escape Cliffs?—It is not adapted for European
labor.
896. Why?—It is hot and humid.
897. What is the effect of that?—It produces great lassitude.
898. Were the mosquitoes troublesome?—Yes.
899. Did they disturb your rest?—Yes; very much.
900. Did they disturb the men during the day when they were working in the woods?—Yes;
while we were surveying I know they disturbed us.
901. Was the party short of provisions?—Before the arrival of the *South Australian*.
902. Was that general?—Yes.
903. What was the usual food of the party when they were short of provisions?—Generally
rice and sago; sometimes, yams and fish.
904. There were no yams there until the *Beatrice* brought them?—No.
905. What month was that in?—I am not certain; I think it was in October.
906. You say you could not walk in South Palmerston without mud; was that the case in
the allotments in North Palmerston?—As a rule I should say not. Some might be under water
in the rainy season, but not much at North Palmerston.
907. You were over that portion of North Palmerston which had been surveyed?—Yes.
908. Was that under water?—Not the portion that I walked over.
909. There was heavy rain at times?—Yes.
910. The rain there cannot be compared to what falls in Adelaide?—It greatly exceeds the
rainfall in Adelaide.
911. Can you tell how many inches the rain would fall in one day?—I understood about
three inches fell in twenty-four hours.
912. Do you know that forty inches fell in three months?—I don't know; it is not unlikely.
913. Can you say what months formed the rainy season at Escape Cliffs?—The end of
December, January, February, and March, are the rainy months.
914. (*By Mr. Milne*)—The rainy season was at the time of the most oppressive heat; was
it not?—Yes; the moisture from the ground produced a constant stream of vapour.
915. And in these three months the men could do the least amount of work out of doors?—
Decidedly.
916. When the rainy season was over, could the men do a moderate amount of work?—Yes;
the coolest time was in the four months succeeding May.
917. Then, with the exception of those three months the men could do an ordinary amount of
work during the year?—No; from August to December the weather gets very hot.
918. (*By the Chairman*)—Were there any cases of sunstroke?—No, I don't remember any.
919. Yet the men were exposed and without shelter?—Yes; I felt vertigo myself once, but
nothing like sunstroke.
920. (*By Mr. Goode*)—How were the men managed by the Government Resident; was
there a general want of management or control?—I think he did not apportion the supervision to
the officers sufficiently, he tried to do too much himself.
921. Was the want of discipline attributable to the want of proper supervision?—Yes, in a
great measure.
922. How was the want of discipline shown?—In this way; I have frequently known the men
plant themselves away so that when Mr. Manton was in search of them, they could not be found,
and so they were not called out to work.
923. (*By Mr. Milne*)—Do you know any instances in which this was reported to the Go-
vernment Resident?—On some occasions they were.
924. Was any notice taken by the Government Resident, and any punishment inflicted?—I
can't say.
925. You don't know of any yourself?—No.
926. (*By the Chairman*)—Do I understand that the men were allowed to hide themselves
and no notice taken of it?—I don't know what the other officers did.
927. Do you know of no punishment being inflicted?—Yes, I reported Atkinson and he
was discharged.
928. (*By Mr. Finniss*)—Was there any other case—Pennyquick?—Yes.
929. Styles?—Yes; but Pennyquick might have been discharged for other reasons, that was
not the immediate cause.
930. What was the cause?—He was on guard, and talking loudly, chaffing, and saying the
guard was unnecessary, and making allusions to yourself.
931. What were they?—He quoted some expression of yours, that the lives of forty men
were at your disposal. He used always to be asking if the time of our guard was up.
932. You mean that I said that the lives of forty men were in the disposal of the guard, and
they should be careful?—Exactly.
933. (*By Mr. Rymill*)—You remember the tarpaulin was taken away to the Government
Resident's tent?—Yes.

934. Who

934. Who took it away?—The Government Resident's servant.
935. What for?—I understood for a floorcloth in the Government Resident's tent.
936. Do you remember the Government Resident visiting the Narrows, when Pearson was ill?—Yes.
937. Do you remember any remarks he made?—The Government Resident hailed from the boat; I told him Pearson's legs were bad; and he said that Pearson should bathe them with vinegar and water, and lay up.
938. Do you recollect being a guard yourself, and the Government Resident coming to you and stating that you were drunk, and you denied it, and said that you were smoking; and that he said "If you don't drink, you smoke?"—Some of the sergeant's guard were drunk, and Mr. Finniss asked if I was drunk. I said "No." He said "I suppose you smoke if you don't drink." I thought it was a jocular remark, and not intended as a reproach.
939. Did the officers dine with the Government Resident? Did you ever?—No.
940. Have the laborers done so?—I don't think so, at this period. At Escape Cliffs, Bennett and Watson dined with him when they came ashore.
941. Have the men ever messed with him?—Previous to going on an exploring expedition they have done so; and I have heard Auld and Litchfield say that they have had tea with him.
942. (By Mr. Goode)—This tarpaulin that was taken away for the Government Resident's tent—what was it used for before?—For a screen over the cooking galley.
943. Not as a tent?—No, for the men to mess under.
944. Were there any other tents or huts there?—Three; two for the men.
945. (By Mr. Finniss)—Had any of the other officers tarpaulins as floorcloths?—Yes.
946. Most of them had?—I had none; most of the others had.
947. Had the men any?—They had canvas sheets or hammock-covers for floorcloths.
948. (By Mr. Goode)—Do I understand there were three tents there at that time?—There were three bell tents; two for the boat's crew. The shore party had none.
949. (By Mr. Finniss)—You recollect, Mr. Hamilton, my coming to encamp at Escape Cliffs?—Yes; I was with you.
950. You were with the boat's crew?—Yes, but I was not one of the crew.
951. The tents were at the River Camp chiefly, I think?—Yes.
952. I went to Escape Cliffs to establish a dépôt?—Yes.
953. There would be a difficulty in carrying tents, for the short time the party expected to remain there?—Yes.
954. The party had gone without tents, as they expected to remain there only a short time?—Yes.
955. They were there until the main party came down?—Yes.

Mr. Charles Hake called in and examined:

956. (By Mr. Rymill)—What is your name?—Charles Hake.
957. What was your position in the party that went up in the *Henry Ellis*?—Laborer.
958. When you arrived, did the *Henry Ellis* discharge?—Yes.
959. Do you remember any fitted stores being on board?—Yes, there was some timber for a store and other houses.
960. What was done with it?—The building material was sent ashore at Point Charles.
961. How was it rafted?—In two rafts.
962. You were in the store?—Yes, in Mr. King's department, under his orders.
963. Can you speak as to the nature of the ground at Escape Cliffs?—The Cliffs were high and all around the land was swampy.
964. Was there any quantity of agricultural land available?—I did not see any.
965. Was there any timber for general building purposes?—No, the timber was small and hollow.
966. Was there any building stone?—No.
967. Any surface water?—Only in the swamps; that was fresh when it rained.
968. Where were the guard placed when they were on sentry?—Between the Government Resident's tent and the stores.
969. Could they see what was going on round the camp?—No, they were right at the edge of the cliffs, and there was no guard round the other portion of the camp at all.
970. Then the camp might have been surprised without the guard knowing anything about it?—Yes; from the landward side, and that was the side where the natives would come from.
971. Was the store you have spoken of ever put up?—Not to my knowledge.
972. Why? Was any of it deficient?—I cannot say what timber was deficient, but none of it was put up as a store.
973. From what you saw of the conduct of the Government Resident do you think it produced dissatisfaction among the party?—Yes.
974. In what way?—He showed more favor to some than to others.
975. Do you mean towards the laborers?—Yes, those who were in the boat's crew.
976. Do you think that officers were treated as officers should be, and men as men should be?—I think there was more partiality shown to the laborers than to the officers—that is, to some of them.
977. Did you buy any grog or rum from the Government tent?—I have bought some from the servants at the cooking place.
978. What did you pay for it?—Five shillings a bottle.
979. What quantity did you buy?—One bottle.
980. Do you know of any others who bought grog?—I heard of plenty, but I could not say of my own knowledge.
981. Were you on the survey party in January?—Yes.
982. Had you any particular work on one occasion?—Our first work was running a line from Sandy Camp to the Narrows.

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983. Do

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983. Do you remember if it was done?—I remember doing part of it.
984. Why was it not finished?—We came to a swamp which stopped us. [The witness pointed out the position of the line.]
985. What was the direction?—As nearly north and south as I can guess.
986. How far did you go with this line?—We went two to three miles, when we were stopped by the swamp which we could not cross.
987. Have you ever heard that there was a road like that marked in the map between the two places?—No.
988. Were you at the Adelaide River?—I have been up there.
989. What is the nature of the banks?—Very low.
990. What grows on them?—They are thickly lined with mangrove; and, looking through the openings, the country appeared all swampy.
991. In the rainy season would there be great difficulty in getting to the back country from Escape Cliffs?—Yes; from what I have seen.
992. What effect would the rainy season produce?—It would swamp all the land nearly from Chambers Bay to the River.
993. You were not out in any exploring party, I think?—No.
994. You were one of the guard on one occasion?—I was on guard sometimes.
995. Did the men work on the day previous or on the day following that on which they mounted guard?—No, not on the day following, and sometimes not on the day previous.
996. There were five men on guard?—Yes.
997. And sometimes ten men were not working because they had been or were going on guard?—Yes.
998. When you were at the Narrows, did you see several of the allotments under water?—I don't know; the land I was on was round the camp, where it was higher ground.
999. You were along the banks of the creek?—Yes.
1000. What was their nature?—There were mud flats and salt swamps.
1001. What was the extent of the swamps between the Narrows and Escape Cliffs—what was the area?—I only know of one large swamp.
1002. What was the size of that one?—About a mile across.
1003. Was that extending from the coast line inward, and how far?—That swamp did not extend far; but there were other swamps which continued inland.
1004. Do you know anything of the country north of Escape Cliffs?—Not for any distance.
1005. Were there swamps around the cliffs?—There was a creek and a mangrove swamp.
1006. What is the nature of the land where mangroves grow?—They grow in mud, and want salt water to live in.
1007. Did the creek ever overflow?—Yes, at high tide.
1008. How was the land kept muddy?—It was wetted at times by the rising of the tides.
1009. Do you know anything about the damage to the stores?—They were brought down from the river camp in a most disgraceful state.
1010. What was that owing to?—To careless handling as much as anything.
1011. Did you go to the river camp?—No; I have seen the spot.
1012. Did you not see the stores transhipped?—No.
1013. Can you say whether any were left on the beach at Escape Cliffs?—Some of them were.
1014. They were all landed on the beach?—Yes.
1015. And left exposed until the store was built?—Some of them were hauled up the cliffs, and some were at the foot of the derrick, and some were at the Government Resident's tent.
1016. When were they first stored?—In October, in the place built for a hospital.
1017. Were all of the goods stored?—The ammunition, spirits, and groceries were stored there.
1018. Were any of the spirits stolen?—Some of the medical comforts were stolen at the derrick.
1019. Was there a guard kept over the stores?—Not that night.
1020. Were any natives seen about?—No; not that night.
1021. Was it only on that occasion that goods were reported to have been stolen?—Others were reported as stolen at other times, but I am not certain.
1022. How many natives have you seen up there altogether?—I suppose about half a dozen. The number would not amount to eight.
1023. (*By Mr. Goode*)—Do you say that there was no timber within a reasonable distance of the settlement?—Not large timber.
1024. Any fit for building purposes?—I think not.
1025. What distance would you have to go for timber?—There were some paperbark trees above the usual size in the swamps.
1026. How far would you have to go for timber?—I don't know, for timber in any quantity.
1027. Was the party in good order?—Not particularly.
1028. Was there much disorganization?—The men did not work willingly.
1029. What was that from?—Dislike to the Government Resident, generally.
1030. What were their grounds for that dislike?—For my own part, my dislike was caused because on one occasion we had been landing palings from the *Julia* and had carried them through the mud on our shoulders. After a good day's work, Mr. Finniss sang out to us to go to work; that we had done nothing all day, and that we ought to go on and work much harder. We spoke about the boat's crew doing nothing; and he said "They had been at work all day, and must have a spell." That was my first cause of dislike.
1031. Had the boat's crew been hard at work?—They had brought a boat load from the *Henry Ellis*.
1032. Was that all?—I believe so.
1033. At what time?—I was ashore when they were at the ship; it was in the forenoon, I think. In the afternoon Mr. Finniss said this to us.
1034. Did

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1034. Did you notice any destruction of stores?—I saw some tea in the sea water at the beach left down below high water mark.
1035. Whose fault was that?—I don't know; I was not there every boat load that came in.
1036. Were any steps taken to protect the stores landed from the *Henry Ellis*?—There was the guard.
1037. Was there any shelter for them?—Only the tarpaulins.
1038. Was there nothing else?—Nothing.
1039. Have you any idea how the pork got injured?—I don't know, it went bad—it was American pork.
1040. (*By the Chairman*)—Was the tea damaged by the salt water?—Yes.
1041. (*By Mr. Goode*)—Was the flour damaged?—Yes, a great deal; it was full of large lumps and uncatable, it tasted bad.
1042. Was it damaged on its arrival?—I could not say, it was bad when I opened it.
1043. How long was that after it arrived?—We used to open about two or three bags in a week.
1044. At the commencement it was damaged?—Yes, but I don't know how.
1045. How long were you at the Northern Territory?—Until the 30th April, in the Government service; but I was there until the 5th of May.
1046. Were you most of that time at Escape Cliffs?—From August, 1864, to December, 1864.
1047. Where were you the rest of the time?—I was on board ship until August, and afterwards at the surveys with Pearson's party—first at the Sandy Camp and then at the Narrows.
1048. When you were landing the palings, did you see this tea you have spoken of?—I saw it afterwards.
1049. Was there no officer in charge of the men who were landing the palings?—Not at that time.
1050. How were you employed at Escape Cliffs?—I was generally on the store department, helping to unload and to store the goods, serving out the rations and cooking.
1051. Was there no officer in charge then?—Not at all times.
1052. Did it often occur that there was no officer in charge of the men?—It was often the case.
1053. Five men were always on guard?—Yes.
1054. And did they not work on the following day?—They generally came in too late—they came in after Mr. Manton had gone round calling out the men to work.
1055. What were the hours of guard?—From nine one morning to nine o'clock the next.
1056. And they were sometimes not at work on the previous day?—No; because they had to hold themselves in readiness to go on guard.
1057. What, to go on guard the next following day at nine o'clock?—I do not understand how it was brought about; but so it was.
1058. What was the strength of the party at Escape Cliffs?—Forty-three.
1059. Then do I understand that there were on some occasions five men unemployed because they were to go on guard next day—five men on guard, and five men who had come off duty—fifteen men altogether, who had no other occupation but as guards?—Yes.
1060. You have spoken of some tea being on the beach in a damaged state—how long did it lie there?—I don't know.
1061. How much was there?—There was one chest which the high water would reach, and one in the water.
1062. Had it been newly landed?—That day.
1063. You don't know how long it remained there?—I don't know.
1064. Was there any officer in charge of the party?—I don't think so.
1065. Then the men could do what they liked?—Yes.
1066. (*By the Chairman*)—Were both the chests of tea damaged?—No; one was damaged—a half chest, containing about 40lbs.
1067. Was the flour damaged?—It was returned by the men as uncatable—there were about ten bags returned when I left the store.
1068. Was that from exposure?—I can't say how it was damaged.
1069. How about the pork?—I know it was damaged; but I can't say how.
1070. You were on the store department?—Yes; but I don't know how it was damaged after landing.
1071. How much was damaged?—Seventeen barrels.
1072. How much did they contain?—I don't know.
1073. Was there a garden made then?—There was one made; but I don't know anything about what was growing in it. I have only seen it—that is all.
1074. You say there was very little timber about—was there enough for firewood?—Yes; plenty for that at Escape Cliffs. It was a scrubby country.
1075. You are sure that there were fifteen men off duty for the causes you have just mentioned?—Yes.
1076. Was that under the eye of the Government Resident, or Mr. Manton?—I suppose they must have seen it. I don't know that all the five who were to go on guard the next day were in that position, but some would be.
1077. How did they pass their time?—In reading, some of them.
1078. Not in labor?—No.
1079. (*By Mr. Finniss*)—Were you on guard yourself?—Yes.
1080. Where did you live while the stores were being landed—was it not with Mr. Davis at the derrick?—Yes.
1081. How far from where the goods were moved?—About seventy yards.
1082. Mr. Davis was assistant storekeeper?—Yes.
1083. Was his tent so pitched that he could see the goods as they were landed?—He might if he was there, but many were moved after the tent had been removed.
1084. Where was Mr. King?—At Escape Cliffs.

1085. He

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1085. He was storekeeper?—Yes.
1086. Was he sick?—Yes; some part of the time.
1087. Mr. Pearson was there?—Yes; he was sick about all the time he was at Escape Cliffs.
1088. Were you sick?—Sometimes.
1089. Were you absent once after coming off guard?—Yes.
1090. You hid yourself in the bush?—Yes; because I wanted to get some sleep.
1091. Was your work very hard?—I had to work in the day time and keep guard at night; and besides I could not get any rest because of the mosquitos.
1092. You could not work and keep guard also?—No; I could not, but I did the best I could.
1093. When did you leave?—About the 7th May.
1094. How?—By water.
1095. In what vessel?—The *Forlorn Hope*.
1096. Who was in charge of that boat?—No one in particular.
1097. Was Mr. Stow?—He was one of the party.
1098. What were the names of the crew?—Myself, McMinn, Davis (the seaman), Stow, Hamilton, Edwards, and White.
1099. You say you were discontented with me; who recommended you for your appointment to the party?—I don't know.
1100. Do you recollect asking me to take you as a favor?—Yes.
1101. You worked with me before in South Australia?—Yes.
1102. Did you ever find fault with me then?—No.
1103. What caused your change of feeling towards me?—I don't know, except your general behaviour.
1104. You say that I favored the boat's crew?—Yes; another cause for my dissatisfaction was your placing Hall over me.
1105. Did you expect his post?—I was one of the first party, and I did not like one of the second put over me.
1106. Had you any other cause of dissatisfaction?—When I was reported sick you disbelieved it.
1107. Who told you so?—Mr. Pearson, the officer over me.
1108. You were sick at Sandy Beach, who was sick with you; was Atkinson?—I don't know.
1109. How many days were you sick then?—It was early in January when I was sick, so fatigued with my work that I fainted as I went home.
1110. Was that with the work or the climate?—With both; that would be heavy work there which would be light here.
1111. You went out with Mr. Pearson at the Sandy Camp; how soon after that were you ill?—About a week.
1112. Was it six days?—I could not say to a day.
1113. Was it five days, or was it four?—I am not certain.
1114. Can you say any time?—It was about a week within a day or so. I was with Mr. Pearson previous to this illness.
1115. How long altogether?—From the 30th December to the 18th January.
1116. With Mr. Pearson?—Yes.
1117. Your work was to run the north and south line?—Yes; from the Sandy Camp Wells towards the Narrows.
1118. You took up work there?—Yes.
1119. And you were stopped by the water?—Yes.
1120. What day of the month was that?—I cannot say exactly; it was only three or four days previous to my leaving for the Narrows.
1121. What was the weather, dry or wet?—It was dry then, but we had had rains.
1122. If the weather was dry, could you not have continued?—If we had gone through water. It was salt water in the swamps.
1123. Then the salt water stopped you?—Yes.
1124. How many miles was it south of the wells?—About three.
1125. You say that I placed the guard between the stores and my tent, was there any guard's tent?—There was.
1126. Adjoining the stores?—Between the stores and the edge of the cliff.
1127. Then the guard lived next the stores?—Yes.
1128. Who was the best judge of the proper place to station the guard, the Government Resident or you?—It depends upon circumstances; one man's opinion is as good as another sometimes.
1129. (*By Mr. Goode*)—You say the guard was on duty from nine o'clock one morning to nine o'clock the next; how many hours duty had they?—Four hours pacing up and down.
1130. How many at a time?—One.
1131. And the others resting; could they not have slept during the interval?—Yes.
1132. (*By Mr. Milne*)—Only one man was on guard at a time out of the five?—Yes.
1133. Had each man four hours?—They had two hours in the early part of the day, and two more when their turn came round.
1134. They had only two hours at a time?—Yes.
1135. Then how did they get through the twenty-four hours; if there were five of them, and they had four hours each, that only makes twenty hours, there are four hours still to account for?—The sentry was continued; there was always a watch kept by one after the other.
1136. How many hours were you on sentry at night?—Two hours; but I did not belong to the guard properly.
1137. You say that one day you were so tired that you fainted; now if you were only two hours on only at night, and two during the day, were you not idle the remainder of your time?
—No;

—No; I was not idle, for when I was not on guard I was at every one's call, if any one wanted anything from the store, I had to give it to them.

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1138. Then you being on guard did not relieve you from your other duties?—No; the other men were relieved, but I was not.

1139. Do I understand that the men had four hours' duty each on guard one day, and that they were so fatigued that they had to rest the next day?—No; that was not the reason exactly, the men were called to work about half past eight and the guard did not come in till nine, so that the other men were sent out and the guard was overlooked.

1140. Who told off the men?—Mr. Manton.

1141. Did he appoint an officer to each party?—No; they were left to go to work themselves at whatever they had to do.

1142. How many officers were there?—Ten, I think.

1143. What did Mr. Manton do after telling the men off?—They were left to themselves sometimes when they were at work on the beach he came to look after them, but not always.

1144. (By the Chairman)—Could the sentry overlook the tents as well as the stores?—No.

1145. Then he was of no use for protecting the camp?—No.

1146. Were not the cliffs on higher ground than the rest of the camp?—Yes, rather higher; the land fell gradually.

1147. (By Mr. Milne)—Were they sufficiently so to enable the sentry to overlook the camp?—He could see some of the tents, but not the others which were behind again.

1148. (By the Chairman)—What were the sentry's orders?—There were none in particular. He had to keep a sharp look out for the blacks, and keep guard over the stores. When I was first on guard the tents were not fixed, but afterwards when they were erected I could not have seen the natives.

1149. (By Mr. Milne)—Some stores were stolen one night?—Yes, from the beach, under the derrick.

1150. Were they overlooked by the guard?—There was no guard that night, it was shifted to the stores at the Government Resident's tent.

1151. The stores were robbed below?—Yes; they were scattered about the beach.

1152. At what distance from the derrick?—From fifty to 100 yards.

1153. Were they stolen by day or night?—At night it must have been.

1154. And there was no one on guard at the time?—No.

1155. (By Mr. Finnis)—You say the sentry was not in charge of the camp. Do you not know that a patrol officer of the guard and another man visited the camp every two hours?—Not always; they came round sometimes.

1156. (By Mr. Rymill)—Did Mr. Manton act under Mr. Finnis's orders?—We supposed so, but I can't say whether he did or not.

1157. (By Mr. Goode)—How was Mr. Manton employed after he had sent out the men to their work?—I don't know, he used to look at them sometimes.

Mr. George Warland called in and examined:

Mr. George Warland,
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1158. (By Mr. Rymill)—What is your name?—George Warland.

1159. Did you go to the Northern Territory in the *South Australian*?—Yes; I had charge of the stock on board, all of which was landed in good condition.

1160. When did you arrive?—On the 5th December, 1864.

1161. What was your position in the party?—Laborer.

1162. When you arrived there did you notice any buildings?—No; there was the shell of part of a house, and a wooden cottage, no other that I could see.

1163. Was there any store?—There was a small log building, but what it was I could not say.

1164. Did you see anything else?—Nothing, except some tents and a stockyard, which had the rails tied to the posts with ropes, and was large enough to hold four or five cattle.

1165. Did you see any stores?—O, yes; I remember there was one small store—one log store.

1166. Yes; but I mean did you see any goods about?—No. I was discharging the stock for the first week after my arrival, and did not go on shore except for an hour or so.

1167. What did you do afterwards when you came ashore?—I was drafted off to a survey party, and went to work in a day or two after.

1168. Where were you surveying?—At Escape Cliffs.

1169. What is the nature of the ground at Escape Cliffs?—A sandy ridge, falling away to a swamp which is wet in the rainy season, and in the dry season gradually gets caked hard.

1170. What is there on the north?—A permanent swamp formed by the tides.

1171. And on the south?—A permanent swamp made by the sea.

1172. Would it be difficult in wet weather to reach the back country?—It would not only be difficult—it would be utterly impossible with a dray and cattle.

1173. Why?—The cattle could not travel.

1174. Is there any timber for building purposes?—It is what we used to call on sheep stations good useful sheep-station timber, but not fit for building.

1175. Any building stone or limestone?—Not a particle; I have searched for them.

1176. Any water?—None permanent, except in the swamps.

1177. Is the land fit for agricultural purposes?—For anything that grows that I know of it is totally useless; it is either dry sand, and when it is not so there are swamps.

1178. Were you up the Adelaide River?—Yes.

1179. What are the banks like?—I should describe them as low mud for thirty or forty miles, lined with mangroves; then they rise, and you come to freshwater swamps.

1180. Were you surveying at the Narrows?—Yes; I was in the survey party.

1181. Was there any of the land under water?—I don't know what allotments were, but all the land I worked on was under water every spring tide.

1182. Do you remember the water being stored in the tanks at the mess-tents?—Yes.

1183. Do

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1183. Do you remember any of it being taken away?—Yes; I was accused of stealing it. The water taken was about two or three quarts, taken for the express purpose of making gruel for A. Todd, who was ill with the dysentery and attended by the doctor; the gruel was to be made by the doctor's orders.

1184. Do you recollect where it was stored?—The tanks were taken from where we put them for use, and taken away to the Government Resident's house.

1185. You say you were charged with stealing the water?—Not charged; I was only accused.

1186. You were sent for by the Government Resident?—Yes.

1187. Will you state to the Commission what took place?—He sent for me in the evening, and when I went to the back door of his house he told me I was a scoundrel and a thief, and I was set on by the doctor and his scoundrelly friends, and I might as well rob Governor Daly as him. He said there was nothing done in the camp which was not reported to him.

1188. Was this said before the others?—Twenty of them might have heard it. The men were on the cliffs because of the mosquitoes, and anyone might have heard it.

1189. Was the party in a state of disorganization or dissatisfaction?—It was not disorganized, but the dissatisfaction was tremendous. Every order was obeyed as far as I can say.

1190. Can you instance any grounds for dissatisfaction?—Every one saw that the place must be abandoned, except those who were paid for praising it.

1191. Was the dissatisfaction towards the Government Resident?—The men went up, on a splendid report of the country, and when they got there they had no means of obtaining employment if they were out of the Government service, because of the poorness of the soil; so that they must either work or starve, and they were dissatisfied with such a place.

1192. Were you out on any exploring party?—Two.

1193. Was the first to Port Darwin?—Yes.

1194. Who was in charge?—Auld was in charge of the first party.

1195. And afterwards?—Litchfield of the party round the head of the Adelaide River.

1196. What kind of country was it?—For the first few days we found it like Escape Cliffs—sand and swamps. As it was a drier season, the swamps were passable.

1197. What was the effect of the water from the wells?—The water gave me symptoms of diarrhœa.

1198. Was the guard in existence when you were there?—No; it had been broken up and abandoned.

1199. Did you attempt to get to the Daly Ranges?—No; we saw some small ridges, but not what I call ranges.

1200. What was their elevation?—From 200 to 400 feet above the general level, and perhaps 500 feet above the sea at the outside.

1201. (*By Mr. Goode.*)—Did you make no attempt to reach the ranges?—If those small stony ridges were the ranges we reached them.

1202. (*By Mr. Rymill.*)—They were called the Daly Ranges?—In the Northern Territory this was a broken and stony country intersected with swamps.

1203. Did you see anything like pastoral land?—No; not within thirty miles of the coast.

1204. Or agricultural land?—No, the land was not fit for stock, or plants, or seeds.

1205. Would stock thrive there?—Decidedly not.

1206. Is that on the best land that could be got?—The only land in wet seasons that could be got was just around the Cliffs.

1207. (*By the Chairman.*)—What was the area?—Not more than a couple of square miles certainly not more.

1208. (*By Mr. Rymill.*)—Was it possible to get from the Cliffs to the Narrows by the road laid out in the plan?—Oh no.

1209. Why?—For the swampy land. [The witness pointed out on the plan the position of the swamps and the track from the Cliffs to the Narrows.] I believe this is the only track. You could not go in a straight line at any time of the year with cattle; it was utterly impossible.

1210. Was the site utterly unfit for a settlement?—Quite unfit within the thirty miles of the coast that I am acquainted with.

1211. You have had a good deal of experience in judging of country?—Yes, I have been all my life on stations.

1212. You consider yourself qualified to give an opinion?—My opinion about these matters has been held good generally.

1213. Was Escape Cliffs a suitable site for the capital of the Northern Territory?—If the land on the head of the Adelaide River could be settled, Escape Cliffs might be of use, but I can't say that the capital should be there.

1214. Would the Narrows be fit for a port and this for a capital?—The Narrows were cut off from the Cliffs by the swamps.

1215. Were the Narrows fit if the land was suitable?—It might be, but the land was utterly unfit where we were.

1216. (*By Mr. Goode.*)—You said, that for the first few days you found the country like Escape Cliffs; what was it like after that?—After getting past the slight stony rises, the country rose gradually, and the swamps were less, and finally they took the character of creeks.

1217. Did you see any good land?—Not for any but the coarsest kind of stock, it was quite unfit for agriculture. [The witness pointed out his route through the country.] The land is useless for stock. I would not take it at a penny a mile in the Northern Territory for any kind of stock.

1218. Here's some country marked "good available land,"—[referring to the plan]—did you pass over that?—Yes; but it is totally useless for everything I know of.

1219. Here are some marked "fine sheep and cattle country?"—It is dry enough for them. I don't say they could not live there, but the wool would not grow on it. Cattle and horses might do there.

1220. This is marked "rich grassy flat?"—Yes; if this is well grassed you might call Tilley's Swamp well grassed; but what is the use of it, you could not ride cattle over the country for the swamps.

1221. Will

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1221. Will you describe the country you saw?—When I went up with Mr. McKinlay, the greater part of the land was utterly useless for everything. I am perfectly clear about this, because I went up with the intention of settling. [The witness pointed out on the map the country he was speaking of, and described as covering an area of thirty-five miles each way.] I would not take it up for stock purposes.

1222. Would there be more difficulty in making the embankments through the swamps in the Northern Territory than there would at Port Adelaide?—Yes, much more; more labor would be required; there is no stone within reach, and the timber is not available.

1223. Did you see any destruction of stores?—I saw a heap of stores with sails over them, but I did not make any inquiries. I was not in the way of seeing it.

1224. (*By the Chairman*)—Would horses thrive there?—Yes; they might in the back country, but not in the area I have mentioned, because if the grass was good the mosquitoes were too troublesome.

1225. Did you see a gaaden there?—Only in name; it was about an acre in extent. I only saw one.

1226. What was produced in it?—I don't know of anything.

1227. Were not vegetables grown there?—They were often tried, but nothing was produced. I was away from Escape Cliffs, and didn't know exactly. I heard that water melons were grown there, but did not see any. The soil was unsuitable without immense expense.

1228. You don't know whether the land would do to grow cotton?—No; if good land was necessary it is of no use.

1229. Would it grow tobacco?—It would not.

1230. Rice?—I don't know. The rice requires swampy land, and the swamps here dry up. It might do in the wettest season for three or four months.

1231. Did you purchase any spirits?—No; I often heard they were sold, but I don't know positively.

1232. (*By Mr. Finnis*)—When did you leave the Territory?—By the *Ellen Lewis*.

1233. When you left were you in the Government service?—No. When I was too ill to do more work you dismissed me.

1234. Where were you in the Northern Territory; were you in Mr. Manton's camp.—Yes.

1235. Were you working there?—No; I was too ill.

1236. Were you living there?—Yes; I continued working till I couldn't work any longer.

1237. Who was in charge?—Mr. Manton.

1238. Were any other surveyors there?—Edmunds and Watson.

1239. Whose party were you in?—Watson's.

1240. Were there any horses there?—Yes; six.

1241. Were they in good condition?—Yes.

1242. When they were in good condition does not that show that they could find nourishment?—I have already said that horses would do there.

1243. Were there any sheep there?—Forty were taken up by the *Beatrice*, and gradually used as rations.

1244. Did they improve?—They did.

1245. Mutton could be grown there?—Yes. [The witness here referred to the map, and pointed out the country he thought would be suitable for cattle and horses.]

1246. Did you go to the top of Mount Gum?—Yes.

1247. How high is that?—About 400 feet above the river, and about 450 feet above the sea level. There is fifty feet fall between the river there and the sea.

1248. Did you cross where the red line is shown [pointing to the map]?—Yes.

1249. Was the water fresh?—Yes.

1250. Have you been there since?—Yes; with Mr. McKinlay.

1251. Did you track about those hills?—We went out about fifteen miles. We did not come home to the cliffs the same day. We slept out. We got our horses from Manton's camp.

1252. (*By the Chairman*)—What were you doing with Mr. McKinlay?—I went with him, and two from Escape Cliffs went also; being appointed to his party, I was requested to come with him. Glen and Thring went along to the eastward to look at the country. McKinlay and I went up the river with the *Julia*, as it was going to remove some of the party back to the cliffs.

1253. You returned in the *Ellen Lewis*?—Yes.

1254. Was your diary published?—Yes, a portion of it.

1255. You left Manton's camp and the service before the arrival of the *Ellen Lewis*?—I left Manton's camp to get relief, which I couldn't get there. McKinlay went over a large portion of the Sections at Manton's camp by himself. I was knocked up, and could not ride without much pain and suffering.

1256. You did leave the camp?—Yes.

1257. How did you come down?—In a boat built by parties up there.

1258. Had you any share in it?—No.

1259. What was the name of the boat.—The *Independent*.

1260. What others came down with you?—W. Stow, J. Wadham, T. Wadham, Grainer, and another one.

1261. After you came to Escape Cliffs you were no longer in the service?—I was struck off by a general order.

1262. After you came down you were not able to do any work?—No, I was not able, and the others could not work from illness.

1263. There were six men in the camp well or ill not doing anything?—Yes. [Memorandum by the Government Resident put in and read.]

1264. You were at Escape Cliffs when Mr. McKinlay arrived?—Was I there. I believe so.

1265. Was Mr. Manton?—No.

1266. He was up the river with a large party?—Yes.

1267. With all except the party who had come down?—Yes.

1268. When Mr. McKinlay arrived was there a stockade there?—Yes.

1269. With

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1269. With no stores inside?—Yes.
 1270. Were his horses landed?—Yes.
 1271. Who by?—By his own party, and by the crew of the vessel, and some men from the cliffs.
 1272. Where were the horses taken?—To the stockade.
 1273. Did any of them die?—Three.
 1274. Did you see any of the men drunk?—I can't say that I did.
 1275. Were they all sober from your arrival to your departure?—I had so little to do with the camp that I did not see.
 1276. Did you not live there?—I lived in the neighborhood.
 1277. You were attending to Mr. McKinlay's business?—I was assisting him as far as I could.
 1278. You say you did not see the men drunk; can you say that they were all sober?—No, I did not see the men about.
 1279. Did you ever sell any grog?—No, I exchanged it for other things, but not for cash.
 1280. When Mr. McKinlay came, were his things landed and placed in the store?—Yes, by themselves in a separate camp at the south end of the cliffs.
 1281. Were any tents pitched?—Yes, their own.
 1282. Had the Government party any tents?—None that I know of.
 1283. Did the storekeeper live there?—I cannot say.
 1284. Did Davis or Hood?—I don't know, I spent as much time as possible on board the ship.
 1285. Were the stores in the camp or on the beach?—I am not aware.
 1286. You would have seen them if they had been there?—I think so.
 1287. (*By the Chairman*)—What were your reasons for leaving the expedition?—[Witness handed in a medical certificate from Dr. Milner to Mr. McKinlay, describing witness as in bad health.]

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Mr. A. R. Hamilton recalled :

1288. (*By Mr. Rymill*)—Do you remember the Government Resident stating that the native "Dombey" should be shot whenever he could be found?—On one occasion I heard him say to his son, by the derrick, that if we should see Dombey we should shoot him.
 1289. Who were present at that time?—Most of the shore party.
 1290. (*By Mr. Finniss*)—Did I use those words before his death?—Yes; some weeks: it was after the horses came in speared, but I do not know the precise date.
 1291. I believe the shooting took place a day or two after the horses were speared?—It was shortly after.
 1292. Was it a week?—No; to the best of my recollection it was less than a week.
 1293. And it was in the interval that I said this to my son?—I am not certain.
 1294. Are you sure if I ever said it, that it was not when the party was going to Chambers Bay?—I think it was before that, but I am not positive; I did not record it in my mind.
 1295. How is it when you recollect the expression so closely?—One thing was, because I made a remark to your son, to the effect that if he shot Dombey and he had a son he might as well shoot him too, and make an end of "Dombey and Son."
 1296. This was a jocular conversation?—I presume so.
 1297. It was jocular on your part?—Yes.
 1298. (*By Mr. Rymill*)—Am I to understand that it was jocular on Mr. Finniss's part?—I do not know what was in his mind.
 1299. From his manner, do you think he was serious?—I cannot say, I did not pay particular attention, and cannot recollect his manner.
 1300. Did he show that he was speaking in joke?—I do not recollect; I don't know whether he meant it as a joke or not, some people utter a joke and don't show it in their manner.
 1301. (*By the Chairman*)—What did you imply from his remark?—I should be sorry to draw a conclusion, because it is a serious subject, and I might be in error.
 1302. You simply state facts?—Yes.
 1303. (*By Mr. Goode*)—What impression did it make on your mind—that it was in joke or in earnest?—I forget just now.
 1304. Did he think it was likely to be carried out?—I take it this way that the Government Resident meant that if the natives showed fight, Dombey having been spearing the horses, we ought to single him out; that was my impression.
 1305. That was not a joke?—No; I don't consider so.
 Commission adjourned.

Friday, 23rd March, 1866.

Present—

The Auditor-General
Mr. Milne

Mr. Goode.

Mr. Rymill and Mr. Finniss were also present.

Mr. J. P. Stow called in and examined :

1306. (*By Mr. Rymill*)—What is your name?—Jefferson Pickman Stow.
 1307. You went to the Northern Territory in the *South Australian*?—Yes; I landed on the 5th December, 1864.
 1308. You did not go as one of the party?—No, as a private settler.
 1309. You are aware of these charges against Mr. Finniss?—Yes.
 1310. As to the first charge of want of management [Mr. Rymill read the first charge]. From what you saw, can you speak as to the management of the party?—Yes. The party was quite

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quite disorganized. I use that term because I do not know any other so applicable I never saw a body of men in such a peculiar state before. The men were not mutinous, but they had no regular habits of work at all. The first thing I saw, the day the ship arrived, was that, instead of landing the stock, so many men were drunk that the captain refused to allow them the use of his boats after the first trip. At night Mr. Packard got some men to work landing sheep. I saw no officer come on board; and, except Mr. Finnis, there was no one in charge, as far as I saw.

1311. With regard to the treatment of the laborers and officers?—There was a great separation between Mr. Finnis and his own officers; they seemed to have nothing in common. The laborers seemed, as far as I could judge, to be the persons he associated with and consulted.

1312. Of your own knowledge, can you say that his treatment was calculated to make the men discontented?—Yes. It was a common expression that the laborers were officers and the officers laborers. It was not possible generally for the officers to give orders. They gave orders on the beach, but not otherwise, that I saw. Mr. Manton gave instructions in the morning, but did nothing else all day. The general appearance of things showed how the laborers were treated. Mr. Finnis would sit in the evening in his arm-chair on the cliffs with a group of laborers around him. I saw no officers among them but Mr. Bennett. The surveyors seemed to be harrassed by the meddling with details by the general orders which were stuck up. The men had to cook in turns; and if a surveyor had a good axeman or chainman, he was liable to be taken away to cook for the party.

1313. From what you saw did you think the Government Resident's conduct to the officers proper?—No. I did not see the Government Resident with the officers; the general orders were calculated to make the men hold their officers in light esteem; instructions, which, if given, should have been given privately to the officers, were given in orders which were posted on the store door. I will give a specimen. Mr. Pearson once reported that he was unable to go on with the work as he had only two of his men, the rest were ill, and an order was posted up that any surveyor refusing to work with two men should be struck off the rolls. There was another order that the surveyors should carry their own theodolites. I think this was a memorandum, but I am sure that I saw it myself. Then Mr. Finnis had a theodolite with which he investigated something, and the next day a variety of orders were issued as to how the holes should be dug and the pegs placed, and so on.

1314. Was there any disobedience of orders?—Not that I heard of, except by one man, and he was discharged. I heard that there was disobedience of the orders of the officers.

1315. Can you state that valuable time was lost by the want of energy shown by the Government Resident in the conduct of matters?—Yes. The value of the work done was next to nothing—leaving out the surveys and the carting of goods.

1316. Do you know if there was any destruction or waste of stores?—Yes. I have seen some of the stores destroyed, but not a great quantity. There were some maize and potatoes destroyed. A great part of the stores of the *South Australian* were exposed until I left, and, I believe, afterwards.

1317. When did you leave?—On the 7th of May. I am not sure that the *South Australian's* stores were on the cliffs then, but other stores from the *Bengal* were. Some of the stores by the *South Australian* were covered over with new sails which rotted; they drooped over the stores and the ends were lying on the ground—gallons of water lodged there and laid there for days.

1318. Did you see any timber on the beach?—Yes; timber from old shipments, planks and palings for half a mile past the Julia Creek, and all sorts of things and bricks were buried in the sand.

1319. Do you know, from your own observation, whether the men who praised the country highly were treated with greater consideration than the others by the Government Resident?—They seemed to have pleasanter billets. Some of them had horses to ride. The coxswains, who were understood to praise the country, had only to attend to the duty of the boats which were seldom used; one of them helped to build a house, and assist in discharging the ship, but very rarely. Mr. Sam. Baker, there, had very easy work, he was never on any survey party, except on Mr. Manton's for a week while I was there. I believe that none of the men on the survey parties praised the country, but I could not say positively.

1320. Can you tell the Commissioners what works were done at the Territory?—Yes, to save time I have made a list of all the works and their value.

1321. Are you qualified to make a valuation?—Yes, I have been a valuator and I understand these sort of things. The paper put in shows the state of matters which lasted all the time I was there from December to May, and when the *Bengal* came in. [The following paper was then read]:—

<i>Disposition of Party in December, 1864.</i>	
TOTAL PARTY	80
OFFICERS.—	
Government Resident, Mr. Manton, Dr. Goldsmith, Messrs. Pearson, King, Hamilton, Watson, Bennett, Young, Edmunds, Packard, Hood, Rowlands, and Hulls	14
MEN SPECIALLY EMPLOYED—	
On survey parties	20
Stockmen	2
Assistant ditto	1
Shepherd	1
Assistant ditto	1
Carter	1
Bullock driver	1
Carpenters—Moreshead, J. & T. Wadham, McMinn, Walker, and Burton	6
Blacksmith	1
Striker	1
Mason	1
Coxswains	2
Domestic Servants of Government Resident	2
	40
	54
Balance	26
Gardener	2
	24

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Public Works valued.

	£	s.	d.
Two stores	70	0	0
One smaller ditto	8	0	0
Four huts, average £9	36	0	0
Three ditto unfinished, at £8	24	0	0
Government House, labor	20	0	0
Officers, labor	20	0	0
Unfinished, labor	8	0	0
Two stockyards, each three panels square	4	0	0
Two gardens, fencing half-acre each	14	8	0
Well, twenty-five feet deep, with windlass, &c.	20	0	0
Ditto, nine feet, with windlass, &c.	4	0	0
Two or three smaller wells, &c.	7	0	0
Troughs, sheep yards, and sundries	6	0	0
	<hr/>		
	251	8	0
Oven and bakehouse	36	0	0
	<hr/>		
	£287	8	0

this is the value of the labor, not of the materials.

1322. (*By Mr. Milne*)—At what date did these erections exist?—That was the state when I left.

1323. (*By the Chairman*)—Not when you arrived?—No.

1324. (*By Mr. Milne*)—These were all the public works done when you left, and their value?—Yes, there were two gardens, about half an acre each besides, and some ploughing done.

1325. (*By Mr. Rymill*)—[Referring to Section 12 of the first instructions to the Government Resident].—Is Escape Cliffs or the Narrows a convenient site as a port of call for shipping as described in the instructions?—I should say yes.

1326. Is the site healthy for a settlement?—No, it is not healthy in this respect; people not close to the cliffs could get no sea breeze—and many would not be at the cliffs if there was any settlement; three hundred yards away from the cliffs there is not the least sea breeze; I suppose it is on account of the land falling so rapidly—the survey parties do not feel the sea breeze at all.

1327. Was there any fresh water?—There was no permanent fresh water near the settlement.

1328. Was there any timber?—No, there might have been one or two rare specimens here and there; one man spent three days looking for timber for the keel of a boat.

1329. (*By the Chairman*)—Did he find it?—Yes, the timber is hollow; I have seen an immense number of trees and nearly all of them which are over nine inches in diameter are hollow.

1330. (*By Mr. Rymill*)—Is there any high tableland?—No, the cliff is about thirty feet or less, and there is no high tableland; I saw none until I got to Point Darwin on my return.

1331. Would communication with the interior be easy?—No, I have not been on the other side of the river but I have been to the shell mounds, and to Chambers Bay, and communication is utterly impossible in the wet weather, and I should think in the dry too; a light load might be got across, but the country is not practicable profitably, it is all swamps.

1332. With regard to the salubrity of the climate, were there any swamps and mudbanks?—Yes, everywhere; there were swamps north, east, and south. There was a mudflat where they had to land the goods; and all the way to the Narrows the whole road was a succession of swamps.

1333. [Mr. Rymill read paragraph 16 of the instructions]—Were the stores carefully housed when they arrived?—Yes, I did not see any lying about; I believe they were all housed before we got there.

1334. Do you refer to the stores of the *South Australian*?—I thought you meant the *Henry Ellis's* stores, I think they were, but the *South Australian's* stores were left exposed until I went away, and the *Bengal's* stores too.

1335. Was there any exploration of the country?—Not while I was there; none whatever till a week or two before I left.

1336. Did the surveying staff object to the site?—Yes; I know every one of them did.

1337. (*By the Chairman*)—You say all objected, do you include those you left behind?—Yes, all; Packard did not object much at first but he did afterwards as much as the rest. I made a point of asking the surveyors for my own information.

1338. (*By Mr. Rymill*)—You were agent for holders of preliminary landholders, and went up in that capacity?—Yes.

1339. Did you object on their behalf to the site—did you state your reasons in your letter?—Yes. [Mr. Stow's letters were put in from Parliamentary paper 15.]

1340. Did you consider the site in any way suitable?—No; it was not suited for a settlement at all.

1341. Was there any building stone there?—No.

1342. Any limestone?—No.

1343. Will you point out the position of the swamps?—There were swamps south and north, at both ends. From North Palmerston to the Narrows was a succession of swamps; the swamps closed up outside this road [referring to the plan]. There were swamps from the river outside the shell mounds to Chambers Bay, and from there I could see nothing but mangroves to the peninsula—all round were swamps. I know I got lost with Mr. Stuckey. With Hulls on a trip we struck due east, and we walked eight miles along the beach, and all the way was swamps. We could see seven miles beyond, and the whole country on our right—the swamps having no connection with the sea—was lined with a bank of mangroves. The creeks spread out, and their heads were all lined with mangroves, and the swamps were all salt water. After the wet season, we walked due east to Chambers Bay, and we had to walk two miles through water; and returning, we walked through half a mile of water; sometimes we had dry road for half a mile, and sometimes again for a mile and a half.

1344. Did you ever go far south?—No; there was no chance of getting out; the place was like an island, and there was no opportunity of getting boats except the Government boats.

1345. Did

1345. Did Mr. Finnis know you were an agent for people likely to settle there?—Yes.
1346. Were any facilities offered by him for your seeing the country?—No. His policy appeared to prevent people knowing anything about it.
1347. Do you say the land was good or bad?—It was perfectly worthless. The high ground was all sand, and the rest swamps.
1348. Did you go up to the Narrows?—Yes; the grass is coarse and worthless. It is like sticks or reeds. It was brought in for the horses to eat. They would pick it over; but not eat one-tenth of it; and they had to be shut up to make them do that.
1349. Was portion of the township of the Narrows under water at high spring tides?—Yes. I was on it, and I should think half of it would be under water from what I could see.
1350. Did the stock thrive?—No, none of them; the sheep were wretched; I never saw a horse in good condition, only middling. The bullocks were sometimes in fair working order, as they had little work to do; had they been here, and had as little work to do, with the grass good, they would have been beef.
1351. You saw a garden there, was nothing growing in it?—No; except melons and pumpkins, and cucumbers, which did well, and I saw some radishes in private gardens, and I saw a little cotton; everything else had failed, there was no fruit.
1352. Did the cliffs or the Narrows offer any inducement to people to settle there?—No; quite the contrary, I think.
1353. (*By Mr. Milne*)—You were recognized, I suppose, as agent for the holders of preliminary land orders?—Yes.
1354. Did you feel any disposition to visit the camp up the river, and did you attempt to get there?—I saw Mr. Finnis before Christmas, and proposed to take my own and Stuckey's horse round the river, if the Government would supply horses and men to go. He expressed his willingness. Warland and King were to go with me, but he gave us the worst horses to pick from, except one or two, and defeated the object of the expedition, and we could not go.
1355. Was there no boat available?—A party went up to the camp, but their time was limited by a general order. This was at Christmas.
1356. Did you not see the country at the camp?—No; except what I have said. I went to Chambers Bay, and about eight miles beyond along the beach, and saw the country there, and at the Narrows. I lost my own horse, and had no one to go with.
1357. Does the list you have given in profess to show the state of the party in December, 1864?—Until I left, it was substantially the same.
1358. Were the eighty men of the party all at Escape Cliffs?—There were none away, except on a survey party.
1359. Where there none at the river camp?—There were none when I was there; it was abolished before I arrived.
1360. All the party was between the Narrows and Escape Cliffs employed some way or other?—Yes.
1361. Did you see them employed in daily work?—Yes; there was a carpenter, blacksmith, storekeepers, and survey parties, and I saw men moving about; I suppose they had something to do.
1362. Can you say what was the daily routine of work, commencing at the morning?—The men were at work about the buildings; I used to see Mr. Manton talking for a few minutes to them, and that was an end of it. I was not present on these occasions, but that is what it seemed to be. Occasionally the men were busy carting timber for buildings, and cutting grass for thatch; a party went up to the Narrows once a week in a boat, or a horse or bullock dray—the bullock dray very seldom went.
1363. Were the men occupied or were they idle?—That is a matter of inference, I do not see how they could be occupied. I remember the time the goods from the *South Australian* were being removed; there seemed to be no rule for setting to work—not half of the men were at it, and the officers had to fossick them out as if they were blackfellows. They were from the 5th December to the 14th, carting the goods, and the whole party were doing nothing else, and this lasted for seven or eight days after the 14th; there were only seventy tons of goods, and they had to be taken 400 yards, not in a direct line, they had to turn round a little to get up the bank.
1364. Was there any want of discipline?—Perfect; there was more discipline when the different survey parties went out, for the men were scattered then under their different surveyors.
1365. (*By the Chairman*)—I gather that the men were unwilling to perform their work?—Well, they did not disobey the orders of the Government Resident, except in the instance I have mentioned, but they thought they were playing the fool until a vessel came to stop it; they said it would be stopped soon.
1366. Did they do a fair days work?—Oh! no.
1367. You could see what they were doing in so small a camp?—Yes.
1368. They were nine or ten days discharging the *South Australian*?—From the 5th to the 14th, and some days after that.
1369. Were there few men employed in the work?—About half of them were absent, and the officers had to go and look them up. There was no bell calling the men to work. They were supposed to commence work at nine o'clock.
1370. How long ought they to have been in discharging the goods from the *South Australian*?—They were about eighteen days, and they should have done the work in a week. If they had only half a ton in the dray at each time, and made ten journeys a day, they would have done it in a week.
1371. When the goods were landed were they not put under shelter?—They were covered with sails.
1372. Was there no place to contain them?—There were no stores sufficient to hold them.
1373. Were not the stores by the *Henry Ellis* consumed, and the two stores or huts ready to hold these goods?—The hospital which was used as a store was filled up, and the other store which was about thirty by eighteen, held some of the things, but there was not room for all.

1374. Do

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1374. Do I understand that no shelter was provided for these things?—No; there was a great pile of these goods exposed till I left, or others which were put in their place. There was some destruction of goods. The horses at night would tear open the bags containing horse-feed, and some one had to watch for some days until a fence was put round them.

1375. Do you know anything of the expedition against the natives?—No; it was before my time.

1376. What you saw of the country is confined to a small extent?—Yes; I only saw the peninsula. I went across to the beach.

1377. You applied for assistance to enable you to see the country, and the horses supplied were not fit for the work?—We tried them, and there was one pony which was in pretty good condition, but it buckjumped with King and threw him off. The other one was utterly unfit.

1378. Did you make application to go in the boat?—There was no one to go with.

1379. Some of the party went?—Yes; about Christmas a party went up, but there was a general order limiting the time they should be away, and they could only go a certain distance in that time.

1380. And was that time not long enough?—I said that we should require to be away six days, and this time was limited to four. We did not attempt to go again on account of that general order.

1381. Was not four days better than nothing?—It would only show the country which was well known. Mr. Stuckey went from fifteen to twenty-five miles above the river camp, but did not see anything new at all.

1382. You had your own horse, was there no feed for him?—I did not have him long, for he got drowned; but he had some of the Government feed, and some which Mr. Stuckey and I had.

1383. Was he in good condition?—Yes, pretty good; but I only had him a month. I landed him in splendid order from Brisbane.

1384. (By Mr. Finmiss)—You arrived in December and left in May.—Yes.

1385. In the *Forlorn Hope*?—Yes.

1386. Who with?—McMinn, Hamilton, Edwards, Hake, Davis, and White.

1387. Had not Davis and White entered into an agreement with the Government which was not expired?—Yes, I believe so. I believe it was broken on your part, but I did not trouble myself about it.

1388. Only troubled yourself to know that it was broken on my part?—Yes. Everyone knew you broke the agreement by stopping the men's wages.

1389. Had you no hand in those men leaving?—No; I knew they intended to go. White said he should go.

1390. Did he say that he was permitted to go?—No. He said that you would not pay him his wages, and that he should go. I told Davis that if he wished to go, he must do so publicly, but not privately.

1391. Did you ask the sailors to go?—I spoke to Reid and Wiltshire. Wiltshire said he wanted to go, unless he made some arrangement with you.

1392. Did you ask Douglas?—I don't know; I can't remember.

1393. What kind of weather was it at Escape Cliffs when you were there?—Three months' wet, off and on.

1394. It was very wet in the rainy season, was it not?—Yes. Forty inches of rain fell in three months; I kept an account of it.

1395. Was that a proper time of the year for exploration?—No; I think not. It was not the rainy season when I first arrived.

1396. There were horses on board the *South Australian*?—Yes.

1397. How many?—Twelve Government horses, and two private property.

1398. You had one, and Mr. Stuckey one?—Yes.

1399. In what condition were they?—The private horses were in good condition, and two or three of the Government horses were pretty good; but the rest were weeds, and not good at all.

1400. Who had charge of the horses on board?—I forget. Warland had charge of the whole of the stock.

1401. What had King to do?—He had more to do with the sheep; and Ross and Deacon were very attentive to them also.

1402. How many of the horses belonged to the first party?—Ten or eleven. I think there were twenty-two in all, including the new comers.

1403. You said you asked me for two men and horses. Where did you say you wanted to go to?—I said I wanted to go round the head of the river. I first wanted to cross it, and you told me that it would require two boats to cross one horse.

1404. Where are the Daly Ranges?—At the head of the river.

1405. Did you go there?—I went several hundred yards.

1406. You broke down, then?—The horses did.

1407. Who selected the horses?—I suppose you did. Mr. King told us that it was your wish that we should have those horses to select from.

1408. Which King?—The elder.

1409. Did not King, jun., and Warland select the horses?—They did not select from the whole of them. They were shown, I think, five that they were to select from.

1410. Were they not told that they could select any of the horses from Queensland?—I don't know. That mob was useless; we could not get the best of them.

1411. Why?—Those were brought up by your order.

1412. They could have picked out good horses without selecting all, could they not?—There were none to be seen.

1413. If I had known of it, could not other horses have been brought in?—I have no doubt they could have been.

1414. Do I understand that the time you wished to be absent was limited by the general order as to the boat party?—The general order limited the time the party was to be out.

1415. Did

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1415. Did you see the general order posted up?—Afterwards.
 1416. Was it signed by me, or professing to be signed by me?—Yes.
 1417. Are you not aware that all the general orders issued by me were kept in a book now in the possession of the Government?—I don't know anything about it.
 1418. I think you made another attempt at exploration?—Mr. Stuckey and I went out for a ride.
 1419. Did you not tell me you were going to Chambers Bay to find Stuart's track?—I don't call that exploring.
 1420. Well, did you get there?—No; we were stopped by the swamps. We went a little too much to the left, and had to come home again.
 1421. Then you lost yourselves?—Yes.
 1422. Where was it you went to?—We found out afterwards [witness pointed out track on the map.]
 1423. Did you lose your horses on that occasion?—Yes.
 1424. How did you get home?—Walked.
 1425. How were you dressed when you came back?—I had on some portion of a pair of trousers and the balance of a shirt.
 1426. Had you any boots on?—No.
 1427. Or hat?—No.
 1428. Any trousers?—Sufficient for decency.
 1429. Then you came back almost naked?—Pretty nearly—it was a light and airy costume.
 1430. Who brought you back?—We met Bob Ridley, and he lent us a horse.
 1431. Did you know your way back?—Yes; I could see the camp.
 1432. Did you not tell me that you had taken the wrong track when you came back?—I do not recollect.
 1433. Did you tell one of the storekeepers?—Yes; the Assistant Storekeeper.
 1434. And you knew the country?—Yes.
 1435. What month was this in?—January.
 1436. This was exploration trip No. 2?—It was not an exploration trip.
 1437. Was this all you saw of the country?—No; I had been to Chambers Bay twice before and went twice since, and saw Cape Hotham.
 1438. Then you know all about that country?—Yes.
 1439. Did you go to Chambers Bay on foot?—Yes, with Hulls.
 1440. In what month?—The first time was in March, and the second in April.
 1441. Did you walk through much water in going there?—About two miles.
 1442. Coming back you got less?—Coming back we got off with about half a mile.
 1443. Could you not find a better route?—We tried but we could not find a better; one way led us through a mile of water and another about one mile and a-half.
 1444. This was in the very wet season?—Yes.
 1445. When the water was heaviest on the ground?—Yes.
 1446. There was plenty of surface water then?—Yes.
 1447. Were you ever at Wallaroo in the winter?—Yes.
 1448. Did you come back from there with me?—Yes.
 1449. It was muddy and wet, I think?—Yes.
 1450. Had you to get out of the cart and walk?—Yes; in some places.
 1451. How did you get back to Adelaide?—I missed the road, and when I got across the steamer had gone, and I was obliged to come round the head of the gulf.
 1452. How did you miss the road?—I over-ran the track on account of its being so cut up by the drays.
 1453. Then you lost yourself?—No.
 1454. You seem to be in the habit of losing yourself?—No; I have been through the scrub where you lost yourself with Mr. Neales, Mr. Mildred, and others, and stopped all night by the fire you left in the morning.
 1455. Were you ever in a tropical climate before?—No; never.
 1456. You were a reporter for the press?—Yes; for the *Advertiser*.
 1457. Did you take notes in the camp?—Yes; of all that I thought important.
 1458. Did you talk to the laborers about the management of the settlement?—No; not so much about the management, I did not care about that. I did about the country.
 1459. Did you tell them your views?—Yes; half of them were newspaper correspondents; at least their letters were printed by their friends in Adelaide. Several of them were also holders of land orders.
 1460. Did you not create some of the dissatisfaction?—No. They were so dissatisfied nothing that could be said would influence them.
 1461. Did you not talk to them when it was not your proper place to do so?—No, it was not necessary to do so.
 1462. Did you not say that the surveys were all bosh, and that the place must be abandoned?—Yes; but I did not go out of my way to do it.
 1463. Did that not make the party more disorganized?—No; the effect was unimportant whether we talked to the men or not. There were spies about and everything was known to you.
 1464. Was what took place in your tent known to me?—I have no doubt of it.
 1465. Were there not spies on me?—I do not think so. I think you took some of the men into your tent and heard what they had to say, and spoke to them about other people, and they went out and spread it all over the camp.
 1466. You say you saw me sitting in a carpet chair?—Yes; I noticed that.
 1467. Was there any impropriety in my sitting in a carpet chair instead of on the ground?—No, I did not put it that way.
 1468. Did I spend all my time that way?—I imagine not.
 1469. Was there a group of laborers around talking to me?—Yes.

1470. Was

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1470. Was that my constant habit?—I don't know; it occurred several times, and was a subject of general remark. I could not help noticing it as the place was public.

1471. Can you name any of the laborers?—No; I think Auld and Litchfield were among them, and some others.

1472. Was my son there?—Yes, I think so.

1473. Did you do any laborer's work there yourself?—Not much.

1474. Did you do any?—I cut the poles for my tent and put that up.

1475. What was the effect of the climate on the laboring men?—They could not do nearly as much work there as here. The difference would be most felt in heavy kinds of work; if it was light they could do nearly as much. I could walk there as well as I could here.

1476. When the *South Australian* arrived you say the goods were carted to the camp, and the drays made only two trips a day?—No; I said ten.

1477. How many goods came by the *South Australian*?—About seventy tons.

1478. Do you not know that nearly seventy tons were private property?—No; they were not.

1479. Did not Mr. Stuckey bring some carts?—Yes, three or four. But the seventy tons would include all the goods that arrived.

1480. Did you bring any private stores?—Scarcely any.

1481. What did you live on?—I bought Government rations and messed with the officers.

1482. Did you converse with the surveyors at mess as to the site of the town?—We used to talk over the matter in conversation.

1483. You saw some ranges when you were opposite Port Darwin?—Somewhere about there.

1484. What was their elevation?—It looked to be about 800 feet, as far as we could judge, but we were a great distance off

1485. How far were they from the boat?—When we first saw them they were about forty miles away, but I am not certain.

1486. Did you examine the coast in the boat?—We landed at Anson Bay, and were there a day or two.

1487. Did you find a river there?—No.

1488. How was it that you did not find the river?—We did not look for it; we did not expect to find a river.

1489. Did you see any swamps there?—Yes.

1490. Did you visit any other part of the coast?—Yes; between Cape Dombey and Cape Ford; we saw high hills there, but could not get at them because of the water; and besides, we had no time to stay.

1491. You say that you were the representative of some holders of land orders?—Yes; I had 200 orders with me.

1492. Do you know how many were sold altogether?—About 1,500.

1493. And you represented 200 out of that 1,500?—Yes. [The witness added:—I may mention that, before my going away, a general order was issued to the effect that if any of the men on the surveys were sick they should be put on half pay; if they continued sick, their half pay should be stopped, or they might be discharged, at the option of the Government Resident; if they were constitutionally unfit for the work, they were to be discharged, and that it was to be at the option of the surveyors whether they should have a doctor or not.]

1494. (*By the Chairman*)—Do you think the climate unsuitable for European labor?—Yes, for hard work; it is less unsuitable for lighter work.

1495. Is it suitable for ploughing?—Yes.

1496. Could you reap and mow there?—That would be hard work; men would not do much of that.

1497. Split wood?—Not so well as here; the difference would tell more in the severe than in the light work.

1498. Generally speaking you do not consider it fit for European labor?—I could not say, because the situation of the place was calculated to aggravate the tropical climate. The swamps were very bad, and men got weak wading through them day after day surveying the town, and a great many of the men were laid up by the effects of the bad water.

1499. Those were particular circumstances; but do you think it suitable under favorable circumstances?—I do not think any tropical climate would be suitable for hard work.

1500. Did you see any drunkenness or gambling?—I only heard of gambling occasionally for half-crowns or five shillings.

1501. Was there any drunkenness?—It did not often interfere with work; it was generally on Sundays, holidays, or when the camp was shifted, or when a ship arrived.

1502. Do you think, from the general demeanor of the men, that they were suitable for the object proposed?—As a rule I think they were suitable for that mixed employment. There were some instances of unsuitable men, but they were few. Perhaps if eight or ten of them were taken out of the two expeditions the rest could be called a good collection of men—hardworking and willing. The arrangement of the men having to cook in turns week about, whether they were mechanics or otherwise, interfered a good deal with the work.

1503. (*By Mr. Milne*)—How many cooks were there?—I think there were too many cooks. There was supposed to be one to every six or seven men. Each survey party had their meals separate.

1504. How many were there in the working parties?—I do not exactly understand. There were more than were necessary at the cliffs.

1505. How were the goods transported that you saw?—In horse and bullock drays.

1506. Were the horses efficient?—Yes; they were driven four in hand. I could not call them efficient exactly, but they were good enough for the work.

1507. Were the oxen—the bullocks—fit for the work?—Yes.

1508. (*By Mr. Goode*)—Was the guard there at that time?—No; it was abolished before I got there.

1509. (*By Mr. Milne*)—There was no guard while you were there?—No.

1510. Were

1510. Were any means taken to prevent an attack of the natives?—No; there was no apprehension of natives.

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1511. (*By the Chairman*)—Was there no stockade round the place?—No. The natives could not have found the men asleep. There were only some who could sleep at a time on account of the mosquitoes.

1512. (*By Mr. Milne*)—There was no regular guard?—No; the men had arms in their tents with them. A guard was unnecessary.

Mr. Chas. Hake recalled :

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1513. (*By Mr. Goode*)—How long was the guard in existence at Escape Cliffs?—From the time the stores arrived from the River Camp till the 7th November.

Mr. John Q. M. F. Roberts called in and examined :

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1514. (*By Mr. Rymill*)—You were one of the first party to the Northern Territory?—Yes.

1515. Do you remember the goods by the *Yatala* being placed on the bank of the river, and left there for weeks without any guard, and the natives taking them?—They were left there for about two weeks.

1516. Were some of the goods stolen?—Yes. They were afterwards found in the native camp.

1517. They were left without any guard?—Yes. They were loose stores, and were covered with sails.

1518. Were any provisions amongst them?—Yes, some tins of preserved meat. All the *Yatala's* loose stores were there.

1519. Were the stores exposed on the beach at Escape Cliffs?—I don't know; I was one of the last to arrive there.

1520. Where were the stores placed?—First at the derrick and Mr Davis's tent, and subsequently removed to near the Government Resident's tent.

1521. Can you give any instances of the dissatisfaction produced by the conduct of the Government Resident towards the men?—No particular instance.

1522. When Hulls came up with the second party, were you in the store?—Yes; I was in the store from the time I left Adelaide till shortly after the arrival of the *South Australian*.

1523. Had you given satisfaction—were any compliments paid to you?—Yes; when I left the cliffs I had a letter from Mr. Finniss, stating that I had performed my duties well.

1524. What was done with Hulls when he arrived?—Mr. King told me that Hulls was to be put in my place. He said that Mr. Finniss was dissatisfied with me, and was always complaining; but Mr. Finniss did not tell me so himself.

1525. After that you went into one of the survey parties on the sandy beach?—Yes.

1526. Do you remember a fire being lighted in the tent one night to drive away the mosquitoes, and the top of the tent being burned?—Yes; we were obliged to light the fire to keep away the mosquitoes, and the wind caused the fire to catch the tent.

1527. Was this reported to the Government Resident?—Yes.

1528. What was done?—There was an order given that no fires should be allowed in the tents. He would not give us another tent, but told us we had better make a wurley the best way we could. This was during the rainy season. Our tent was repaired afterwards.

1529. Did you make the wurley?—No; we used tarpaulins.

1530. Do you remember an elderly man named Ware?—Yes; he was on Mr. Pearson's party

1531. Do you remember his being found in the swamp?—When we returned from walk in the evening he was missing—we found him in a swamp up to his waist in water; he was delirious.

1532. Was this reported?—Mr. Pearson said that the man was in a dangerous state, and asked if any man would volunteer to go and inform the Government Resident; I went, and lost my way.

1533. What did the Government Resident say?—I gave him the letter, and he told me to call next morning.

1534. What did he say then?—He blamed Mr. Pearson that time; he said that he had no right to risk my life, which was worth more than that of an old man.

1535. Did the Government Resident make any other remarks?—He said, on the same occasion, that the man must have been suffering from *delirium tremens*. I said that I thought he would not live; and Mr. Finniss said, that if he was so bad as that he might as well die there as up at the cliffs, and that he could not be bothered with any more sick men there.

1536. Were there any more comforts at Escape Cliffs than at the Narrows?—The Doctor was at Escape cliffs, and so were the medical stores.

1537. Escape Cliffs was surrounded with swamps, I think?—There were creeks and swamps on the north-east side, and swamps on the south-west side and at the back.

1538. Would communication be difficult with the back country in the wet season?—It would be impossible.

1539. Is the land good or bad?—I could not say that it was good for agricultural purposes. It was sandy and pebbly, without moisture, some of the bottoms near the swamps were rich.

1540. Was there any building stone there, or surface water or timber?—No.

1541. Do you know what the weights of the sheep were when they were landed?—From thirty-six to forty pounds.

1542. And what when they were killed?—Some which were killed at Escape Cliffs weighed, on an average, 26lbs. to 30lbs.; that was after they had been removed from the River Camp to the cliffs, and had been there for some time.

1543. There was some damage done to the stores by the natives at the River Camp; how was that?—On account of there being no guard.

1544. Were not two men told off to guard the stores?—Yes, at the close of the afternoon. Previously,

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Previously, I was on guard by myself. The natives came down and were very troublesome. One man, whom I stopped from taking away some of the *Yatala's* stores, threatened to spear me. I called for assistance, and was relieved by two men. While they went to tea the natives destroyed the stores, and were fired upon by Litchfield.

1545. What did the natives destroy?—Sixteen bags of flour, several bags of sugar, oats, bran, and a large sail belonging to the *Yatala*, which they cut up. We afterwards found some nail tins and paint in the place at which they were camped.

1546. Do you remember a horse party and a foot party being sent out against the natives?—Yes; it was about the end of September, I think.

1547. Who was in charge of the foot party?—Mr. W. McMinn.

1548. You mustered in the morning, at the stockyards?—Yes.

1549. Was the Government Resident there?—Yes.

1550. Was the Protector of Aborigines?—Yes.

1551. What orders were given by the Government Resident?—We were to take our orders from Fred Finniss who was in charge of the horse party.

1552. What orders were given respecting the order of march?—I don't altogether remember. The horse party were to keep outside and act as scouts to clear the way.

1553. You got to the beach?—Yes; to Chambers Bay.

1554. Was there any firing at the natives?—Dougall shot a bird.

1555. When you got to the beach what orders were given—what did Mr. Fred. Finniss say?—Mr. McMinn asked him what we were to do with the natives, and he said we were to shoot them.

1556. Did he not use some adjective—did he not say that you were to shoot every bloody native you saw?—Yes; I believe so.

1557. (*By Mr. Finniss*)—When were you first in charge of the stores?—On board the *Yatala*, after she arrived.

1558. And on board the *Henry Ellis*?—I was employed in the store department on board of her.

1559. Did you go up the river with the stores?—I went down in the *Julia* with you, to take charge of the stores on board the *Yatala*, and I remained in charge nearly two weeks.

1560. When the natives stole the flour bags, who was in charge of the river camp?—Mr. Manton, I believe.

1561. Was I there or absent?—Absent.

1562. Was a sentry posted when we first landed at the river camp?—I don't know; I was not there till the 1st July.

1563. After the stores were stolen, did Mr. Pearson attack the natives?—Yes; next morning.

1565. Were any shots fired?—Yes.

1566. Did you hear cries for help?—Yes.

1567. Did you hear the yells of the natives?—Yes.

1568. Did you go to assist?—Yes.

1569. Did you fire?—I attempted to do so; but my gun would not go off.

1570. Were any of the party hurt by the natives?—Litchfield and Pearson were wounded.

1571. Any of the horses?—Yes.

1572. Was not Mr. Pearson nearly killed?—Yes.

1573. Was not the party obliged to retire?—Yes, until a foot party went out to Mr. Pearson's relief—that was when Alaric Ward shot the native.

1574. You came down the river?—Yes.

1575. Was there a general order given as to the guards?—Yes; but I do not know how it was worded.

1576. You were an officer of the guard yourself?—Yes.

1577. What was your rank?—Sergeant.

1578. Were there any others?—Yes; Fred. Finniss, Wadham, Watson, and others.

1579. How was the guard mounted?—There were three privates and two sergeants.

1580. Was this at the river camp?—Yes, and at the cliff.

1581. What was the routine of duty?—There was one sentry at a time on duty at the cliff; but at the river camp, sometimes all five were on duty.

1582. Was that when the natives were about?—Yes.

1583. Were there always three privates and two sergeants?—Yes; there were two privates and two sergeants in readiness, and one on sentry.

1584. Day and night?—Yes.

1585. When you came down to Escape Cliffs, were the natives troublesome there?—I only saw them once—on a Sunday.

1586. Did they steal anything?—I believe so, before I came down from the river.

1587. Were you there when the horses were speared?—I saw them with spear wounds, but I did not see the spears sticking in them.

1588. You went with a party up to Chambers Bay, and found the stolen property?—Yes; a great number of articles.

1589. Were they stolen from Escape Cliffs?—Yes; I believe so.

1590. Was the jib of the *Julia* there?—A portion of a sail was found there—we found a great many things.

1591. Did you find any hats and slops?—Yes.

1592. Where were these stolen from?—I think from Escape Cliffs; we also found some clothes belonging to Mr. Davis, and some books lent by the Institute.

1593. Was Mr. Stephen King in good health?—I do not think he was recovered from his illness.

1594. Was Mr. Pearson well?—He had not thoroughly recovered.

1595. On the voyage up to the Northern Territory, was not Mr. Fred. Finniss a sergeant?—Yes; he drilled one of the squads.

1596. Were

1596. Were not all the squads under him?—He commenced drilling the squads, and you finished them. Mr. McMinn was also a sergeant.

Mr. John Roberts,
March 23rd, 1866.

1597. Were you a sergeant then?—No.

1598. You had been a volunteer in Adelaide, had you not?—Yes.

1599. Did you attend the squad drill?—Yes.

1600. Was everything possible taught the men on board ship?—Yes.

1601. Were they taught to load and fire, and so on?—Yes.

1602. (*By the Chairman*)—On the night when the natives robbed the stores at the river, was there no one on guard, no sentry?—There were two men who stayed until it was dusk, and then went up to the camp to get their tea, and they had not returned when the place was robbed.

1603. How long were they away?—About half an hour, during that time there was no one there.

1604. Was it not the custom to relieve the guard?—Yes; but Mr. Manton forgot on that occasion, I suppose.

1605. Was Mr. Finniss not there?—No; and the men did not like to be kept there without their tea.

1606. When the party was starting for Chambers Bay, did Mr. Finniss issue any order as to the natives?—He gave no further orders than that we were to collect the things the natives had stolen and bring them away.

1607. Did he say nothing about forbearing towards the natives?—Nothing further than what I have stated.

Mr. William McMinn recalled—

Mr. William McMinn,
March 23rd, 1866.

1608. Do you remember an armed party going out after the natives?—Yes.

1609. Were you in command of first party?—Yes.

1610. Were you told to muster the men in the stockyard in the morning to receive orders?—Yes; I was told to get the men together at the stockyard and to receive the orders there.

1611. Who by?—By the Government Resident.

1612. What orders were given you?—I was told to march the men in double file through the scrub and as far as more active orders were concerned we were to take them from Mr. Fred. Finniss.

1613. Did you go far before you met the natives?—We went to Chambers Bay and when we arrived there we saw the natives on the beach.

1614. What was done then?—Nothing particular, some shots were fired, but they took no effect.

1615. Did the men shoot directly they saw the natives?—They were not within range at the time the shots were fired.

1616. Did you apply for further orders?—I asked Mr. Fred. Finniss what we were to do, as the men wanted to know, and he gave orders to shoot the natives if we came in contact with them.

1617. Did he use any strong language?—No; not particular.

1618. What words did he use. Did he say anything about shooting every sanguinary native?—[Mr. Finniss objected to the question.]—I believe his words were that we were to shoot every bloody one.

1619. Was a native shot?—Yes.

1620. How many natives did you see altogether on that occasion?—About half a dozen.

1621. How many were there in your party?—Sixteen—nine on foot, and seven on horseback.

1622. Do you know whether any provocation was given to cause the party to be sent out?—I believe it was because of a horse coming in speared the day before.

1623. Was there only one horse speared that time?—Only one that I know of which caused the party to be sent out.

1624. (*By the Chairman*)—You were in charge of one of the parties; do I understand that you fired at the first natives you saw without knowing any of them?—After receiving orders to go to Chambers Bay, we interpreted them openly that we were to shoot the natives.

1625. Without knowing whether they were the guilty parties?—Yes; we know that some of the party shot without any orders at all—nothing gave us the impression except our own idea.

1626. You say that you received orders to shoot the natives?—I asked for orders at Chambers Bay, and received orders to shoot them.

1627. Were the shots fired previously to those orders?—Yes.

1628. By your party?—Yes. I asked them not to fire, and tried to stop them.

1629. Then they fired before they knew whether it was not a strange tribe?—Yes.

1630. You were in command, and your men fired without your orders?—Yes? when they fired we were a mile off the natives, being deceived by the mirage. I asked them to desist; they fired before any orders were given, and without any warning by themselves that they were going to fire.

1631. You have been a volunteer in Adelaide?—Yes.

1632. Was it your idea that the orders implied an indiscriminate massacre of the natives?—Every one could interpret the orders in his own way.

1633. (*By Mr. Goode*)—Did the men seem anxious to fire?—I could see that the men would slaughter the natives from the feeling they had against them.

1634. After you asked for orders were they given that you were just to shoot any of the natives?—Yes; they were just plain orders. The way I understood them was that, if we came into contact with the blacks we were to shoot them. I understood I was not to fire without their first attacking us.

1635. Was there any endeavor made to identify them with the robbers?—I don't know because I was not at the cliffs when the robbery took place.

1636. Then you are not sure that they were the same tribe who stole the goods, but only that they were blacks?—Yes, we thought they were when we found the goods in their camping place.

1637. (*By*

Mr. William McMinn,
March 23rd, 1866.

1637. (*By Mr. Finniss*)—You found the stolen property in their camp and so you identified the robbers?—Yes, that was our idea.

1638. Was not that a natural inference?—Did you not hear that Pearson was nearly murdered many months before, and that the blacks had tried to kill him?—Yes.

1639. Was not that in law a felony?—Yes.

1640. Was there not sufficient provocation to follow up the steps on the part of the Government?—I hardly know.

1641. Was not property stolen at the Cliffs?—Not a great deal.

1642. Were not the horses speared, and was not that felony in the English law?—I don't know.

1643. (*By the Chairman*)—Could you identify natives a mile distant?—No, we could not identify them.

1644. (*By Mr. Finniss*)—When the blacks came out of their camp you found the stolen property there?—Yes, but at the time we saw the blacks we were not aware that they had the property.

1645. Were not some of the men of the party accused of stealing these goods?—I do not remember.

1646. (*By Mr. Goode*)—Were orders given to shoot the natives before the stolen property was seen in their possession?—Yes.

1647. (*By Mr. Rymill*)—Do you know where the black man was shot?—Yes.

1648. Were the blacks identified as those who had stolen the property and speared the horses before the firing commenced?—No, not by the beach party; Auld, Dugall, and Packard went round to the back of the scrub and shot the native. I do not know whether they knew that he belonged to the tribe.

1649. Were you at the native camp before or after the native was shot?—Before. Dugall came up and stated that he had shot a man.

Mr. George Warland,
March 23rd, 1866.

Mr. George Warland recalled—[Mr. Rymill put in a statement in writing].

1650. (*By Mr. Rymill*)—What does this paper contain?—It shows the disposition of the party at the Cliffs and up the river. [The paper was read as follows:—]

Disposition of Party at the Head Quarters, Escape Cliffs.

OFFICERS AT THE CLIFFS—	
Government Resident	1
Clerk to ditto	1
Accountant	1
Surveyor	1
Draftsman	1
Storekeeper	1
Assistant to ditto	1
Police Inspector	1
Coxswain of boats	1
RECEIVING EXTRA PAY—	
Police Troopers	6
Boats Crew	6
Tradesmen	6
RECEIVING 7s. PER DAY—	
Gardener	1
Chainman	1
Servants to Government Resident	2
Officers' Cook	1
Laborers (I think)	2 or 3
	34 or 35

State of Mr. Manton's Surveying Party up the River, in July, August, and September, 1865.

Surveyors	3
Storekeeper	1
Assistant to ditto	1
Shepherd	1
Bullock driver	1
Guardsmen	2
Cooks	3
	12
Laborers	13
	25

1651. (*By Mr. Finniss*)—What date does that paper represent?—The disposition of the party in July, August, and September, 1865.

1652. Was this the distribution the day you arrived or left, or while you were there?—It is up to the time of the arrival of the *Ellen Lewis*.

1653. How did you obtain it?—I made the statement as to Mr. Manton's camp myself; and the one as to Escape Cliffs was given by Mr. Rowland after the *Bengal* sailed.

1654. Why did you make out this list?—Because, when I was ill, it was said that there were no men to replace me; and, as we knew there were thirty men at the Cliffs, we made out the list to see why none could be spared.

1655. (*By the Chairman*)—Who is Mr. Rowland?—Clerk to the Government Resident. The list was not sent to me; but I had the use of it, and made a copy of it.

1656. (*By Mr. Finniss*)—Was a list sent up every day?—No.

1657. It was not sent up every day for three months?—No.

1658. Was not the *Julia* away with me portion of the time included in that list?—Yes; I believe so.

1659. And the boat was up and down the river?—Yes.

1660. Then it does not represent the state of the party every day?—Not every day.

Commission adjourned.

Wednesday,

Wednesday, 28th March, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode.

Mr. Rymill and Mr. B. T. Finnis were also present.

Mr. W. McMinn called in and re-examined :

Mr. William McMinn,
March 28th, 1866.

1661. (*By Mr. Rymill*)—Do you produce a map of the Northern Territory?—Yes. [Witness produced a rough map.]

1662. What data had you for making this map?—I had no data; it is only an eye sketch. It is an enlarged plan of the lower part of the peninsula. It is not drawn to any particular scale; but it gives a better idea of the place.

1663. Do you call it a correct plan?—It is a correct eye sketch.

1664. (*By Mr. Finnis*)—You say this is a rough eye sketch?—Yes.

1665. How was it constructed?—Do you mean by what data?

1666. Yes?—By travelling over the country.

1667. How close did you go to the beach?—We often landed. It depended on the state of the tide how far we were from land.

1668. What scale is this map drawn to?—About one and a quarter mile to one and a half mile to the inch, approximately.

1669. Can you tell me how far it is on your map from the flagstaff at Escape Cliffs to Point Charles?—About six and a half miles.

1670. How far from the flagstaff to Cape Hotham?—About thirteen miles.

1671. And from the same point due east to Chambers Bay?—About six miles.

1672. How far from Mangrove Island to the main land?—About two miles.

1673. Have you been over the ground on foot?—No; on horseback.

1674. Will you show where you have been?—[Witness pointed out on the plan his track to Chambers Bay, and stated that he had been three miles north of that track, and had been several times north by west three or four miles from Chambers Bay.]

1675. How did you lay down the position of the creek?—From a description given by Chandler and Read, two of the scamen.

1676. Did you lay down the position of Dombey Flat from your own knowledge?—Yes.

1677. How far south have you been in a straight line from the line between the flagstaff and Chambers Bay?—About one and a half to two miles.

1678. Have you travelled along the bullock track from the Flagstaff to the Narrows?—Yes; several times.

Mr. Ebenezer Ward called in and examined :

Mr. Ebenezer Ward,
March 28th, 1866.

1679. (*By Mr. Rymill*)—Your name is Ebenezer Ward, I think?—Yes.

1680. What position were you appointed to in the expedition?—Clerk in Charge, Accountant, and Postmaster.

1681. Are you aware whether, at the time of starting, the Government Resident showed any signs of prejudice?—In December, 1863, it was my intention to apply for an appointment in the Northern Territory expedition. I consulted Mr. Finnis on the subject, as I understood he was to be the Government Resident; and I asked him if he had any objection to my accompanying him.

1682. (*By the Chairman*)—When was this?—In December, 1863. The conversation took place at the corner of Pirie-street and King William-street. My object was to see if he had any objection; because, if he did not wish me to go I would not apply for the appointment. He said on the contrary, he had no objection; but would be delighted to have my assistance. Upon receiving this assurance, I sent in my application to Government for an appointment, and was appointed to the posts I have named in the March of the following year.

1683. Did you go on board ship?—I joined the *Henry Ellis* in accordance with orders. When I was first first appointed I had confidence in Mr. Finnis. From what I knew of him, and his connection with the foundation of the Colony, and from the important positions he has held, I felt confidence in Mr. Finnis as a leader. Before leaving Port Adelaide, Mr. Finnis used some very insulting language to me in the presence of a witness. After the *Henry Ellis* sailed, I took occasion to say to Mr. Finnis that I hoped that any ill-feeling between us would entirely cease now that we were away from the Colony, and that it was my desire to do all in my power to assist him; and he said he was glad to hear me say so, and that he had no doubt but that we should get on well together.

1684. Can you state any incidents that occurred on the voyage having reference to the first charge against Mr. Finnis?—The first doubts that I formed myself as to Mr. Finnis's competency as a leader, were raised by the attempts at volunteer drill on board the ship. As soon as we had got round the Leuwin, a general order was issued, dividing the expedition into parties of ten for drill. One squad was drilled by Mr. Finnis, one by Mr. McMinn, and one by Mr. F. Finnis. The officers used to meet for drill in the afternoon on the poop of the ship. We were told to stand at ease while the vessel was rolling, and we had to cling to the rigging to keep our footing at all. Our position was so ridiculous, that the men used to laugh at us, and the officers' squad was nicknamed the "Pretty Squad." The next proceeding was an order to form firing parties. A target was made and floated astern. The vessel was rolling very much, and it was impossible to take a steady aim. Every now and then the target would be drawn under water by the rope, and we had to take a chance pop at it when we could. The whole thing seemed so absurd that I began to have my doubts as to Mr. Finnis's competency as a leader.

1685. You eventually got in sight of the Cliffs?—We sighted the Vernon Islands on the 20th June, and could make out from there a vessel lying in Adam Bay; the *Henry Ellis* was lying to

Mr. Ebenezer Ward,
March 28th, 1866.

to in the Channel between the Vernon Islands and the main land—she drifted and went aground and then heeled over so much, that doubts were entertained for her safety. Mr. Finnis then ordered the *Julia* to be got ready for sea, and left the vessel in this position, and went off to the ship in Adam Bay; the same night the *Henry Ellis* got off, and proceeded up to the Bay next morning; Mr. Finnis returned with Commander Hutchison, and under his orders, the *Henry Ellis* was anchored at the spot he indicated. On the same day parties were organized to go up the Adelaide River; there were four boat loads in all, I was one of the party, and we ascended the river about eight miles. The banks of the river were densely lined with mangroves. When Mr. Finnis returned to the *Henry Ellis*, he emphatically declared that there were no mangroves for ten miles up the river; several persons heard him say this. His expression was, "There is not a mangrove within ten miles," and said it was a shame that previous explorers had described the banks of the Adelaide River as lined with mangroves. He said this in my hearing. On Wednesday, the 22nd June, Mr. Finnis ordered the *Julia* to be got ready for the purpose of visiting Escape Cliffs, or what was pointed out by Commander Hutchison as such. The *Julia*, with Mr. Finnis, Mr. Manton, and some others, left the *Henry Ellis* at four o'clock. She was in Adam Bay at the time, about six miles from Escape Cliffs; they returned to the *Henry Ellis* on the following morning at ten o'clock—this was Thursday the 23rd. Upon Mr. Finnis's return to the *Henry Ellis*, it was decided to start immediately for a position up the Adelaide River, where fresh water was to be found. I think all the horses, or all but one or two were transhipped to the *Beatrice*, and Mr. Finnis in the *Julia*, and the *Beatrice* with the horses and some stores left for the Adelaide River on the 23rd June. On the 24th, myself and some others on board the *Henry Ellis*, who had express leave to go on shore, left with Captain Phillips in the gig, and landed at Sandy Beach, about one and half mile, or probably two miles south of Escape Cliffs [witness pointed out on the map where the party landed]. I am particular in naming the date and these circumstances, and my reason is, that the same afternoon we discovered fresh water. We returned to the *Henry Ellis* that evening, and on the following Monday, the 27th, Mr. Finnis returned, and we informed him of the discovery of fresh water at Escape Cliffs, Davis informed him, and I told him afterwards. I may explain that our boat was left high and dry on the beach by the receding tide, and we were very thirsty; this led us to search for water, and we found it after about an hour's search.

1686. Was this stated in the journal?—Yes; in the official journal, page 13. Notwithstanding this information, Mr. Finnis continued to transport the party up to the river camp, and on the afternoon of the 27th I left in the *Beatrice* with some horses, bullocks, and some stores, for the river camp, and we anchored outside the mouth of the river in the evening—we beat through against a head wind next morning and anchored in the Narrows. We lay there from the morning of the 28th June, till the morning of the 29th. I then personally informed Mr. Finnis of the discovery of water near Escape Cliffs; I told him we could easily get there, and I offered to show him the spot at which water was discovered.

1687. (*By the Chairman*)—Was this the first time it had been reported?—Mr. Davis had mentioned it previously to Mr. Finnis in the course of conversation. The same afternoon we went on shore on the opposite side of the river, and remained on shore long enough to have gone to the spot where the water was if Mr. Finnis had chosen to do so. In a Despatch dated 10th August, 1864, Mr. Finnis remarks "There was no place on the coast where stock could be landed, as the distance was too great from the vessel to the shore to hope to get them safely disembarked, considering their weak condition. Fresh water, moreover, was not to be obtained nearer than the Adelaide River, and about forty miles up the stream." The information I gave to Mr. Finnis was given on the 28th of June, and I say and I wish it recorded in my evidence that that statement by Mr. Finnis is false. We arrived at the River Camp at daylight on the 1st July. We had been taken to that spot for the reason that the water was fresh. The water was not fresh; it was salt at high tide and brackish at low tide. During the remainder of our stay at the camp, water had to be carted daily from a swamp about a mile inland. [Witness pointed out locality on the map.] At the site where the camp was pitched the banks of the river, even at that season—which was the dry season—were barely 1ft. to 18in. above high-water mark; and all the surface of the ground on which the camp was pitched gave evidence of being submerged at certain seasons. There were marks of the floods upon the trees. The site of the camp was literally surrounded on all sides by a dense mangrove scrub. [Witness pointed out the position of the camp on the official map.] The distance from the place where the tents were pitched to the scrub on the east side was about ninety-five yards. The tents were therefore within spear-throw of the scrub. The temporary landing place for the stores, and where they were left for some time, was from twenty-five to fifty yards from the edge of the scrub on the east side. This scrub was almost impenetrable, except in places where we afterwards succeeded in beating tracks. The mangroves themselves threw out great roots which were grown to almost an impenetrable network, and these were again interlaced with wild vines. We could not get through them without an axe, or climbing over them. In a letter from Mr. Finnis to Mr. Ayers, dated 13th August, 1864, he says "the mangrove scrubs, which are described in such awful terms, are simply tall straight trees, without branches from ten to thirty feet from the ground, and our men and cattle can freely pass. There is no grass or thicket growing under them, and the so-called scrub is only a fringe or grove of timber about one hundred yards through to the plain beyond." I declare those statements to be false. On the 2nd July we were first of all visited by the natives. Two of them came to our camp, and on their approach they stopped within one hundred yards of us and threw away their spears. They came amongst us freely and were well received. They were petted and presents were made to them by the Government Resident. They were allowed to go where they liked and see whatever they liked. They were encouraged to do so. On the following Sunday eleven of them came to the camp and were generally treated in the same manner. It happened after this that on their visits to the camp they took rather more liberties than some of the party liked, and one of them was struck. From this time it was easy to see that their manner began to be suspicious. In my opinion, the treatment adopted towards the natives, in first encouraging their curiosity and then punishing them for it, was calculated

calculated to provoke the hostility they afterwards displayed. Another circumstance I wish to mention is, that the guard having received orders to discharge their muskets when they came off duty, a target was placed at the edge of the mangroves just at a favorite crossing-place of the natives, and in a direct line with the place where they always assembled in the scrub after crossing, and before coming out to us. It was the custom of the guard, when they were relieved at nine o'clock, to fire their rifles at this target. The matter was pointed out and eventually the position of the target was removed, but not for some time. On Friday the 8th July, the Government Resident started with a party of six men, with two pack horses, to examine the country in the vicinity of the hills, then called the Bald Hills, but now I see marked as the Beatrice Hills in the map. Those hills are about twelve miles from the camp, and could be seen if you went beyond the mangroves. The storekeeper had been occupied for three days in making preparations for the equipment of this expedition. They started on Friday morning and returned on the following Monday without reaching the hills at all. Some time subsequently Mr. Stephen King, Mr. Pearson, Dr. Goldsmith, myself, and Litchfield, left the camp, on horseback, at nine o'clock and rode to the hills; we waded through a creek and went to the top of the hills. We stayed an hour and got back to the camp at seven o'clock; thus doing in ten hours what the Government Resident with all his party had failed to do in three days. The Government Resident's Despatch stated that they were prevented from reaching the hills by the water which cut them off. At this time the guard was in full organization at the River Camp, and by a general order it was proclaimed that every Saturday was to be a general holiday which the men were to devote to cleaning their arms and accoutrements. One Saturday, after drill, Mr. Finniss told us that we should be summoned to Church parade on the following morning, and that we should be drilled for an hour. After hearing this I wrote a respectful letter to Mr. Finniss, stating that I had conscientious objections to doing unnecessary work on Sunday, and asking respectfully to be excused from attendance. Upon receipt of this letter, Mr. Finniss summoned all the officers, senior and junior, to his tent, and in presence of those officers, after asking me if I really objected, he ridiculed my conscientious objections, which I conceived to be a gross and unwarrantable insult. One expression he made use of was "The idea, Mr. Ward, of your having any conscientious objections, when I have seen you reading Shakspeare on Sundays." I consider these incidents tended to create a feeling of want of confidence in Mr. Finniss's conduct of the expedition. I will mention other instances. One evening, after the natives had visited the camp, Mr. Finniss ordered some fireworks to be discharged for the purpose of frightening the natives, and he superintended the discharge himself. The first rocket would not go off for a considerable time, and at last it exploded and the stick rushed along the ground amongst the people's legs. The same thing happened with the second and third rockets. After some time, Howe, one of the carpenters, pointed out that they had been trying to light the rockets at the wrong end, and showed them how they were to be let off, and then the rest went all right. As an instance of the danger that might have occurred from these proceedings, I may mention that next day a rocket stick was found among the powder kegs, and that another went off on the cook's fire. These things were so absurd that they also shook my confidence in Mr. Finniss. Another instance, which was within my personal knowledge, was that Mr. Finniss was in the habit of intrusting the command of expeditions of the party to laborers, ignoring the officers of the party who were in camp at the time. I remember one instance in particular. Patrick Auld was ordered by Mr. Finniss to take a party from the camp at the River to the camp at the Narrows—Mr. Finniss leaving the camp himself the evening before Auld was to start. Mr. Manton, who was second in command of the expedition, was necessarily placed in command of the camp during Mr. Finniss's absence, but he was not informed which men were to go away with Auld; and the next morning when he went round to summon the men to work he was met by the reply "I'm not under your orders, I'm under Auld's orders." Taking things in their proper order, I now wish to mention a remark made by Mr. Finniss in the presence of Dr. Goldsmith, by whom it was stated to me, and who authorized me to make use of it. It occurred during a trip up the river with Mr. Finniss, in the *Yatala*, towards the latter end of July. Mr. Finniss stated to him, then speaking of me, that I should not be twelve months longer in the service of Government, and that he was sure Government would not sacrifice him for a fellow like that. The next incident of importance at the River Camp is the attack by the natives on Monday the 8th August. Mr. Manton was in charge with twenty men, when from forty to fifty natives came to the camp, and it was easy to see from their conduct and manner that something had excited them against us.

(*Mr. Rymill*)—That evidence is immaterial, the Government have exonerated Mr. Finniss from any blame in respect to the first attack of the natives, go on with what happened afterwards.

1688. I returned from the river camp after the affray with the natives, with the mails in a boat sent up for the purpose from Escape Cliffs. I arrived at Escape Cliffs on the morning of Thursday the 11th August. On my arrival there, I found the principal portion of the stores of the expedition, which were brought back from the river camp, strewed about the beach in utter confusion. I saw bags of sugar, and bags of flour lying in the hot sand, and below high water mark, and almost every article of the stores removed, lying about in all directions, some were almost buried in sand, and of course, the perishable goods were suffering very much from this exposure. The wooden houses, which had been purchased at Port Adelaide, at a cost of £500, had been rafted ashore at Point Charles, a distance of about twelve miles from Escape Cliffs, and they remained there until the following October, without any means of protecting them, either from the natives or from being washed adrift. Among other articles which I saw was an iron safe or chest, which was sent from Adelaide as the treasury chest, which I was told specially in my instructions, to keep safely; this was lying below high water mark, and it was submerged every tide. Upon seeing this, and feeling that I was specially responsible for the chest, I found one or two of the men to assist me in moving it to a dry place. Mr. Finniss came down while we were at work, and said that the men had no right to obey me, and he told them to go to some other work and leave the chest where it was. I wrote to the Government Resident officially on the subject, fearing that some damage would happen to the chest, and asked for assistance. The reply was in

Mr. Ebenezer Ward,
March 28th, 1866.

in general terms, that he would use every effort to promote the safety of the public chest, but notwithstanding this, it remained in the same position for a considerable time after. About the same time robberies of stores were reported, and it was said that the natives were about the camp, and that some bottles of porter were stolen. I remember being present on one occasion, when Davis was in charge of the store department, Mr. King being at the river camp. Davis said to Mr. Finniss, "If you would allow me a man I will set up half the night, and he will set up the other half, and I will be responsible for the safety of these stores," I heard him say that, and Mr. Finniss replied, "Mr. Davis, I do not want any of your bush ideas here." The mails by the *Beatrice* were closing about this time, and when I came to Escape Cliffs I went to my usual work of copying Mr. Finniss's Despatches. The evening before the mails closed, Mr. Finniss came to me and said, I had so much to do that he was sure I should not be able to find time to copy his Despatches; I replied that I would make time. He said, he would not give me that trouble, he would find some one to assist me. I said that I would set up all night, if it were necessary to get the work done. Mr. Finniss insisted that it was too much for me to do, and put Atkins on to copy the Despatches, and took the books out of my hands. In a Despatch, dated 26th September, 1864, Mr. Finniss says, "For some days prior to the departure of the mail, and especially towards the close of the time, the duties of postmaster take up the whole time and attention of the postmaster, at least Mr. Ward made it appear so." I declare that statement to be false. I wish to state another instance of mismanagement. There were two pigs on board the *Henry Ellis*—a boar and a sow pig. They were offered to me for sale, and I mentioned it to Mr. Finniss, and asked him if he would allow me to buy them for the use of the expedition. Mr. King had asked me to buy them for him, but I thought it was my duty to mention the matter to Mr. Finniss, in case he should want them for the expedition. Mr. Finniss said that he would have nothing to do with them. I afterwards went and bought them for myself, as I thought it would do a service to the expedition if there was a breed of pigs when we were short of food. The Government Resident then sent the following memorandum as to the purchase of the pigs—

Depôt, Escape Cliffs, August 18th, 1864.

MEMO.—Mr. Ward mentioned to the Government Resident, before the departure of the *Henry Ellis*, that the steward of that ship had a boar and sow pig for sale, for which he wanted £5 each. The Government Resident, on consideration, informed Mr. Ward that, besides the great price, he saw a difficulty in having such animals ashore, as they must be kept and fed at great labor and consumption of stores (ill to be spared), or they would get loose and plunder the stores and tents. He, therefore, told him most positively that he would have nothing whatever to do with their purchase on Government account, and advised Mr. Ward not to be troubled with them on his own account. The Government Resident finds, however, that Mr. Ward has purchased them, as he stated on account of Mr. King, himself, and Mr. Davis. The Government Resident sends this message to Mr. Davis, that he may fully understand that the purchase of the pigs was not only unauthorized on Government account, but positively forbidden.

B. T. FINNISS, Government Resident.

J. Davis, Esq., Assistant Storekeeper.

18th August, 1864.

1689. (*By Mr. Finniss*)—To whom is that memorandum addressed?—To Mr. Davis, not to me, but it was published at the Escape Cliffs camp; I dare say twenty copies were made of it.

1690. (*By the Chairman*)—It was a memo. addressed to Mr. Davis, and he published it as all other general orders or memoranda were published?—It was copied, and circulated from Davis's place.

Witness continued—Some days prior to the date when this memo. was written, Mr. Finniss had requested Commander Hutchison to purchase pigs at Timor for the use of the settlement. This report has already been published in the Adelaide papers. I afterwards found [alluding to the time of copying the Despatches] that, in those despatches which Mr. Finniss had prevented me from copying, very serious charges were made against me to the Adelaide Government. I believe Mr. Finniss's object in setting Atkinson to copy those Despatches was that the charges might be made without my knowledge. About this time I heard the order given about the black Dombey. Mr. Finniss, Davis, myself, Hamilton, and Fred. Finniss were standing near the derrick one afternoon, when the first observation I heard Mr. Finniss make was "Now, Freddy, remember—when you see Dombey, mind you say 'Dombey!' when you fire." I remember this from Mr. Hamilton's reply that, if Dombey had a piccaninny with him, Fred had better say "Dombey & Son." Mr. Finniss had previously said to me that he should not be satisfied until he had killed one hundred of these blacks—ninety-nine would not satisfy him. A guard was organized at Escape Cliffs on a somewhat extended scale. There were six and sometimes seven sergeants of the guard—Watson, Hamilton, Fred Finniss (who was also adjutant), McMinn, Davis (and, on his leaving for Timor), Bennett, Roberts, and Wadham. The guard was, for all practical purposes, perfectly useless. [Witness referred to the plan.] The beat of the sentry was between Mr. Finniss's tent and the guard tent, and along the side of the cliffs as far as Mr. Finniss's kitchen. Some tents were pitched as much as 200 yards back from the edge of the cliffs, and there was a number of trees round them. The tents were in four rows, and there was no sentry on parade outside the last row of tents, though a patrol was ordered in general orders to visit all parts of the camp occasionally during the night. The portion of the camp where the guard was placed was inaccessible to any one, unless they had scaling-ladders, which the natives had not; and therefore I say that, for practical purposes, the guard was useless. That part of the camp where there was real danger of an attack was not guarded at all. When Mr. Finniss left the camp—which he did once for a week, on a trip in the *Beatrice* to Port Darwin—Mr. Manton took off the day guard, and kept watch himself till 10 o'clock, and then put the guard on till day time. In consequence of this there were eight or ten more men available when Mr. Manton was in charge than when Mr. Finniss was there; and, consequently, there was much more work done (I am alluding to the visit to Port Darwin) in that week of Mr. Finniss's absence than in any three weeks of his presence in the camp. I know nothing of the incident of the 8th September personally, except that I saw the party start and heard what Mr. Finniss said when he was told what was done. All the men in camp came up to the Government Resident's tent when the party returned; and when the fact was stated that Dombey was shot, Mr. Finniss said "Well done, Freddy! I knew you would teach them a lesson;" and then he turned to Cowie, and said "Cowie, give these gentlemen a glass of sherry. Some time after this some alteration was made in the disposition of the guard. It

It had previously been considered a matter of great importance that the sentry should parade with a loaded musket, which they fired away when they came off duty. In September the ammunition was getting short, and the guard was ordered to parade with unloaded muskets. Each member of the guard had a loaded musket previously, for which he was responsible. A general order was issued when the ammunition was running short, and in future the parade was without loaded muskets. Some time after that the guard was taken off altogether. On the 31st October I addressed a letter to the Government Resident, on Her Majesty's service, which was returned to me unopened. [Letter put in unopened; envelope endorsed "Delivered to the Govt. Resdt. by Robert Ware, and returned unopened, and with the message that he (the G. Residt.) 'would have no communication with me whatever.' October 31/64.—Ebenezzer Ward."'] The water we obtained proved to be of very bad quality. I do not know its chemical composition, but it had a very serious effect on my bowels, and all my motions were black. The degree of illness produced was always proportioned to the quantity of water drunk. This was the well water.

1691. (*By the Chairman*)—Was this from the well you discovered?—We did not discover a well, but the waterhole was very near the spot where the wells were afterwards sunk. [Witness continued]. The supply of food to the party was a matter of importance, as the men were not able to do a proper quantity of work on account of the food. There might have been a better supply if the Government Resident had adopted the measures which were then recommended, and which were afterwards taken. During the end of September and October the party were very short of food; sago and rice were the principal things which they had to live on. There were some preserved provisions, but they were soon exhausted. At Adam Bay there is a beach about a mile from Escape Cliffs, which was always a good fishing ground. In September, Dr. Goldsmith urged the Government Resident to get a supply of fish for the camp by allowing parties to go to this beach to fish, but instead of doing so he organized parties for fishing some distance off. Some went to the Narrows, where they caught some fine fish, but as they were not able to be landed until the next day they turned putrid before they could be eaten. Others were sent to Chambers Bay, and sometimes they brought back a supply, but nothing equal to what was afterwards got. Dr. Goldsmith again pointed out that there was every reason to expect that a supply of fish could be obtained on the beach nearer the camp. Towards the end of November a petition was presented to Mr. Finniss by the men with respect to the food. The reply was that efforts would not be relaxed to procure a supply, but no steps were taken. On the 24th of November I was fishing in the creek, when a party of men came down and took the boat, and went to the beach close by to fish. I returned, and Dr. Goldsmith showed me a letter he had just received from the Government Resident, refusing to allow the men to fish there. Within half an hour the men came back from the beach with 2 cwt. of the finest fish I ever wish to see, and thus afforded a supply of from four to five pounds to each man. Next day a fishing party was organized, including these very men who had acted in violation of orders, and, until the arrival of the *South Australian*, the party had a good supply of fish four or five times a week. I saw the letter refusing the men to fish there. Dr. Goldsmith showed it to me. Some time after this, Captain Humbert, Commander of the *Yatala*, was suspended. [Witness referred to Despatch of Government Resident of 7th December, stating that Mr. Ward prepared Captain Humbert's letter.] I did not prepare that letter. I never saw it till after it was written. Mr. Finniss's treatment to the officers and men was calculated to cause great dissatisfaction and want of confidence in him as a leader. I was present on one occasion when he publicly ridiculed Mr. Manton on the poop of the *Henry Ellis*. On the 27th of July, in the presence of all the officers and some of the sailors he ridiculed what he called Mr. Manton's cowardice, and mimicked the way in which he said Manton's hand shook when he was loading his pistol. I would also mention his disparagement of Dr. Goldsmith's medical skill, at the River Camp. Once at Escape Cliffs, Davis was in his bed ill for a week. The Doctor said it was the effect of the water. Mr. Finniss came in and asked how he was; Davis said he was very unwell; and Mr. Finniss replied, "If I were your Doctor, Sir, I would cure you in twenty-four hours." I consider this calculated to produce great alarm in the camp. I have also heard Mr. Finniss speak publicly of Mr. S. King's "drivelling imbecility;" and of the Assistant-Storekeeper, Mr. Davis's "reckless indifference." On another occasion, at Escape Cliffs, Mr. Finniss called Howe, one of the laborers, a thief, publicly.

1692. (*By the Chairman*)—What was Howe?—A carpenter. I heard the expression myself; and the next Sunday morning Mr. Finniss publicly accused Mr. S. King of lying. I will also mention an instance of the difference of manner in which some of the men were treated. There was a man named W. S. Murray, who was a cook for some time, and he afterwards refused to cook any longer; he was promoted and placed in the boats' crew. Afterwards Styles, who was reported by the Doctor as being in ill health, refused to cook, and he was dismissed. I have prepared a list of men and officers at Escape Cliffs from the 1st September to the 5th December, as follows:—

Party in Camp at Escape Cliffs, from September 1st to December 5th, 1864.

1. B. T. Finniss, in command.
2. F. R. Finniss, employed as Private Secretary, Adjutant of Guard, &c.
3. Baumgartel, cook to Finniss.
4. Cowie, body servant, &c.
5. Manton, chiefly employed as gangman.
6. Pearson, when off sick list, generalissimo of the Guard.
7. Ward, suspended 20th September.
8. Goldsmith, on medical duty.
9. King, stores and stock.
10. Davis, stores (left in October).
11. Hake, stores.
12. Roberts, stores.
13. Litchfield,
14. Auld,
15. Packard,
16. Dugald,
17. Baker (partially),
18. Jno. Dyer,
19. Alaric Ward,

All stockmen.
Total stock—ten horses, seven bullocks, and about half a-dozen sheep.

Boats'

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Boats' crew used with other laborers for Guard.

- 20. Wiltshire.
- 21. Reid.
- 22. Davy, } exchanged for Machell and Bohm.
- 23. Owen, }
- 24. Fitch.
- 25. Chandler.
- 26. Murray.
- 27. Tom King.

Three of these afterwards temporarily employed at well sinking.

- 28. Boucaut, dead.
- 29. Pennyquick, dismissed.

Cooks.

- 30. Styles, dismissed.
- 31. Edwards.
- 32. Ware, and one of boat's crew.

Draughtsmen and Junior Surveyors.

- 33. Watson, }
- 34. Bennett, } Sergeants of the Guard.
- 35. Hamilton, }
- 36. Wadham, left in October.

Other laborers for Guard and general work.

- 37. McMinn.
- 38. Atkinson.
- 39. Howe.
- 40. Moorshead.
- 41. Brennan.
- 42. Gilbert.
- 43. W. Smith.

Total or general strength, 43.

The actual amount of work accomplished up to the 5th December comprised the removal of the principal part of the stores at Adam Bay up the river and down again to Escape Cliffs. The exploration trip of the Government Resident to the Bald Hills, one or two small expeditions as far as the River Camp and the Narrows, and another which lasted a day, on the other side of the river, to find Stuart's track; one to Chambers Bay; one trip of the Government Resident, in the *Julia*, to Chambers Bay; and one to the mouth of the Alligator River, in which no one left the boat; and one by the Government Resident, in the *Beatrice*, to Port Darwin, when he came back in the *Julia*. At the River Camp, one log building had been erected and a stockyard; and at Escape Cliffs two log stores and a small stockyard. This was all that was done except taking a few lunar observations.

1693. (*By the Chairman*)—Were there no huts built?—Alaric Ward and Dyer nearly finished one in their overtime, on their own account. The timber alluded to was brought over from Port Charles, and one wooden house, out of the three was partially put up.

1694. (*By Mr. Rymill*)—Have you anything further to state?—One matter I have not mentioned was a personal insult from Mr. Pinniss publicly on board the *Henry Ellis*. It was on the day he was going to start in the *Julia* on his first trip up the Adelaide. The *Yatala* was expected every day, and I asked Mr. Pinniss what I should do with his letters in the event of her arrival during his absence. His first reply was to send the mail boxes to him. I demurred to this as I had no authority to do so from the Postmaster-General. He then told me to take care of the letters, but he added, "Understand I don't wish you to look at them." I answered that unless I looked at them I could not tell to whom they were addressed. I did not at the time understand his meaning. He added "Yes, Sir, but I don't wish you to finger them and turn them over to see who they are written by." I kept my temper and replied that I hoped I knew my duty, and that I should respect the blacksmith's letters as much as his.

1695. (*By Mr. Goode*)—What was the total value of the improvements when you left?—I have stated what was done, but I don't know the practical value of the work.

1696. You are not prepared to say what is the money value?—No, I would not pretend to say as I am not a valuator.

1697. (*By the Chairman*)—Are you a judge of the value of the soil?—I do not consider myself a good judge. I have had some experience of soils, but I should prefer the opinion of others.

1698. (*By Mr. Pinniss*)—Did you keep the official journal?—Yes, up to a certain period.

1699. Until you were dismissed?—No; until I was suspended. I was never dismissed.

1700. Did you make entries in it while I was absent as well as when I was present?—I did by your instructions, and I made entries at your dictation.

1701. Did you ever make entries of your own which I struck out when I discovered them?—Yes; entries which I considered it my duty to make.

1702. Do you recollect telling me that you were going to make a history of this new Colony?—I cannot recollect telling you, but it is possible that I did, because I had that intention.

1703. Did you enter into correspondence with Captain Hart?—I wrote to him, but my letters were quite private.

1704. Did you send your letters through me?—Certainly not.

1705. You say that previous to my leaving Adelaide I insulted you. What was it that I said?—It was near the wharf at Port Adelaide, the Saturday before we sailed, that you said to me in a very insulting manner, "Go on board, Sir."

1706. Why did I tell you so?—I don't know.

1707. Do you not remember that a general order was given that all the party were to be on board that day, because the Government were liable to a penalty of £500 if the ship was not ready? Yes; but you gave me separate instructions to meet you with the cash box.

1708. Were you not aware that I was anxious that all should be on board that day so that Government should not incur the penalty of £500?—I cannot say what passed in your mind.

1709. As my confidential clerk were you not aware of the fact?—I knew there was a penalty of £500, but I am not aware of the terms of the charter-party; I know there were orders for the party to be on board that day.

1710. Do

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1710. Do you decline to say whether the Government were liable for the penalty of £500?—I know they were liable for some days' demurrage.

1711. Do you decline to say whether the Government were not liable for £10 per day demurrage, and £500 for breach of contract?—We can refer to the charter-party for that. It was not a matter that I was specially responsible for.

1712. Were you a reporter for the press while you were at Adam Bay?—No; not at any period while I was in the Government service.

1713. Have you not sent letters to Adelaide which were published?—They were not written for publication; some of them were given by my friends to the press, without my knowledge or sanction.

1714. You say that on the 21st June I went early on board the *Beatrice*?—That was Tuesday; you went on the previous day.

1715. I went and came back on the same day?—Yes; I believe you did.

1716. Do you recollect that the mail from Adelaide brought some important letters for Commander Hutchison?—Yes.

1717. Do you remember my asking you for them, as I was going on board the *Beatrice* and would deliver them?—You may have done so, or I may have asked you to tell Commander Hutchison that I had some letters for him.

1718. Will you undertake to say that you did not refuse to give me the letters for Commander Hutchison?—No; I might either have asked you to tell him to come for them, or that there were some for him.

1719. Do you recollect that you refused to give the letters to me, asking me if I had any written authority from Commander Hutchison?—I am sorry, Mr. Finniss, if through any lapse of memory, I should omit to state anything you may wish to know, but I do not remember the exact incidents. I know we had some conversation on the subject, and that, in the course of it, I stated that the letters must be delivered personally to Commander Hutchison, or to his written order, in accordance with the Post Office Regulations, which subjected me to a penalty if I disobeyed them. Whether I absolutely refused to deliver the letters to you I don't remember, but I believe I have stated the tenor of the conversation.

1720. You did not make a note of the transaction?—No.

1721. But you did of other circumstances?—I did not consider this a matter of importance.

1722. You thought it was not a matter of importance to give important letters to Commander Hutchison?—I did not consider this a matter of importance; I was only obeying my instructions.

1723. How did Commander Hutchison get the letters?—From me.

1724. Where?—On board the *Henry Ellis*. He came on board with you on Tuesday, and immediately I saw him coming I got the letters and gave them to him.

1725. You remember going up the river and landing at the Narrows?—Yes, on the 28th June.

1726. Who landed with you?—Yourself, with others; I don't recollect the names of the party.

1727. Did you shoot a kangaroo on that occasion?—No, it was Roberts, I think.

1728. On which side of the river did you land?—On the south-west bank.

1729. Is that the right or the left bank?—The right, as you went to the river.

1730. You landed on the other side, I think, and went to the shell-mounds?—I believe you are confounding two occasions.

1731. Well, what occasion do you refer to?—On the 21st June I landed with a party from the captain's gig; Roberts, John Davis, myself, and one or two others landed just inside the Narrows, on the left hand side.

1732. Did you write an account of what you saw in the journal?—Yes, I did.

1733. The date when you landed at Sandy Beach, near Escape Cliffs, was the 24th June?—Yes.

1734. Did you make a note of your trip there in the journal?—I did, and of the discovery of water.

1735. Do you recollect the church parade?—I remember its being ordered, but it never took place.

1736. You say that I sent for you and all the officers to my tent, and that I read your letter to them?—Yes.

1737. Do you remember my asking the officers if you did right in sending such a letter?—No, I remember you asking the others if they had any conscientious objections to the drill, but not whether I did right in writing the letter.

1738. Did I not say "Now Mr. Ward, the act I ask is not objected to by your comrades; now I give you the option of withdrawing this letter?"—Exactly, you gave me the option.

1739. I think I said that the letter and the subject would never be thought of afterwards, and that you would never hear anything more from me on the subject?—You said that you would let the matter drop.

1740. Did not I say that I would never take any further notice of the matter?—Yes, of the letter.

1741. That was as to the church parade?—Yes, and the drill.

1742. Were the blacks threatening at the camp at this time?—They were not yet troublesome.

1743. Were they in the vicinity?—Yes, that morning they were about the tents and coming into them, but they showed no symptoms of hostility.

1744. If all the men had been drawn out for prayers, and the natives had made a sudden attack, would there not have been a great deal of confusion caused by the rush to the tent for arms?—At that time there was no feeling of alarm from the hostility of the natives.

1745. That is no answer to my question?—I don't think it would have produced that confusion; there was certainly no alarm at the time.

1746. You don't think that if they had made their appearance in any threatening way there would be any alarm or any confusion?—I do not say that, but you did not use the expression "in any threatening way" before.

1747. Will

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1747. Will you say "Yes," or "No," Mr. Ward?—Unquestionably, yes.
1748. Did they make their appearance that day?—Yes, in the morning.
1749. And in consequence of that appearance the church parade was not held?—I know it was not held, but I do not know the reason. I take my own view of the matter.
1750. You say I ridiculed your conscientious objections—did I not say that you were in the habit of sitting behind me and reading Shakspeare while I was reading prayers?—No.
1751. Did you not do so?—I don't know. I used to read Shakspeare on Sundays; but I have no positive recollection of the circumstance.
1752. You went up the river on the 20th July with Pearson, Machell, and Watson?—Yes.
1753. When you returned, did you afterwards write a report?—Yes; I first made an entry on the journal which you told me to strike out.
1754. I told you so?—Yes.
1755. Is it there still?—Yes; unless it has been abstracted. You drew your pen through the rough copy.
1756. You walked inland?—Yes.
1757. Will you point out the hill you went upon?—[Witness referred to the map]—The Bald Hills were nearly due north from the hills Watson and I reached, and were about twelve miles away. They were two small hills that we were on.
1758. Were they wooded?—Very slightly with a kind of wild fig tree.
1759. Are you sure the Bald Hills were twelve miles away?—Yes, as nearly as we could judge.
1760. Were these the first hills you came to?—We passed some on our way up.
1761. You made an entry in the journal, and also wrote an official report?—Yes; you struck out the entry in the journal, and the official report you forwarded to the Governor.
1762. When I came in, did I not repeat my dissatisfaction at your having left the camp on this expedition?—Yes.
1763. And you were vexed at my expressing dissatisfaction?—Yes; I confess I felt discouraged, for I had worked hard in the cause of discovery.
1764. You were clerk in charge, I believe, and not simply an explorer?—Not necessarily.
1765. The inference would be then, that your duties would be indoor work?—Yes; undoubtedly, but I attended to the duties of my office.
1766. You and others joined in expressing your dissatisfaction at my orders, did you not?—I expressed none publicly.
1767. Did you not state so to Mr. Pearson?—Do you wish me to disclose private conversations?
1768. I do?—Then I shall decline to do so.
1769. You have stated that you went to the Bald Hills with Mr. Pearson, Litchfield, and the others?—Yes.
1770. Did you not say that Mr. Finnis, calling him "the B. T. F."—remember "the B. T. F."—could not get there and you could?—I might have said so in private conversation.
1771. Do you call this a private conversation, when it was said in the hearing of four people?—We were not speaking particularly of your proceedings. In the first place, I am not sure that I made use of the expressions; I may have done so.
1772. I want a definite reply, Mr. Ward?—I mean that it was sometimes customary with me in private conversations to speak of you as "the B. T. F."
1773. What was meant by that—had it not some further meaning than my initials?—The initials had come to be regarded as something beyond Boyle Travers Finnis.
1774. What was that meaning?—The words were used in private conversations, not publicly; and I have no wish to state what may be personally offensive to you.
- 1774A. I must insist on your answer, Mr. Ward?—Well, if you will insist on it, the other meaning was "Bloody Tom Fool."
1775. As applied to me?—Yes.
1776. And when you used the expression, did you intend it to apply to me?—Yes; I have used it in its double meaning.
1777. When it was used in this way on this occasion, it meant to imply "The Bloody Tom Fool?"—I do not recollect the expressions being used on this occasion.
1778. If they were used they had that meaning?—If they were used, by me they were meant to apply to you.
1779. When did this expedition take place?—It is not entered on the official journal; it was either on the Monday or the Tuesday before the native affray took place—either on the 2nd or the 3rd August.
1780. Was it not on the 20th July, or between the 20th and 30th?—I think not; there was no report made of it, but I think it must have been on the 2nd or 3rd August.
1781. At that date, was it not a matter of common notoriety that you and others of the officers in the camp were accustomed to designate me as "The Bloody Tom Fool?"—I am not aware that it was, I have heard the letters used; but when first used they were not intended to have the meaning which was attached to them afterwards. The origin of the expression was this—one of the party was looking at your initials, and asked "What does B. T. F. stand for," and the reply was, "Bloody Tom Fool, of course," but I believe that at the time it was made without reference to you. Its application to you became apparent afterwards.
1782. Was it made by one of the officers?—I must decline to state who it was.
1783. Perhaps you will state at what date this reply was given?—It was on board the *Henry Ellis*, before we landed—about a week or a fortnight.
1784. Then I understand that you and others of the officers began to intrigue and to disparage me before the laborers before we landed?—Nothing of the kind; there was no intrigue to disparage you before we landed.
1785. But the expression was meant for me?—I have told you the origin of it, and that you were spoken of as "The B.T.F.," and that the double meaning of the letters was recognized afterwards.
1786. Were

1786. Were not letters sent down by you to Adelaide in which the expressions were used?—I decline to state what was in my private letters.

1787. Did you not see me publicly called by that name in the *Advertiser*?—I saw it mentioned; I remember reading the article.

1788. Were you not one who wrote the letters on which that article was founded?—No; I never wrote to the public press until after I left the Northern Territory, nor did I ever make any communication to the press.

1789. Did you not write to those whom you knew would put it into the papers?—No. The only use I permitted to be made of my letters was to show them to mutual friends.

1790. How many men were at the River Camp when the affray with the natives took place, on the 8th August?—About twenty or twenty-one.

1791. Do you recollect, in the River Camp, that you and the senior officers objected to mess with the junior officers?—I think this occurred at Escape Cliffs, and the objection was not founded against the juniors personally—it was because the mess was inconveniently large.

1792. Was this not at the River Camp?—I don't remember it taking place at the River Camp. At Escape Cliffs something was said about it.

1793. Do you remember the 8th August, when the blacks stole the property?—Yes.

1794. The stores were at the landing-place, within twenty or thirty yards of the scrub?—Yes.

1795. Will you show on the map where the landing-place was? [Witness complied.]

1796. The stores were not landed at the camp?—Not nearer than that; it was the nearest point.

1797. I think there was a great robbery of stores that night?—There was a partial robbery, but it created a great disturbance.

1798. Were any goods stolen?—Some things were stolen. The flour and sugar bags were ripped open, and the bags taken.

1799. Was Roberts on sentry that evening?—When the blacks made their appearance the guard was doubled. Watson was on guard, but I don't remember whether Roberts was.

1800. Did not the natives threaten Roberts with uplifted spears, and take the goods before his face?—I don't know; I never heard of that.

1801. You heard of the robbery?—Undoubtedly; but I never heard of a robbery until after dark.

1802. Was there not a robbery with violence?—No, except when the shooting took place.

1803. With uplifted spears?—That was at another place—at the camp. I was there myself. Roberts took a native who had stolen something, and brought him back to the camp, and he was let go, and he then poised his spear at Roberts.

1804. Was this matter not alluded to in Roberts's evidence?—I have not seen the evidence.

1805. Were there any shots fired that evening?—Yes; after dark Litchfield fired.

1806. And the next morning there was a fight?—Yes.

1807. Did the blacks attack the camp?—Not that morning.

1808. On any other morning?—Pearson went out to get in the bullocks, and the blacks were in the scrub, but he was not aware of it. As he rounded the scrub, the blacks rushed out. Pearson's horse shied, and he was speared.

1809. Where were the officers?—In the camp.

1810. Who were they?—Mr. Manton, Dr. Goldsmith, myself, Mr. Stephen King, Watson and Wadham were also there.

1811. Were cries heard from Pearson's party?—I heard the cries, but did not know what they were. I first heard a yell, and then shots, and then more yells, but I did not distinguish any cries for help.

1812. Did you not think that Pearson's party required assistance?—I imagined there was a *melee*, and that assistance was required.

1813. Who conducted the party to render assistance?—A party went in under the orders of Mr. Manton.

1814. That is not an answer to my question?—Mr. Manton gave orders that we were to rush to the assistance of Mr. Pearson. The men rushed promiscuously into the scrub; there was no attempt to conduct a party.

1815. Did you go with them?—Yes.

1816. In front or behind?—I was in my tent at the time, and when I came out most of the men had gone into the scrub. I was following, when Mr. King called to me to come back and take some ammunition to the men.

1817. Then you followed the party?—Not as you put it; I took the supplies of ammunition.

1818. Where you got into the scrub, did you see any blacks?—I heard them, I did not see them.

1819. Did you not tell me you were surrounded by them?—I may have done so, because I thought I was. I heard people moving round me, who I thought were natives.

1820. Then you came back because you were surrounded?—Not at all, I came back for ammunition.

1821. Are you sure they were not your own people that you heard?—I can't say.

1822. Was Mr. Manton in front?—Yes; he started some minutes before me.

1823. Did you go in afterwards, or were you behind?—I was, a minute or so.

1824. Did you hear Mr. Manton recall the men?—No; as I was going into the scrub the men who went in first called out, "Clear out of the scrub." It was thought that was because Pearson's party had rounded, and we might meet their bullets in the scrub.

1825. Was any black man killed on this occasion?—Yes.

1826. Any wounded?—Pearson and Litchfield.

1827. Any horses?—One came into the camp with a spear in his rump.

1828. Was an inquest held on the native who was killed?—Yes.

1829. Do you remember preparing the rider, at this inquest?—I have already stated to you what took place; but I must object to disclose the private proceedings of a properly constituted jury.

1830. If

Mr. Ebenezer Ward,
March 28th, 1866.

1830. If you wrote this rider before the jury assembled, do you consider you would be violating the sanctity of a jury?—Well, if you mean to imply that the rider was written before the jury met, irrespective of the evidence—

1831. Not irrespective of the evidence; leave out those words and you will have my meaning?—I shall not state who wrote it; when it was written, I am happy to state, the jury agreed to the rider, but as a matter of principle, I shall not divulge the proceedings of the jury.

1832. Do you remember some hours before the jury met your exclaiming before the others "Now we have him?"—I do not recollect it.

1833. Do you recollect saying anything similar?—I remember saying that all the disasters of the day were attributable to the position of the camp, but I do not remember using those words.

1834. Do you remember when you were badly off for food, at one time going to the cook's galley to see what I had to eat?—No.

1835. Did you ask any questions about my larder?—I may have spoken about it in the course of conversation, but I did not go to ask.

1836. Did you ever ask what I was going to have for dinner?—Very likely, dinner was an important subject at that time.

1837. Do you remember anything about using lard or olive oil for my fish?—I remember a joke about the cook using scented oil by mistake to fry your fish in.

1838. You never gave publicity to that, I suppose?—I mentioned it to my friends.

1839. After you ceased to copy letters for me, do you recollect that you picked up torn letters, put them together, and read them to the mess?—I do not remember doing so.

1840. You did not do so yourself?—I have seen pieces of letters blowing about and picked them up.

1841. You were curious to know the contents of my letters?—Not at all. I had no idea when I picked up papers that they were your letters.

Mr. Job Austin called in by Mr Rymill, and examined:—

1842. What is your name?—Job Austin.

1843. When did you go to the Northern Territory?—Last March twelve months.

1844. Will you point out on the map the position of Mr. Manton's camp up the Adelaide River?—[Witness complied.]

1844A. When did you go up there?—At the latter end of July.

[Mr. Rymill put in the following letter with the endorsements]:—

ENCLOSURE TO D 78.

Camp, No. 2, Adelaide River, Survey B, August 31, 1865.

Sir—I have the honor to forward, for your information, the diagrams of surveys completed in this district during the month of August, 1865, viz.—one by myself, containing 1,855 acres, and one surveyed by Messrs. Edmunds and Watson, working in conjunction with each other, containing 3,128 acres. More work would have been done and shown on this diagram, had not Mr. Edmunds been laid up for eight days with inflamed eyes, which he has duly reported. In accordance with your instructions I have also forwarded returns from the surveyors and storekeeper, in conformity with General Order No. 134. With reference to your instructions as to marking on the diagram any eligible site for a township that we may meet with during the survey of land in the locality of our present camp, I regret to inform you that I have not been able to carry out those instructions up to the present time, as all the country we have been over is of a swampy and inferior kind, the greater portion of it is evidently under water for several months in the year, which would make a township at the foot of the hills very unhealthy. The highest hill visible from this place is about 230 feet above the level of the Adelaide River bank, the hills are very barren, rugged, and stony; and, in my opinion, would not be a good place for a township.

All the officers and men are quite well and at work, and everything is going on satisfactorily. We shall shift camp in a few days' time to a spot not very far from the river side, about five miles due north from the present camp.

The natives have been very busily engaged ever since we have been here in setting fire to the country in all directions. They also appear to watch all our movements, as our men have seen them on tops of trees, &c., on the opposite side of the river at different times, evidently watching us as much as possible; and on the 29th instant, soon after daylight, we discovered that there were several blacks congregated about a mile from us, in the direction of Fred's Pass. With the telescope we could see all their movements, which appeared to us very strange; for some time they would be leaping about, then marching with their spears erect, and afterwards assembled into one group, as if holding a consultation. However, after about half-an-hour of this preliminary formality, twenty-one of them, unarmed, came towards our camp, showing friendly signs, so I went out and met them, all of whom I had seen before at our first camp on the Adelaide River side. I allowed them to come within about one hundred yards of our camp; they stayed there an hour or two, exchanged some things with our men, and then went off, and we have not seen anything of them since.

I have, &c.,

J. T. MANTON, Engineer and Surveyor, N.T., S.A.

To the Honorable B. T. Finnis, Government Resident, Northern Territory, S.A.

Referred to the Honorable Commissioner of Crown Lands, with plans.
January 10, 1866.

O. K. RICHARDSON, U. S.

Referred to the Surveyor-General.
19/1/66.

U. N. BAGOT, pro Sec. C. L. & I.

Received 19/1/66.

Plans mounted and returned. I have marked the probable position of the lands surveyed by Manton and Edmunds on large plan (see A in pencil), and think it is to be regretted that the time of the officers in question should have been wasted in the survey of lands of such inferior description, as stated in Mr. Manton's report.

The plans should, I would respectfully suggest, be deposited in this office; and I think that no time should be lost in altering the mode of procedure on the part of the surveyors, who would be more profitably employed in making a general survey of the country, than in marking out lands for sale which it appears to me, from Mr. Manton's report, would be unsafe to occupy.

19/1/66.

G. W. GOYDER, Surveyor-General.

Returned to the Honorable the Chief Secretary, with plans mounted.
1/2/66.

E. T. W., Sec. C. L. & I.

Commission adjourned.

Wednesday,

Wednesday, 4th April, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode.

Mr. Rymill and Mr. Finniss were also present.

Mr. E. Ward called in and re-examined:

Mr. Ebenezer Ward,
April 4th, 1866.

1845. (*By Mr. Finniss*)—Mr. Ward, did you write to the *South Australian Advertiser* on the 30th January, 1865?—I am not aware whether I did on that day. I have already said that I did not write to the papers until after I left the Northern Territory.

1846. Is that your letter [handing to witness copy *Advertiser* of 30th January, 1865, containing letter signed "Ebenezer Ward," dated 24th January, 1865]?—Yes; I wrote that.

1847. Is this [producing book] the official journal you kept?—The body of it is in my handwriting, written under your instructions.

1848. Is that particular passage in your handwriting [referring to passage marked A]?—Yes. [The passage was read].

1849. Is that portion [referring to portion B]?—It is in my handwriting. There are some interlineations by you also. [Passage read].

1850. Did you send in a report professing to describe the same country?—Yes.

1851. Perhaps you will state whether this is not the expedition you made up the river ostensibly for the purpose of catching game, in company with Watson, Pearson, and Machell?—It was the same expedition, but it was not made ostensibly for the purpose of catching game.

1852. Will you point out on the map where you went?—We passed one branch of the river south of Beatrice Hill, and camped south of it, and the next day came to the rocky bar [witness pointed out the localities on the map, and also the position of the Hills referred to as being about twelve miles distant]. Our position was between the two arms of the river.

1853. Did you go further than Stokes?—We considered so.

1854. Then the bamboos you saw might be those that he described?—They might have been.

1855. Did you go further than Commander Hutchison?—Yes.

1856. Did you land at the Shell Mounds?—You are going back to June; we landed in June there.

1857. Do you recollect on what day?—I think it was the 21st.

1858. Was the description in the journal [marked C] written by you?—Yes; it is in my handwriting.

1859. Did you land on another occasion about this date at the Sandy Beach?—Yes; where we found water.

1860. Did you also write a description of this?—Only of small part of it.

1861. Did you write a more full account of your trip up the Adelaide, which was afterwards published?—I did not see all the Adelaide papers.

1862. Did you not send a more florid description to Adelaide?—I cannot say that I did.

1863. Did you not send a description?—I have told my friends in my letters what I saw.

1864. Did you speak favorably or unfavorably?—In some respects favorably and in others unfavorably.

1865. If you were to see your letters in print should you know them again?—Unquestionably.

1866. Did you write to your friends a description of the place?—Not that florid description you speak of.

1867. Did you profess to write a history of the Northern Territory in a ludicrous and bantering style?—I kept a journal, and it was necessarily of a very ludicrous character, but the private journal was the only step I took towards writing a history.

1868. Did you send your journal to Adelaide?—I brought it to Adelaide.

1869. Did you not send it?—No.

1870. No part of it?—No.

1871. Was not that private journal published?—No.

1872. Not parts of it?—Not that I am aware of.

1873. Did you join the *Telegraph* newspaper after you returned?—I joined it about six months after my return.

1874. Were not a series of letters published in the *Telegraph* while you were connected with it?—Some letters were published while I was connected with it, but I must decline to state who wrote them. It would not be just to do so without the permission of the proprietors of the *Telegraph*.

1875. You did not write them?—I decline to say.

1876. You decline to say who wrote them, and you decline to say that you did not write them?—I decline to say without the sanction of the proprietors. If you obtain their consent, I will say who wrote them.

1877. You say that when you had a conversation with me, in December, 1864, in Adelaide, I expressed no objection to your joining the expedition?—Exactly so.

1878. Do you remember telling me that I was to be Government Resident?—I recollect something of the kind.

1879. Did you not say that you were to be chief officer?—No, I did not. I might have told you that I intended to apply for the situation of chief officer.

1880. Did you not tell me what my salary was to be?—I think not. I am not aware that I knew it at the time.

1881. Did you not know what your salary was to be?—No; I did not know that until I received a telegram when I was in Melbourne.

1882. Did you not hear of these matters from Captain Hart?—I must decidedly decline to answer such a question, and I am surprised at your asking it.

1883. Did

Mr. Ebenezer Ward,
April 4th, 1866.

1883. Did I not say "Mr. Ward you seem to know more of the Cabinet secrets than I do. I don't know yet whether I am to be appointed or not?"—I don't remember the words "Cabinet secrets." You said something about my knowing about the appointments.

1884. When was I appointed?—I first heard of it officially about the 4th or 5th March.

1885. When were you appointed?—My appointment was gazetted on the 19th March, but I had before received a telegram from Adelaide, in Melbourne, offering me the appointment.

1886. When did I first know of your appointment?—The first time I was officially introduced to you, I think, was on the morning of the 19th March.

1887. Who introduced you to me?—I think it was Captain Hart.

1888. Were you not in constant communication with Captain Hart while you were my secretary?—I decline to answer the question.

1889. Did you not tell me things that Captain Hart had stated to you whilst you were in conversation with him; especially about the bricks that I wanted to take with me, that Captain Hart asked you what I wanted with bricks, and you said that I wanted them for the foundation of houses?—I do not recollect that conversation, but I told you several things which passed in conversation, and which related to matters connected with the expedition.

1890. You say, in the letter I refer to, that you decline to say anything at present about my management of the expedition?—[paper handed in and Mr. Ward read "in what I have written I have purposely avoided commenting upon Mr. Finnis's management of the expedition"] I wrote those words.

1891. What is the date of that letter?—January 24th.

1892. You were not satisfied with my management of the expedition?—Most decidedly not.

1893. Did you try to convert others to your opinion?—No.

1894. You never did?—No; there was very little conversion required; I mean by that, that it was the general opinion.

1895. Do you recollect that Bennett dined at the same mess with you?—Yes.

1896. Was he not subjected to persecution at your mess on my account, so that he was obliged to leave and join the Government party?—I think not; we threatened to turn him out of the mess because he repeated to you what he heard at our mess.

1897. Then the mess was a *coterie*, in which you agreed not to divulge your proceedings?—We understood that what was said at our mess ought to be as sacred amongst gentlemen, as what takes place at a dinner table.

1898. Do you remember a paper called "The Court Circular," being put under your plate at dinner time?—I must refer to you, Sir (to the chairman), whether I am to answer this question [the Chairman said, Mr. Ward asks me, if a mess is not a private meeting; and whether the conversation there can, with propriety, be divulged; whether in fact it is public or private. It partakes of both characters. I will state what a military mess is considered, and I think the same rule must extend to messes of all officers in the Civil Service, situated as Mr. Ward and his party were. In matters bearing in any degree upon discipline, subordination, and gentlemanly demeanor, a military mess is a meeting of officers under authority—subject to the restraints and regulations of the service—and liable to be called to public account for breach of the same. In matters of private conversation and confidence, it is a meeting of gentlemen, subject to the usual rules of private society.]

1899. When Bennett returned to the mess table, will you state what was done in the matter?—I shall only speak as to what I did myself.

1900. The tone of the conversation at the mess table was not favorable to me?—I shall only speak personally. I expressed an opinion as to your management.

1901. Good or bad?—Bad.

1902. Was this spoken openly?—It was spoken at mess.

1903. And for telling that to me you had a down on Bennett?—I only speak as to myself, I joined in the movement because I believed he had reported these things to you.

1904. Were you not in the habit of reading this Court Circular aloud for the edification or amusement of the mess?—I do not say that I read anything for the edification or amusement of the mess.

1905. Did you read it out?—I have no recollection. I found these things under my plate, and I may have read some of them aloud.

1906. In one of these papers was I not designated as a "Bloated piece of carrion?"—I do not recollect.

1907. Do you remember one stating that "His Majesty and Prince Chawbacon had gone to Chambers Bay?"—I have seen those papers but have not stored my memory with their contents.

1908. Do you remember a further one, stating that "The Government pimp dines with His Majesty and Prince Chawbacon to-day?"—I only recollect reading something of this kind.

1909. Who prepared these papers?—I don't know.

1910. Do you remember an obscene drawing, having reference to me passing about in the camp?—I have seen one.

1911. Was it in your hands?—Yes.

1912. Do you recollect asking Bennett to copy it for you?—No; I was not in communication with him often.

1913. You will not say positively that you did not?—No; I did not.

1914. Did you not ask Watson to copy it for you?—No; I asked Watson to copy a drawing which was not obscene, but only a satire.

1915. What was it?—I cannot describe it exactly. It was a lampoon or satire.

1916. Affecting whom?—Referring to the condition of the expedition. It represented four men in a small round tent, and in an advanced stage of illness. There was some poisonous water in the tent with them. Another person was represented as yourself in another tent, surrounded with luxuries—such as fish, game, preserved meat, and bottled porter and wines within reach. I presume this alluded to the expedition. It was founded in truth, and exaggerated.

1917. What part of it was true?—There was truth in four men being in a round tent; and the

the water, if not of a poisonous character, was such as to produce illness; also, in the representations intended for you, the luxuries were in some measure true.

1918. Was bottled porter always in my tent?—I was not continually there to see.

1919. What meat had I?—I cannot say.

1920. Was there any at all?—I often saw supplies of fish and game taken to your tent when it was not available for the expedition.

1921. Have you seen any meat taken when it was not available for the expedition?—I have seen game and fish taken when it was not. I have also seen some kangaroo taken.

1922. That is game, is it not?—Yes.

1923. Did you see any beef, pork, or mutton?—No, except for Government rations.

1924. Was there any in camp?—There was none in the camp, or none distributed generally.

1925. You will not say that I had any meat when the men could not get it?—No.

1926. Did you see any other luxuries?—I did not say you had any. There was some truth in the picture; but it was exaggerated. I may give, as a further illustration, that I was aware that, when the *Beatrice* came back, you purchased some preserves from her. I do not say that it was wrong for you to do so.

1927. When did the *Beatrice* come back?—At the latter end of September or the beginning of October.

1928. On the 1st October, was it?—Yes.

1929. Was the party out of food then?—Not out of everything; but they were out of pork and mutton. Our chief subsistence for some time was preserved salmon; but that did not last long. We lived on peas, rice, and sago.

1930. Was I living luxuriously at that time?—I did not live with you.

1931. Did you see these luxuries—fish and kangaroo—taken to my tent?—Yes.

1932. Were they served out by Mr. King?—Yes.

1933. Did the others see him serve them out?—Every man there.

1934. Did you go to Mr. King, and tell him that he was serving out for me more than my share?—I did.

1935. What did he say?—He is here himself to answer any questions.

1936. Did he not say that he had cut up more kangaroos than you were years old, and that he was able to say whether they were fairly divided?—I do not recollect.

1937. Did you not say in the camp, in the presence of the men, that you were put there as a check upon me?—Publicly or privately?

1938. All that I said you seem to consider public, and what you said as private. You seem to draw a nice distinction, Mr. Ward?—I shall certainly not divulge private conversations.

1939. Do you consider that private which you said in the tent affecting the management of the expedition?—Yes, if it was not said at a public meeting.

1940. All other things you consider private?—Yes.

1941. And all that I said was at a public meeting?—No, but what you said before the others, and on board the *Henry Ellis*, was public.

1942. When you called the men into your tent and spoke to them against me, do you consider that public?—That depends upon circumstances.

1943. What circumstances?—If the men were called together it would be public, but if I asked some of them to come into my tent that would be private.

1944. Had you any friends amongst the laborers?—Some.

1945. (*By the Chairman*)—There was evidently a tendency in the minds of some of the party to satirize the Government Resident. When you perceived it did you consider it your duty, as his secretary, to check the disposition?—I am not aware that there was such a tendency. The satirical drawings did not emanate from me, or from those who messed with me. Where the *Court Circular* came from I never knew. The drawings were not made by officers of the expedition.

1946. When they were thrown in, and you saw that they tended to increase the bad feeling, did you consider it your duty to try and check them and support your superior officer?—At this time I was under suspension, and Mr. Finnis declined to have any communication with me.

1947. Can you say whether you gave him proper official support?—Up to the time when he insulted me on board of the *Henry Ellis* I supported him, so much so, that I quarrelled with the captain of the *Henry Ellis*, with whom I had previously been on good terms, simply because I did support Mr. Finnis. When I was publicly insulted I considered my position to be this:—I would treat him respectfully and obey his orders, but nothing further.

1948. Did you consider that your position?—Yes, undoubtedly; I would not assist him in his mismanagement.

1949. (*By Mr. Finnis*)—Then you would assist me in my management but not in my mismanagement; and you constituted yourself the judge whether it was management or mismanagement?—Yes.

1950. (*By Mr. Rymill*)—When were you up the river at Manton's camp?—In July.

1951. Can you say how the country looked?—When I landed and gave the description of the country it was the dry season, there had been dry weather for two or three months, and the country was in the very best condition in which it could be found. I was not aware of the seasons at that time, or that they would have so much effect on the country.

1952. Did you afterwards see the country?—In the vicinity of Escape Cliffs, not up the river.

1953. Was it much changed at Escape Cliffs?—Considerably. The grass which was growing so luxuriantly in July, when we landed, withered entirely after the continued dry season in October and November.

Mr. John Stuckey called in and examined:

1953A. (*By Mr. Rymill*)—What is your name?—John Stuckey.

1954. You went to the Northern Territory?—Yes.

1955. In what ship?—The *South Australian*.

1956. What

No. 17.

Mr. Ebenezer Ward,
April 4th, 1868.

Mr. John Stuckey,
April 4th, 1868.

Mr. John Stuckey,
April 4th, 1866.

1956. What as?—As an agent to select land for private individuals.

1957. Can you mention the names of any?—Mr. Elder, his brother in England, some persons in Melbourne and Sydney, Dean and Laughton, and other Adelaide people. I also received orders from one Adelaide gentleman while I was in Melbourne. Altogether I had about forty orders.

1958. When you arrived at the Cliffs, how were the men managed?—When I first arrived I had no opportunity of seeing; for I did not go on shore till nearly all the stores were landed.

1959. When did you land?—For fully a week I did not take any notice; but I called Mr. Finnis's attention to the state of matters afterwards, and wrote asking if he could not prevent it. I offered to give my assistance, and I referred to the bad damper the men had to eat, and which they often threw over the cliff because they would not eat it. I suggested that he should have an oven built, and I offered to give the door for the oven, and to superintend the building.

1960. Did he agree to that?—He did not wish me to give the Government anything; but if I would superintend the building of the oven, he would make arrangements to buy the door. We agreed for £2. Then he said there were not bricks enough to build the oven. I saw there were plenty on the beach if they were collected, both fire bricks and common clay bricks. He took down my proposition in writing. I was to superintend the building, and carrying on of the works for six months, or to contract to supply bread for twelve months. An arrangement for three months was agreed to. I was to take flour and give bread; but no money was to pass. The first agreement was mislaid. I supplied the men every other day with fresh yeast from my own stock.

1961. At that time a site could not be found?—Not for some time.

1962. Was the delay from the want of bricks considerable?—Some of the bricks were stacked near Mr. Finnis's tent, and there were more lying about on the beach. Those near the Government Resident's house were kept until the verandah was finished; and the masons were kept at work there laying the foundation of the verandah.

1963. Would the establishment of a bakehouse have prevented the waste of flour?—A great deal.

1964. Did you see a difference in the behaviour of the Government Resident towards the officers and toward the men?—Yes; very great. The exploration expeditions were an instance. There was no officer in command of them.

1965. Who were in charge of them?—Litchfield, Auld, and young Finnis alternately.

1966. Do you remember a conversation between the Government Resident and Packard?—Several. I remember one, in particular.

1967. What was said on that occasion?—It was at the Narrows, Mr. Finnis and his son came down; the horses were tied up near Edmunds's tent, and Packard was there. There was some conversation and some loud talking. I was there in conversation with Mr. Packard at the door of their tent. I heard Edmunds say that he could not go on with the surveys, as there were so many swamps and mangroves, and he should require a boat. Mr. Finnis replied, "Swamps, swamps; there are no swamps." And he said at the same time, "Its a lie, Sir; there are no swamps."

1968. You heard that?—Yes. A few minutes after Mr. Finnis sent for Mr. Hamilton to point out the starting line, I was standing at the door of the tent, when Mr. Finnis and his son went away with Mr. Hamilton to have the line pointed out.

1969. Did you take up stores on your own account and lend your cooking utensils to the survey parties?—Yes; I took up things for half a dozen men, and finding that Packard's party had no utensils, I lent them a camp oven, and told them that I would let them have all the things I could spare. I also lent cooking utensils to the other messes.

1970. Where were the stores placed that came by the *South Australian*?—Some were left in places where the high tides washed over them. The potatoes were left under water, and some cases also. They were then removed in drays and placed in a heap at a place near the old stores, where a new store was to be put up. There were two old stores there at that time.

1971. Were they all in a heap?—Yes; wet and dry together.

1972. How long were they left there?—From the latter end of December. Some new sails were put over them, and they remained there till May, until the *Bengal* discharged her cargo.

1973. Was that in the wet season?—Yes, all through the wet season.

1974. Did the water accumulate upon the sails?—Yes; sometimes in hogsheads, and the men used it for cooking and washing.

1975. Did not some of it percolate through the sails?—Yes, and spoiled a great deal of the goods.

1976. Did the horses feed upon the stores?—Yes. Two of them died; one from the *Bengal* and one of the old party died by gorging themselves on the crushed barley and other food.

1977. Would it not have been possible to store the perishable things, if the hardware and other goods which would not have hurt by exposure, had not been in the store?—If the imperishable goods had been taken out of the store and the perishable things put in, many goods would have received no harm. The bran, sugar, and many other other things, could have then been put in store.

1978. Where was the flour that was used taken from?—From the store, not from the heap.

1979. Was the pork in barrels?—Yes, both the pork and the beef, that came by the *South Australian*.

1980. In consequence of its being stored as it was, was it damaged?—Yes; it lay so long that the upper part got dry, and it was afterwards moved into store. When it was opened it was found without any brine, and was put outside the store doors. It was put there and exposed to the air for full twenty-four hours, and the next day the drays came and took it away. I did not see where it was taken to. If the pork had been repacked with fresh brine it would have been better than I saw served out afterwards.

1981. Was there a general waste of stores on the beach?—I can scarcely describe it. The stores were wasted, and no notice seemed to be taken of it.

1982. Was the Government Resident moving about?—Very seldom. I only saw him once or twice there. All the things were not removed when we left.

1983. Was

1983. Was anyone responsible?—I don't know; Manton and Pearson were directing the men when the things were first landed. King was not well then. There were sometimes one, two and three of them attending the men at work.

1984. Do you remember a general order about the men cooking in turns?—Yes.

1985. What was the effect of that?—The men were much dissatisfied; many of them offered to pay 1s. extra to the cook instead of taking their own time up that way.

1986. What was the effect on the other men of taking them off to cook?—The men use to saw in pairs, and when one was taken off to cook, something had to be found for the others to do. In the survey parties the chainmen would be taken, and the surveyors complained that they could not go on with their work. When the blacksmith was taken there was no one to do his work, and the same with the carpenters, but while Government House was being built some other men were put in their places to cook. There was general dissatisfaction caused.

1987. Did the arrangement prevent work?—Yes; many of the men had to be at a standstill, especially when two men were working together.

1988. Do you remember a conversation between Mr. Finniss, and the men when he landed from the *Beatrice*?—Yes.

1989. When did he land?—On Sunday.

1990. What did he say?—I could not hear distinctly at first. I heard him complain that the men were not at work, and they said that he could not expect them to work on Sundays. He made some rough reply. This was spoken at the mess tent. Mr. Varley was telling him that the men could not work on Sundays, and on other days as well, and Mr. Finniss said "I must have lost a day." I don't recollect the first of it, but I heard the last distinctly; when he was told that the men were not expected to work on Sundays, Mr. Finniss said "Sunday be damned."

1991. Do you know anything about grog selling?—Yes; there was a good deal of it while I was there.

1992. I want to know more particularly about that sold from the Government Resident's tent?—One or other of the servants drew the grog from the Government Resident's and his son's, and I have known it sold, and money paid for it.

1993. What did it fetch?—I bought one bottle from Deacon, and paid 7s. for it.

1994. Did he say as to whose grog it was?—He said it was the ration grog of the Governor and his son. There was a person stopping with me at the time, who went to Baumgartel, and got grog from him which he had drawn. He paid 10s. for it. I only bought one bottle, and paid 7s. for it.

1995. Did the men disobey the orders given them?—No, they did not; but there was a good deal of grumbling at the way in which they were taken off from their proper duties. There was a great deal of dissatisfaction; but I don't recollect any instance of refusal to obey orders.

1996. What did the dissatisfaction arise from?—Partly from the men having to keep guard. The men outside had to defend those inside, and several tents were left unprotected.

1997. With regard to the second charge against Mr. Finniss—do you consider the site a good place of call for vessels?—It is one of the worst that could be chosen for a port or harbor. There is no place to land goods.

1998. Is the site of Palmerston healthy?—No; it is not large enough. There are not more than two square miles of dry land in the wet season.

1999. Is there any surface water?—Plenty in the wet season.

2000. Is there any timber?—There is enough timber, but it is all hollow; it would do for piping, or sheep troughs. There is some nine and ten inches in diameter and only one and a-half inch in the shell; it seems to be eaten by white ants.

2001. Is there any high table land?—As far as the Cliffs are concerned you cannot get away from them in the wet season with a heavy load.

2002. What is the climate?—If any person went to select swamps and stinking mud they could not do better than take the site. No one in their senses would have chosen such a place—they could not have chosen a worse.

2003. Did you see any exploring parties start?—I saw two or three start, one in the direction of Chambers Bay. Litchfield was in charge of another party round the head of the River. Auld was in charge of the first one to Chambers Bay.

2004. When was this?—The first one started about a month after I arrived. It went almost due east.

2005. How long was it away?—About four days. I think not a week. The second, around the head of the River, was away about three weeks.

2006. Did you express your disapprobation, to the Government Resident, of the site?—Yes, several times.

2007. What was the tenor of his replies?—During the time I went to him about the bake-house, I spoke to him about it, and he appointed a time to discuss the matter. I told him that if those surveys were gone on with the place would not be taken up. He reminded me of Jacky White's, and those places at the Reedbeds, and asked what they were worth now. He told me that he surveyed them. I saw that there was a wide difference, there was a range of hills in sight, and the land there was good from the Reedbeds to the hills, and there was plenty of alluvial soil washed down. He called my attention to something else. He wanted to go into the bread and flour affair, and I wanted to go into the land affair.

2008. Have you heard the officers of the survey party speak of the country—Manton, Pearson, Hamilton, Edmunds, and Packard?—Yes.

2009. Were they adverse to the country?—Yes, all of them.

2010. And was this generally known at the settlement?—Yes. They all expressed their opinion that it was completely throwing money away.

2011. At the time you were there, was the site ever abandoned?—No; Mr. Finniss always stuck to it. I believe, if any one had represented that the Garden of Eden would be a better site, Mr. Finniss would have stuck to Palmerston.

2012. When you objected to the site, did Mr. Finniss say that Goldsmith had got hold of you?

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you?—When I was speaking about the Reedbeds, Mr. Finnis said, “Oh, the doctor has got hold of you.” I formed my own opinion, and express it now.

2014. Did you take a great interest in the place, and see as much of it as you could?—Yes; I saw as much as possible before it was surveyed, and at the Narrows both before and after the surveys.

2015. Have you got a tracing of the Narrows?—Yes. [Witness produced it.]

2016. Where did you get it from?—From the Government Land Office at the Cliffs.

2017. Did you see the pegs corresponding with the numbers on the plan?—Yes. [Witness pointed out a dotted track on the map.] This is my course. I took the numbers from the pegs for this track. I have been as far as the creek. The allotments were all under water up to my track; they had to be surveyed in a boat. There was a dense mass of mangroves. All the land to the north was covered in the wet season at high spring tides.

2018. Did you get a plan of North Palmerston at the same place?—Yes [tracing produced]; this dotted line signifies that the allotments were under water, and there were some on a large flat that could not be surveyed.

2019. Will you describe the nature of the land between the Cliffs and the Narrows?—It was a poor blue clay with ridges of sand here and there, with salt swamps and mangroves, which you could not avoid, unless you took a sweep round.

2020. Did you see any building stone?—I did not see any within thirty miles of the cliffs.

2021. Would there be much expense in making a road from the Cliffs to the Narrows, as shown in the plan?—Yes; very great, you could never find the material there to make it.

2022. Are there many swamps and much marshy ground round the cliffs?—Yes, all round; the Government Resident's house is the highest part, and the ground gradually falls down to swamps, at the Julia Creek on the one side, and on the other to the sandy beach.

2023. Did you go up the river?—I did.

2024. Were you at Manton's survey camp?—Yes.

2025. How much land was surveyed there up to the time of your leaving?—About 1,500 acres.

2026. When did you leave?—About the 15th of last September.

2027. Did you go over the ground and examine it for yourself?—Yes.

2028. Can you describe it?—It is useless country, not available even for grazing stock for four months in the year; there is not a section on the block that a person could ride through all the year round, as it is so swampy. Many of the swamps are fresh water, and produce reeds like rough grass in certain seasons.

2029. Are there any indications of its being under water?—Yes.

2030. What was the height of the drift wood?—From six to eight feet, and in some places, as high as ten feet in the trees, from the freshets coming down; the bamboo of the river are higher than the surrounding country, and this causes the floods; I did not notice any place where the land was higher than at Mr. Manton's camp.

2031. Does the tide rise to the head of the river?—Yes; from seven to eight feet.

2032. Are there any flood marks below this point [referring to map]?—That is a mistake I fancy, the whole of this is nearly all under water down the river, and impassable. I went up with stock—bullocks, drays, and spare horses; I went up to the camp and saw no high land for thirty miles.

2033. Does the land improve towards the head of the river?—There are a few good spots.

2034. There is some land marked on the map, rich grassy flats, is that so?—No; there are a lot of reeds and rushes, which no one could use except when they are young. Cattle might get a feed off them, but the land is so soft that they could not crop off it; when we took our stock up, one of the party had to ride a-head to see the country, so that we should not lose time.

2035. Was the land suitable for settlement?—No.

2036. Have you had much experience in land?—Yes; for close on thirty years now in this Colony.

2037. Did Mr. Finnis go out exploring in the boats?—Yes; he made one or two trips.

2038. Where did he go to?—The last trip he made was in the *Beatrice*, with the *Julia*, and the dingey, and a strong party. All up at the River Camp, and the others, thought he was going to survey the coast at Port Darwin and Anson Bay.

2039. How long was he away?—I was at the Cliffs when the boats came back—they were away about a month; it might have been a day or two more or less.

2040. Did Mr. Finnis come back with them?—No, he left the *Julia* and the dingey, and went with his son to Timor in the *Beatrice*.

2041. Was there any officer left in charge of the party? Was it known that Mr. Finnis was going to Timor?—No, none knew it personally; I asked them.

2042. Then Mr. Finnis left to explore, and instead of exploring he went to Timor and the boats came back without him?—Yes.

2043. Had he any reason for leaving?—None, unless he was afraid of the blacks.

2044. If there had been any urgent necessity for his leaving would it not have been known to the officers of the party?—I suppose it would. At the River Camp it was understood that he was going to explore the country.

2045. Did he make another exploration in a boat?—I don't recollect; Mr. Finnis was many times out in the boat.

2046. What was said in reference to the trips up the river when he went to see the surveys?—He very seldom landed; the carpenter and boatmen would land, but not Mr. Finnis.

2047. How do you know this?—I was told so by two or three of the party.

2048. Was a general order issued with regard to supplying the settlers with stores?—Yes.

2049. Did it affect you?—Yes, after Mr. Stow left, Bauer and I were the only settlers there.

[The General Order was put in and read as follows]—

General Order 110.

Messes.—No individuals whatever, not in the employ of Government, will be permitted to form one of any of the messes of the expedition. Officers may, however, invite a friend to their mess, paying for his subsistence.

The

The rations to persons not in the service are to be issued to them separately, and not in conjunction with other messes or men of the expedition.

No spirits will, on any account, be sold or issued to any private persons.

B. T. FINNISS, Government Resident, N.T.

10th May, 1865.

2050. How did this affect you?—I had disposed of my cooking utensils and had none for myself. I sold some to Packard and lent the rest to the party.

2051. That order prohibited your messing with the men?—Yes, it was issued almost immediately after the *Bengal* left.

2052. Did it cause great inconvenience to you?—Yes, I wrote to Mr. Finnis stating that I had no means of cooking my food. I got an answer that he could give no explanation as to the orders he should give for the management of the expedition.

[The reply was read].

Depôt, Escape Cliffs, 29th May, 1865.

Sir—In reply to your note of this date, I have the honor to send you a copy of the General Order prohibiting private individuals from joining the messes of the expedition.

I cannot enter into a discussion with you as to my reasons for any orders issued respecting the discipline or management of the expedition.

Mr. John Stuckey, Escape Cliffs.

I have, &c.,

B. T. FINNISS, Government Resident, N.T.

2053. From your intercourse with the blacks did you consider them troublesome?—I did not see any till I was at the River Camp; they were very quiet; they stopped a short distance from the camp, and those who wanted to see them had to go to them.

2054. Were they peaceable?—As far as I know. I saw a few at a distance; they threw up their arms and remained at a distance while we were on our horses, and when we dismounted they came up.

2055. Did the stock thrive on the grass?—No.

2056. Were the horses in good condition?—No.

2057. Could they work on the food?—They could not have done a quarter of the work unless they had had imported food. In the wet season it was difficult to find any feed for them; they used to stand on the edge of the cliff where they were tormented by mosquitoes. One of the horses fell over the cliffs. There was only one part of the cliffs safe to stand on—that was by the cooking place where the men used to sit down and get the sea breeze.

2058. (*By Mr. Finnis*)—Did you keep grog in your own tent?—Yes.

2059. And you used it pretty freely?—Eh?

2060. Did you ever get drunk there?—Not so often as you were.

2061. Did you not come drunk on several occasions to my house, and make a noise at night there?—No.

2062. Did you have *delirium tremens*?—No.

2063. Do you remember stealing a leg of mutton?—No. I recollect taking one, not stealing it.

2064. Do you recollect taking one when you were sober?—I did so, because you prevented me having any food, and I thought I would prevent you.

2065. You did not take it from the officers' mess tent?—No.

2066. Was it part of the officers' rations?—No.

2067. Did it belong to the stockmen's mess?—Yes.

2068. And you thought it was mine?—Yes, I thought so at the time; but afterwards I found that it was not.

2069. Were you in your sober senses when you did that?—I believe I was.

2070. How many months were you at the River Camp?—About six weeks.

2071. When did you go there?—I arrived there about the last day of July, or the 1st of August.

2072. (*By Mr. Goode*)—Were any rations served out to you?—No; I took up goods there myself; I had my own stock and other things besides. If the site had been proper, I intended to start as a butcher and baker, and keep a general store.

2073. You had no claim on the rations served out?—No.

2074. Is there any probability of communication with the high land in the interior?—No, except by a very circuitous route.

2075. Is there no communication by way of the river?—Yes; you would have to go to the head of the river in the wet season to get to the hills.

2076. Is the country likely to be profitably occupied?—Not from what I saw. From appearances, there seems every reason to believe that there is good country to the south and south-west, and at the head of the river.

Mr. J. A. Howe called in and examined:

2077. (*By Mr. Rymill*)—What is your name?—John Absalom Howe.

2078. What was your position in the Northern Territory Expedition?—Carpenter.

2079. Do you remember the expedition against the blacks on the 8th September?—I do.

2080. Where were you at that time?—I was ill for some days in my tent, and Mr. Finnis's son came down to me, and asked if I would mind keeping guard, as the camp was very short-handed. I said I was very ill; but I would do my best. I got up, and mounted guard for an hour and a half, during which time the foot and horse party were preparing to go to Chambers Bay. I was in front of Mr. Finnis's tent, when he came out with his son. I grounded arms and stood at ease. Mr. Finnis said, "Freddy, my boy, you are going out in charge of this party," or something near that; "search for and recover the stolen property, and shoot any blacks you see." This was spoken in presence of Mr. Finnis, his son, and myself; there were no others there.

2081. Did you hear afterwards that Cowie was there?—I did not see him; he might have been in the tent.

2082. As a carpenter, do you consider the timber fit for building purposes?—It is fit for nothing but log-huts. I have seen some, perhaps a foot through; but hollow, and eaten out by the white ants.

2083. Do

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Mr. J. A. Howe,
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2083. Do you remember a store fitted in Adelaide being taken up?—There was one store and three houses, I think.

2084. Were they put up?—Not while I was there. The timber was rafted to Point Charles, and remained there some time afterwards; two rafts were brought over by some of the party, and they were supposed to be made fast under the cliffs. They laid there some time and got adrift, and the wood reached nearly a mile along the beach. We went down one morning and collected some portions, and carried them nearly to the flagstaff, when one of the houses was commenced. I think it was a kind of lean-to, but it was one of the three houses. To get the materials we had to pick from the others, as all the parts had got adrift.

2085. Did you purchase grog from Mr. Finniss's servant?—Yes.

2086. Who did it belong to?—I don't know exactly. I waited, and it was brought out of the Government Resident's tent.

2087. What did you pay for it?—I think it was 6s. for the first bottle and 7s. for the other.

2088. Can you support what has been said here of the general character of the country?—Yes; I have brought with me a specimen of soil at Escape Cliffs. [Witness produced some earth.] That is like the general quality of the soil at Palmerston. I brought down some bulbs in it with me. It is poor sandy soil, with ironstone pebbles.

2089. What grew in the soil?—A kind of wild vine and reedy grass

2090. What was the soil in the garden?—A trifle richer than this, but as fast as the things grew up, they perished by the live stock or something else.

2091. Did you see any waste of stores?—I did; on the beach. While the drays were being unloaded, three bags of sugar and a chest of tea were thrown into the water. Mr. Finniss's attention was called to it, and he said the men should be made to pay for it, but I did not hear that anything more was done.

2092. Do you remember any altercation between yourself and Mr. Finniss?—I was called a thief, but I was not surprised from what I saw and heard. He must have been either drunk or mad.

2093. (*By Mr. Finniss*)—Do you recollect at what time of the day or night this took place?—About nine o'clock in the morning. You asked me how it was I was not at work, and I said I had not had any breakfast. You asked how was that, and I said there was no water in the camp; there had been none all night. You asked me if I could not fetch the water; I said I did not know it was my place.

2094. Was Mr. Manton there?—Yes.

2095. Did Mr. Manton bring you up to me?—Yes.

2096. Did he not say you would not go to work?—No.

2097. How was this altercation brought about?—After I had said that I did not know it was my place to fetch water, you said that I was a political agitator, and some other conversation passed which I forget, and you turned round and called me a thief. I called Mr. Manton's attention to it.

2098. Did you say to me "You have called me a thief, Mr. Finniss, have you not?"—I might have done so.

2099. Do you remember the 21st June, on board the *Henry Ellis*?—I don't remember the date.

2100. Was not some grog stolen then?—Not that I know of.

2101. Were you not brought up before me charged with stealing it?—I was not alone; King was with me, and Gilbert.

2102. There was an investigation, was there not?—I call it a farce.

2103. What was the decision?—Only that we were not to come up on the poop; that is all the decision I know of.

2104. Were you not found guilty?—No. I know Mr. Manton, Mr. Pearson, and Dr. Goldsmith were of a different opinion.

2105. Was not Mr. Roberts examined. He was there, and I suppose he spoke, but I don't recollect what he said.

2106. You have a short memory?—Sometimes.

2107. (*By the Chairman*)—Who investigated the charge?—I don't call it an investigation, I call it a farce. Some of them were by, but I don't know who investigated it, any more than that I was charged with stealing, and was not guilty. Ward took notes of what occurred.

2108. Do you not know the decision?—We were not to come up on the poop, that is all I know.

Mr. Francis Edwards called in and examined:

2109. (*By Mr. Rymill*)—What was your position in the party?—Labrcer.

2110. When did you go out?—On the first expedition.

2111. Did you go out on the surveys?—No.

2112. What were your duties?—When we landed at Escape Cliffs I was employed in fixing the tents and carrying the stores from the bank of the river to the camp, and then I assisted in building the stores.

2113. What was the nature of the country about Escape Cliffs?—It was worthless.

2114. Was it dry or wet?—Dry—oh—swampy.

2115. Can you describe the swamps, as to their position and size?—Some of them were very large.

2116. Were there many or few?—A great many, and dense mangrove scrubs.

2117. Was any partiality shown by Mr. Finniss to some of the laborers?—Yes.

2118. Can you give an instance?—Those who praised the country were treated like officers, and those who did not were treated with disdain.

2119. Were you ever a cook?—Yes.

2120. Do you remember any conversation with Mr. Finniss while you were cook?—On one occasion the bullock driver asked me to go for some wood, and I told him I would go when it ceased

Mr. Francis Edwards,
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ceased raining. Litchfield afterwards came and told me Mr. Finniss wanted me. I went. Mr. Finniss was in a rage, and said "I'll stand no more nonsense with you damned cooks, if you don't go on with your work I'll discharge you, and keep you on bread and water."

Mr. Francis Edwards,
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2121. When did you leave?—On the 7th May, 1865.

2122. Were you ever up at the River Camp?—We landed at the River Camp on the 1st July, 1864.

2123. Were you at Mr. Manton's Camp?—I left before Mr. Manton went up the river.

2124. What is the nature of the country from the River Camp to the Cliffs?—Worthless.

2125. Is it under water at any time?—A great deal of it is.

2126. Would you like to reside there permanently?—No.

2127. (*By the Chairman*)—Are you a judge of soil?—Yes.

2128. Are you accustomed to work with the spade or plough?—Yes.

2129. (*By Mr. Finniss*)—You have spoken of the country between the River Camp. What opportunity had you to see it?—I have been at the Narrows twice.

2130. What means had you for seeing the land between the River Camp and the Narrows?—I went up and landed one day. I landed in two places. I did not go far inland. One place was below the Narrows.

2131. Did you ever travel from the River Camp to the Narrows on either side?—No; but I saw a good deal of it.

2132. How did you see the country in a boat?—I think it was on the 28th June, I went on shore to cut grass, I saw the country then.

2133. How far did you go?—I don't know the distance exactly; it was about half a mile.

2134. How high up the river did you cut the grass?—About the Narrows.

2135. What kind of grass was it?—It was worthless, but we could not get any better.

2136. Would the cattle eat it?—I can't say.

Mr. John Stuckey recalled:

2137. (*By Mr. Rymill*)—Have you got some grass brought down from the Northern Territory?—[Witness produced some specimens.]—I brought these down myself; they are similar to the samples sent in to the Government. They are the best that could be got within twenty miles of the township. One is a kind of rush which the sheep used to feed on.

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2138. (*By Mr. Goode*)—Would the land on which this grass grew produce wheat?—No, it is too much under water, and afterwards the season is too hot.

2139. (*By Mr. Finniss*)—Is some of this kangaroo grass?—No; it is something like it.

2140. Did you see any kangaroo grass?—There was some like it at the head of the river.

2141. Where was this sample of kangaroo grass got from?—I don't call it kangaroo grass at all. It was brought in for thatching.

2142. Where were the others got?—Some were collected by myself, and some by Dugald.

2143. Were they not all collected by him?—No; some were got by me.

2144. Was not Dugald sent out with instructions to cut and bring in the best grasses that could be got on the peninsula?—Yes.

2145. Dugald was a farmer, and I suppose if he was sent out to collect the best grasses he would bring them in?—He could only get what were there, he could bring no others. One kind of this grass is very plentiful; it grows nearly all the way from North Palmerston to the Narrows, on the left hand side of the track. Some of the other grass I call reeds.

Commission adjourned.

Friday, 6th April, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode.

Mr. Stephen King called in and examined:

Mr. Stephen King,
April 6th, 1866.

2146. (*By Mr. Rymill*)—What was your position in the expedition?—Storekeeper and superintendent of stock.

2147. On your arrival, did you conceive an idea of the management of the men by the Government Resident?—He had control over the men in precedence of the second in command.

2148. Was the management proper?—Yes; as far as I saw.

2149. Do you recollect an instance of the men being mismanaged in any way?—No.

2150. Do you remember the building of the store?—Yes.

2151. You remember Mr. Finniss going away for some time?—Yes.

2152. What was done to the store before he left?—It was just commenced, orders had been given to commence building.

2153. While Mr. Finniss was away, did Mr. Manton take the men off guard to assist in the building?—No; there was a sufficient number of men without.

2154. Do you know what the guard was taken off for?—I do not.

2155. You say they were taken off, and you don't know what for?—I don't know; there were a good many laboring men working at the store, and the guard was composed chiefly of young men and surveyors, who were not used to hard labor.

2156. In what condition was the store when Mr. Finniss returned?—It was nearly completed, the walls were up and part of the roof on.

2157. Was not the guard put on again after Mr. Finniss returned?—Yes; for a short time after that.

2158. Then it was the case that the guard was taken off while Mr. Finniss was away, and that it was put on again after he came back?—I do not say they were taken off; they took themselves off.

2159. Were

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Mr. Stephen King,
April 6th, 1866.

2159. Were they in the habit of taking themselves off?—I have seen some very improper behaviour; I have seen the sentry patrolling with arms reversed.

2160. Did the men ever refuse to cook?—No.

2161. Was there any dissatisfaction amongst the men?—There appeared to be a good deal.

2162. To what do you attribute that?—To the short rations, and to a general dislike to the place altogether.

2163. Was that feeling shared in by the officers?—Yes.

2164. Do you remember a person named Roberts being in the store?—Yes; he was an assistant in the store.

2165. Did he give you satisfaction?—Undoubtedly.

2166. Did he ever misconduct himself?—Not in the least.

2167. Was Hulls placed in the store over Roberts?—Yes.

2168. Hulls belonged to the second party, did he not?—He came up in the *South Australian*.

2169. There was no reason, that you knew of, for his being put over Roberts, as Roberts had not misconducted himself in any way?—Not in the least, I always found him to be very attentive to his duty, and very straightforward.

2170. Was the conduct of the Government Resident to the laborers such as it should have been, in many instances?—I cannot speak as to that; there were five or six men under me, and I saw nothing disrespectful in his conduct towards them.

2171. Did the laborers ever have their meals or wine with the Government Resident?—I am not aware of anything of the kind.

2172. Were there any instances of the men having their meals in the Government Resident's tent?—No; I never saw any.

2173. Have you ever heard of such cases?—There may have been such cases, but I did not see any; I only remember some of them having a glass of wine with the Government Resident—nothing further.

2174. Who was in charge of the exploring parties?—Mr. Finnis himself was in charge of the first.

2175. And who of the next?—Pat. Auld; but that was only a short trip to bring the cattle from the camp to the Narrows.

2176. Was there any altercation between the Government Resident and yourself—can you give the particulars of it?—I see by the newspapers that my name has been made use of a good deal with regard to the stores, I don't know whether you allude to that.

2177. Did the Government Resident say that you told a lie?—Yes.

2178. Will you give the particulars of that?—The origin of it was a complaint that the store was not finished. I wrote to Mr. Finnis, stating that the goods were exposed, and asking that the store might be finished, as it had been commenced a long time. He sent a reply that it should be done, and asked if I could take charge of a few more men, so as to get it done. I did so, and the work went on well, and the store nearly finished.

2179. Was the Government Resident away then?—Yes; two days more would have finished the store; instead of which it took nearly three weeks. Delay was caused by the bullocks not being brought into the yard so early as they should have been. The men did their best in looking for them, but the grass was so high that they could not see the bullocks when they went out to look for them. I told the men that they must have the bullocks up earlier. Mr. Finnis interfered, and told the bullock-driver not to do it any more. The next day the bullocks were not forthcoming when they were wanted. The timber was waiting to be drawn by the bullocks, and when they came they only brought in three sticks, and so nothing was done. I asked Mr. Finnis if he had told the bullock-driver not to bring me the bullocks, and he said "No," and I said that I had asked the bullock-driver Dyer, who told me that Mr. Finnis ordered him not to bring in the bullocks any more. Mr. Finnis then rather abruptly said—"Its a lie, Mr. King."

2180. (*By Mr. Finnis*)—What else took place?—Your behaviour was not so gentlemanly as it might have been. When I said that I had been told by the bullock-driver, you said "Its a lie," and told me that I was too soft altogether. I said if that's what you mean, you will find me rather harder than you think. I then called Dyer to show which was the liar, Mr. Finnis or myself. I asked him whether Mr. Finnis told him not to bring in the bullocks any more, and he replied that Mr. Finnis told him not to do so. This is what happened. I am sorry to state them, but these are facts.

2181. (*By Mr. Rymill*)—Do you know the site of Palmerston, Escape Cliffs?—Yes; I was there a few months.

2182. Is it a suitable site for the chief city of the Northern Territory?—No; it is not what I would have chosen, far from it.

[Mr. Bright here took his seat on the Commission.]

2183. When did you leave the Northern Territory?—On the 6th of May.

2184. When did you cease to act as storekeeper?—About the middle of January.

2185. What was done with the stores by the *South Australian*?—They were not put into the store at the first onset. They were put outside, and covered with sails belonging, I think, to the *Beatrice*.

2186. How long did they remain there?—Some of them were there when I left.

2187. During all the rainy season?—Yes; but they were safely covered, nothing was damaged.

2188. Did water accumulate on the sails?—The goods were covered with sails three or four deep, and they were as safe as if they had been in the store.

2189. Did the cattle destroy the stores?—No; not those.

2190. Did they destroy any?—They destroyed some when the *Bengal* arrived.

2191. When did she arrive?—In April.

2192. Did you see the horses feeding on the stores by the *Bengal*?—I did.

2193. What is your opinion of the country round the cliffs?—I was not aware that you were going to ask my opinion on that subject. So far as I have seen, it is anything but fit for a settlement. It is too limited in extent. It is a narrow peninsula, and a great deal of it is under water for three or four months in the year.

2194. Is

2194 Is there any quantity of available land?—Not more than half a mile deep from the cliffs; the rest is swamps and low land, destitute of building stone and timber, and, worse than that, destitute of good water.

2195. Is there any limestone there?—No; I never saw or heard of any.

2196. Were you ever at the Narrows?—Yes.

2197. Are there any swamps between Escape Cliffs and the Narrows?—There is swampy country for two or three miles. I rode over it in the dry season; but it would be impossible to do so in the wet season.

2198. Have you been up the river beyond the river camp?—Yes; for a few miles.

2199. How far have you been up?—Only as far as Beatrice Hills. [Witness pointed out the locality on the map.]

2200. What is the nature of the country there?—It is drier and well adapted for stock. It was much more available country, and I could ride over it any where.

2201. What time were you there?—In July or the beginning of August.

2202. Were there any indications that the land was flooded at certain season?—There were reedy swamps there; but it was the dry season when I was there, and I could ride over them.

2203. Were there any indications of floods?—Only in the creeks, and such as would be natural in a new country. There was any quantity of grass. It was a kind of spear grass, and about three or four feet high. I have ridden through it, and saw the grass extend as far as the eye could reach towards the west. The country gradually rises to the south.

2204. [Mr. Rymill read portion of Mr. Manton's report—"I have not been able to carry out these instructions up to the present time, as all the country we have been over is of a swampy and inferior kind; the greater portion of it is evidently under water for several months in the year, which would make a township at the foot of the hills very unhealthy. The highest hill visible from this place is about two hundred and thirty feet above the Adelaide River bank; the hills are very barren, rugged, and stony, and in my opinion would not be a good place for a township."—I have not been beyond Beatrice Hills, and I cannot speak much of that. What I have seen was plenty of land, well timbered and watered, and with building stone of every description. I commenced at Beatrice Hills to see the nature of the country, and from all I could see, and from what my men told me, that is the best side of the river. It is a beautiful country.

2205. Did the stock thrive at Escape Cliffs?—No; it all fell off.

2206. To what do you attribute that?—The herbage was of a very inferior description and too acid.

2207. You were in charge of the stock on board the *Henry Ellis*—can you account for the number of deaths on the voyage?—Yes. In the first place we were provided for a six week's passage. The horses were nine weeks on board, and the sheep ten weeks. They were badly put on board, and I had all to alter afterwards. The sheep were in the forehold—a very unsuitable place. They had only two feet each to stand in—just the body of a bullock dray and the bodies of two horse drays. Thirty-six died. There were one hundred on Saturday night, and on the Sunday following three were smothered. This was before we left the port. I reported it, and we worked all Sunday at them. Some more were smothered during the first week, and I had to get some of them on deck. There was no natural deaths on board the *Henry Ellis*. The sheep were either killed or smothered from want of sufficient room. There was not one that died a natural death. Some were landed with broken legs. The horses had strangles, and the bullocks too; but they were all landed alive. The hay was very bad. Three trusses had to be thrown overboard; they were full of dirt and rubbish inside, and the dust was like the smoke of a chimney when we threw them overboard. We landed the first batch of the stock on the first of July. The horses and bullocks got fat, and the sheep weighed about forty pounds when landed; and one that was killed before I came away weighed fifty-six pounds.

2208. This was at the river camp?—Yes.

2209. How did they thrive at the cliffs?—They were very light; three of them did not weigh 100 lbs. They improved for the first month, and then fell off again. They were small inferior sheep, and diseased. The horses were diseased also; two of them died perfectly rotten.

2210. Have you heard the surveying staff object to the site and condemn it?—I think there was a general dislike to it as the capital.

2211. Were there reasonable grounds for the dislike?—Yes.

2212. (*By Mr. Goode*)—Could any better site have been found than Palmerston?—I do not know of my own knowledge, except up the river, which is decidedly a better place.

2213. Did you see any better yourself?—If my own opinion were asked I would sooner go to Beatrice Hills than stop at Palmerston.

2214. Was there any great and unnecessary destruction of stores at Escape Cliffs, or the river camp?—Not at the river camp, except by the natives, who destroyed six bags of flour. This was owing to their being taken out of my charge. Mr. Manton removed them, and I said I would not be answerable for them if they were removed. However, he did remove them, and there were six bags short. I saw the stores discharged by the *Yatala* at the cliffs, and the goods were all in perfect order.

2215. Did you see any tea and sugar lying below high water mark?—I was away for a week, at the Narrows, crossing the stock, and when I returned, I saw some goods lying on the beach. Some of my own goods were destroyed.

2216. Who was responsible for them?—The assistant storekeeper was in charge.

2217. Was all proper care taken of them?—No. Proper care would have been taken if they had been under my charge, but I was away.

2218. Was there any damaged pork?—There was no pork damaged. There was some sent which was very bad, and we were obliged to condemn it.

2219. Was all care taken with the barrels?—Yes; there was no waste whatever, but the half barrels were all bad; about twenty of them were condemned.

2220. Could not the pork have been preserved if fresh brine had been used?—It did not want brine—it was beautifully preserved; but the pork itself was beastly stuff, you could squeeze it into a lump. There was not a piece fit for use.

2221. Was

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2221. Was there any disorganization in the party?—No; when a lot of men are not fully employed, there is always some mischief going on.

2222. Why were they not employed?—The Government hours were rather shorter than they were accustomed to. The men I had with me went to work at daylight, and were done by ten o'clock.

2223. Did they do all that was required?—They were at work about six hours.

2224. And was that all that was required?—Yes.

2225. (*By the Chairman*)—Was that all they were able to do?—They were worked well under me. The only time they could not work was in the wet season.

2226. (*By Mr. Bright*) You saw the horses eating the stores by the *Bengal*?—While I was ill in my bed I saw them; one or two died from overfeeding themselves.

2227. Was as sufficient dispatch used in building a place to protect the stores as might have been? Were the goods five months covered over before any provision was made for them?—The second building was commenced after the *South Australian* arrived, but it was some time before it was completed. I think a dozen men would have done in two months all that we did.

2228. How long was the work in hand?—About four months.

2229. Do I understand that sufficient dispatch was not used in erecting the buildings?—One reason I will give why the stores were stacked outside is, that the provisions which came from Timor were of a very inferior description; the rice, for instance, was all weavily, and it was not safe to put the other goods in the store with them, so they were put in a heap outside, that they should not be mixed. There was sufficient room in the two stores to hold all the goods, but that is the reason they were stacked outside.

2230. Was there not some galvanized iron which would afford better protection for the stores?—There was no galvanized iron. There was a good many tarpaulins and sail cloths.

2231. Did you, as storeman, urge upon the Government Resident the completion of the buildings?—I have already stated that I did.

2232. Do you consider that the want of timber and building stone and water, rendered Escape Cliffs an undesirable site?—I do. Escape Cliffs is like a honey-comb with ants; they have nests six or eight feet deep, both black and white ants. The timber around is all of young growth, and it is destroyed before it gets old in consequence of the ants.

2233. Do you say that the men were not sufficiently employed to keep them out of mischief?—If young men are not at work they will get into mischief.

2234. And there were necessary works in which they might have been employed?—Plenty.

2235. (*By Mr. Goode*)—When did you leave?—In May, 1865.

2236. What was the value of the improvements effected up to the time you left?—It is difficult to say. The value of the work is different there to what it is here.

2237. Supposing the value the same?—Do you mean to include the value of the labor, not the improvements themselves.

2238. Including all?—About £500 worth was done in the whole.

2239. Was that all that could have been done in that time?—I don't know; I think more could have been done if I had had my own way.

2240. Whose fault was it that more was not done?—I don't know; I was not in charge except of the stores.

2241. Was there a want of management?—Certainly. I have seen men going out at all hours of the day, from half-past nine to eleven o'clock, and then come in for their dinner.

2242. Was there proper supervision?—Yes; Mr. Manton used to look after the men.

2243. Did he allow the men to go out and come in again at any time they liked?—He used to go to the Government Resident for orders, and sometimes it would be from half-past nine to half-past eleven before the men would be called to their work.

2244. We have heard of a guard over the stores. How many men were employed on guard?—There were five men on guard, and one was sentry at a time.

2245. Were the others kept at work?—The laboring men were kept at work at the same time.

2246. Did the men who were on guard one day not work the next?—They were occasionally employed the next day cleaning up.

2247. Did they not work the day before either?—Sometimes, it depended on circumstances; sometimes if it were a holiday, or they were cleaning up, they did not go to work, but it was not a general rule.

2248. (*By Mr. Bright*)—Did you remonstrate against the way in which stock was stored on board the *Henry Ellis*?—I did.

2249. By whose orders were they stowed?—I don't know. I was not allowed to do anything until the ship sailed, and then I altered them myself. Captain Hart superintended the stowing of the stock. I told the Government Resident that some of the stock was smothered.

2250. (*By the Chairman*)—You were storekeeper on board the *Henry Ellis*, and the stock and stores were under your charge. Do I understand that you saw that the sheep were too much crowded, and that you remonstrated and were told not to trouble yourself about them till you got to sea?—Yes.

2251. To whom did you name the subject?—To the Government Resident and Captain Hart.

2252. Were the only deaths which occurred caused by suffocation, and for the sheep not having sufficient space?—The whole of them.

2253. Were they good sheep?—They were a fine lot.

2254. And they fell off?—To skeletons.

2255. Were the bullocks and horses under your supervision?—Yes.

2256. Were the horses good?—Yes; all but one or two, which had colds, and I detected signs of the strangles; these horses were put with the rest in the same place.

2257. And did they affect the others?—Yes; five of them were very bad.

2258. Were the horses bled by a veterinary surgeon?—Up to the time of their going away they were under the charge of Mr. Chalwin, and I had to tell him about them.

2259. Did

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2259. Did he not know what was the matter with them?—He said he did not know, until I told him.
2260. Had the horses sufficient space on board?—Yes.
2261. Were the bullocks good?—Yes, tolerably good; but they had come from a salt bush country, and it was not easy to get them to eat the other food at first.
2262. Were the bullocks crowded?—Very much.
2263. Did you report that?—I told Captain Douglas of it when he was on board, and I also told the Government Resident.
2264. Did you report officially that the horses were diseased?—I had no time; I rejected two and sent them up to town, and they were replaced by others; we were to have taken two cows up with us, but they were not forthcoming.
2265. Were the horses and bullocks landed in good order?—Yes.
2266. And the sheep in bad order?—Yes.
2267. Did the party on board, show proper respect to the Government Resident?—I never saw anything to the contrary.
2268. Was there any disaffection on board?—No; not at all.
2269. When you landed, whose duty was it to unship and load the stores?—The Government Resident gave orders to each of us.
2270. Was the stock landed under your superintendence?—I delivered the horses on board the *Beatrice*, which took up Mr. Manton, and the week after I took up the rest of the stock myself.
2271. Was there plenty of feed when you landed?—Yes; plenty.
2272. Did the sheep improve?—They were skeletons when they landed, and some of them afterwards weighed nearly 60lbs. and grew wool; they were bare when they landed and the wool grew to a fair average length.
2273. Did the horses and bullocks improve?—They got fat and quite frisky.
2274. Who landed the provisions?—I took the stores up the river myself.
2275. You were away two months from Escape Cliffs, and do not know what occurred then?—No.
2276. Some flour was placed near the water and you objected to it?—All the stores were taken to the camp and covered over.
2277. Who took them down the river?—I suppose it was done by the Government Resident's order; Mr. Manton was in command, and I told him if they were removed I could not take charge of them.
2278. Do you know why they were taken to the river?—To be sent back to the cliffs; they were removed from safe keeping and placed near the river, to be ready for the *Yatala*, which was expected every day.
2279. How long were they there?—About three or four days.
2280. Were you in the camp when the natives plundered the stores?—Yes.
2281. Was there a sentry there?—There were two there day and night. We were all at tea on this occasion, and I was not aware that the stores were unprotected. The sentries came up to get their tea, and the stores were not more than three quarters of an hour unprotected.
2282. What did you see when you came back from tea?—I saw the natives busy at work among the stores.
2283. When they were plundering the goods were they fired on?—Yes, and they decamped. We then had the watch on all night, and heard the natives all round us in the scrub. Next morning we arranged for some men to go round the scrub on horseback in charge of Mr. Pearson, and another party to go on foot through the scrub. The party in charge of Mr. Pearson went round about 400 yards. They imprudently came close to the scrub, and the natives rushed out on them with their war cry. Pearson's horse fell, and he was speared. His party covered him as soon they could. Another man was speared in the arm. One spear hit Pearson in the back, one in the arm, and one on the head.
2284. Was one of the blacks killed?—One was shot.
2285. Do you know his name?—I don't know his name. It was one of those who had been carrying the stores. There were two brothers, and the men said that the other brother had been shot, but we did not see him.
2286. Was the position of the camp good?—It was not such as I should have chosen. It was surrounded by mangroves.
2287. What was the nearest distance to the mangroves?—Under 100 yards.
2288. Could the natives throw their spears that distance?—Yes; and considerably further.
2289. Was this at one part or all round?—Only on one side—the south—as they were so close. The camp was perfectly safe on the other sides.
2290. How long did the camp remain there?—Nearly two months.
2291. You visited the hills you have spoken of in the meantime?—Yes.
2292. Did they lead to good country?—As far as the eye could reach there was this spear grass. It was a coarse grass. The same kind grows in Java; and I have measured it there ten feet in length.
2293. When you arrived at Escape Cliffs, did you see the stores strewed about?—Yes.
2294. What kind were they?—Some were perishable as provisions; the others were chiefly implements.
2295. Was it dry weather at the time?—Yes; there was no rain.
2296. Were the perishable goods injured by the exposure?—Some were broken open, such as the wines and spirits.
2297. Who by?—It was supposed to be by the natives.
2298. Was that supposition confirmed?—I cannot speak to it myself.
2299. Was the party sufficiently strong to collect these stores, and place them in shelter at the cliffs?—Yes; quite.
2300. Were the barrels of pork there?—No; not at all.

2301. When

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2301. When you arrived, did you take charge of the stores at once?—I remonstrated with the Government Resident at the goods not being in a position, as they were under high water mark. He said that he had not hands enough. I said "What has Davis been doing?" I made arrangements, and got the things under cover.

2302. Did you ask Davis why he had not attended to these things?—I asked him why the things were not properly stowed away; and his reply was that Mr. Finnis would not allow him hands to do it.

2303. Did you make an effort to get hands?—At once, and as soon as we could we had the things collected and covered up.

2304. How long was it before the things were housed?—About five or six weeks; we had it done about the end of October, just before the rain came.

2305. Were they safe from injury by the rain?—Yes, quite, after they were housed.

2306. Were they safe at this time?—No, we had not sufficient tarpaulins to cover them, they were too much scattered.

2307. When you arrived at Escape Cliffs were there any erections?—Nothing but tents.

2308. Were there any framed buildings?—No, I did not see them after they were shipped.

2309. Was there no material?—There were plenty of poles and palings. In about a week we could have made a place to cover all the goods and the men too.

2310. Could you get grass for thatch?—Yes.

2311. In general were the men told off in gangs, under overseers, to do useful work?—Yes.

2312. What did they do?—They were busy cutting timber and clearing it away, sinking for water, and one thing and another.

2313. What timber did they cut?—Timber for building log houses, and so on.

2314. Then they were busy preparing material and sinking wells?—Yes.

2315. There was no idleness?—In a hot climate it is difficult to say what is idleness.

2316. What time did the work commence?—My men were at work at daylight.

2317. How long did they work?—Sometimes all day; it was just as it happened.

2318. Were the other men employed?—They were all called out and told off to their different watches to work. Sometimes it was too hot, and in the wet season it was almost impossible to work.

2319. When was the store erected?—In October; the perishable goods were all stored first.

2320. Was there much destruction of the stores of the expedition?—No, a little tea and some preserved potatoes were spoiled by the salt water.

2321. Were they spoiled by exposure to the weather?—No.

2322. Were they damaged on board ship?—The pork was not fit for a human being to touch.

2323. Did you find the men generally willing to work?—I never heard one of them refuse.

2324. Did they do the work they were told to do?—Yes.

2325. Was there any dissatisfaction at this time?—No, the men were not dissatisfied until they were put upon short rations.

2326. And they would not have shown this if the full rations had continued?—I don't think so.

2327. Did you see any want of subordination and respect? Was there any improper behaviour?—No, except in the case of the sentries reversing arms.

2328. Did the men obey and respect Mr. Finnis?—Yes, generally.

2329. Were you in any mess?—Yes, the officers' mess.

2330. Was there any symptom of insubordination shown at the mess-table?—I did not mix up with the officers, I used to get my meals and go back to my work.

2331. Do you remember any drawings or writings being shown at the mess-table?—Yes, there was one which referred to me, and I said that if I saw anything of the kind again I would report it to the Government Resident and make an example of the person myself.

2332. Did you see any alluding to the Government Resident?—No.

2333. You were not a volunteer?—Yes, I was.

2334. Did you take your turn of duty?—Yes.

2335. Did the men, who were told off to guard, perform their usual work next day, unless they were busy cleaning up?—Yes.

2336. What do you mean by cleaning up?—Clearing up the camp and washing their things.

2337. What did the men do when they came off guard?—They went on their own occupations.

2338. They did not take a day to rest?—I am not aware of anything of the kind.

2339. How many hours were they on guard?—At first, four hours each; but afterwards there were five men told off for twenty-four hours' guard.

2340. How long were they on sentry?—Two hours each day and night.

2341. Was that laborious work?—Not very.

2342. Did the sentry overlook the camp properly?—He had the most commanding position that offered.

2343. What is your opinion of the soil about the cliffs?—It varies very much. There is plenty of ground that will grow anything, with proper cultivation. I had a head of Cobbett's corn, which grew ten inches long in four months. The trees grew well in the garden, but it was not properly cultivated.

2344. What grew in it?—Melons, cucumbers, and bananas. I saw some cotton plants, as fine as I ever saw anywhere.

2345. Was there any tobacco?—It was sown, but not properly attended to.

2346. Was the soil good?—It was of different kinds. Up the river, the soil would grow anything.

2347. Were there many swamps?—There was only one narrow neck of land leading away from the cliffs, and it would be difficult to get away in the winter time.

2348. Was any portion of Palmerston under water?—It must have been for about one mile and a-half.

2349. Was there a good harbor?—There was a beautiful bay; and there was as fine a place for shipping, at the Narrows, as you could wish to see, both in and out.

2350. Was

2350. Was the place fit for a township?—The land was not good there.

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2351. Do you remember when the party went out against the natives?—I was there, but had nothing to do with it. I believe the natives pilfered some of the stores, and the party brought them back.

2352. Do you know anything about the selling spirits?—No. I heard of them being sold; and, unfortunately, I had to give 10s., myself, for a bottle of brandy.

2353. From whom did you buy it?—From Mr. Stuckey. But as for the sale of spirits in general, I know nothing about that.

2354. Was Mr. Finnis's behaviour to the men, such as it should have been towards subordinates?—It was very soldier-like. I did not like it myself, exactly; for, as I told him, I had never had a master before, and I hoped I should never have one again. Generally, however, there was nothing offensive in his manner.

2355. Did you see any undue favoritism?—No; not generally speaking.

2356. Were the men in his confidence employed in place of officers?—A proper respect was generally shown throughout.

2357. Did you ever hear the surveyors express an unfavorable opinion of the place?—I have heard them speak unfavorably of the place, but they were working under every disadvantage. It was the very wet weather, and that would set anyone against it. Generally speaking, everyone tried to do his best to form the settlement.

2358. Do you know the reasons why the Government Resident left for Timor?—That was after I left.

2359. (*By Mr. Bright*)—Was there any damaged flour there, when you left?—Very little; a few bags—perhaps four or five. It was a little lumpy, but not much damaged. There was plenty without it.

2360. I understood you to say, that the shed could have been made ready in a week?—Yes.

2361. You were at the Cliffs from August to May?—Yes, we landed in September.

2362. (*By Mr. Rymill*)—You say that there were trees in the garden. How long were you there?—I meant cotton trees and bananas.

2363. Did the bananas fruit?—No; they grew tolerably well.

2364. Was there plenty of good soil at the cliffs?—No; there were some patches.

2365. Was there any quantity?—I did not take particular notice.

2366. Did you see any quantity?—No.

2367. Did the rice come from Timor?—Yes.

2368. Did the putting it in store increase the weevil?—Yes. The other stores that came were stacked outside because the weevil was among the stores inside.

2369. (*By Mr. Goode*)—Were the bananas indigenous?—No; they came from Timor.

2370. (*By the Chairman*)—How high were they?—About six or seven feet. Things grew very quickly there. The maize, or Cobbett's corn that I have mentioned, grew up in four months, and it was as fine as ever I saw any.

2371. Do you consider this [showing sample of earth referred to in Mr. Howe's evidence] a fair sample of the soil?—It may be. There are different kinds of soil up there, and some more loamy than this. The small ironstone pebbles in this sample are characteristic of the country throughout.

Mr. Wm. Pearson recalled:

Mr. William Pearson,
April 6th, 1866.

2372. (*By Mr. Rymill*)—What was your position in the Northern Territory?—Surveyor.

2373. Are you aware of the site chosen for the capital?—Yes.

2374. In your opinion, as a surveyor, is that a fit site for the capital?—Not if a better could be obtained; but you might be forced by necessity to take that one instead of a better.

2375. Is it a good or a bad site for a capital?—I consider it a bad site.

2376. The site was fixed by the Government Resident in October, 1864. Was there sufficient time between your arrival and that time to judge of the different sites?—I think not.

2377. Do you remember hearing a conversation between Mr. Finnis and Mr. Manton about the site?—Yes; I remember something being said. The substance of it was that Mr. Manton was speaking disparagingly of Escape Cliffs, and Mr. Finnis was upholding it. I left and went on deck, and shortly afterwards I heard Mr. Manton say that he would not condemn the place because he had not thoroughly examined it, but he was dissatisfied with what he had seen, especially with the supply of water.

2378. Were you at Mr. Manton's river camp?—No.

2379. Can you describe the land at Escape Cliffs and the Narrows?—There is a ridge of sand from twenty-eight to thirty feet high which stretches away to the Narrows, and it is continued on the other side of the river. On the other side of this ridge the country is very swampy; I know nothing of the country towards Chambers Bay.

2380. Were you sick at the Narrows?—Yes.

2381. While you were surveying?—Yes.

Mr. Rymill put in and read the following letter:—

Camp, Escape Cliffs, February 2, 1865, 6 a.m.

Sir—I beg respectfully to request that you will allow me the use of the horse dray to proceed at once to Mr. Pearson's camp, as it is necessary I should take some medicines and stimulants with me, which I cannot convey on horseback, and it may, moreover, be necessary to bring some of the sick to head-quarters, in order to be under my constant supervision.

I am, Sir, &c.,

F. E. GOLDSMITH.

To B. T. Finnis, Esq., Government Resident, N. T.

Dr. Goldsmith had better consult Mr. King as to the means of conveying his medicines to the Narrows. A pack horse would probably answer the purpose as well as a horse dray. Before anyone is removed to the camp, where there is less accommodation than at the Narrows, it will be necessary that I should have a report of all the circumstances. At present Mr. Pearson has a bad leg. There can be no occasion to move him. Ware has probably a sunstroke or *delirium tremens*, a complaint he is always bordering on, and these are all the sick at the Narrows according

Mr. William Pearson,
April 6th, 1866.

according to Mr. Pearson's report to me. The sick persons have more accommodation where they are, and have their own party to nurse them if necessary. Dr. Goldsmith has a horse at his disposal to visit them daily, or oftener; and if more constant supervision is necessary, he can remove his own tent there for the present.

B. T. FINNISS, Government Resident, Feb 2, 1865, 6 a.m.

Dr. Goldsmith, &c., &c.

2382. What was your state?—My leg was swollen and much discolored.

2383. Was there more accommodation at Escape Cliffs than at the Narrows?—There was the same at both places.

2384. What was the advantage then of the cliffs over the Narrows?—There were fewer mosquitoes and the Doctor was close at hand. It was cooler and there was a sea breeze.

2385. Do you know Ware's condition?—Yes.

2386. What was he suffering from?—I suspect it was sunstroke; it was not possible that it could have been *delirium tremens* then. I reported that he was sick. He went out to the Shell Mound for water and remained away an unreasonable time. I asked Mr. Hamilton to send a man for him and he brought him back. He was talking wildly about natives and drays.

2387. Do you remember a general order issued by Mr. Finnis on the subject?—Yes.

General order put in and read as follows:—

General Order.

As it appears that men who feel themselves sick have left their camp to repair to head-quarters to see the surgeon, the following rules are hereby established:—

When men are sick they must report themselves to the surveyor in charge, and if, in his opinion, the case is serious and requires medical advice, a message is to be sent to the surgeon, who will visit the camp as soon as possible, and prescribe for the sick if it be practicable and expedient.

All men placed on the sick-list by the surgeon and incapable of work will be subject to a deduction of half their pay for the time they are absent from work, unless their inability arises from accident incurred on duty or inevitable cause.

Men who absent themselves from work, or neglect their work on account of alleged sickness, and are not placed on the sick-list by the surgeon, will be subject to a reduction of pay for every day's absence from work. If repeated they will be discharged.

It will be distinctly understood that the men are placed under the orders and control of the surveyor of the respective parties as completely and effectually as in survey parties in Adelaide, except that the power of discharge rests solely with the Government Resident. This power will, however, be always exercised by him when the surveyor makes a report of a man which justifies his discharge if in Adelaide.

Wilful disobedience of orders will invariably be visited with this result.

Men whose constitutions habitually unfit them for work will be discharged.

B. T. FINNISS, Government Resident, N. T.

Palmerston, 9th January, 1865.

2388. Do you know anything of the country between the river camp and the cliffs?—No; except what I could see from the deck of the vessel.

2389. What did it look like?—Very swampy, and covered with grass which appeared to be a swampy grass.

2390. Is this [producing specimen] like the grass?—That was the general appearance of it—it was thick and reedy.

2391. Were the banks of the river higher than the back country?—I could not say, because I did not land. I first landed at the river camp.

2392. When you landed, had water to be carried to the camp?—Yes; the river water was not fresh, and, even if had been, we could not reach it from the banks of the river when the tide was out.

2393. How far had the water to be brought?—About a mile.

2394. (*By Mr. Bright*)—How much of the country was explored before the site was fixed?—I am not positive. Mr. Finnis was out three days exploring, and some exploration was done at the camp when I was not there.

Mr. F. J. Packard,
April 6th, 1866.

Mr. Francis J. Packard called and examined:

2395. (*By Mr. Rymill*)—What is your name?—Francis Joseph Packard.

2396. What position did you hold in the expedition?—At first I was under Mr. King. I was one of the stockmen in charge of the stock on board the *Henry Ellis*.

2397. Were you at Mr. Manton's camp?—Two or three times.

2398. Can you describe the country from Beatrice Hills?—I never went to Beatrice Hills.

2399. Can you speak of the nature of the country around the camp?—There was a large swamp at the back of the camp. All the place where the survey camps were situated would be under water in the wet season. It was a large plain—boggy and wet.

2400. Did you go on an exploring expedition?—I started with Col. Finnis.

2401. At what date was this?—On the 9th July.

2402. How far did you get?—We went within about one mile and a-half of Beatrice Hills, and in a straight line about four miles from Mr. Manton's camp.

2403. How far from the river camp?—About fifteen miles.

2404. How long were you out?—Three days.

2405. And the farthest you went was fifteen miles?—The farthest I went. Mr. Finnis, Auld, and Fred. Finnis left us in the morning, and returned about twelve o'clock. We then left the camp and proceeded homewards. We camped that night at a fresh water creek, about five miles off.

2406. Why were you so long on this journey?—We came to a marshy swamp, and could not cross the horses. We had to go in and out to find a track.

2407. Did you go on any other exploring party?—Only on that one.

2408. Do you know the Narrows township?—Yes.

2409. How much of it would be submerged at high spring tides?—I should say about half the township, at high spring tides.

2410. Was your brother on a survey party?—Yes.

2411. He had charge of one?—Yes.

2412. Have you heard the officers of the survey parties speak about the site of the settlement?

—I

—I have heard my brother and Mr. Edmunds say, that it was unfit for a site; and I have heard the men say so, too. Mr. F. J. Packard,
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2413. What was the nature of the land at the cliffs?—Light sand and ironstone, with thick light timber and salt water swamps; and inland, there were fresh water swamps, covered with coarse grass.

2414. Was there any building stone?—None at all.

2415. (*By Mr. Finnis*)—You say there was no stone?—Not that I was aware of.

2416. What was the cliff composed of?—A sort of granite underneath.

2417. How soon would you come to granite in digging?—I don't know. I was not engaged in sinking the wells; but I have heard others say there was granite.

2418. Who told you?—Some of the men who were sinking the wells.

2419. Were you ever on the beach, below the cliffs?—Often.

2420. Were there not rocks strewed about on the beach?—I don't call them rocks; they were boulders of clay and sand mixed, which had fallen away from the cliffs.

2421. Were they under water when the tide was up?—Nearly all of them.

2422. Then if they were sand would they not be washed away?—I don't think they would; some of them might.

2423. Then they were hard stone?—Yes.

2424. Do you remember the oven?—Yes.

2425. What was it built of?—Mostly of the hard substance from the cliffs.

2426. Was any lime used in the building?—Yes.

2427. Where did it come from?—It was made of coral.

2428. Was there any coral there?—Any amount.

2429. Was it easy to bring the coral to the foot of the derrick and hoist it up to the cliffs?—It has been done.

2430. When you were up the river with me do you remember the bald hills that you went to?—Yes.

[Witness pointed them out on the map.]

2431. Do you recollect being stopped by a creek opposite to a native hut?—There was a large swamp and a creek running through it.

2432. How did you cross it?—We tried but had to come back and go round. There was one small creek that the horse jumped over.

2433. Where did you cross?—To the eastward.

2434. Did you cross the river first?—No.

2435. Do you remember crossing a stream with a rocky bed, and fish in it?—Yes.

2436. Was that the same stream we followed up?—Yes.

2437. Did we cross to the west about the edge of the hills?—Yes.

2438. Was that the creek we camped on?—It may be.

2439. Were the mosquitoes troublesome?—Yes.

2440. After crossing that stream you tried to get up the hill?—Yes.

2441. And were stopped?—Yes.

2442. What did you do then?—We turned back and tried to cross the swamp to the west of the bald hill.

2443. Did you get to high ground?—We got to some stony ridges.

2444. Were they sloping like the North Adelaide Hill?—They were very stony.

2445. Do you remember going to a place called Mount Daly?—I don't recollect.

2446. You were left behind with Wadham and Litchfield, while I with my son and Auld went on?—Yes; we camped at the bottom of the ridge.

2447. Do you remember killing a large snake?—Yes.

2448. Was it dry ground?—Yes; we had to cross a swamp to get to the ridge.

2449. Was there any swamps to the west?—No.

2450. Have you heard of a place called Fred's Pass—did you go to it?—I have heard of it but not seen it.

2451. We came back about twelve o'clock?—Yes.

2452. Do you recollect after crossing the brook that we rode on to the Adelaide River?—I was not one, I was coming on behind with Wadham and Litchfield.

2453. Do you remember my son putting up a red handkerchief on a bamboo on the bank of the river?—That was two days before on the same trip.

2454. Did you taste the water at the river?—Yes; it was fresh.

2455. Was that at high tide?—Yes; it was close to Manton's camp.

2456. When you were at the place where you slept, did you see the ranges?—I saw the Daly Ranges and a few ridges.

2457. In what direction?—South-west from our camp.

2458. You went out with stock sometimes?—Two days.

2459. Did you tail the stock?—One day.

2460. Where?—About half a mile from the camp.

2461. What was the name of the place?—I did not know the name at that time.

2462. Did you know afterwards that it was Billy's Swamp?—I never heard it called by that name.

2463. Did you ever go to Chambers Bay?—Three or four times.

2464. Did you cross a swamp there called Billy's swamp?—I don't know.

2465. Did you go without crossing a swamp?—No; Billy's Swamp is north of Chambers Bay.

2466. How far north of the flagstaff at the cliffs?—About two miles.

2467. Is there any other swamp between that and the flagstaff?—No, it is the nearest; it is a fresh water swamp; there is a mangrove swamp about ten chains wide close to the cliffs.

2468. North or south?—About north-east.

2469. Going east, is Billy's swamp the first you come to?—Yes.

2470. The

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2470. The Julia Creek spreads out to the swamp?—Yes.
 2471. Is there a boat harbor there?—Yes; for a short distance.
 2472. What is its depth?—I don't know.
 2473. Was the *Julia* there?—Yes.
 2474. How much water does she draw?—I don't know.
 2475. Is there not ten feet of water there at low tide?—Yes; I think so.
 2476. Where is the nearest swamp to the south?—About a mile off; there is a small swamp about thirty chains from the cliffs.
 2477. Is that a fresh water swamp in wet weather?—No; salt.
 2478. What is the width of the entrance where the sea comes in—could you jump across it?—No.
 2479. Was the width of the inlet about twice the length of this table [about ten feet]?—Yes.
 2480. Was that at all times, or only at particular tides?—Only at particular tides. I have only seen it twice full.
 2481. Could you with a survey party and a cart fill up the inlet in a short time?—No; I think not.
 2482. How long would it take you?—I don't know.
 2483. Three or four hours?—I think a week would do it, but I could not say for certain.
 2484. How deep is it?—Five feet in some places.
 2485. Is it less than ten feet wide?—I should guess it was about that when the water runs in; it is from four to five feet deep, in some places deeper and in some shallower.
 2486. And you think it would take a week to fill it up?—I think so.
 2487. How many cubic yards are there in it?—I don't know.
 2488. Are there mangroves on the edge of the creek?—Yes; there is a belt of mangroves round the edge of that swamp.
 2489. What kind of tree is the mangrove—have you ever seen it grow forty feet high?—I have seen some not far short of it.
 2490. There is no water in the creek in general?—Sometimes there is no water at all.
 2491. You can walk across it at all times, excepting the high spring tides?—Yes.
 2492. Where is the next swamp?—Below the wells.
 2493. What is the extent of it?—There is swampy and boggy ground for about a mile and a-half.
 2494. Had you anything to do with that survey?—No.
 2495. Who surveyed it?—Mr. Pearson and Mr. Hamilton.
 2496. Have you any doubt as to its correctness?—No; I say it is not a swamp, but only swampy and boggy ground.
 2497. Where is the next swamp, south?—About two miles from the wells.
 2498. Were you in your brother's party?—Yes.
 2499. Which part of Escape Cliffs did he survey?—All one side of the township, from the main street.
 2500. Can you say whether the plan indicates that one side of the township is finished or not?—[Witness looked at the map]—I can't tell by looking at the map; I don't understand them very well.
 2501. Will you read this note on the map?—[Witness read: "Allotments colored and numbered are surveyed." Witness pointed out on the map the allotments colored and numbered.]
 2502. You were exploring with me on one occasion?—Yes.
 2503. Did you come down the river in charge of stock—Auld commanding the party?—Yes.
 2504. What did you think of the country?—It was very stony in places, and thickly covered with light scrub. [Witness pointed out route on the map.]
 2505. (*By Mr. Goode*)—Did you survey the part of the township shown in Mr Stuckey's map [referring to it]?—I don't know according to the plan.
 2506. Was portion of it under water in the wet season?—I can hardly say as to this part of the cliffs.
 2507. (*By Mr. Finniss*)—Were you employed in running the back line?—Yes; for a short distance.
 2508. In what month?—I cannot say at present; I think it was about August or September. It was about three months after the *Bengal* left.
 2509. Did not your brother begin in January?—I cannot say; I forget as to the date.
 2510. Was it in the wet season?—Yes.
 2511. Was August the wet season?—The latter part of it.
 2512. You left in the *Ellen Lewis*?—Yes.
 2513. When did she leave?—On the 1st December.
 2514. When you left, did any men come down from the river camp, to go home by the *Ellen Lewis*?—Yes.
 2515. Who were they?—Rayner, the two Wadhams, Stanbridge, Stow, Burford, and a few more.
 2516. When they came down from the river camp, were the men not put to work?—Some of them had been discharged.
 2517. They were discharged, and were doing nothing about the camp?—Yes.
 2518. Was there a stockade built, and did you help to build it?—Yes.
 2519. What size was it?—About 100 yards long, and eighty broad.
 2520. Is this plan anything like it [producing plan]?—It is the correct shape. [Witness pointed out on the plan, the position of the Government Resident's House, Mr. Young's house, the treasury, Mr. Manton's cottage, bakehouse, powder magazine, stores, tents, fresh water well, and gardens.]
 2521. How much of the garden was fenced in?—One side; and there was also a trench dug.
 2522. Was it ploughed up?—No.
 2523. Had it been?—Yes, I think it had been either dug or ploughed.

2524. Were

Mr. F. J. Packard,
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2524. Were there any logs, when you left, cut, to finish the fence?—Yes.
2525. What work were you engaged in, before you left?—I cut more timber, but it was not put up.
2526. When Mr. McKinlay arrived, did you assist in landing the horses?—Yes.
2527. Were you all sent to assist?—About seven of us—my brother's survey party.
2528. Who received the horses on shore?—I don't know. I was on board.
2529. Did you see the horses when they were landed?—Yes, in the stockade.
2530. What kind of place was the stockade?—It was made of logs ten feet high and eight feet out of the ground, placed as close as could be.
2531. Were Mr. McKinlay's horses kept there after they were landed?—Yes.
2532. Were there any tents on the sandy beach?—Yes, Mr. McKinlay's.
2533. Were there any tents belonging to my party?—I do not know.
2534. Were there any stores from the *Ellen Lewis*?—Yes; I helped to carry them above high water mark. They were stacked in a heap on the beach.
2535. How long were they there?—They were placed there about a fortnight before I came away.
2536. Whose stores were they?—Some were Mr. McKinlay's, and some belonged to the cliff.
2537. Were there any of the stores on the beach not under shelter when the *Ellen Lewis* arrived?—Not that I remember.
2538. Were there any anywhere?—There were some on the other side of the stockade.
2539. Were they under cover when Mr. McKinlay arrived?—Yes.
2540. Were they on the beach?—No.
2541. Did you see any drunkenness?—Yes, a little.
2542. Who were drunk?—I can't say.
2543. Were Mr. McKinlay's men?—No.
2544. Can you say that they were not drunk?—No.
2545. Were any spirits, wine, or beer, taken for my camp from the *Ellen Lewis*?—I believe some were.
2546. (*By the Chairman*)—What were your working hours?—From six a.m. to twelve.
2547. Was any time allowed out of that for breakfast?—From eight to nine o'clock.
2548. Did you work after twelve o'clock?—No; we had the remainder of the day to ourselves.
2549. How did you occupy yourselves during the remainder of the day?—We used to be in our tents doing nothing.
2550. Was there any drinking then?—Sometimes after we had finished surveying.
2551. What were the hours of the working parties?—All hours of the day.
2552. And of the survey parties?—From six a.m. to twelve.
2553. Was there any drunkenness?—Sometimes.
2554. Any gambling?—I believe there was; but I did not see any.
2555. Did the men make any endeavor to shelter themselves?—I never saw them. After work was over, they could do what they liked.
2556. Did you ever buy any grog?—No; I have heard that some was bought.
2557. Where did the men get it?—From each other.
2558. Was there any spirit of disaffection in the party?—There was a general dislike to the Government Resident among the men. In one or two cases, the men were discharged, and their pay stopped. They went to the Government Resident, and he would not see them. The men did not like the cooking arrangements, and went to speak to the Government Resident about it; but he would not speak to them, and sent them away.
2559. Were you on the party which went out on the expedition against the natives?—Yes; the party to Chambers Bay under Auld.
2560. Was it a horse party?—There were seven or eight horsemen, and a foot party besides.
2561. What were your instructions?—I was not told at the time.
2562. Did you come into contact with the natives?—Yes.
2563. Was a native shot?—Yes; by one of the men on horseback.
2564. At what distance were the natives?—About, I suppose, fifty yards off when we first saw them.
2565. Do you know of any firing at a greater distance by the foot party?—They fired at all distances—some a mile off; two or three fired after the man was shot. I do not know of any firing before.
2566. (*By Mr. Bright*)—When you were with your brother did you hear him speak as to the suitability of the site?—I have heard Mr. Edmunds and him repeatedly say that it was not a fit site for a township.
2567. (*By Mr. Rymill*)—The horse party was separate from the foot party?—Yes.
2568. You are speaking of your own party, not of the foot party, when you say you saw the natives fifty yards off, and the shots were fired?—Yes.
2569. Was there any drunkenness before Mr. McKinlay came?—Yes.
2570. Do you know of any other place than among the men themselves that grog was sold?—I have heard that the Government Resident sold it.
2571. Was that a matter of general talk?—Yes.
2572. (*By Mr. Finmiss*)—You say that I sold it?—Yes; at least that your servants had sold it for you.
2573. (*By the Chairman*)—Was the climate suitable for European labor?—It did not suit me. I did not think it fit for European labor.

Commission adjourned.

Tuesday,

Tuesday, 10th April, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode

Mr. Bright

Mr. Rymill and Mr. Finnis were also present.

Mr. Rymill put in as evidence the following letter from the Government Resident, and made a statement reviewing the evidence brought forward:—

Coepang, September 19, 1865.

Sir—I closed the supplementary Adelaide mail whilst I was yet in waters within the limits of the North Territory, and I then supposed that my correspondence with the Government would cease until my return to Adam Bay.

As however, contrary to expectation, I find much matter to communicate, I have now the honor to report at once and the same time my arrival and departure from Coepang.

I have been received by Mr. Coorengel, the Resident of the Dutch Government for Timor and its Dependencies, with the greatest hospitality and consideration, and I have good reason to believe that my visit has operated favorably as regards the future prospects of the settlement forming in the North Territory.

I have also acquired a knowledge of the resources of Timor, which will prove of great service to me in obtaining supplies in case of need on other occasions, which are certain to arise.

Buffaloes and horses, of the Timor breed, are plentiful, and can always be collected in a week or two for sale and export. Vegetables of almost all kinds are also obtainable at proper seasons, with maize, rice, sugar, tea, coconuts, yams, sweet potatoes, bananas, oranges, citrons, limes, and a variety of other fruits, all of which will be in demand and acceptable at Adam Bay for two or three years to come. I have made purchases of seeds, of onions, lettuces, celery, and radishes, of sorts which, being acclimatized at Coepang, will succeed at Adam Bay, when similar seeds from Adelaide have failed.

I conversed freely with the Resident on the future means of communication between the two Colonies, both with regard to commercial relations and the transit of mails. No vessels can be induced to visit the North Coast of Australia until they can do so without risk to their insurances, by the Proclamation of a port of call and the establishment of a pilot service. We are not likely, therefore, to have the means of living at Adam Bay either cheapened or facilitated unless we employ our own vessels.

Mr. Coorengel, who I believe has considerable influence with the Governor-General of Batavia, is truly favorable to the idea of direct postal extension, and will, I have no doubt, exert that influence to procure the transit of the mails between Timor and Adam Bay, by means of a Dutch gun-boat or steamer in the employ of that Government. Already he has the services of one, and of several vessels to make his visits of inspection to the different settlements and islands under the jurisdiction of the Local Government of Timor. I think that negotiations might be successfully undertaken by the Government of South Australia to bring about the desirable object of monthly connection with the Indian mail steamers, by the payment of a subsidy for the use of the steamer from Coepang. It is probable that a smaller subsidy would satisfy the Dutch Government than any private company would demand, since the Dutch have facilities for manning and coaling such vessels. They have a coal depot already at Coepang.

On the subject of mails, it will be interesting to His Excellency the Governor-in-Chief to be made acquainted with the fact that negotiations are pending, originating, as I am informed, in Sydney, for a continuous line of steamers to Sydney, touching at Cape York, where a coal depot is to be formed. In such a case, these vessels would pass Adam Bay precisely as the Ocean Mail Steamers from King George's Sound do the Port of Adelaide. In discussing this question, the feasibility of inducing this service to call at Adam Bay might be worthy the consideration of Government. In my next letter from Adam Bay, I shall perhaps have more definite information to convey on this subject. I turned my attention to the labor question, because I am fully impressed with its importance to the future of the new Colony. I find a general disinclination, arising chiefly from the enervating influence of a tropical climate, to out-door labor by Europeans in the North Territory. The effect may be easily foreseen, and therefore I shall abstain from any opinion on the present occasion. It is possible that the growth of cotton, sugar, and cultivation generally may devolve exclusively on an Asiatic population, to be hereafter introduced into the new settlement, and I made inquiries accordingly.

The inhabitants of Timor and its Dependencies are not to be depended on. They are disinclined to work much, as our aborigines are, and the inducement of a certain measure of compulsion seems necessary to obtain their help in any work other than that of procuring their own subsistence. There are Chinamen at Coepang, and a sort of Malay race imported chiefly from Java. The former keep small shops, and appear to be a quiet inoffensive, thriving race; the latter alone are the laborers on Government works, for there is no cultivation carried on by Colonists of European or Javanese extraction. It is strictly a Government establishment, maintained by the Dutch, and dependant at present for even necessaries on importations from elsewhere. Much might be done with the Island were it deemed expedient. The soil, climate, and productions would all afford encouragement to settlement and cultivation.

The Asiatic labor, if any be introduced into Adam Bay, should consist of Chinese, not from the Islands or from Singapore, but from islands adjacent to Singapore, which they annually resort to in great numbers to seek employment. They are represented as being spoiled by a residence in Singapore, where they acquire lazy habits. It has been suggested to me that they should be sought immediately on arrival, or in the Islands, where they make their permanent residence. At Coepang, the Chinese are settled with wives and children; and if any immigration be resorted to, they should be encouraged to bring wives and families. Being an athletic race, they would form useful out-door laborers. I have reason to believe that a shilling a day would more than cover their wages and maintenance.

One of my objects in visiting Coepang was to ascertain particulars regarding the *Yatala*, which up to this date have been limited to the statements forwarded to me by you in March last.

I now learn that after ordering the sale of the vessel, which seems to have realized as much as she was really worth, Mr. Davis went in the mail steamer to Sourabaya for the purpose of engaging a vessel to take supplies to Adam Bay, to relieve the settlement there from privations which he knew were threatening serious results. It appears that he did not succeed in his mission. Mr. Graham, and the crew of the *Yatala*, left Coepang also, having, as I understand, been paid off out of the funds in Mr. Davis's possession, arising partly from the sale of the vessel, but chiefly from the proceeds of the bills which I gave him, and which were cashed by the Dutch Government—there being no private houses of business where such transactions can be entertained. We are, therefore, indebted to Mr. Coorengel for his liberal assistance in this respect, as well as in others. Mr. Davis left behind him perishable stores which he had purchased and collected whilst the *Yatala* was under repair. I enclose a list marked A. Mr. Graham also, left the stores of the *Yatala* partly with the Government, partly in charge of a merchant named Drysdale, and partly on the beach. I append a list of these stores, marked B.

Mr. Wadham was left by Mr. Davis to take charge of the purchases which he had made, with orders to await his return. Mr. Wadham finding Mr. Davis did not make arrangements for his return, also left after a time. He had, however, his bill to pay, for which he left a note of hand, and was then furnished by Mr. Drysdale with funds.

Mr. Drysdale has partly reimbursed himself this advance, by the sale of some of the stores; and I have closed Mr. Wadham's account, a copy of which, duly receipted, I now forward.

I have made a selection from the stores belonging to the North Territory which would be useful and could be conveniently carried on board the *Beatrice*, and have given directions for their removal to Adam Bay. Such as were damaged, or perishable, or useless, or could not be conveniently stowed, I have sold by auction at Coepang; and the whole of the transactions connected with the *Yatala* at Timor may now be said to be closed. I hope, in the steps which I have taken—especially in settling Mr. Wadham's account, which has been incurred *bonâ fide* for the public service, and was strictly economical in the charges—that I shall have acted with the approval of the Govern-

ment,

ment, especially as in this matter, and in all others affecting our relations with foreign settlements, the strictest integrity and liberality must be exercised, so as to maintain the character of South Australia.

Thus closing the history of the *Yatala*, I have further to report that I have purchased supplies of fresh provisions for the use of the survey parties at Adam Bay. I had no intimation when to expect further aid from Adelaide; and, under any circumstances, the loss of a vessel might leave me without the means of maintaining the party in that state of health and vigor which is necessary to sustain bodily labor in the tropics. I have, therefore, not hesitated to take proper steps to keep the men free from scurvy or dejection—results which rapidly follow the want of change of food, and especially the absence of fresh vegetables. The preserved meats and vegetables cannot be relied on for such a purpose. The supplies so liberally furnished by the *South Australian* and *Bengal* were injured on the voyage or in landing, for they were soon found to be uneatable. Our mainstay must consist in the fruits which I now take and the produce of the Government garden at Escape Cliffs, which will be put into good cultivation in time to secure the genial effects of the rains, which begin in December.

I learn that disaster has overtaken the settlement of Camden Harbor—that wrecks have occurred, that the greater part of the sheep perished from want of food and water, and that the settlement was partially if not entirely abandoned. That this is true to a certain extent I know, because I have conversed with one of the men who has lately returned from thence in an open boat. Such being the case, my fears for the ultimate safety of Mr. Jefferson Stow's party, which left Adam Bay in an open boat, trusting to meet succour there, are much enhanced.

I have also met the master of a whaler here who has been lately to the Victoria River. He describes the place as utterly unsafe for shipping, and that is the opinion generally entertained here. He states that, proceeding up the river, in a boat to endeavor to obtain fresh water, he failed in getting any.

I shall do myself the honor to add either a postscript or a few lines advising you of the supplies and accounts when finally closed.

I, since writing the above, find that I must close the Despatch, reserving for a future occasion the accounts, &c.

I have, &c.,

B. T. FINNISS, Government Resident, N.T.

The Hon. Henry Ayers, M.L.C., Chief Secretary.

P.S.—I forward copy of a letter to the British Consul at Batavia.—B. T. F.

Commission adjourned.

Wednesday, 18th April, 1866.

Present—

The Auditor-General.

Mr. Goode.

Mr. Bright.

Mr. Finnis and Mr. Rymill were also present.

Mr. Frederick Robe Finnis called in and examined :

2574. (*By Mr. Finnis*)—Did you accompany me to the Northern Territory?—I did.

2575. Was there any drill on board the *Henry Ellis*?—Yes.

2576. How many squads?—Four.

2577. Did you drill any of them?—Yes.

2578. How did the men get on with their drill?—The men got on very well, but the officers did not.

2579. Why not?—They made fools of themselves in the way they went through their drill. They seemed to do it on purpose to throw ridicule on the thing, and make it absurd.

2580. What sort of weather was it?—Generally calm. The drill was put off if the weather was at all rough.

2581. Did the men seem to like their drill?—Yes, as far as I could gather from what they said.

2582. Did one of the men volunteer to teach gun drill?—Yes.

2583. And did another volunteer to teach the sword exercise; and were the men willing to learn?—Yes.

2584. Did you land at the River Camp with me afterwards?—Yes.

2585. Who first landed?—I think it was myself.

2586. Was a sentry placed there?—Yes.

2587. As to the guard at the River Camp, how was it arranged—what was the number of men, and the system of guard?—There were always four men on guard; one sergeant and three privates. They remained on guard for twenty-four hours—two hours about, so that the three privates had eight hours only each.

2589. Did I make arrangements to double the guard in case of an attack by the blacks?—The guard for the next day was told off with their arms, so that there were nine men ready in case of an attack by the natives. The men were not taken off any work on that account.

2590. Did you see any blacks about the camp?—Yes; on several occasions.

2591. Did you go to the Daly Ranges with me?—Yes.

2592. Who accompanied us?—Auld, Litchfield, Packard, and Wadham.

2593. Will you point out on the map where we went?—[witness complied]—From the first camp we went along the creek, crossed it, and got close to Beatrice Hills, on the other side; then we struck out again to the high land, and then struck the Adelaide River, about the site of Mr. Manton's camp. We then went to a place called Fred's Pass, and about three miles south of that.

2594. What distance did we travel from the old camp in a straight line?—About thirty miles.

2595. Do you recollect going over rising ground, which I thought would make a good site for a town?—Yes.

2596. Will you point it out—[witness showed on the map a place marked "Site for township."]

2597. What kind of country was this?—The highest part was about 150 feet in that particular spot. The land rose gradually from the plain.

2598. What kind of land was it for a site?—Not too rocky, nor too swampy.

2599. Was there any grass on it?—Yes.

2600. Do you recollect my leaving Litchfield, Packard, and Wadham, near Fred's Pass, and Auld, you, and I going on?—Yes.

2601. Did

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2601. Did we find a place suitable for another site?—I dare say it would be, but I don't consider myself competent to judge. [Witness pointed out the locality mentioned.]

2602. On our return did you see any blacks in the camp?—A large number.

2603. What was the appearance of things among the blacks and whites?—There was a confused state of things; the blacks were all through the camp, and the guard was unable to prevent them from stealing the property.

2604. Did Mr. Manton speak to me when I came in to the camp?—Yes; but I don't know what he said.

2605. What did I do?—Issued arms and ammunition to the party, and then you drew a line with your foot outside the camp and made the blacks sit down outside the line.

2606. What sort of men were these blacks?—They were strong, able-bodied men.

2607. Were there any women amongst them?—A few.—three or four, I think.

2608. After this did you go down the river with stock, with Auld?—Yes.

2609. What course did you take?—We left the old camp to the west and followed the ridge down to the Narrows.

2610. What character was the country?—There were several different kinds of country, some was very good, and some that we passed through was middling.

2611. Was it grassy?—It was all grassy, except where it had been burned.

2612. Did the natives follow you?—They followed us for one day on the trip.

2613. I believe they caught up to you at the elbow of the creek. What occurred then?—We had been camped one night a mile or two from the natives, and the next morning we came on their camp by surprise; they all rushed into the scrub, except one who stood shaking his spear, and waving us on, crying out "Very good, very good." When we got out on to the plain they followed us, and kept throwing their spears towards us, though not at us. The spears fell and stuck in the ground about twenty yards behind us. When we stopped they stopped, and when we went on again they followed us. This went on till about midday. We tried then to cross the creek at a deep elbow. When we got there the grass was very high, up to the horses' backs, and the natives then set fire to the grass behind us. We kept on the creek and at last got to a piece of burned ground. We had great difficulty in getting through the jungle, as the openings through the wild vines were very narrow. My packhorse stumbled through the vines; McMinn's horse was frightened and nearly threw him. The blacks sang out as we were coming on, and poised their spears. Packard was pulled off his horse by the vines.

2614. Did you go over the river to find Stuart's track?—Yes; we went two miles down the river in the *Julia*, and then walked inland as far as we could.

2615. Were the natives threatening then?—When we left the camp there were a great number of natives there, and we took two of them as guides, but they proved to be useless. As we got to the encampment we saw, in the direction of the camp, a large number of natives who had come from the camp we left. They were very threatening, and our guides were frightened and would not go any further.

2616. Can you say how many tents I had at the River Camp, and afterwards at Escape Cliffs?—At the first at the River Camp, you had one, and afterwards two; and first at Escape Cliffs you had two until the camp was moved further along the Cliff, and then you had three.

2617. What use was made of the tents?—One was used as a drawing office by Mr. Bennett, and in that were stationery and the surveying instruments. Another, which was used as a dining tent, contained the arm chest, Enfield rifles, and the ammunition—at one time all the ammunition was stored there; and the third was used as a sleeping apartment by yourself and me.

2618. Did the men sleep in hammocks at the derrick?—Some of them did.

2619. Why?—One party came down from the river on horseback and they had no tents with them as they could not be carried on horseback, and another party which landed from the *Henry Ellis* had no tents. There was one tent which was occupied by Messrs. Davis and Hamilton.

2620. Where was their tent pitched?—Within twenty yards of the derrick.

2621. Could they, from that tent, overlook the goods while they were being landed.—Yes.

2622. Do you know the flagstaff at the Cliffs?—Yes.

2623. Have you been in charge of stock on the peninsula?—Yes.

2624. That gave you facilities for seeing the country?—Yes.

2625. Have you been all over the peninsula?—Yes.

2626. What is its length from the Narrows to Cape Hotham?—Twelve miles, I think.

2627. And its breadth eastward to Chambers Bay?—From the Camp to Chambers Bay it is about seven miles broad, and it gradually narrows to Cape Hotham.

2628. In travelling in a direct line from the Flagstaff to Chambers Bay is the country wet or dry?—That depends upon the route taken; you could go across on perfectly dry ground, and you could go through wet. There was one place which was swampy in the wet season but it could be avoided.

2629. What is the distance to Billy's Creek?—Two and a-half to three miles.

2630. What sort of a place is it—What is the length and breadth?—The creek itself is, in some places, about half a mile and in others 100 yards broad, in other places it is merely a chain of waterholes.

2631. How far does it extend north and south?—It runs east and west.

2632. Well, what is its length?—Three or four miles.

2633. Is the country all dry between the Cliffs and Billy's Creek?—Yes it is all dry.

2634. How is the boundary of North Palmerston?—Dry at all seasons of the year.

2635. Could it be extended towards Billy's Creek?—Yes, for some distance.

2636. Could you, in the wettest season of the year, cross to Chambers Bay without passing through water?—Yes, I knew the road—I had been across several times.

2637. Had you to cross to the north or south of Dombey Flat?—You could do either; the usual track was to the north.

2638. Were the rains heavy in the wet season?—Yes.

2639. Which were the rainy months?—The latter end of December, and January, February, and March.

2640. Did

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2640. Did you ever hear of four inches of rain falling in twenty-four hours?—Yes.
2641. Supposing so much fell would there be water all over the surface of the peninsula at the time?—Yes, if it were not from the nature of the soil.
2642. If you were to go across the peninsula during the fall of such a rain would there not be sufficient water on the ground to enable you to say that it was all wet?—Yes.
2643. And the same would be the case in the streets of Adelaide in winter?—I suppose it would.
2644. Did you ever go into the interior on the east side of the river?—Yes.
2645. To what distance?—To the head of the Adelaide River.
2646. Was that on your first trip?—No; on the first trip we went fifty miles by the track to a latitude south of the River Camp. [Witness pointed out track on the map.]
2647. In what month was that?—In the latter end of July.
2648. Do you recollect landing at Escape Cliffs on the 20th or 22nd June?—Yes.
2649. You went up in the *Julia*?—Yes.
2650. And you went inland?—Yes.
2651. What was the country like?—I was favorably impressed by it. There was plenty of grass, so much that we could not see what the soil was. The vegetation was most luxuriant.
2652. Did you see any trees growing?—Yes, a great many.
2653. Can you give an idea of the trees at Escape Cliffs; were they like stringybark?—The only thing that I know of that the country was like is the Black Forest on the South Road here; the trees were about as thick and large, and there was a smaller kind growing between them.
2654. What kind of timber did you find?—There was a sort I have never seen here, a kind of stringybark, tall and straight—the bark was white except for eleven or twelve feet up, where it was loose, after that height it was white like the gum; the carpenter called it a kind of red or blue gum. There was stringybark and ironbark there, a sort of white cedar, and several other trees of which I do not know the names.
2655. Are the trees all hollow?—No; none of the ironbark trees are hollow.
2656. What kind of trees were hollow?—Principally the stringybark and gums. These were not all hollow, but most of them were.
2657. Did you see any lime burned there and used for building?—Yes.
2658. For what buildings was it used?—For the bakehouse or oven, and for the cement floor of the armoury.
2659. Do you know where the lime came from?—It was coral from the reef.
2660. Was there plenty there?—Yes.
2661. How could it be brought to the cliffs, if there were a township there?—In boats or barges, which could be taken to the edge of the reef at high-water, loaded while the tide was out, and floated home again when the tide returned.
2662. Then you have seen this coral burned and the lime from it used?—Yes.
2663. Have you seen anything like it at Timor?—Yes.
2664. What buildings did you see there?—Some of stone, others of a kind of coral from Roti; these were large round solid blocks, honeycombed on the surface.
2665. What is the formation of the cliffs?—Sandstone.
2666. Can you describe the stratification?—The cliffs rest upon a kind of white pipe clay, indeed it was used as such upon some occasions; it is very tenacious, and hardens by exposure; on the top of that is the soft sandstone, of which all the cliff is composed; above that is the soil.
2667. Would any portion of the rock do for building?—There is another sort of rock in the cliffs, and a large quantity more at the foot of the cliffs. It is a sort of ironstone, and would do for rough buildings. The bakehouse was built of this stone, and no doubt it could be got from other parts of the cliffs.
2668. Did you see any other stone on the Peninsula?—I saw a few blocks of a fine description of sandstone on another part of the cliffs.
2669. Towards Cape Hotham was there any?—There is a kind of sandstone all in flags. I think it would do for building stone, some of it is very hard.
2670. With regard to the dryness of land at Escape Cliffs, and the quantity of it; could I get ten square miles on the peninsula in connection with Escape Cliffs?—Yes you could; there are some directions in which you could get it without crossing over wet country. All over that country you find small basins which in one season of the year are called swamps.
2671. Is there fresh water at Escape Cliffs?—Yes, plenty.
2672. Is it easily obtainable from the wells?—Yes.
2673. Have you tried?—Yes.
2674. Where was the first well sunk?—At Beatrice Bay a well ten feet deep was sunk.
2675. Where was another sunk?—In the township, about a quarter of a mile from the flagstaff.
2676. Where was another?—There was another sunk in the stockade, before we left.
2677. Was there an abundant supply of water; was the water from the well generally used?—Yes; I have taken nearly 2,000 gallons from the well on one day myself.
2678. Did that quantity empty the well?—No, it produced no visible effect on the supply.
2679. Was water easily obtainable at Billy's Creek?—Yes.
2680. And at Dombey Flat?—Yes.
2681. In fact, all over the peninsula fresh water could be obtained?—Yes.
2682. Did you go to Port Darwin?—Yes.
2683. What sort of place is it as to hills?—The highest hills are from eighty to 100 feet, and very rocky and precipitous. The hills are irregular in shape.
2684. What is the country like?—Something similar to Escape Cliffs, only far more rocky. They are all large rocks there.
2685. Is there any surface water there?—No; we found some in a creek in a small waterhole, where we watered our horses for two days. The water would not last more than four days.
2686. What month was this in?—April.

2687. Was

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2687. Was water plentiful then?—It was generally plentiful as it was just the end of the rainy season.

2688. Did you see any blacks at the cliffs?—Yes.

2689. Were they troublesome?—Yes; in fact, they were always troublesome at Escape Cliffs.

2690. Did they steal any stores?—Yes; on one occasion they stole some stores on the beach below the derrick. Some of the things which they had dropped as they went away were picked up on their tracks. The next night they came again and were fired on.

2691. Did a party go out after the shot was fired?—I went out next morning with Dugall and Boucaut. On the beach we saw the tracks of the natives distinctly. They had evidently been going at great speed, for the marks of their footsteps were very deep, and they had taken long strides. We traced them up to the Julia Creek.

2692. Soon after this did they spear the horses?—About a month after.

2693. You recollect the horses being speared?—Yes.

2694. What did you see?—One horse came into camp with part of a large jagged spear sticking in his hock, the shaft was broken off. Another was speared in the near shoulder, and two or three had wounds about the legs and fetlocks.

2695. Do you remember, in consequence of these outrages, going out in charge of an armed party?—Yes.

2696. Where did you go?—We first went to Billy's Creek as that was the only watering place we knew of where we could expect to meet the natives. There were none there though we saw their tracks. We found part of a broken spear which proved to be the other part of that found sticking in the horse. We then crossed to Chambers Bay and found the natives encamped there.

2697. What took place then?—We rode along the beach and saw three natives at a distance; we rode towards them, but as we advanced they ran away. Several of the men were impatient to fire at them, but I would not allow them to do that until we had got to the natives' camp. When we got there we found some felt hats, shirts, trousers, wearing apparel, and several things belonging to the Expedition. The party then fired on the natives.

2698. Did the men fire without orders?—No; I gave the order to fire. We could not overtake the natives as they ran into the jungle, and it was impossible to get in there after them, besides which they might spear us as we were on the beach. I thought it was not advisable to follow them, and I saw it useless to fire as they were too far off, so I gave orders to cease firing, which the men did. We then collected the property in the native camp. While we were doing this, Dougall came through the jungle. He came to me. I should mention that three of the horse party were on the plain on the other side of the jungle. Dougall came through and told me that the party wanted help; that one native had been shot, and that they were as black as crows on the plain. I asked him if the natives showed fight, and he said that they did.

2699. What was his expression?—He was a Scotchman, and he said "By God, they do, mon!" I told him to lead the way, and we went through the jungle. I ordered the men to fix bayonets, so that, in case the natives were in ambush, we might defend ourselves. When we got through we saw several natives. We saw one man lying on the ground. We stopped a little time and had dinner, and then went back to the camp, taking the things the natives had stolen and some native curiosities, and a few old Dutch axes.

2700. Among the stolen property, did you find part of the jib of the *Julia*?—Yes.

2701. Where was that stolen?—At the River Camp.

2702. After the jib was stolen, did you see any natives of the same tribe at Escape Cliffs?—Yes, I did; they were all the same tribe.

2703. Do you remember my putting an additional guard on at Escape Cliffs?—Yes.

2704. How many sergeants did I put on?—Two.

2705. Do you know the reason for putting on two instead of one?—Yes, so that there might always be one awake. It was too long for one sergeant to be awake to post every sentry, so you appointed two.

2706. Did I appoint a patrol?—The officer of the guard and the sentry were the patrol; they went over the camp every two hours.

2707. Were buoys laid down along the channel of the Adelaide River and in the bay opposite the reefs?—Yes.

2708. They were all carefully marked out?—Yes.

2709. Can you say in what state things were when Mr. McKinlay arrived? Was there the great desolation that he mentions?—Some little time after he arrived that was true, but not before. He brought the disorganization with him in the shape of wine and spirits. The men found that no fresh provisions had come up by the *Ellen Lewis*, and they were discontented and determined to leave, so that they did not care what they did.

2710. What provisions were brought up?—100 sheep for McKinlay's party.

2711. Where any stores exposed, or on the beach, when Mr. McKinlay arrived?—No.

2712. Then it is not true what Mr. McKinlay says about the desolation and waste?—No.

2713. Was the country burned?—Yes.

2714. Then it would look rather desolate?—Yes.

2715. Then he might have meant that?—I suppose so.

2716. Was there a neat village, and stockade, and so on?—Yes.

2717. How were the horses landed?—A boat party from the shore took them from the ship's side, and landed them, and then another party on shore took them to the stockade.

2718. The shore party did that?—Yes.

2719. What share did Mr. McKinlay's party take?—Some of them were in the boats.

2720. Who received the horses on shore and took them to the stockade?—Litchfield, Ross, Lloyd, myself, and Dougall.

2721. Then my party took all the horses from the beach to a safe place?—Yes.

2722. Do you remember a boat party in the *Independents* coming down?—Yes.

2723. Who were the party?—Mr. W. Stow, G. Warland, F. and J. Wadham, Grainger, and Burford.

2724. When

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2724. When they came down, were they struck off the strength of the party?—Yes.
 2725. Then when Mr. McKinlay came, he could see these men idling about?—Yes.
 2726. When we left, what was done with Mr. McKinlay's stores?—They were in the same place as they were put when they were landed.
 2727. Where was that?—Above high water mark, on the sandy beach, at the south end of the cliffs.
 2728. They were Mr. McKinlay's stores, not mine?—Yes; they were Mr. McKinlay's.
 2729. What animal power had we when he arrived?—There were eleven horses, but they were mostly unfit for work, having just returned from an exploring expedition.
 2730. Were there any bullocks?—No; not fit for working.
 2731. Were the horses fit to cart Mr. McKinlay's goods to the stockade?—No.
 2732. Were his own horses?—Yes; they were fit for it.
 2733. How many horses had he?—Thirty-two.
 2734. Did he allow them to be used?—No; we carted a good deal of spirits and hay for his party with our own horses
 2735. Do you remember a Mr. Jefferson Stow coming up by the *South Australian*?—Yes.
 2736. Did you speak to him?—No, I did not.
 2737. Did he speak to Mr. Packard and others about the place?—Yes. One evening I was sitting at the edge of the cliffs with Surveyor H. D. Packard, and his wife and brother, when Mr. Stow came up and began talking to Mr. Packard. I heard him say that we should soon have a steamer up to put a stop to this disgraceful waste of money and folly. I went away when I heard him commence to speak in that way. I don't think he saw me, for it was dark.
 2738. Did you hear him say anything at any other time?—On one other occasion he spoke in a similar manner, but I don't recollect his words.
 2739. Do you recollect Mr. Stow going out exploring?—Yes.
 2740. What horses had he?—One of his own, and one of Mr. Stuckey's, and two Government horses.
 2741. What were their names?—Blackboy and Splodger—two of our best horses. They came by the *South Australian*.
 2742. Did the party return shortly after going out?—Yes.
 2743. In what month was this?—December.
 2744. Did Mr. Stow go out afterwards?—Yes.
 2745. Where did he go to?—He wanted to go to Point Stuart, but he took the wrong route, and missed his way, and instead of going to Chambers Bay, he went towards Point Hotham. [Witness pointed out on the map the direction of Mr. Stow's tracks.] Ross told me he found Mr. Stow at the Red Banks.
 2746. Did you see him come into camp?—No.
 2747. You say that you could cross in the wettest weather to Chambers Bay?—Yes.
 2748. Mr. Stow has stated that he had to go through one and a-half miles of water one way and half a mile another; was this necessary?—No; he could have gone across without going through any water.
 2749. Have you heard it stated that Mr. Stow went that way on purpose to humbug Hulls?—I heard something of that kind said in the camp; but I don't recollect by whom.
 2750. When did you leave Escape Cliffs?—On the 1st December, 1865.
 2751. What brought you away?—I was summoned to give evidence in the case against Dougall and Chandler.
 2752. Did you intend to leave?—No.
 2753. Then you came away against your consent?—Yes.
 2754. How many men of my party came down?—Thirty-eight altogether.
 2755. Were most of them from Mr. Manton's party and engaged on his surveys?—Yes, a great many were.
 2756. Then this broke up the surveys?—Yes.
 2757. What sort of a road was it into the interior; have you travelled it often?—Three times.
 2758. Was it impassable?—No; I could pass over it easily.
 2759. What improvements would it require to make the road passable for a dray?—There are inlets in some parts into which the water comes at high tides; but they are narrow streams and could be bridged over, or a road made across them.
 2760. How much road would require to be made altogether to get to ground which would bear drays at any period of the year?—Three miles would clear all, and this would not be on one piece, but would be made up of small patches put together.
 2761. Is the road under water to any great depth?—No, it is only muddy.
 2762. Are there any landing-places up the river?—Plenty, on both sides.
 2763. Did Mr. McKinlay come to my house?—Yes.
 2764. Did we show him the stock?—Yes, we showed him all we had at that time—a bullock, two cows, and a calf. When he looked at the bullock, he said "Well, this country will grow beef if it will grow nothing else." The bullock was in very good condition, and Mr. McKinlay said it would fetch £25 in Adelaide.
 2765. Did Mr. McKinlay lose any horses?—Yes; three.
 2766. How was it they died?—The cause was supposed to be inflammation. Immediately they were landed they were taken to the stockade, and fed on hay, bran, oats, and barley. They never had any exercise except going to the wells for water once a day. There was no covering for them; and this and the hard feed and the tremendous heat of the sun, which was then vertical, caused inflammation.
 2767. Were they opened and examined after they died?—I believe Ross opened one.
 2768. Do you remember Mr. Manton being lost in the bush when he went out surveying?—Yes.
 2769. Was a party sent out to find him?—Two men were sent out.

2770. Were

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2770. Were you one of them?—No; Litchfield and Auld went.
 2771. Where did his tracks lead to?—Everywhere, he appeared by his tracks to have been going round and round, first one way and then another.
 2772. Did you ever ride from Escape Cliffs towards the Narrows?—Yes.
 2773. What kind of country is it, wet or dry?—Dry. A little way from the coast it is all dry; there is a ridge running all the way down. In the wet season, near the coast, there are creeks of fresh water, but these only contain water in the wet season; and half a mile from the coast line the land is dry down to Dougall's well.
 2774. (*By the Chairman*)—What was the quality of the water in the wells?—Fresh.
 2775. Did you ever suffer from drinking it?—I never found any ill effects from it. The water that was complained of was principally from the first well.
 2776. What was the depth of the well?—Ten feet. It was eight at first, and it was afterwards deepened.
 2777. In what kind of soil were the wells sunk?—The first well was sunk in the bed of a dry watercourse; the surface was a black damp mould, and then we came to sandstone.
 2778. What depth had you to go to get to sandstone?—The sandstone was about two or three feet from the surface.
 2779. What was the sod in the other two wells?—The first sinking was, for two feet, through light sandy soil and vegetable mould, and then under this was a kind of red clay and ironstone, and under that the sandstone again.
 2780. What was the depth to the sandstone?—Five or six feet.
 2781. (*By Mr. Bright*)—When the natives robbed the stores at the beach was there any guard there?—When the stores were first robbed there was no guard, but on the second occasion there was. We did not know that the natives were in the vicinity of the camp at first.
 2782. (*By the Chairman*)—Where was the guard placed?—Near the derrick; the goods were about ten or twenty yards from the foot of the cliffs, and the sentry was placed on the top of the cliffs.
 2783. Was the night dark when the things were stolen?—No, the guard saw three or four natives creeping on their bellies towards the goods, and they began stealing the contents of a case. The guard then fired five or six shots, and the blacks ran away; I believe none of the blacks were hit.
 2784. (*By Mr. Finnis*)—When the cattle were found, where were they feeding?—They usually grazed on the edges of the swamps.
 2785. Did they prefer the swamps to the dry land?—Yes, the sweetest grass was at the swamps.
 2786. (*By Mr. Goode*)—Is this eye sketch of Mr. McMinn's anything like correct?—In some respects it is, but some parts of it are exaggerated, and the position of the creeks is wrong; there are too many swamps marked along the coast.
 2787. Speaking of the land up the river you say it was not too rocky or swampy?—It was swampy towards the river, and then the country begins to rise; it was dry for a sufficient distance back.
 2788. Were there any swamps on the other side of it?—No, it was hilly country.
 2789. What was the elevation of the hills?—I can hardly say; I should judge they were about 300 or 400 feet.
 2790. Do you suppose that the land that you passed over was fit for agriculture.—Yes, I should consider it fit. When I went to Timor I saw country similar in character all under cultivation.
 2791. What was grown on it?—Maize, rice, cocoanuts, bananas, and all sorts of vegetables.
 2792. You would not call it wheat land?—No; besides the climate is not suited for wheat.
 Commission adjourned.

Thursday, April 19th, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode

Mr. Bright.

Mr. Finnis and Mr. Rymill were also present.

Mr. F. R. Finnis's examination continued.

2793. (*By Mr. Rymill*)—What position did you hold in the expedition?—Chainman.
 2794. What were your duties as chainman?—My duties would be to chain on the surveys.
 2795. Did you ever do that?—Yes, I did.
 2796. How frequently?—For about a fortnight under Mr. Manton; during part of the time I was in charge of the arms, and had to clean them and issue arms and ammunition.
 2797. Then you were only a fortnight employed as chainman?—Yes, I signed the agreement as a chainman?
 2798. Did you land at Escape Cliffs before going up the river?—Yes.
 2799. When did you leave the *Henry Ellis* for that purpose?—On the 21st June, in the afternoon.
 2800. Did you land that evening?—No; we slept in the boat.
 2801. When did you land?—Next morning, about daylight, between five and six o'clock.
 2802. When did you leave again?—Between ten and twelve o'clock.
 2803. Did you go far inland?—As far as we could walk in the time.
 2804. Then you went back to the *Henry Ellis* and up the river?—Yes.
 2805. When was water found at Escape Cliffs?—While I was up at the River Camp.
 2806. Before the stores were moved up to the River Camp?—No; part of them were moved up to the River Camp.

2807. The

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2807. The *Yatala* and *Beatrice* had made one trip?—I think they had made two; but I suppose the official journal is correct if it states one.

2808. You went exploring with the Government Resident as far as Fred's Pass?—Yes.

2809. And for a few miles beyond?—Yes.

2810. You have said that you travelled about thirty miles in a straight line?—Yes, about that.

2811. Here is a scale. Will you be good enough to point out on the map to the Commission how far you travelled according to scale?—[Witness complied.]

2812. If a witness has stated that you travelled from twelve to fifteen miles, would that not be more correct?—We travelled more than that. I have overstated the distance; it should be about twenty miles, or rather more, in a direct line.

2813. The site of Palmerston was fixed on the 11th October. What exploration was done from the time you landed up to that time?—We landed at Escape Cliffs at the time I have mentioned, and several parties went ashore at other spots in the vicinity of the cliffs.

2814. Will you name them?—There was Ward, Roberts, and Davis.

2815. Were those exploring trips?—No.

2816. Will you confine yourself to them?—The first was the one just mentioned to Fred's Pass. After that a party crossed the river for a day's walking on the opposite side of the river to that on which the camp was.

2817. Who went?—About a dozen. Then there was a party from the River Camp to the Narrows, of which I was one.

2818. Under whose charge?—Auld's. Another party went down from the River Camp in a bullock-dray.

2819. Was that an exploring trip?—It answered the same purpose.

2820. Do you call that day's walk an exploring trip?—Yes.

2821. Did you go to the Narrows?—Yes.

2822. What was the object?—To examine the country.

2823. What followed?—We crossed the Narrows, and went inland on the other side of the river towards the Julia Plains.

2824. When was this?—In the end of August.

2825. Who was in charge?—Auld. It was the same party. [Witness pointed out the track.]

2826. Were you long away?—Four days going out, and three coming back.

2827. Was there any exploration before the 11th October?—There were several trips up the river in boats.

2828. Was that exploring, or matter of necessity?—There was an exploring trip above the River Camp.

2829. You are not speaking of the trip after game?—Yes.

2830. Were there any others?—I know of no others.

2831. Then there was the first trip to Fred's Pass, one to the Narrows, and one a day's walk inland, and that was all?—Yes, all that were sent expressly for exploring purposes.

2832. Do you know Mr. Manton's survey camp?—I have never seen it since it was permanently fixed.

2833. You have seen the country where the survey camp was?—Yes; it is flat, well grassed, and the soil is black.

2834. Are there many trees?—No; for some distance from the river it is quite open, excepting a fringe of jungle.

2835. Is there any stone?—No, not until you get to the hills, some distance back.

2836. Have you read Mr. Manton's report of that country?—Yes, parts of it.

2837. From Mr. Manton's position, do you think him capable of giving a description of country?—He ought to be capable.

2838. Do you believe that he is from his position as a surveyor?—Well, he might give an opinion if he was unbiassed.

2839. What do you mean by unbiassed?—Why, unprejudiced.

2840. Against what?—Against the country.

2841. What leads you to that conclusion?—His behaviour, and things I have seen him doing. I can't exactly state particular circumstances, but I judge from his general demeanor.

2842. From your knowledge, do you think that he would write what was untrue?—Not exactly untrue, but he might exaggerate.

2843. Mr. Manton says that the greater portion of that country would be under water in the wet season. From what you saw, is that your opinion?—No, it is not.

2844. What time of the year did you see it?—I saw it several times; not in the wet season, neither did he. Some of the land would be under water from the great quantity of rain that falls, but certainly not the greater portion. I have travelled over it in July.

2845. What is the height of the ranges?—I think from 400 to 500 feet.

2846. And if Mr. Manton states that they are only 230 feet, which is correct?—Excuse me, I stated that, judging from the difference between the hills at Fred's Pass and these, I should say that that was their height.

2847. Mr. Manton speaks of the highest hill being 230 feet; which is more likely to be correct, you or he?—If he measured, of course, he is more correct, but he speaks of different ranges. There are two ranges of hills, one higher than the other. We ascended a hill at Fred's Pass, and the hills I speak of are higher than that.

2848. You call them two ranges?—Yes, I should say they are; there is a valley between them.

2849. Are all the creeks shown upon the large map?—I cannot say. All are shown upon the tracks of the exploring parties.

2850. Are there not a lot more swamps on that track?—No.

2851. What are they then?—There are some places where the water overflows at high tides.

2852. There

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2852. There are swamps then at high tides?—You might call them narrow swamps.
 2853. How far do they extend inland?—About half a mile, or a mile.
 2854. These are not laid down on the map?—No, you could not make out where they are; there are several of them, and they are not well defined.
 2855. Were you ever at the Narrows?—Several times.
 2856. Were portions of the Narrows under water at certain seasons of the year?—Not of the Narrows itself. Portion of Port Daly would be, but the Narrows are dry.
 2857. How much [referring to the plan] would be under water?—This portion as laid down. The tide overflows when there is a strong north-west wind.
 2858. What does this blue line on the map signify?—The line of mangroves.
 2859. Is not that the edge of the water at high tides?—Not always.
 2860. Does a blue line on a map show mangroves or high water mark?—I can't say.
 2861. Does it not mean water?—Generally.
 2862. Then, when you say it means mangroves, you do not know?—I suppose it means mangroves, otherwise you could not know where the water comes up to.
 2863. If the blue line signifies water, what then?—I suppose that part would be under water.
 2864. Did you ever travel on the road between Palmerston and the Narrows?—Yes; in a straight line between the two places.
 2865. What is the description of country between the sea coast and the Narrows?—For some distance, parallel to the sea, it is low land, with watercourses draining it into the sea.
 2866. How far do they extend inland?—About half a mile—not more.
 2867. What is there beyond this?—There is a creek comes in from the coast, and ends in a swamp. I don't know where it goes.
 2868. How far is this?—About two miles inland.
 2869. What is the distance from the coast-line to this imaginary road?—About three or four miles.
 2870. The creek opens into a swamp about two miles inland, and there the country is dry?—Beyond that it is dry.
 2871. How can you account for the other track being used, when this road is dry?—The other is a better track for a bullock-dray. In the rainy season some parts of the direct line of road would be boggy, but the track goes along a ridge of high ground.
 2872. In fact, it is the only passable way between Escape Cliffs and the Narrows?—No, it is not.
 2873. What is there on the side of the road?—Low land.
 2874. What the other witnesses call swamp you call bog?—They are not swamps; they are soft ground where drays would sink.
 2875. Suppose you were to keep this road, would there be any difficulty in getting to the Narrows?—You could not cross the creek.
 2876. Supposing you were over the creek, would there be any further difficulty?—You could not get over this line [referring to map].
 2877. Why?—You could not get through the mangroves.
 2878. Would there be water there?—No doubt there would.
 2879. Are there any other bogs?—No, except those I have mentioned.
 2880. Here [referring to plan] is a place marked "swamp"?—I don't know what that is.
 2881. Are you qualified to give a description of the country?—I think I am; I have travelled over it often enough.
 2882. And you don't know what this place is?—It must be one of the swamps which the watercourses drain. In the rainy season it is wet and boggy, and in the summer it is dry.
 2883. What is the breadth of the ridge?—It varies a great deal. About some places it is two or three miles wide of dry country; in other places it is narrower.
 2884. And on the other side of the ridge?—There is flat land, lower.
 2885. Is it soft or hard?—Soft in the rainy season.
 2886. Then, in the rainy season, the track along the ridge would be the most passable road?—Yes.
 2887. In the wet season the rest of the land is what you call boggy?—Yes.
 2888. Which way did the drays go?—Before the other track was found they came the straight road half a dozen times. Afterwards they went by the other track.
 2889. What time of year was this?—The first time the bullocks came down from the River Camp was in September, and the last time in December.
 2890. Do I understand that that was when you came down?—No, I did not come down with them. I joined them at the Narrows.
 2891. And they kept the straight line all the way?—No; they came outside the creek, and then went straight.
 2892. Who were in the party?—Auld was in charge, and there was Dyer, the bullock driver.
 2893. This road was given up in the wet weather, and the track was taken?—Yes.
 2894. What is the direction of Billy's Swamp?—East-north-east, and west-south-west. It is about four miles long.
 2895. What is the distance from Escape Cliffs to Chambers Bay?—About seven miles.
 2896. And the swamp is four miles long?—Yes.
 2897. It empties itself into Chambers Bay?—Yes.
 2898. Is it fresh water?—Yes.
 2899. In the wet season, what is the extent of the swamp?—I am speaking of the wet season.
 2900. What effect has the tide on the swamp?—None.
 2901. Is there any other swamp on the coast?—There is a swamp for about half a mile from the coast.
 2902. Where do you put the beginning of Billy's Swamp?—About half way across the peninsula.
 2903. You

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2903. You say that Billy's Swamp empties itself into a creek influenced by the tide, and yet the swamp is not affected?—It is not affected owing to the quantity of fresh water coming into it. Towards the end of the rainy season it becomes brackish, and afterwards dries up.

2904. What is the length of the creek?—About a quarter of a mile.

2905. Then there is half a mile of swamp, three quarters of a mile of creek, and then four miles of Billy's Swamp?—I should say that three or four miles would include everything.

2906. I understand that all the swamps marked in this rough eye-sketch are in existence, but the plan is not drawn to scale?—I believe they are all in existence, but they run parallel to the coast, instead of running inland.

2907. You say that North Palmerston might be extended to the eastward—will you point out how?—There is good dry land as far as Billy's Swamp.

2908. Then if Mr. King says that there is only half a mile available, he is in error?—Yes; there is more than half a mile.

2909. Can you go across to Chambers Bay, in a straight line, without going through swamps?—Not in a straight line, but by making a slight detour.

2910. How much dry land is there available on the Peninsula?—About ten square miles—quite that, if not more, in the immediate vicinity of the township.

2911. What is the area of the peninsula itself?—Twelve miles long and about —. It is impossible to state the area, as it is irregular.

2912. But there is a good deal more than ten miles?—Yes.

2913. What is not dry is under water?—Yes.

2914. And not available?—Yes.

2915. You have said that the blacks were troublesome, how did they annoy you?—By stealing the goods and spearing the horses, and prowling about at nights.

2916. When you were placed in command of the party to Chambers Bay, what officers were at Escape Cliffs?—Pearson, Manton, Dr. Goldsmith, Ward, King, Davis, Watson, Hamilton, and Bennett.

2917. And you were placed in charge of the party and were only a chainman?—Yes.

2918. Where did you get your orders from?—The Government Resident.

2919. Did you make a report of that expedition to the Government Resident?—Yes, I did.

2920. Was that your own composition?—Yes, my own.

2921. You were in charge of the entire party?—Yes.

2922. Did the horse party leave you?—Part of them did. I detached four of the party coming home to look for lost cattle. Shortly before seeing the natives I sent part to look for water, and to see if the natives were about on the opposite side of the jungle. We were on one side of the jungle, and three of the horse party on the other.

2923. Did you hear any firing before your own party fired?—One shot was fired by Dougall. He shot a guinea-fowl, which I afterwards saw.

2924. Was any other shot fired?—Not before we commenced.

2925. No other shot was fired before you got to the native camp—is that true?—Yes.

2926. What object had you in firing at the natives after you had recovered your property?—To show them that we would not put up with their depredations without showing that we were in anger. We could not catch the natives, and therefore we fired at them to show that we were in anger.

2927. Then, after you recovered the property, you fired at the natives for that purpose?—Yes.

2928. Some one told you that a native had been shot, and that they were as thick as crows?—Yes, shortly after that.

2929. Were you the first to get to the camp?—I was one of the first.

2930. Who was first?—I can't say.

2931. Was it one of your party?—Yes.

2932. Did the horse party go up to the camp?—A portion came up with me, and the foot party came up in a body; the other part of the horse party were on the other side of the jungle, not within a quarter of a mile of the camp.

2933. You subsequently ascertained that a native had been shot?—Yes.

2934. The stolen property had been seen by the men who shot the black?—I don't suppose it had.

2935. How many natives did you see when you got to the place?—From twelve to twenty.

2936. How many altogether?—Thirty altogether, I dare say, in different places.

2937. What was said by the Government Resident?—He expressed himself satisfied with what had been done; and as the men were very much fatigued with their long march, he gave them a glass of sherry.

2938. What were your orders from the Government Resident?—To go out in search of the natives to recover stolen property, and to bring the offenders to justice.

2939. Did Mr. McMinn ask for orders?—No; I don't recollect his asking.

2940. As his superior officer, you would give orders if you were asked to do so?—Yes.

2941. You do not recollect his asking you?—No.

2942. Did you not give him any orders?—I don't recollect.

2943. He was in charge of the foot party?—Yes.

2944. Then, if he said that the men were going to fire, and he asked you for orders—that is not true?—No; there was no firing till we got into the natives' camp. He stated that there was; but that is not true.

2945. Did you bring back any of the black's property?—A few curiosities, and a dog, which is now in the Botanical Garden.

2946. You have spoken of the tents—did the Government Resident occupy three when he came down from the River Camp?—When he first came down, he had only one—that was at Sandy Beach.

2947. At what date had he three?—In October, I think. When we moved to the present site of the camp he had three.

2948. Was

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2948. Was this survey tent one?—Yes.
2949. When were the surveys commenced?—In December.
2950. Were the drawings going on at this time?—Yes.
2951. Who by?—Bennett.
2952. What was he doing?—Marking down the tracks of the exploring parties, making charts, and tracings of the river and the coast, and plans of the camp, and so on.
2953. Were the men without tents?—Not at that time.
2954. Are you sure of that?—Yes; there were some without tents at the present site of the camp.
2955. All the witnesses speak of their having hammocks, is that not true?—That is true.
2956. And the Government Resident had three tents, and the men had to sleep in hammocks?—That is not true.
2957. You have spoken of Mr. McKinlay's arrival producing disorganization; what do you mean by that?—I mean this—Before the arrival of the *Ellen Lewis*, the work was progressing well, and the men were doing their duty. When the *Ellen Lewis* arrived, the camp was broken up; some parties were on board the *Ellen Lewis*, and some went up the river to Mr. Manton's camp. Grog was brought ashore from the *Ellen Lewis*, and the men got drunk.
2958. What men?—A great many.
2959. When did the *Independent* come down?—Shortly before the arrival of the *Ellen Lewis*.
2960. Were many men discharged at that time.—Six or seven.
2961. And they were waiting to go back?—Yes.
2962. Then "disorganization" means that some men were unloading the *Ellen Lewis*, and some went up to Mr. Manton's camp?—And it means that they left their work and were not there at proper times; some attended to work, and the remainder were drinking.
2963. Was there any drinking before Mr. McKinlay came?—Not for some time previously.
2964. When the sale of grog was stopped?—Yes; there was no drunkenness after the time Mr. Manton's party went up the river—the grog ran short.
2965. Three of Mr. McKinlay's horses died of inflammation?—Yes.
2966. From the effect of the food and the sun?—I think so; and so did Mr. McKinlay's party, and one of our own men, who understood veterinary surgery.
2967. Why were the horses put into the stockade?—That was the best place to keep them from wandering. The stockyard was not large enough.
2968. Did Mr. McKinlay say that he could not turn them out, as the country would not feed them?—I have not heard.
2969. If he said so, would that account for their being put into the stockade?—I suppose it would.
2970. How many exploring trips were you in charge of?—Not one.
2971. With how many parties have you been?—I have been with seven or eight different ones.
2972. When you went to Timor, had you any knowledge that you were going there before you left the cliffs?—I was not certain; I thought it very likely.
2973. Who was left in charge?—Mr. Young.
2974. Have you read the Government Resident's instructions?—No.
2975. One of them states that in the absence of the Government Resident, Mr. Manton should take the command?—I have read those.
2976. Was Mr. Manton left in charge?—No; he was up at the other camp, which was sixty or seventy miles away.
2977. Are you a judge of land?—As good as most of the other witnesses.
2978. Do you know of your own knowledge that you are?—Yes, I am.
2979. Where did you obtain your knowledge?—In South Australia.
2980. Have you had much to do with land?—I have seen a good deal.
2981. Not more, I suppose, than persons of your age, who have not followed agricultural operations?—No.
2982. Others of the party have followed agriculture all their lives, have they not?—Yes; I believe Mr. King has always followed it.
2983. Was the timber eaten by white ants?—Yes, some was very much eaten.
2984. Were not the ants worse on the rural sections; was not the timber there all eaten by them?—I did not know that there was any timber on them.
2985. Where were these sections?—On the Adelaide River.
2986. Is the statement that white ants eat all the timber, true?—Not from what I saw. The plains are all open on the Adelaide River. In the township the ants eat the timber.
2987. If Mr. Finniss writes "The surveys will be obliterated * * * * by white ants, which in three months leave the wood of the country nothing but a shell," is that true?—What is the date of that letter?
2988. The 6th October, 1864?—There were no surveys commenced at that time.
2989. You see that there is no exception made as to the white ants eating the timber, is that the case?—There are some kinds of wood which the ants never touch.
2990. What do they touch?—Stringybark and some kinds of gum. The ironbark and paperbark they never touch.
2991. (By Mr. Finniss)—In his cross-examination, Mr. Rymill speaks of the country where the rural surveys were carried on. Did I walk over that country with you?—Yes.
2992. Did we go on Manton's Hill, Beatrice Hill, and Mount Daly?—Yes.
2993. Did I take angles from these hills?—Yes.
2994. Do you consider that my report is intitled to the credit of truthfulness, and that I was without any motive for not stating the truth?—Yes.
2995. (By the Chairman)—What is your age?—Nearly twenty. I am not quite twenty.

Mr.

Mr. F. Litchfield,
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Mr. Frederick Litchfield called in and examined:

2996. (*By Mr. Finniss*)—You are the son of an officer in the army, and signed the agreement to go to the Northern Territory as a laborer?—Yes.

2997. What was your general duty after you landed?—I was one of Mr. King's men, and had to look after the stock.

2998. After a time you were placed in charge of the stock?—Yes.

2999. You received extra pay from Government?—Yes.

3000. And you were afterwards appointed Acting Inspector of Police?—Yes.

3001. Do you remember my leaving Escape Cliffs for Timor?—Yes.

3002. Did I give instructions to you as to your conduct during my absence?—Yes.

3003. Did I leave instructions with Mr. Young?—Yes. [Copy of instructions marked A put in and read.]

Memo. for Mr. Young (No. 146).

A roll of the party, comprising twenty-seven persons left in your charge, is herewith furnished you.

When the stockade is finished, I wish you to send Mr. Litchfield, with seven others at least, on horseback, to track the blacks in this peninsula and execute the previous warrant, &c., issued. He should select his own men, as he must have those on whom he feels reliance in a service of risk and importance.

When he has satisfied himself respecting the natives, a well should be commenced within the stockade. When water is found, and other circumstances permit, Packard will proceed with his surveys as per sketch which I have supplied him with. He should always have six men in the field, and the police should carefully patrol when he is at work. His party consists only of six men at present. Brennan will be added, so that, leaving one in camp to cook, he will still have six in the field. If any are sick, the number must be kept up by sending Smith, the gardener, and the carpenter, if necessary.

When the horses are in good condition, and hay has been cut for one month's supply for the sheep, the sheep should be penned up and fed at home. Mr. Litchfield then, if he is satisfied as to the state of the horses and the position of the blacks, will proceed to examine the country in continuation of his former exploration towards the Victoria. (Exploring party—Litchfield, Dougall, Lloyd, Ross, Walker.)

If you should not have any other communication with Mr. Manton, you will dispatch the gig with a volunteer crew to visit him during the early part of September—sending up flour, tea, and sugar, and salt meat, if possible, for a month's supply, to increase his stores, of which he took three months' subsistence only.

The gig may be used for shipping at proper times, but a sailor should always be in charge on such occasions to see her safely moored at all times; and the nets must be cared for, and kept out of reach of the natives. The gig being now your only resource to visit shipping and communicate with Mr. Manton, you should be very careful of her.

You may expect my return in about six weeks. Should a vessel arrive from the Government in my absence—which I have no reason to expect, however—you will act according to your discretion with respect to discharging her cargo and housing the stores. She should anchor where the *Bengal* lay.

B. T. FINNISS,

Government Resident, N. T.

Escape Cliffs, 10th August, 1865.

3004. Were you ever at the River Camp?—Yes, with the first party.

3005. Did you go with me on a trip to the Daly Ranges?—Yes.

3006. Will you point out your track?—[The witness complied.] We travelled thirty miles in a straight line, and about ninety miles altogether.

3007. You did not go so far as Auld, myself, and my son?—Not in that direction.

3008. We camped on a rise north of Fred's Pass?—Yes.

3009. How far away was that rise?—From twenty to twenty-five miles in a straight line from the River Camp.

3010. Did I point out a space there which would be suitable for a township?—You showed us one rise which would be a nice place for a township.

3011. Was that far from the River?—About two miles.

3012. Will you describe the site?—It was a rise open on the west side, and on the east it was thickly timbered in places; it was good firm ground and there was plenty of stone; there was a flat between it and the River.

3013. Was it well elevated above the river?—Yes.

3014. Was it as high as the City of Adelaide is above the plains?—Yes.

3015. And there was ample space for a city?—I think there was. We could see for a mile in each direction.

3016. How much of the country did you travel over?—About eight or ten miles of undulating country.

3017. When you were up at the place I left you, does the ground rise?—Yes; we camped on high ground under the ranges. There were very few trees, and the ground was stony and firm.

3018. Did we ride down to the river, and tie a handkerchief to a bamboo there?—Yes.

3019. Was that where Mr. Manton's last camp was situated?—Yes, or within a short distance of it. There were small rises and gentle slopes around.

3020. Then, if it is reported that the country is flooded, and that the houses would be washed away by the floods, can you state, of your own knowledge, whether such a statement is correct?—No, it is not correct.

3021. Are there not many hills which would afford situations for homesteads for settlers?—There are no hills. There are gentle rises of from twenty to forty feet.

3022. What sort of a creek is Litchfield's Brook?—It is nice water, containing fish. The bottom is stony and granite; the banks are black alluvial soil, well timbered.

3023. Can you point out the track home when you reported Mr. King as sick?—We followed the river to Fred's Pass, and then struck off to the Narrows.

3024. Is the land available for surveys?—Yes. The greater portion is dry land, and nearer the ranges there is hard black alluvial soil. There are swamps and flats between the river and the ranges; but the country is not flooded, as there are blacks' wurleys there, where they make their winter quarters, and there is no drift timber about.

3025. Is there rising ground between Port Darwin and the Adelaide River, from the Daly Ranges nearly to the Narrows?—Yes.

3026. Is it perfectly dry and free from floods?—Yes.

3027. Are

Mr. F. Litchfield,
April 19th, 1866.

3027. Are there any marks of flood on the Adelaide River below Manton's camp?—No.
3028. Are there any marks on the land?—No. Mr. King examined it, and there was no drift; and he agreed that the land was never flooded.
3029. Have you been often over it?—Yes, frequently.
3030. Did you ever go with a bullock-dray on one occasion?—Yes. For one, one and a-half, two, and perhaps three miles from the river the country is all dry. We crossed several creeks, the banks of which were boggy in some places.
3031. Is the valley of the Adelaide River available for settlement and cultivation?—Yes, for certain sorts of cultivation.
3032. For what sort? For tropical cultivation?—I should judge so from what I have read and heard from Dr. Ninnis and others.
3033. Would it feed horses and cattle?—It would make a first-class cattle run, I am satisfied of that.
3034. What is the country like at the back of the flats where the land rises?—On the east side it is similar to the cliffs for several miles after you go through the Julia Plains: there is a change at the Gum Flat waterhole in lat. 12° 35', the land is hilly, there are several creeks, it is undulating and well grassed and timbered; further on the country is open and well grassed, there are no marshes, there are waterholes like basins.
3035. Is the land available for settlement and cultivation?—I don't know about cultivation, it would do well under stock, it is well grassed, I have never seen better, there are three or four tons of grass to the acre in several places; there is good sheep country about lat. 12° 57' south.
3036. Did I ever send you on an exploring trip in April or May round the Adelaide River?—Yes.
3037. That is the country you have described?—Yes.
3038. Did you cross the Adelaide?—Yes.
3039. Is the water fresh there?—Yes.
3040. Did you cross the horses there?—It was difficult to get down the banks they were so steep; we crossed above the tidal influence. The stream was sixty or seventy yards across and running two miles an hour.
3041. Will you point out the position of Ross's Ponds?—[Witness complied.]—They are permanent water.
3042. Did you on that occasion go to the west?—Yes.
3043. Did you reach a river called the Finmiss?—Yes; we followed it for nine miles.
3044. Is there a good country between the two rivers?—Yes, but it is rather hilly in places.
3045. Did you find some specks of gold?—Yes.
3046. What did you do with them?—I gave them to you.
3047. Did you see any other gold country?—I saw a promising country in lat. 12° 46'; there were heavy dykes with quartz and ironstone; it resembles Bendigo, where I was for seven years, both in the timber and the description of the country.
3048. Had any of the other laborers been to the Goldfields?—Yes, Dougall had.
3049. Did he agree with you?—Yes, he was more sanguine than I was—he was certain that it would some day prove a goldfield.
3050. Was Mr. King taken ill on this trip?—Yes.
3051. That was in the month of April?—Yes.
3052. What was the cause of his illness?—I think it was fever.
3053. Did you come to fetch the doctor?—Yes, we were turning back; we had run up the river higher between the Finmiss and the Adelaide, and were obliged to come back.
3054. This was just close to the rainy season and the country was passable?—Yes.
3055. You went on an exploring expedition with me afterwards to Beatrice Hill?—I went with a party as a ride. King, Ward, Pearson, and Dr. Goldsmith were of the party.
3056. What month was this?—Some time in September.
3057. Was that before the fight at the river?—Yes.
3058. Do you recollect Mr. Ward making any remark then in reference to me?—Yes.
3059. What did he say?—When I was at the creek I told Mr. King that he could not cross the creek on horseback. We found a ford, and left the horses and waded over. Mr. Ward said "The B.T.F. was out for three days, and could not get up there." There was more conversation at the same time.
3060. Did Mr. Ward in the camp ridicule me as much as he could?—Yes, every day, in the hearing of all.
3061. Can you give any illustration?—When he was on drill he used to slap his hat over his eyes and carry his arms so as to make people laugh. He jeered at me several times when you put us on horses to make them stand fire, and he used to imitate your orders.
3062. In such a way as to cast ridicule on me?—Yes.
3063. Will you give an account of the natives' visit on the 8th of August?—About twelve o'clock about forty men well armed came up and stole some things, which we had great difficulty in getting back. They threatened us with their spears, and were very troublesome.
3064. Who was in command of the party?—Mr. Manton.
3065. Was I absent?—You were at Adam Bay.
3066. Well?—The natives camped close to us that night. About eight or nine o'clock they got at the rations on the bank of the river. They cut open sixteen bags of flour, and biscuits, and bran, and cut up a sail. They were fired on, and they camped a short distance off that night.
3067. Was there any guard then?—Previous to the natives leaving the camp, but there was none afterwards until I fired.
3068. You went down to the camp after dark?—Yes.
3069. You saw the natives—what were they doing?—Stealing and carrying away things.
3070. Did you fire at them?—Yes.
3071. Who was with you?—Baker.
3072. Did that create an alarm?—Yes. When the party came down, Mr. Manton said he would

would do his best to hang me if I had shot any of the natives; and the men said if they were not allowed to defend themselves the officers should mind the rations themselves.

3073. Was a guard put on for the rest of the night?—Yes.

3074. How many men?—I don't know. Mr. Manton kept guard sometimes himself. The guard was doubled. I was sent out after midnight till one o'clock to find the cattle, and I saw the natives' camp and their fire.

3075. Did you tell Mr. Pearson about it?—Yes. I asked him to come and see what they were doing, but he would not come without more men.

3076. Did you report this?—Yes; nothing more was done that night.

3077. What was done next morning?—Pearson, Dyer, Murray, and myself went out.

3078. What were your orders?—To get the property, but not to fire at the natives. Rather than fire, it was better to let them go away.

3079. Were these orders in writing?—No; Mr. Manton gave them to me.

3080. What was the consequence?—Five minutes after we went out, after we had rounded the belt of timber, the natives rushed out, crying out "Very good, very good," and threw their spears at us.

3081. Were you hit?—Yes, in the left arm.

3082. Were you disabled?—Yes.

3083. Was Mr. Pearson hit?—Yes; he got one spear in his side, one in his arm, and one under his ear, and a spear in the sole of his boot.

3084. Did you get Mr. Pearson away?—Yes, after great difficulty. He was very nervous. We had great trouble to save his life. We could not have done it but for Alaric Ward. I did not fire a shot. Dyer had no ammunition, Murray's horse bolted, and Mr. Pearson dropped his carbine.

3085. Had you no ammunition?—No.

3086. Had Dyer no ammunition?—His gun would not go off.

3087. Did you offer to assist Mr. Pearson?—We tried twice to get him away; the third time we got between him and the blacks.

3088. What happened when you got back to the camp?—When we got round we asked them if they did not hear us call, and why they did not come. They said they were coming, but Mr. Manton called them back, and they returned. They still heard us calling, and several volunteered and came through the scrub.

3089. Did you see any officers in the camp?—Mr. Manton, Mr. King, and Dr. Goldsmith.

3090. Was Mr. Ward there?—He had just gone through the scrub.

3091. Were Wadham and Watson there?—Yes.

3092. Were they taking any steps to rescue the party?—No; except for Alaric Ward, Mr. Pearson would have lost his life.

3093. Did Mr. Manton make any remark about the drill?—He said he thought that it was the want of discipline had caused the disaster.

3094. Was an inquest held on the native?—Yes, the same day.

3095. Did you hear anything about the preparation of a rider?—I was told about one or two o'clock by Wadham, that a rider was to be prepared censuring you for pitching the camp in that spot.

3096. You remember a parade for Church service?—Yes.

3097. The men were assembled?—Yes.

3098. Service was not held?—No; there were seventy or eighty natives about the camp, and we were told to break off.

3099. When did you return to Escape Cliffs the first time in a bullock dray?—In the latter end of August.

3100. You took the dray across the Narrows, and then travelled in the dray from the Narrows to Escape Cliffs?—Yes.

3101. Did you go by the road now marked on the plan, or nearer the sea?—Nearer the sea. [Witness pointed out the track.]

3102. There is a creek marked here—you did not cross that?—No.

3103. Was the country boggy?—There was none of the road boggy.

3104. What month was this?—The end of August or beginning of September.

3105. When you were at the derrick were there any stores on the beach?—Yes; some bulk heads out of the ship and some timber for horses, some cases of clothing, and an iron safe—that was all. There were no provisions there.

3106. Were the provisions secured?—They were placed on logs and covered with tarpaulins.

3107. Were there any wasted or spoiled at that time?—I never saw any except what the natives destroyed.

3108. Did you see any between that time, and the arrival of the *South Australian*?—No.

3109. Do you remember the building of the store?—Yes.

3110. When I went to Port Darwin, did I leave Mr. Manton to build the store—did Mr. Manton take off the guard?—I don't think there was any guard on then.

3111. Was there any guard at night—was the wood for the store prepared before I went away?—Yes; it was cut.

3112. Had you to do with the carting of the wood?—Yes.

3113. Could the store have been built in a week with the party Mr. Manton then had?—No.

3114. Did the store contain all the goods we had?—No.

3115. Did we build a second store?—Yes.

3116. Did you see the goods landed by the *South Australian*?—Yes.

3117. Who received the goods?—Mr. Pearson was in charge with the assistance of others.

3118. Did Packard and Edwards assist?—Yes.

3119. The *South Australian* was only a few days there?—Yes.

3120. Did it require all the strength of the party to land and get up the goods?—Yes; it kept pretty well all the party employed.

3121. After

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3121. After the *South Australian* had gone, were the stores left on the beach longer than was necessary?—No; we commenced carting the next day, and did not stop until we had finished carting all the goods.
3122. Were the spring tides making at that time?—Yes.
3123. What was done with the goods then?—Mr. King sent down a party at night to shift the goods higher up, and I covered them over with tarpaulins.
3124. Was it possible to get the goods carted away as fast as they were landed?—No.
3125. Then it was a matter of necessity that they should remain on the beach unhoisted for a time?—Yes.
3126. Were the provisions first moved and the imperishable goods left?—Yes.
3127. Did the *South Australian* bring any tents?—Yes.
3128. How many?—I don't know.
3129. Were the men crowded after the arrival of the second party on account of the want of tents?—Yes, there were too many in the tents for that climate.
3130. Did I see the goods landed by the *Bengal*?—You were away at Port Darwin then.
3131. Did the horses get at the bran?—Yes; we had to stop up that night and watch them, and the next day we secured the feed by poles and forks.
3132. Were the horses injured?—No.
3133. Were they injured afterwards?—Yes, some horses were injured by eating flour.
3134. Whose stores did that belong to?—Mr. Stuckey's.
3135. I was not in charge at this time, I had been superseded?—Yes.
3136. Did you speak to Mr. Manton about it?—I went to Mr. Stuckey first and found him in a filthy state of intoxication; I told Mr. Manton about it, and he said that if Mr. Stuckey would not shift the flour he would throw it over the cliff.
3137. Did you ever have conversation with Mr. and Mrs. Packard with reference to Mr. Stow?—I recollect a conversation in which Mr. and Mrs. Packard told me that Mr. Stow, in order to disgust Hulls, had led him through every piece of water he could find at Chambers Bay.
3138. I believe Mr. Stow's opinions as to the site was very generally known?—Yes, they were no secrets.
3139. Was there any feeling among the surveyors that the surveys would be abandoned; and were the men disgusted?—A good many seemed to think that they were working for nothing, and that it was all thrown away—they took no interest in their work.
3140. Do you know with whom this originated?—Some thought that the place was useless and all the work useless too, and many were discouraged.
3141. Did you share those opinions?—Oh no, I did not.
3142. Were there others who did not?—There were some others who kept aloof from the talking that was going on, and they went on with their work.
3143. Then it is not true that all the men were dissatisfied with the site of the town?—No, some were not, some did not care, they would as soon have worked there as anywhere else, and were not interested where the capital was placed.
3144. Did you hear the surveyors speak ill of it?—Yes, Mr. Hamilton and Mr. Wadham did not like it.
3145. Did you hear Mr. Manton speak about it?—No.
3146. Did you go on the expedition under my son's command?—Yes.
3147. Did the men obey my son willingly and cheerfully?—Yes.
3148. Was there any want of confidence in him as a leader?—No, they would as soon have obeyed him as anyone else.
3149. Did you consider Mr. Pearson or Mr. Manton able to command after what you saw at the River Camp?—Mr. Pearson was ill, and nervous, and frightened, and not fit to have charge of men's lives.
3150. What do you think of Dr. Goldsmith as a leader?—I don't know; I was never out with him.
3151. Was Mr. King sick at that time?—Yes.
3152. Before you went to Chambers Bay, had you ever seen the natives at the camp?—Yes.
3153. Could you identify them?—I knew the one that speared me, and the others that were concerned in the affray, when Mr. Pearson was wounded.
3154. Did you see their tracks on your way to Chambers Bay?—We did not follow the tracks, we came to the tracks of those particular natives at intervals towards Chambers Bay.
3155. Do you remember my following you for a short distance?—Yes.
3156. At the place where I lost sight of you were the tracks found?—Yes.
3157. Was part of a spear found there?—Yes; corresponding to the piece of the spear in the horse.
3158. Did you track the horses?—Yes.
3159. Did you know their tracks?—Yes; there were three horses away, and we found three tracks.
3160. You are accustomed to trace horses by their tracks?—Yes.
3161. When you arrived at Chambers Bay, were you in front or behind of the party?—I was on one side of them.
3162. Did you hear the firing?—Yes.
3163. Did you hear the order given to fire?—No; I was near the timber, and I did not hear the order given.
3164. Was the firing before or after you reached the native camp?—After. I saw some firing, but it was no use; the natives were a mile and a-half away, and the men were only trying the range of their rifles.
3165. (*By Mr. Rymill*)—Is it true that there was any firing before you came to the native camp?—No; the firing was afterwards.
3166. I understood you to say that there was some firing?—After we got to the camp two or three shots were fired.
3167. Were

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3167. Were you with the party which shot the black man?—I was with the party, but not when that occurred.

3168. What position did you hold when you first went up to the Northern Territory?—A laborer.

3169. And then?—I was in charge of the stock after Mr. King left; he recommended me for that position.

3170. When did you leave?—By the *Bengal*.

3171. Did you act as a laborer?—Yes.

3172. Did you get any increase of pay by your promotion?—I got one shilling per day extra.

3173. What promotion did you have then?—I was made inspector of police.

3174. When was that?—About two or three months after.

3175. Then, at the time the *Bengal* left, you were manager of the stock, and two or three months after you were made inspector of police?—Yes.

3176. What emolument did you get then?—Four shillings a day extra.

3177. That was ten shillings altogether?—Yes.

3178. What were your duties as inspector of police?—To look after the stock, guard the camp of the surveyors, and to apprehend natives when necessary.

3179. Were there any police troopers?—The stockmen were sworn in as constables.

3180. Did they receive increase of pay?—One shilling per day.

3181. You say you had to look after the natives—in what way?—We were sent after them to track and apprehend the murderers of Alaric Ward, and to secure the survey tents.

3182. Now, you say that some persons were adverse to the site of the settlement, and some were not. Can you name any of the persons?—They might all have been adverse to it, but I never heard them say anything.

3183. Will you mention the names of the persons who praised it?—I did not hear any of them praise it.

3184. Can you say who disparaged it?—Well, some thought that a river was necessary for a township, and some thought that the country should be more elevated, and some thought that it should be inland.

3185. Was the site a general topic of conversation?—Yes, I believe it was on some occasions.

3186. Do you know of any officer who spoke highly or in praise of the selection of the site?—I don't know; I think I do. There were several that I did not hear express an opinion.

3187. Can you mention some whom you have heard express an opinion?—There was Ward and Watson.

3188. Did you hear McMinn speak about it?—No; I never heard him.

3189. You said that some horses died—did any horses die from eating Government stores?—No; that never happened.

3190. Do you know Mr. Stephen King, senr.?—Yes.

3191. Mr. King has said that the horses died from over-feeding?—That is not the case.

3192. Were you there?—Yes; when the horses died.

3193. What did they die of?—Inflammation of the bowels; they could not die from over-feeding, for there was only a bag of bran for five or six horses.

3194. Then what Mr. King has said is not true?—He could not speak about it; I was in charge of the horses, and saw them fed and put away every night.

3195. Had you any objection to Mr. Manton as an officer to take command of the party to Chambers Bay?—I had no objection; it did not matter much to me. I did not like the way in which he acted towards the natives at the river camp.

3196. What other officers were in camp at this time?—Mr. Ward, Dr. Goldsmith, Hamilton, Watson, and Wadham, were all there.

3197. You say you were in charge of the stock—had you any men under you?—I had two teamsters.

3198. Any one else?—The bullock driver was not under my control.

3199. Were there any other stockmen?—Two, and two teamsters.

3200. How many head of stock were there when you were appointed?—There were about twenty horses, eight bullocks, and 200 or 300 sheep.

3201. Was this before the *Bengal* arrived?—Yes; before.

3202. Was this all the stock you had?—Yes.

3203. Did you shepherd the sheep?—No.

3204. Then do you mean to say that it took two stockmen to look after these horses and bullocks?—No; they had to draw water for the camp, and take water and rations to the surveyors as well.

3205. Was there any other exploration before the 11th October, 1864?—I don't know exactly.

3206. How far did you go on the trip you have mentioned?—About thirty miles in a direct line.

3207. Will you try the distance by the scale?—[Witness complied.] The distance must be magnified; but I thought it was greater than it seems to be. I fancy the distance must be greater than appears by the map.

3208. When you started from Escape Cliffs, what was your object?—To explore the country.

3209. Does this large creek, marked on the map, run towards Chambers Bay?—Within a mile or two of it.

3210. Is its shape on McMinn's eye sketch correct?—Nearly so.

3211. Why did you not cross it?—It is a large creek.

3212. Then you were obliged to go to the sea coast to get round it?—Yes. We might have tried to cross it; but it would have cost a great deal of time and labor to do so.

3213. Is the creek deep?—It is very large when the tide is in.

3214. Is the shape of Billy's Swamp on the map correct?—Something like.

3215. What

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3215. What is Billy's Swamp?—It is a sort of long hollow valley with heavy timber, a jungle, and grass.

3216. Is it three or four miles long?—About that.

3217. How near the coast is it?—It runs through a marsh about a mile-and-a-half long, and three or four hundred yards wide; altogether it may cover about five miles.

3218. And the distance to Chambers Bay is eight miles?—Yes.

3219. Are the creeks and inlets marked on this map about right?—Yes.

3220. Were you ever at the Narrows?—Yes.

3221. Is a portion of the Narrows township under water at certain tides?—The lower portion of it may be, but other parts of it are quite dry.

3222. How could you get inland from the Cliffs?—By a bridge over the creek.

3223. What is the track now?—We had to strike the beach and then turn back; there was no crossing the creek.

3224. What is the depth of Billy's Swamp?—It is dry for about eight months in the year—the water remains a very short time after the rains are over; sometimes it is knee deep in water.

3225. How could you get from the Narrows to the Cliffs?—In a straight line as soon as you could clear the creek.

3226. Did you find the land sound?—Yes, there is one place which is a marsh in the rainy season.

3227. Does the creek come in from the sea?—Yes, and drains the basin.

3228. Why was the track taken?—It was made during the rainy season.

3229. Why was the straight line not taken?—It was the worst road, as there was water lying about during the rainy season.

3230. Did the track go along the ridge?—It was all about an height. There was a ridge first at the back of the Narrows for about a quarter of a mile.

3231. Was there good land at the head of the Adelaide River?—Yes.

3232. Did the white ants attack the timber?—The stringybark trees were much affected by them.

3233. Was there any difficulty in finding timber for the keel of a boat?—Yes; I went out with a man to look for it.

3234. What was wanted?—A piece of timber about 10 x 12 and 33ft. long. He wanted a large tree of solid hard wood.

3235. Did it take three days to find it?—He could have found it in half an hour, but he wished to look over the peninsula to see the wood.

3236. Where was the tree cut down?—Within half a mile of the cliffs.

3237. What sort of land was there at the cliffs?—It was light sandy soil, and on each side were patches of dark land.

3238. If Mr. King and others say that there is only half a mile of good land back from the cliffs, are they in error?—It is a mistake; the country for three miles back is of the same kind.

3239. You cannot say whether the land would be good for agriculture?—No.

3240. Would it make a good sheep or cattle run?—I should not like it; it is too near the coast.

3241. Did the stock get fat at the cliffs?—Yes, they always got fat when they were not working.

3242. Do you consider Mr. King a judge of cattle?—Yes.

3243. Then, if he says the herbage is too acid for cattle, is he right?—Several of the horses fell off in condition at first, but they were better when they became acclimatized.

3244. Did the sheep ever fall off?—Very likely the sheep would do so.

3245. To what would you attribute that?—The grass is too long for them. There are many much better spots than the cliffs for sheep.

3246. When you went out in charge of an exploring party, were any of the officers appointed in Adelaide at the camp?—Not the second time; I think there were the first time.

3247. Was there any difference between the Government Resident's treatment of you and the other men?—I don't know.

3248. Did you ever go into his tent?—Yes.

3249. And have any refreshment there?—Yes, on two occasions.

3250. Was there any dissatisfaction among the party at the difference of treatment?—I learned afterwards that there was.

3251. What was the cause of that?—I don't know.

3252. Did you receive better treatment than the others?—So they seemed to say.

3253. You were never on the surveys?—No. Mr. King asked me not to leave him, and to take charge of the stock, or else I think I should have gone out on the surveys.

3254. Had you a horse to ride?—When I was on duty.

3255. Were any men under your control?—Latterly, not at first.

3256. From the way in which you were engaged did the men come to look upon you more as an officer?—I don't know that they had any cause for doing so; while I was amongst them I did laborer's work.

3257. Were you not more in contact with the Government Resident?—I don't know.

3258. Were you ever engaged writing out reports?—Yes.

3259. And you had greater emoluments than a laborer?—Yes.

3260. You had five shilling a-day more than other laborers?—No; only three shillings, the chainmen had six shillings.

3261. In fact, you were the Government Resident's right hand man?—I don't know; I always carried out his orders, and also those given by the other officers.

3262. You were satisfied with the arrangements, as you were in a position of confidence?—In some respects.

3263. What did you not like?—I had very hard work, digging for water and building, besides the responsibility of the stock.

3264. Do

Mr. F. Litchfield,
April 19th, 1866.

3264. Do you know the site of Mr. Manton's last survey camp?—Yes; I have crossed it.
3265. What is the country like?—It is the flat of the river between the spurs of the ranges.
3266. Mr. Manton was not favorably impressed with the country?—He did not like it.
3267. To what do you attribute his dislike?—I don't know; I cannot attribute it to anything in particular.
3268. Were there other persons, judges of land there, whose opinion were entitled to weight?—Yes.
3269. Mr. Warland and Mr. Stuckey, were they there?—Yes.
3270. Did you know that Mr. Finnis was going to Timor?—No.
3271. Did you hear anything about it till he came back?—When I returned from exploring, I heard that he had gone.
3272. Who was left in charge?—Mr. Clement Young.
3273. Did you hear the surveyors speak disparagingly of the place?—Yes; not of the country generally, but of the site of the capital.
3274. Did you hear any of the laborers?—Some condemned the country as not being adapted for a poor man. Any one, having two sections of land there, would require capital to bring them into cultivation, besides which the climate was too hot.
3275. Have you heard Mr. Stow and Mr. Stuckey speak disparagingly of it?—I have never said anything to Mr. Stow, except on the one occasion, when he lost his horse; I have heard Mr. Stuckey speak about it.
3276. Did you go with the Government Resident to Port Darwin?—No.
3277. How did he go?—In the *Julia*.
3278. How did you go?—Overland.
3279. When?—About the latter end of 1864.
3280. It is in evidence that the site of the capital was fixed on the 11th October, 1864, do you consider that there had been sufficient exploration to judge of the country previous to fixing the site?—Yes; if the capital was going to be made in that quarter.
3281. If the instructions had been to explore the country and find the best site, with no limit as to the place?—
- [Mr. Finnis objected to the question.]
3282. Failing to find a suitable situation on the Adelaide river, do you consider that sufficient exploration had been made?—We ought to have been exploring there until now.
3283. Had all sufficient exploration been made?—I understood that Port Darwin had been examined.
3284. But it had not?—I understood that it had.
3285. If Mr. Finnis had failed to find a place suitable at Adam Bay, had sufficient exploration been made?—I consider that quite sufficient had been done, if a settlement was to be formed there.
3286. If the site were an open question?—If it were to be anywhere, I should say not; there were so many thousands of miles which ought to have been explored in such a case.
3287. (*By the Chairman*)—Are you a son of the late Inspector Litchfield?—I am a son.
3288. (*By Mr. Goode*)—You spoke of a suitable place for a township inland, whereabouts was that?—[Witness pointed out the spot on the map]—It is marked here. There are bold rises, and on the east there is a creek with large timber on its banks.
3289. What is the class of the country around?—I have never been back.
3290. Are the hills stony?—No; not very stony.
3291. Is the country adapted for carrying sheep and cattle?—It is well grassed, and there is plenty of feed all the year round.
3292. You say that you found specks of gold there—could you not have prosecuted the search?—Yes, if we had had time.
3293. Was your time limited?—Yes; we had very few horses to do the journey with.
3294. Was it owing to a neglect of duty that the natives were enabled to pilfer?—I don't know; there was no one on guard at the time.
3295. Should there have been?—Yes; there was an order to that effect.
3296. Who was the officer in charge?—Mr. Manton.
3297. It has been stated that the river camp was in a bad position—was it possible to find a better?—No; I think it was a good position—eight or ten men could defend it against all the natives.
3298. Was there timber around it?—There was a belt on each side; another side faced the river; and the rest of the country was open.
3299. Could the natives conceal themselves in the timber?—Yes; but it was the most open place we could find, unless we had gone a long way off. There was plenty of grass and fresh water.
3300. Then you think a better site could not have been found?—I think not.
3301. Is the land on the Adelaide River suitable for pastoral purposes?—Yes; for great stock. The cattle all did well there seven out of ten landed by the *Henry Ellis*, in eight weeks were fat enough for the butcher; but they had done very little work.
3302. Was the land fit for cultivation?—The soil was good; the vines grew there luxuriantly. I have known them grow thirty or forty feet long in one season.
3303. Were the grapes good eating?—Yes; something like Schiraz.
3304. (*By the Chairman*)—Did you get any cuttings?—I sent down some roots by the *South Australian*.
3305. (*By Mr. Bright*)—Have you travelled much in this Colony?—I have travelled over South Australia, excepting the Far North, and also over Victoria and New South Wales.
3306. Were the commands of the Government Resident carried out?—Yes; there was no wilful disobedience of orders to my knowledge.

Mr. Finnis laid the following documentary evidence before the Commission.

North Palmerston, January 23rd, 1865.

Sir—Pursuant to your instructions of the 19th instant, with reference to my riding over the ground between North and South Palmerston, with the view of ascertaining whether it would or not, be practicable to work a dray

dray and bullocks on the road between those two places in its present natural state during the rainy season; also to look round and see as to the possibility of getting a straight line of road at some future time, and likewise to the probability of getting a supply of fresh water at South Palmerston, I have the honor to report, that I went over the ground on the 20th instant, and have no doubt whatever but that drays with fair loads can travel along the natural surface of the ground between the above-named places at all times of the year, if care be taken to keep on the high ground, which can easily be done by increasing the distance to about eight miles. The surface soil is of a light sandy nature, and, in some places, covered with ironstone pebbles. With reference to the dray sent out yesterday with stores getting bogged, I consider it utter carelessness on the part of the persons in charge of it, for I carefully examined the spot; it was on sidelong ground, and if they had only kept five or six chains higher up, they would have had firm ground. As regards making a straight line of road between North and South Palmerston, there is no engineering difficulty whatever in the way; it would only be necessary to make embankments across the intervening patches of low ground. The earth for that purpose could be taken from side cuttings, and a good line formed for either a macadamized, tram, or railroad. The red conglomerate rock at the Narrows would make first-class ballast for a railroad, and about a third-class metal for a common macadamized road. The length of road, in a straight line between the two places, would be about four and a half miles. With respect to a supply of fresh water likely to be obtained at South Palmerston, I beg to inform you, that there is a plentiful supply of surface water at present on the low ground to the southward of the township, and I think that there is every probability of getting plenty of water by sinking wells similar to those at North Palmerston.

I have the honor, &c.

J. T. MANTON, Engineer and Surveyor, N. T., S. A.

P.S.—I forgot to state in the body of the report that on the 19th instant, the day previous to my examining the ground, that four inches of rain fell within the twenty-four hours.

J. T. M.

B. T. Finnis, Esq., Government Resident, Northern Territory.

Escape Cliffs, November 13th, 1865.

Since writing my last report, nothing has been done in the old garden in the shape of watering and manuring the plants. Two of the banana plants have died, having been eaten away by white ants; the others vary in size and height, from six to fourteen feet high, and from five to nine inches through the thickest part of the stem—one plant has a small cluster of fruit not yet ripe; the whole of these plants have offshoots, about thirty-five in number. The orange, lemon, and guava trees are healthy, but have made very little new wood. A new piece of land has been selected—situated at the back of the cliff, area of same, four chains long by two broad. This has been grubbed, cleared, and ploughed, one side and a half is put up with kangaroo or corduroy fence. Five hundred logs are cut up and ready to put on, which will nearly finish the garden fence, and would take three men a week to complete.

Garden at Government Resident's cottage fenced in and covered with netting to keep out poultry and goats—size about twenty-six feet by sixteen feet.

In natural soil—within twenty feet of cliffs and flagstaff—there are growing three manioc plants, one Otaheite gooseberry, two cocoa nuts, several tamarinds in a cluster, one pine apple, one sweet potato root and one yam, both shooting. Trefoil is growing with them as though it was indigenous, and is green and flourishing.

No. 1 box, containing almond trees, one Otaheite gooseberry, two orange trees, two jambo jam rosa, two pomegranates, two fruit trees, apparently de jambo.

No. 2 box, six roots of celery, growing.

No. 3 box, orange, lime, and shaddock plants, growing from seeds.

No. 4 box, fine healthy mango trees, and three fruit trees, not known.

No 5 box, containing six oranges, one lime, and five jambo trees.

The plants in boxes were brought from Timor by the Government Resident, and are strong and healthy. Some vegetable seeds were brought, including cauliflower seed, just breaking ground, and no doubt will be found to grow well here, as they are indigenous to a climate similar to this.

A. SMITH, Gardener.

Palmerston, 16th March, 1865.

The following is the weight, &c., of the first melon grown in the Northern Territory:—

Weight	Lbs.	Oz.
	6	3
	Feet	Inch.
Greatest circumference.....	2	1
Circumference taken round the middle	1	10

CLEMENT YOUNG.

Escape Cliffs, Nov. 11, 1865.

Sir—In accordance with your request to report upon the growth, quality, quantity, and probable durability of the timber on and near Escape Cliffs, the following list is taken from a careful survey.

The first real good and useful specimen is the paperbark—It is generally of a sound growth, and, when sawn, is very much like Adelaide stringybark. It is bad to split, and much smaller in growth, not averaging more than from eighteen to twenty-four inches in diameter, and from twenty to thirty feet long. It is too limited in quantity to become an article of commerce, but will be found in sufficient quantities to meet the demand of settlers.

Iron bark—This is, I believe, the strongest and most durable of all Australian woods. It is too hard and heavy to be brought into general use at present, but will be considered very valuable at all times. It seems to defy penetration by all insects, and does not grow in large quantities; in does not average more than from eighteen to twenty-four inches in diameter, and from twelve to twenty feet long.

The next best, and perhaps most useful, is a description of blue gum—It grows in large quantities and will make capital fencing, it is also good for hut building, and firewood; it will average from twelve to twenty inches in diameter and about twenty-four feet long.

The next is red peppermint—It grows very large and hollow. Its principal use will, I think, be charcoal and firewood; it is also plentiful.

There is also a description of messmate, not equal to that in Victoria; but will, I think, be very useful for palings and shingles. It grows very large, four feet in diameter, and from twenty-five to thirty-five feet long.

There is a great many fancy woods, the principal one of which is a description of white cedar. It is of a sound growth, from twenty to thirty inches in diameter, and from fifteen to twenty feet long; it will make very handsome furniture and house fittings; it is not very plentiful.

The next is the apple and plum trees—they are also fit for house work. Black wattle, myall, and peach, all of an average growth, compared to that in Adelaide. Pure box very small, but superior to any in sister Colonies. Honey-suckle and bean trees, satin-wood, banyan, and coriagon scarce.

There is a great many other specimens, the names of which I am not acquainted with at present, except it is the palm—the only use of which I can see is ornament.

I have the honor, &c.,

ROBERT C. BURTON, Carpenter, N.T.

B. T. Finnis, Esq.

Commission adjourned.

Friday,

Friday, 20th April, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode. | Mr. Bright.

Mr. Rymill and Mr. B. T. Finnis were also present.

Mr. M. E. Fitch called in and examined :

Mr. M. E. Fitch,
April 20th, 1866.

3307. (*By Mr. Finnis*)—Were you ever at sea as a seaman?—Yes.

3308. Have you certificates as a mate?—No, as an able seaman.

3309. Did you accompany me to the Northern Territory in the *Henry Ellis* as one of the crew of the *Julia*?—Yes.

3310. Did you go in the boat every time she went up and down the river from the *Henry Ellis*?—Yes.

3311. Were you exposed to hardships, to exposure to the night air, and to work by night as well as by day?—Yes.

3312. Were you one of my pets, and had you less work to do—were you treated with favor?—No, the boat party worked harder than any others of the expedition.

3313. Did you accompany me down the river to land the stores at Escape Cliffs?—Yes.

3314. When did you land?—I do not recollect the date.

3315. Was it before Mr. Manton left the River Camp?—Yes.

3316. About the latter end of July or the early part of August?—About that.

3317. Will you say what was the first day's work on arrival at the Cliffs, and if you saw me there?—I remember arriving on Sunday at Escape Cliffs, your son and Mr. McMinn were on the beach, the camp was then on Sandy Beach.

3318. Do you recollect moving the camp from Sandy Beach to Escape Cliffs?—Yes.

3319. Was Mr. Davis there?—Yes, and Mr. Haake.

3320. Mr. McMinn?—Yes, and your son.

3321. Who were in the boat party?—Reid, Machell, myself, Gilbert, King, Chandler, and Wiltshire.

3322. You brought the things to Escape Cliffs and landed the light stores in order to form a permanent depôt at Escape Cliffs?—Yes.

3323. After you landed what work were you employed in? Do you remember the *Yatala* coming in?—Yes, we fetched the things from the *Yatala* and hauled them to the derrick while the tide served, and then pulled them up to the cliff.

3324. Did you and the boat's party put up the derrick?—Yes.

3325. Who were employed at the derrick—the landsmen or the seamen?—We were first engaged, until the land party said that our work was the easiest, and then we changed with them; but they could not work the derrick properly or so fast as we could bring up the things.

3326. Was I there helping the men with the goods?—Yes; I saw you lend Atkinson a hand with a bag of flour.

3327. Did the officers do any manual labor?—Yes; Watson did.

3328. Which work was hardest—at the derrick, or carrying the goods?—I should prefer carrying the goods.

3329. Were the land party as well able to work the derrick as the seamen?—No; they pulled one after the other, and not altogether. A chest of tea was smashed by their letting go as it was being swung off.

3330. Then when the seamen were sent, it was best calculated to forward the work?—Yes.

3331. After the *Yatala* was discharged did you land the six-pounder gun?—Yes.

3332. It was hauled up by the derrick?—Yes.

3333. After the *Yatala* was discharged, was she sent back the same day? The tide did not avail, and you had to load again?—Yes.

3334. While you were not engaged in the boat you were busy landing the goods?—Yes, carrying them and putting some on the dray, and others above high-water mark.

3335. Did you see anything to cause waste?—No.

3336. Were any goods left below high-water mark, so as to be wetted?—I think some were placed above the usual high-water mark; but as the spring tides were coming in they rose higher than we had reckoned on, and some of the cases were about six inches in water.

3337. Were the tides highest by day or night?—At night.

3338. You found out that by experience?—Yes.

3339. Did you find by experience that the height of the tide marks, from spring to neap tides, varied every day?—Yes.

3340. Were there any tents near the derrick?—Yes.

3341. Whose?—Mr. Davis's.

3342. How close was it to the derrick?—About forty yards.

3343. Were any precautions taken to secure the stores at the derrick?—Yes; tarapaulins were placed over them.

3344. What goods were generally first protected?—The perishable goods—flour and tea, and those which would be injured by the dew.

3345. When the *Yatala* came back again from the *Henry Ellis*, did you discharge her?—Yes.

3346. What did she bring?—I can't tell exactly—stores, provisions, and palings, I believe.

3347. Did she bring any iron tanks, and an iron safe?—Yes; and the tanks were towed off by a boat.

3348. Was the safe heavy?—I think it weighed 25cwt.

3349. Was there a difficulty in discharging the boat?—Yes.

3350. How was it discharged?—There were boards laid from the gunwale of the boat to a tank filled with salt water—making a sort of jetty of it—and planks were laid again from the tank to the beach.

3351. Do

Mr. M. E. Fitch,
April 20th, 1866.

3351. Do you recollect that the tide was unusually high on that occasion, and that one of the tanks on which the safe was placed floated away, and the safe got wet?—Yes; the tank floated away with the tide, and the safe with it; the tank capsized, and the safe got wet.

3352. How many men were employed in landing the goods before Mr. Manton's party came down?—About fifteen or sixteen.

3353. At this time, was water fetched from the old wells at Beatrice Bay?—Yes.

3354. Who fetched it?—Boucaut and Dougall, in kegs, in a spring dray.

3355. Who used to tail the horses?—Boucaut, Packard, and Dougall, at Billy's Swamp.

3356. Why were more than one engaged?—The natives were not considered safe, especially as the wood and grass were so thick; and so three men were sent.

3357. Were there any sick in camp?—I cannot say; I think Pennycuick was ill.

3358. Was Wiltshire ill?—He was ill once or twice; but I don't recollect the dates.

3359. Who lived in the tent with Mr. Davis?—Hake.

3360. What was their special business?—To look after the stores, and to see them landed in a proper manner.

3361. Did they give orders during my absence?—We took orders from them as to which goods we were to cart up first, and which to leave.

3362. Did that go on until Mr. Manton's party came down at the end of August?—Yes.

3363. Were any goods stolen before Mr. Manton came down?—Yes; some bottles were found on the beach with their necks broken—I have seen them myself.

3364. Did the natives steal anything?—Yes; I remember their taking hats, lamps, a cork-screw, whiphongs, and other things. Chandler and Reid found some of them on the way to Julia Creek.

3365. Was there an alarm in camp, and were the natives fired upon?—Yes; one night they came up, and all fired on them.

3366. What was his account of that matter?—He stated that he saw the natives crawl towards the cases; he called out, "Look out there," and then fired; we then ran out. We saw the tracks of the natives next morning.

3367. Do you recollect my turning out and ordering the guard to assist the sentry?—Yes.

3368. Do you recollect my firing any shots?—I can't say I do.

3369. Did you see the natives' tracks next day?—We saw them going towards Julia Creek; but we did not go further than that. I had been out fishing, and met Chandler; and he said he had picked up various things dropped by the natives which they had stolen.

3370. Where did they escape?—Across the bar at Julia Creek. [Witness pointed out the track on the map.]

3371. When we came down from the river camp, was not the first operation to discharge the *Yatala*?—I was not at the cliffs when Mr. Manton came down. We went overland with the bullock dray.

3372. After this work, did you go to the river camp?—Yes.

3373. When was that?—About the latter end of July.

3374. Were you there at the time of the river fight?—No; I was at the cliffs.

3375. You went up in the *Yatala* with Mr. Auld to bring down the dray?—Yes; you were there too.

3376. You accompanied the dray from the Narrows?—Yes; from the river camp to the Narrows.

3377. Could you go in the dray at that time of the year without going on the new road?—Yes. [Witness pointed out the track on the map.] We followed the river until we came to a large swamp. We crossed the tail end of the swamp to the timber. Between the beach and the timber the ground was rather sandy. There are grassy flats which could feed cattle.

3378. What kind of country is there between Escape Cliffs and the Narrows?—The soil is black and grassy; there is good country between the paper bark flats on the coast. We crossed the Narrows and followed the river. There was a large flat, which might be covered with water sometimes; but when we passed over it, it was cracked and hard. There was plenty of good grass round.

3379. Was there any good country from the river camp to the Narrows?—Yes; some spots were first rate.

3380. When the site of Palmerston was surveyed, were you acting as chainman under Mr. Manton?—Yes.

3381. In what month?—Just after the rainy season; in fact the rainy season was not over. We had showers every day.

3382. Was any part of the site under water?—Not at the cliffs' township.

3383. Could the site of Palmerston have been still further extended?—Yes; in the direction of Chambers Bay.

3384. How far?—For a mile before you came to Billy's Swamp.

3385. Was the land all available in that direction?—Yes; the soil was the same as at the Cliffs.

3386. After the whole party was assembled, were all the tents pitched, and the party settled at Escape Cliffs?—Yes.

3387. Did you get the goods up as fast as possible?—Yes.

3388. Did the natives visit the camp in the beginning of September?—Yes.

3389. Was a horse shot?—Yes; I was one of the party.

3390. When the natives came up, were they painted?—Yes; ten of them were spotted white and red.

3391. What was done on that occasion?—When they came up as far as the derrick, Roberts, who was the sergeant of the guard, told you of the approach of the natives. I stopped in camp.

3392. Did I go out?—Yes; with the guard and Roberts, and told me to stop in camp and get some one else to stay with me.

3393. Did

Mr. M. E. Fitch,
April 20th, 1866.

3393. Did I take three men with me, and have three others as a support, and you were left in camp?—Yes.

3394. You did not see what took place between Dr. Goldsmith and me?—No.

3395. Shortly after this, did any horses come into the camp speared?—Yes.

3396. Did you go to Chambers Bay?—Yes; we saw the tracks of the natives on the beach when we got there, and we knew the natives must be handy, as the tracks were fresh. We walked on and saw some natives sitting under the cypress trees. As we neared them they ran into the scrub; when we got to the place where they had been, we found some nets there, and also an electroplated ladle, knives and forks, and some kats on a bush; five or six natives peeped out 400 or 500 yards higher up. After they were thought within range, one or two of the men said, "What do you say, let us have a shot;" and several fired.

3397. Was that before or after you got to the camp?—Afterwards.

3398. Did you hear any order given to fire?—No; I did not hear any.

3399. Was my son there?—He was on the beach; we were on the edge of the scrub.

3400. Were you with the foot party?—Yes.

3401. And he was with the horse party on the beach?—Yes.

3402. Did you not hear any orders given at all?—No.

3403. Did you identify the articles found, as having been stolen from the river camp?—Yes; and we brought them back in a net.

3404. Did you see the jib of the *Julia*?—Yes.

3405. Was that stolen from the river camp?—Yes.

3406. And the other things were stolen from the derrick?—Yes.

3407. You were with Mr. Manton's survey party at Escape Cliffs; where did you go afterwards?—Up to the river camp in his party.

3408. Do you remember Mr. Manton complaining about your not being at work?—No; I don't remember that; I remember while we were sinking the well, Mr. Manton asked us why we were not at work, and we said we had no windlass; he told us to get out of his sight, and not be hanging about, and we went out and caught some lizards.

3409. Were you short of animal food at that time?—Yes.

3410. Do you consider it difficult work sinking a well?—Yes; Murray was sick, and no one would go to take his place.

3411. Was not the work hot, and close, and hard?—Yes.

3412. Were there any mosquitoes in the well?—Yes.

3413. Had you to work in water at the last?—The well was seven feet in diameter, and there were strong springs of water. We had to work the last four feet in water.

3414. What month was this in?—In the driest season, about August.

3415. Was the well finished when the *South Australian* came in?—Yes; we were just finishing it. The last twenty buckets of stuff were hauled in just after the *South Australian* came in.

3416. How was the well fitted up?—A tank was cut in half, and part sunk into the ground for watering the horses, and timbered up, so as to form a trough for a fall for the water, so that we could fill a tank in a dray.

3417. Was there any poisonous water in the camp?—Several said that the water was bad; Mr. Pearson said so. Dr. Goldsmith said it contained copper, and was not fit for drink, and that it was likely that some would die of its effects. He told us to avoid drinking it unless it was filtered or boiled. He said he was sure there would be sickness and mortality unless we did that.

3418. Did this create any alarm in the camp?—Yes; I was alarmed myself at one time.

3419. Was it likely to give the men a favorable idea of the place as a site for the town?—Of course not; rather the other way.

3420. You went up then with Mr. Manton to the river camp?—Yes.

3421. Do you recollect what instructions he had?—No.

3422. Did you see a tracing that he had with instructions?—No.

3423. Will you point out on the map where this river camp was?—[Witness complied.]

3424. You went up in the *Beatrice*?—Yes.

3425. Did I go up previously and find a landing place—Did I not leave the *Beatrice* myself in a boat?—Yes; the place was nine miles higher up than the *Beatrice* Hills.

3426. Did Mr. Manton go off to survey the land?—He went on with Benham after we got up there.

3427. Did he go to Fred's Pass?—I don't know; I was not with him. He took Watson and Benham with him.

3428. Did you see any hills there?—There were some stony rises.

3429. Were they out of the reach of water?—Yes; there was a fresh water lagoon near one of the rises, near which there had been a native camp, which Mr. Manton marked in his plan as a Native Reserve.

3430. Was the high ground above the reach of any floods?—Yes.

3431. Were there places large enough for the site of a city or a town?—Yes.

3432. Did the men like that place?—Not the last camp; the dry season was advancing, and the water was getting salt.

3433. Do you know Mr. Manton's reason for putting the camp where he did?—He said he had looked all about, and thought that the best place. The water was not so salt then, but the creek was in the tidal influence, and at every spring tide the water became saltier.

3434. Was the country flooded in wet weather?—No, it was not flooded, and there was water in the clay pans.

3435. Was the land grassy?—Yes.

3436. Was it fit for sheep or cattle?—Yes. I do not know how it would do for wool.

3437. Did the sheep thrive there?—Yes.

3438. Was it fit for cultivation?—Yes.

3439. Of

Y—No. 17.

Mr. M. E. Fitch,
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3439. Of what kind?—Sugar and rice. It was first-rate sugar growing country; the land was similar to that in Demerara. I think it would do for cotton in the higher parts, but not where we camped.
3440. Would Escape Cliffs do for cotton?—I have seen some grow there.
3441. Would it do as well as Demerara?—I have not seen cotton growing at Demerara. I have at Bombay.
3442. Is it the same kind of land?—Yes, it is as good, in my judgment.
3443. Is there much land available for growing cotton?—I have no doubt of it.
3444. Have you been much about the peninsula?—I have been to the Red Banks and Chambers Bay, and about the Narrows. I have not been over much towards Cape Hotham. We used to go in boats and land at different places.
3445. Were the men dissatisfied at the survey camp with the work or the climate of the place?—Some were not very well satisfied, latterly.
3446. What were the causes of their dissatisfaction?—When their time was out they wanted to know on what terms they were to continue working. Mr. Manton said that he did not know anything about it. Then they wanted to go to Escape Cliffs to make arrangements; but he said he had strict orders that they were not to leave the camp. They then asked him if he would be responsible for their wages if they stayed on, but he said he would be nothing of the sort, and so the men were dissatisfied.
3447. Did I issue a general order, or a memorandum, as to the conditions on which the men should be employed after their term was up?—Yes; Mr. Manton read a memorandum applying to the first party; but when we asked him if that applied to the second party also, he said he didn't know.
3448. Do you remember my issuing an order that all the men up the river, whose time had expired and who continued work, should be brought down on the first opportunity when a vessel arrived, in time for them to leave the settlement by that opportunity if they chose?—Yes; I remember the order being read.
3449. (*By Mr. Bright*)—Were the men generally aware of this order?—Mr. Manton took it to the mess tent, called all hands together, and read it to them.
3450. (*By Mr. Finmiss*)—Were my general orders communicated to the men?—Yes; some were, and some were not.
3451. What were not communicated?—The orders as to the guard were not strictly adhered to.
3452. How many men were on guard?—Two constantly; they did nothing else.
3453. Were seven men ever left in camp at a time?—There were more sometimes.
3454. Why?—It was not considered safe. Mr. Manton said it would not do to go out while the natives were about without some men being left behind; the guard spoke of it. That was when the natives were about.
3455. When did you leave the camp?—When Mr. Manton came down.
3456. Did Mr. Manton say that he would move the camp to a higher place if the men would sign the memorial to him to that effect?—When the complaints were made that the water was brackish he said, that if we would all sign a memorial to him to shift the camp on account of the water being brackish he would do so, but not otherwise.
3457. (*By Mr. Bright*)—You have spoken of the stores being robbed on the beach. How long was it before the robbery was found out?—The next morning we knew they had been robbed; the drugs were picked up before the evening.
3458. (*By Mr. Rymill*)—Have you been in this room frequently?—Yes.
3459. Has Mr. Finmiss seen you here?—Yes.
3460. What do you say you went up to the Northern Territory as?—Chainman and able seaman.
3461. Are you qualified to judge as to the site of a town?—I don't know; I might know whether it was high enough or big enough.
3462. As to the height, what guides you?—I think it is high enough if it is clear of water and dry.
3463. You have no particular standard as to the height?—No.
3464. How long have you been at sea?—Eight or nine years.
3465. Is that your business?—It was until I came here.
3466. Are you qualified to speak as to land?—I know where I have seen cultivation of a similar kind.
3467. Do you know whether there are the same component parts in the ground?—I am not qualified to speak about that.
3468. But you have expressed an opinion as to the soil?—Yes; that is my opinion, as far as appearances go.
3469. Have you seen rice growing?—Yes.
3470. What kind of land does it grow upon?—Swampy ground.
3471. What kind of land does cotton grow on?—Higher ground; it does not do so well on low ground.
3472. You say this country, that you have spoken of, will grow these?—Yes; it is the same kind of moist land.
3473. You worked at the derrick at Escape Cliffs?—Yes.
3474. You say that landsmen were not capable of working at the derrick?—Not as well as those that were used to it.
3475. You consider seamen better qualified?—Yes; the landsmen did not pull all together.
3476. Did you ever see men hoist up goods with a rope and pulley?—Yes.
3477. Have you seen landsmen do so?—Yes. Of course, if they had practised, they could do it well; but landsmen have not so much practice that way as seamen.
3478. How many turns at the derrick would it take before landsmen acquired the knowledge of working it as well as seamen?—I don't know; some would know it quicker than others.
3479. Who

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3479. Who was in charge of the party landing the stores?—Mr. Davis.
 3480. Do you consider that he possessed the ordinary ability to give commands?—Yes.
 3481. Yet the men did not do their work properly?—He was not there always; when we changed we carried the goods to the derrick faster than the landsmen could pull them up.
 3482. Do you say that the weight of the iron chest was twenty-five hundredweight?—I might exaggerate, it might not be so heavy; perhaps it was half a ton.
 3483. How do you say it got upset?—The tank we placed it upon was empty, and the water lifted the tank and box and all and carried it off.
 3484. Then the tide rose so high that it floated the goods? What was the height of the tide?—About two or three feet.
 3485. Who left the chest there?—Everybody, because they did not remove it.
 3486. Who was in charge of the boat party?—Wiltshire was coxswain of the boat party.
 3487. Were you there and several others?—Yes.
 3488. When did you notice the chest floating away?—I did not notice it myself.
 3489. When was it discovered?—I don't know; I think it was the next day, or two or three days afterwards.
 3490. Was it much injured?—I don't think it was, it was painted.
 3491. Were not the locks taken off and and oiled and cleaned?—I did not see it done, but I believe it was.
 3492. Have you given your evidence to Mr. Finnis from your own knowledge?—Yes, entirely.
 3493. You say you never saw any goods damaged?—Yes, I have.
 3494. What goods?—I don't know what they were; I remember seeing some goods wetted.
 3495. Was that before or after the chest was floated away?—Before.
 3496. When did you leave?—Last November.
 3497. Were there any goods under canvas then?—Yes; there were some of Mr. McKinlay's on the beach covered up.
 3498. Were there any others?—I can't say. I had just come down the river.
 3499. You saw Mr. McKinlay's stores?—Yes; we shipped from the place where they were lying.
 3500. Did you see any stores of the expedition there?—I did not see any. It is possible there might have been some; but I did not see them.
 3501. When did you last see any stores on the beach?—Before I went up to the River Camp, there was some horse feed there.
 3502. When you came back, what did you see?—I don't know; I did not take any notice.
 3503. How many of you were at work digging the well?—Four of us.
 3504. How deep was it?—Twenty-six feet.
 3505. You began sinking in August?—I don't know the date; it was in the dry season.
 3506. And it was not quite finished when the *South Australian* arrived?—No.
 3507. Then you commenced in August, and it was not finished on the 5th December?—Yes. I don't know the month we began in or the date.
 3508. But you said it was August?—I don't know.
 3509. Did you work as hard at this as at any other work?—Yes; but for several days we did nothing to it for want of a windlass; we had to wait quite ten days for it.
 3510. Are you certain it was between nine and twelve days—might it not be six days?—More likely between six and twelve days.
 3511. Do you consider that a fair test of the way in which the work was done?—No; I do not.
 3512. Why?—For many days we did nothing; but the days we were at work was an average of the work done.
 3513. How many days were you not at work?—Perhaps altogether nearly three weeks.
 3514. Well, allowing three weeks—do you consider the time you took to sink this well a fair criterion of the work done?—Yes.
 3515. You were one of the boat's crew?—Yes; part of the time—for six or eight months.
 3516. Did you have to go to the River Camp?—Yes.
 3517. Was it not rather an easy occupation being one of the boat's crew?—It was easier being on the survey.
 3518. How did you go up the river?—We pulled with the flood tide, and then anchored when it began to turn; and then pulled when it made again.
 3519. Do you call this hard work?—Yes; we started before the ebb was done, and pulled until after the flood was done, and then we commenced again; and then when the ebb was so strong that we could not pull against it we had to anchor.
 3520. Is not working a boat easier than sinking a well?—No; sinking a well is not so hard as landing flour and an iron safe, and being up to the middle in water; but, of course, merely working a boat is not hard work.
 3521. You know what I mean?—I consider discharging cargo is harder work than sinking a well.
 3522. Are you a judge of distances?—Any man may be a judge, but whether correct or not I cannot say.
 3523. You know Billy's Swamp—is it anything like the shape of it in Mr. McMinn's eye sketch?—I cannot say; there is high grass round it and thickly timbered country.
 3524. Is the sketch like it?—It lies in that direction.
 3525. Have you any idea of its length?—No, not towards Cape Hotham.
 3526. How wide is it?—About three miles.
 3527. Does it empty itself into a creek?—It might do so; I cannot say. There is a creek which empties itself below the cliffs.
 3528. What is the width of the peninsula?—About seven miles, I think.
 3529. How far have you been up the creek?—Three or four miles.
 3530. Were you ever at the Narrows?—Yes.

3531. Is

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3531. Is any part of the Narrows ever under water?—No; there are cliffs, but not so high as Escape Cliffs.

3532. Of your own knowledge is any part of it under water at spring tides—have you ever seen water there?—No; but I know nothing about the township.

3533. (*By Mr. Bright*)—I understood you to say that Billy's Swamp was about a mile from the township?—Yes.

3534. (*By the Chairman*)—More or less?—It might be more, but I don't think it is less.

3535. How long would it take you to walk there?—Ten or twelve minutes—perhaps a-quarter of an hour.

3536. (*By Mr. Rymill*)—Have you been to Chambers Bay?—Yes.

3537. How did you go there?—We went to Billy's Swamp; I had a drink at a waterhole there, and then proceeded on.

3538. Where were you surveying?—At the river camp and at the cliffs.

3539. Do you know what a blue line on a plan means?—Water, I suppose.

3540. Did you ever mix any spirits with the water from the well?—Yes.

3541. What was the effect of it?—It turned the water dark.

3542. Were the men suffering from gastric irritation at that time?—Many of them were ill from it.

3543. What was that attributed to?—I heard some say it was to the water.

3544. Did you land at Escape Cliffs before you went up the river at all?—Yes.

3545. Did you land next morning or the same night?—Next morning.

3546. What did you do when you landed?—We walked inland about a mile or mile and half, and then came back again.

3547. Did you look for water?—I did not, but the party was divided.

3548. Was any search for water made?—I don't know.

3549. Have you not heard that a search was made?—I heard so afterwards.

3550. Did you not hear that a search had been made before you went up to the river camp?—I did not hear; no one except Commander Hutchison knew where water was to be found before we went up the river.

3551. What opinion did you form of Escape Cliffs when you landed there?—It was as good land as any I saw round the Bay.

3552. What did you think of it as an encampment?—It was as good as any place I had seen.

3553. Was that the first place you had seen?—Oh, no.

3554. Where had you been?—To Point Charles.

3555. When?—The night before I landed in the dingey.

3556. What opinion did you form of the cliffs, when you landed, as a camping place?—I liked it because it was elevated.

3557. What advantages had the River Camp over Escape Cliffs?—There was better feed and water for the horses.

3558. Was there none at Escape Cliffs?—The grass was dry when we landed there.

3559. Are you sure? Did you not land in June?—Yes, and burnt the grass.

3560. Then, if it has been described that there is beautiful grass at Escape Cliffs, that is not true?—No, because we burnt it.

3561. If Mr. Ward says that, is he not correct?—He was not there the same morning.

3562. Where was he?—He landed at Sandy Camp, lower down than the cliffs.

3563. What is the distance from Escape Cliffs to Sandy Camp?—About three-quarters of a mile.

3564. Then, in that distance, the grass you saw was dry, and what he saw was luxuriant?—Yes.

3565. Which account is true—yours or Mr. Ward's?—You can believe which you like. The grass at Escape Cliffs was dry, and we burnt it; and the grass at Sandy Camp was moist and green.

3566. What advantages had the River Camp over Escape Cliffs as an encampment?—Fresh water and feed.

3567. Where did you get the water from?—At first from the river; but we found a better place afterwards elsewhere.

3568. And that was the only advantage of the River Camp?—Yes; I believe so.

3569. Do you think that Escape Cliffs, with water, would be as advantageous as the River Camp?—Yes; I think it would.

3570. Were all the things transhipped by the *Yatala* to the River Camp, and stored there, and afterwards brought down and landed at Escape Cliffs?—Yes.

3571. Was not labor lost by this transhipping?—Yes; it took time and labor both.

3572. Were any goods injured by the transhipment?—Probably some might be injured.

3573. Was any exploration done at the River Camp?—No, not by me.

3574. Do you know whether any was done?—Yes.

3575. How long was the party away?—The first party, I think, was four or five days out, and the next might have been a week coming overland from the River Camp to the cliffs; we came down in the boat *Julia*.

3576. Can you give an opinion as to whether any exploration set out to find the best site for a settlement, would justify a person in fixing upon Escape Cliffs?—That depends upon the means.

3577. What means were in the possession of the Government Resident?—I can't give an opinion.

3578. You say there were no orders given during the fray with the natives?—No.

3579. Have you heard that any were?—Yes, I have heard so down here.

3580. Not up there?—No, I did not.

3581. Do you know whether they were not given?—No.

3582. Not by Mr. Fred. Finniss to Mr. McMinn?—No.

3583. You

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3583. You saw three natives looking out?—We saw some sitting down, and then saw others.
3584. Who was it that proposed to have a pop at them?—I think it was Roberts, but I am not certain.
3585. They were fired at?—Yes, two or three shots were fired.
3586. Without orders?—I believe so.
3587. Was Mr. Fred. Finiss in charge of the party?—Yes. He was back a little bit; we were crawling up a-head of him along the bushy scrub, fringing the beach.
3588. The horsemen were detached, and after you came to the camp, you heard about a man being shot?—Yes.
3589. Were the stolen goods discovered before you heard that a man had been shot?—We were piling up the goods in nets when Dougall came in and told us about the man.
3590. (*By Mr. Bright*)—Was your party first at the River Camp?—Yes.
3591. And while you were there Dougall rode up and told you that a native had been shot?—Yes; we were piling up the nets when Dougall told us that a man was shot, and that the natives were as black as crows. We then made a rush.
3592. (*By the Chairman*)—How long had you been at the camp?—Ten minutes or a quarter of an hour.
3593. (*By Mr. Rymill*)—When did the firing take place?—Just after we got into the camp—before Dougall came up.
3594. What was the object in firing?—I don't know; to frighten or kill the blacks, I suppose.
3595. Were they in range?—It was said they were—but the shots fell short.
3596. What did the Government Resident say when you came back?—When we showed him what we had brought, he said, "Oh, the rascals; so you have got some of the property back."
3597. Did he tell the cook to give the gentlemen a glass of sherry?—Yes.
3598. Did you partake of that?—Yes.
3599. You were at Mr. Manton's camp?—Yes.
3600. Was Mr. Manton acting under orders from the Government Resident?—I believe so.
3601. When he declined to interfere as to the carelessness of the men's services, what did he say?—He said he did not know about it.
3602. Did the men know that he had no power to act?—He would not inquire himself, nor allow the men to go.
3603. Do you know that it was against the Government Resident's orders to allow the men to go down from the camp?—I believe it was.
3604. The men thought they ought to be allowed to go down?—Yes; in cases of emergency.
3605. Would sickness be a case of emergency?—Yes.
3606. Were there any cases of sickness then?—Yes; some of the men had sore eyes.
3607. Was that such an emergency as to justify bringing up the doctor?—Yes, decidedly.
3608. Mr. Manton went out to look over the country and find a new camping-place?—Yes; when the survey was continued.
3609. Was Mr. Finiss with you?—No; he was there previous to my coming up.
3610. How long was he there?—I believe one night, but it was not while I was there.
3611. Did you hear Mr. Manton speak of that part of the country?—Yes; he said it was all folly surveying it.
3612. Then he did not approve of it?—I believe not.
3613. Was there any dissatisfaction at the country among the men?—I never heard anything said about it.
3614. Was there any at Escape Cliffs?—Yes.
3615. Did you hear the surveyors speak about the site?—Yes; I think I have heard Mr. Watson and Mr. Hamilton.
3616. And Mr. Manton at the survey camp?—Yes.
3617. Are you a judge as to the suitability of herbage for stock?—I can tell if the stock are poor, and they eat the grass and get fat that it is good.
3618. What was the state of the stock at Escape Cliffs?—Poor.
3619. Were they better at the River Camp?—They improved greatly.
3620. What do you attribute that to?—To better grass.
3621. Are you a judge of timber for building purposes?—I don't know about being a judge, I know sound timber from rotten.
3622. Did you see any hollow timber?—I saw some sound and some hollow.
3623. Where did you see the paper-bark trees?—At Billy's Swamp.
3624. Was there a good deal of it?—Yes.
3625. It grows in the neighborhood of swamps?—Yes, and of water-courses.
3626. Have you ever seen the men disobey orders?—I cannot say that I have.
3627. Did they do what they were told?—Yes, as far as I saw.
3628. What cause had they for dissatisfaction?—I could see no dissatisfaction amongst the men. I heard of their complaints about the water, if you call that dissatisfaction; and also about the food and hard living.
3629. How long would it take you and the boat's crew to put up a shed, say thirty by fourteen, at Escape Cliffs, with broad palings and cut posts supplied?—I don't know. I could not tell till I tried.
3630. Have you not given an opinion on other things that you could not tell about until you had tried?—No.
3631. Have you not given an opinion as to the proper site of a town?—Yes; as to size, height, and dryness.
3632. And yet you cannot give an opinion as to the building of a shed?—No; I could not tell unless I were to try.
3633. How many buildings were up when you came away?—The hospital, two stores, two houses, five or six huts, wells, and stockyard.
3634. Can

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3634. Can you estimate the value of them?—Do you mean of the labor?
 3635. Of the labor, not of the materials?—About £400 or £500.
 3636. That was the value, at the time you left?—Yes.
 3637. Why did you leave?—I was subpoenaed back to Adelaide.
 3638. You say that some of Mr. Finnis's general orders were not obeyed, can you give an instance?—There was a general order that no man should leave the guard-tent when on duty to get his meals, but that the sergeant should bring the meals to them; yet I have seen the men leave and go to the mess-tent.
 3639. Where was this?—At Escape Cliffs.
 3640. How far had they to go?—About 100 yards; sometimes not so much.
 3641. Did you see any other order not obeyed?—I do not know of any other just at present.
 3642. You say the water, at Mr. Manton's camp, got salt at the end of the dry season?—Yes; it was brackish.
 3643. Were you short of provisions there?—Yes; we were short of meat.
 3644. They were dissatisfied also with the time being extended, and no arrangements made for their return to Adelaide?—Yes.
 3645. Were they anxious to return?—Some were and some were not.
 3646. Did Mr. Finnis undertake that they should be brought back?—We wanted to know if our pay would be guaranteed until we could hear officially from Mr. Finnis.
 3647. How many were there whose time had expired?—I do not know.
 3648. Were those whose time had expired the men who came down in the *Independent*?—Some of them were, not all.
 3649. (*By Mr. Goode*)—Did the men who shot the native, know before they shot him, that the stolen goods had been found in camp?—I do not know.
 3650. Had they been at the camp?—No; they were in the horse party. They recognized the native as one of those who speared Pearson.
 3651. Was he shot on that account?—I don't say they recognized the man who was shot, but they knew the tribe.
 3652. Then the men shot before they knew that the stolen property had been found?—Yes; before they had seen the property in the place.
 3653. Were you engaged in collecting the property?—No; each man took a net, and the things were piled up when we were called away.
 3654. Did you take anything belonging to the natives?—Yes.
 3655. Then you thought you had a right to take their property, but they had no right to take yours?—We thought we had a right to destroy the lot.
 3656. You say it is a mile from the end of the township to Billy's Swamp?—Yes.
 3657. How far is it from Billy's Swamp to Chambers Bay on the outside?—About four and a-half miles.
 3658. The swamp is not in the right position in the eye sketch?—It should be a little nearer the township.
 3659. What was the weight of the iron chest?—It was very heavy; about ten hundredweight, I think.
 3660. Did you not say, in answer to Mr. Finnis, that it was twenty-five hundredweight?—Yes, but I exaggerated.
 3661. You don't know whether it was ten hundredweight or twenty-five?—It was not twenty-five hundredweight, it could not be that.
 3662. You speak of the land as fit for growing cotton, &c., have you ever seen coffee growing?—Yes, in Berbice.
 3663. Is there any land in the Northern Territory which would grow coffee?—That place, which was the only one where I saw coffee growing, was higher land than the River Camp.
 3664. Is there any land in the Northern Territory high enough, and likely to grow coffee?—Yes; indeed all tropical productions would grow there, but it would require experience to find out the proper kinds of soil.
 3665. Was the water in the well you sunk fit for drinking?—Yes, we always drank the water from it.
 3666. Could you identify that water if you tasted it?—I don't think I could.
 3667. When you fired at the natives was it altogether without orders?—I did not fire myself, but some pieces were let off. I don't think there were any orders given to fire.
 3668. Who was in command of the foot party?—Mr. McMinn, under Mr. Fred. Finnis, who had charge of the whole party.
 3669. (*By the Chairman*)—Were the men under the impression that they might fire whenever they chose?—Everybody was bitter against the natives, and thought it only right to have some satisfaction out of them.
 3670. Then every man was on his own hook. There was no discipline but each man could do what he liked?—Yes.
 3671. Do I understand that there was no regular order but that each man could do as he liked?—Yes, they were all looking for themselves.
 3672. (*By Mr. Bright*)—Were any orders given before you left the camp?—I believe there were, but I did not hear them.
 3673. Did you receive any orders from Mr. McMinn?—After one shot had been fired he was asked if we could blaze away at the natives, and he said "Yes."
 3674. (*By Mr. Goode*)—Did he stop the men from firing?—Yes, those who commenced without orders.

Commission adjourned.

Wednesday,

Wednesday, 25th April, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode.

Mr. Bright.

Mr. Rymill and Mr. Finnis were also present.

Mr. William Reid called in and examined :

Mr. William Reid,
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3675. (*By Mr. Finnis*)—Are you an old man-of-war's man?—Yes.
3676. How long were you in the service?—Nearly nine years.
3677. Were you a petty officer?—For four years.
3678. What was your last ship?—The *Trafalgar*.
3679. Did you go to the Northern Territory in the *Henry Ellis* as one of the boat's crew?—Yes.
3680. And you were subsequently coxswain of the gig?—Yes.
3681. On board the *Henry Ellis* was there any drill?—Yes.
3682. Did you take part in it?—Yes.
3683. What part?—I was first on the rifle drill, and afterwards I taught the boat's crew the cutlass drill.
3684. Whose squad were you in?—Yours.
3685. Were the officers drilled?—Yes.
3686. Who drilled them?—Yourself and son.
3687. Did they ridicule any attempts to teach them the drill?—Yes; sometimes. I saw them rolling about the deck as if they could not keep their feet when there was no occasion for their doing so.
3688. What sort of weather was it?—Generally fine.
3689. Did I select the best days for the drill?—The days were generally such as those on which I have seen the men-of-war's men drilled.
3690. Do you remember the 22nd May?—Yes.
3691. Was there any practice with ball cartridge then?—Yes; with a target moored astern.
3692. Did any of those men hit the target?—Yes.
3693. Was it not sometimes drawn under water?—Yes.
3694. Why?—Because the line was not long enough.
3695. Did you go up the Adelaide River on your arrival?—Yes; with the stock.
3696. Did you often go up the river?—Yes; very often.
3697. Was it hard work?—Yes.
3698. Did you pull or sail up?—Very frequently we had to pull.
3699. Did you anchor when the tide was against you, and pull when it was with you?—Yes.
3700. And therefore you had to get up at night when the tide was making?—Yes.
3701. How long had you to pull at a time?—On the 1st July, if my memory is right, the *Yatala* arrived with the mails, and I then had to pull seven hours at a stretch.
3702. Did I often accompany you in the *Julia*?—Yes.
3703. Had I to sleep in the boat?—Yes.
3704. Do you remember my starting on an exploring expedition from the river camp?—I recollect it well.
3705. Did my starting make any stir among the officers in the camp?—Yes.
3706. What occurred?—At the time of starting, Mr. Ward and two or three others, whose names I do not recollect, were standing around, and there was a mob of men also. Mr. Ward remarked that you had been two days getting ready for a start, and he would guarantee that he could have been ready in twenty-four hours, and learn more of the country than you would do. He made other remarks, which I considered unbecoming the conduct of an officer.
3707. Were Mr. Pearson and Dr. Goldsmith by at the time?—Yes.
3708. Do you know that the reason of the delay in starting was the difficulty of getting the goods from the ship, and unpacking the saddlery?—Yes; the pack-saddles could not be got at, no one knew in what cases they were, for the cases had been wrongly numbered. At last one case, numbered to contain stationery, was opened, and found to contain the pack-saddles.
3709. Did you afterwards come down with the bullock dray?—Yes, with others.
3710. Who was in charge of the party?—Mr. Auld.
3711. Did I come to meet you and point out a supply of water?—Yes.
3712. What did you think of the Adelaide River?—I never saw finer country in my life.
3713. Have you seen much of different countries?—I have visited different countries for nearly ten years.
3714. What cultivation have you seen?—Rice, cotton, coffee, cochineal, and nutmegs.
3715. Did you see any debris on the trees on the river as if there were floods there?—I saw such marks, but they did not extend any distance inland. I knew that heavy rain would cause such marks. I was up the Adelaide River in December, and never saw the river overflow its banks.
3716. What do you think of Escape Cliffs as a site for a township?—I think it a very good site.
3717. Was there a better place on that coast?—I have not seen a better; I considered that there was no better on North Australia.
3718. Was it a suitable port for shipping?—No better could be found. My reason for saying so is, that there were two good safe anchorages. From Escape Cliffs there was a mud flat which was dry at low water, and outside that there was seventeen to twenty-three or twenty-five feet of water, allowing for the swell. The anchorage was landlocked by Melville Island and the Vernon Islands. In the heaviest gale no great sea could break in there, and vessels could ride in eighteen or twenty feet water with only one anchor down. If they did not feel safe there, they could steer south-west-half-west

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south-west-half-west to a channel clear of a sandbank, and could bring up in the channel in the hardest gale, and go right up the Bay. Vessels from India could enter easily with square yards all the way, and from South Australia they would have plenty of room to enter.

3719. When they got inside they would be safe in Adam Bay, or in the inside harbor?—Yes.

3720.—Could large vessels discharge and anchor inside the Narrows without much difficulty?—Yes; I could discharge a vessel of 500 tons, and moor her when the flood tide was nearly done, and discharge from the fore-yard arm or main-yard arm into the township.

3721. Could you do this on the other side of the river?—No.

3722. At what distance out could you anchor?—About a cable's length out; there is an ironstone flat that runs out.

3723. Here is a chart of the soundings, will you say where the *Bengal* lay, and the *Beatrice* used to lay?—It was less than a mile and a-half out. [Witness pointed out the spot on the map.]

3724. Vessels could lay and swing there with a single anchor?—Yes.

3725. Where could such a ship as the *Curaçoa* lay, supposing that she draws nineteen feet of water?—Two and a-quarter miles out.

3726. How far was the *Curaçoa* lying off the Semaphore during her late visit here?—I don't know.

3727. Supposing she was four miles out, could she be within half that distance off Escape Cliffs?—Yes.

3728. Then the *Curaçoa*, or a vessel like her, could get half as near again to the landing place at Escape Cliffs as she could do at Port Adelaide?—Yes.

3729. Was the channel buoyed off?—Yes.

3730. When was that done?—Just after the *Bengal* arrived; she brought buoys up with her, but the spots were surveyed before.

3731. Were there other buoys to mark the edge of the reefs?—Yes.

3732. What sort of harbor is Port Daly?—It is a very good harbor. Half the British fleet could lie there.

3733. Is there an arm to the westward fit for shipping?—Yes.

3734. Is there more accommodation at Port Daly than at Port Adelaide?—Yes; there is more anchorage room—nearly twice the quantity.

3735. Are there any landing-places inside from Point Ayers to the Narrows?—Yes.

3736. Would it be easy to make wharfs there?—Yes.

3737. How could you get the timber?—I could make the wharfs up the river and float them down.

3738. Are the mangroves tall along the river?—Yes; I felled one 62ft. long without a branch.

3739. Is that their general character?—Yes.

3740. They are not like the mangroves at Port Adelaide?—No. Close to the sea they are like them, but up the river they are tall and straight. About one and a-half miles up the river from the Narrows they would make good flag-poles; they are finely tapered.

3741. Did you see any to the north of Julia Creek?—Yes; just on the other side of Julia Creek there was the same sort of mangroves.

3742. Did the tides overflow part of the township under Point Ayers?—Yes. I have seen the land you refer to when there have been high spring tides and north-west winds, and I have never seen so much water there as I have seen at Port Adelaide when there has been no wind and no embankments there.

3743. Could the water be more easily banked out at Point Ayers than at Port Adelaide?—I consider it could be banked out at less expense.

3744. While you were coxswain of the gig, do you remember being out in the worst weather?—Yes; I have been out as hard as ever it blew in the Northern Territory.

3745. Could a vessel ride in safety there?—Yes.

3746. Do you remember the *Yatala* going up the river?—Yes.

3747. Were there only a few working men at Escape Cliffs then?—Yes. I remember some of the men were ill of dysentery, and I went on board the *Yatala* to get medicine for them. As soon as the tide served, two boats and boats' crews went to work crossing the horses.

3748. How many men were available?—Not many. Six were sent out to cross the horses.

3749. Then there were twelve of the boats' crews, and six were taken from my party?—Yes.

3750. Then, if the party was forty-one strong, and there were eleven officers, and these other men deducted, how many would be left?—Twelve.

3751. Then there were only twelve left to discharge the cargo, take care of the horses and stores, do the cooking, and provide for casualties?—Yes.

3752. When did the want of food begin?—I think it was about the middle of October, but I am not certain.

3753. What food first arrived?—Salt pork, and beef.

3754. After that was done we were out of meat altogether?—Yes.

3755. What was done?—Sometimes we caught fish, sometimes bandicoot rats.

3756. Did fishing take place often?—Yes.

3757. Were you employed to find fish?—No.

3758. The party could not always find fish when they chose?—No.

3759. Was it easy to get game and kangaroo?—No.

3760. Do you recollect discharging the stores after we arrived at Escape Cliffs?—Yes.

3761. Did you assist?—Yes.

3762. Did you see me looking on and encouraging the men?—You were there sometimes two or three times a day.

3763. Was Mr. Davis there?—Yes.

3764. Where did he live?—Close to the derrick.

3765. Did I show any favoritism?—If you showed any it was to the laboring men.

3766. Were

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3766. Were the officers able to do any labor?—No. Mr. McMinn did his best, but he had never been brought up to work. Roberts was the same; so were Pennyquick, Atkinson, and Cottrell.

3767. And it was these men that I had to land cargo with?—Yes.

3768. Did the men respect me and obey my orders?—The men who had been under discipline obeyed you; but those who had not, didn't care whether they did or not.

3769. Were there two parties in the camp?—Yes.

3770. Who was the head of the party opposed to me?—I believe Mr. Ward was.

3771. Was any bad language used towards you—were you called a "Crawler" because you did your duty?—I often had the cold shoulder shewn to me because it was supposed that I told you things that happened.

3772. Did you ever go to the officers' tent and see anything there?—On one occasion I went to Mr. Pearson's—in the evening. There were three or four there; and as soon as they noticed my appearance, some one said, "Hush! here he comes;" and the conversation dropped. I stopped outside the tent, told my business, and walked off.

3773. Who were in the tent?—Mr. Pearson, Mr. Stuckey, and, I think, Mr. Stow and Mr. Ward.

3774. Did you hear any one condemn the site?—Yes.

3775. Was Mr. Stow one of those?—Yes.

3776. Did he endeavor to spread his opinions?—I don't know. They were no secret. I have heard him say, in the presence of a number of men, that the site must be given up.

3777. Was such conduct calculated to encourage work or assist me?—It was calculated to discourage the men, if they were told that their work was no good.

3778. Do you remember any caricatures, meant to damage or throw discredit upon me?—Yes.

3779. Were some of them filthy and obscene?—Yes.

3780. Who prepared them?—Atkinson, principally; I have seen all of them in his hands.

3781. Did you see them handed about amongst the officers or the men?—No; I saw them by going into his tent.

3782. Did you drink fine water at Escape Cliffs?—Yes.

3783. Was it bad?—I never found anything to complain of about it.

3784. Did you hear complaints of it made?—Yes.

3785. Who by?—Dr. Goldsmith was in the camp and said that the water contained mineral. He told me if I drank it for a week, I would be a dead man. I did drink it for a week.

3786. Did any man die from drinking the water?—No.

3787. Did it produce sickness?—No.

3790. Did you drink the water from February to May?—Yes.

3791. Was there no rain water?—No.

3792. Did you suffer from sickness in camp?—The worst time was when I was sick of the dysentery; but I don't attribute that to the water, but to riding on horseback through some cold fresh water in the creek, and not getting properly dry again.

3793. Then there might be other causes for sickness besides the water?—Yes.

3794. Did you get abundance of water?—Yes.

3795. Did you ever go inland to Chambers Bay, and cross the swamp on your way?—Yes.

3796. Is there in that place an ample supply of water without the wells?—Yes.

3797. Did you see a dead bullock by the waterhole?—Yes.

3798. What month was that in?—I do not know.

3799. Do you recollect going with an armed party to Chambers Bay?—Yes.

3800. Who was in charge of that party?—Your son.

3801. Were there officers, surveyors, and storekeepers in camp?—Yes.

3802. Do you know why they were not sent?—I do not know.

3803. Was my son a proper person to command such a party?—Yes.

3804. Had the men faith in him as a leader?—More than they had in the officers.

3805. What was their reason?—After the River Camp affray, I, for one, had no faith in either Mr. Manton or Mr. Pearson, and Mr. Hamilton was not fit to send with us.

3806. Why?—There was too much, "Hail fellow, well met!" about him, which would cause men to lose their respect for him.

3807. Was I too familiar with the men?—Not with me.

3808. Did I comport myself as you have seen officers do?—I always saw you do so. I was once at work for two months at your place, and you never came out to yarn with me. You only spoke to me on business, and went away directly.

3809. Do you remember the *South Australian* arriving?—Yes.

3810. Did Mr. Ward make any remark as to me on that occasion?—I was the first to see the vessel, and I told you that a steamer was coming in. You told me to hoist the ensign and fire the gun, which I did. All the men seemed pleased, and I know I was myself because I was hungry. I saw you smile, and I heard Mr. Ward say "Old man you may smile, but as soon as the Despatches are landed you will smile on the other side of your mouth?"

3811. Do you remember the *South Australian* being discharged?—Yes. I consider it was discharged very quickly.

3812. Did you ever see Port Darwin?—Yes.

3813. What do you think of it as a harbor?—It had one great drawback; vessels getting in there might have to wait a week before they could get out again, according to the wind.

3814. Could they get out with a north wind blowing?—No, not when the north-west wind blew; it was a regular monsoon.

3815. Was the timber on the Cape Hotham peninsula useful for settlers?—No; except for fencing.

3816. Was there any stone there?—Not a great deal.

3817. Did you see some?—Yes; some which would do as well as the limestone in the City of Adelaide.

3818. Did

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3818. Did you see any better?—At Port Darwin there was some good limestone.
3819. Was the communication easy between Port Darwin and Escape Cliffs?—Yes, easy by water, and it would make a trade.
3820. How far is it from Escape Cliffs?—The port is between fifty and sixty miles, but the stone is twenty miles nearer the cliffs.
3821. Is there any coral there?—Yes.
3822. Was it used for lime?—Yes; I have gathered it myself; there in any amount of it It is used in all tropical climates for lime.
3823. (*By Mr. Rymill*)—Have you been long in this Colony?—Seven or eight years.
3824. When you say that there are no embankments at Port Adelaide, what do you mean?—In 1848, when I was on a visit here, I saw the water overflow at the Port; there was no embankment then.
3825. What was your office in this expedition?—Able seaman and chainman, and afterwards coxswain.
3826. Did you receive any additional pay for that?—No, nothing.
3827. What were you then?—Gunner, signalman, coxswain, and armorer.
3828. Did you go with Mr. Finnis in the *Julia*, on the 8th October?—Yes, to Port Darwin.
3829. When did you leave Escape Cliffs?—On Saturday evening about half-past six.
3830. When did you arrive at Port Darwin?—On Monday afternoon, I think, it was between two and three o'clock, as near as I can recollect.
3831. If the journal states that the boat did not sail till Sunday afternoon, is that correct?—It is correct; but we left the Cliffs on Saturday evening.
3832. What did you do when you got to Port Darwin?—As soon as the *Beatrice* dropped her anchor and made all snug, we went ashore.
3833. How far off were the vessels?—The *Beatrice* was lying about one and a-half miles out, in four fathoms of water. We went to look round, and our object was to find some quartz to send to Adelaide. After we had seen the best we could of the place we went aboard. Next morning, the *Julia's* crew, armed, went ashore.
3834. Was the Government Resident with you?—Yes.
3835. What did you do?—We went on shore in the morning, about eight o'clock; we mounted guard on the beach, to protect the party from natives, some of whom we saw about, while the boat's crew got the quartz on board; the boats made two trips, we then had dinner and weighed anchor.
3836. Was the Government Resident on shore until dinner?—I can't say now.
3837. Where did you go?—Off the mouth of Bynoe Harbor.
3838. On what day was that?—On Monday night.
3839. How far from where you landed?—Not more than thirty miles.
3840. What explorations was done when you landed for the quartz?—I did not see any.
3841. When were you last at Escape Cliffs?—On Christmas day.
3842. When does the wet season commence?—About the latter end of October or the beginning of November.
3843. Does it not begin about the end of December?—Oh, no, it doesn't.
3844. How long does it continue?—Until the latter end of March.
3845. You never saw the country then in the wet season?—Yes, I have, in the middle of the wet season.
3846. Did you ever see it in the latter end of the rainy season?—No.
3847. You can't speak as to its state, then?—No.
3848. You say you never saw a better place than Escape Cliffs; do you mean as a settlement?—I am speaking of North-West Australia, and tropical climates.
3849. What experience have you had?—A good deal.
3850. Of North West Australia?—No, of other places.
3851. How much of North-West Australia have you seen?—From South Alligator River to Bynoe Harbor.
3852. What extent of coast is that?—About 150 miles.
3853. Are you personally acquainted with all that coast?—No.
3854. Then you only speak of the places you have seen?—Yes.
3855. Then the Alligator River, Bynoe Harbor, and Port Darwin are all you have seen?—Yes.
3856. Were you ever on the land at the Narrows?—Yes, many scores of times.
3857. What were your duties?—To carry stores and rations to the surveyors.
3858. Have you seen any of the place under water?—Yes, portions of it.
3859. You say that Roberts was not fit to work; have you heard Mr. King speak of him?—Yes.
3860. Have you heard him say that he could not have a better man?—Yes; and I approve of it; but I was speaking of manual labor, not of office work. Mr. Roberts was in the store keeping the books.
3861. You have said that there was some ill feeling between the Government Resident and his officers, how do you know this?—From the remarks I have heard.
3862. What were they?—I can't say now.
3863. Was the ill feeling mutual?—Well, I don't think there was much love lost on either side.
3864. Did you ever know the men refuse to obey orders?—No; I never did.
3865. You say Mr. Ward was the head of the opposition, did that ill-feeling last all the time?—Yes; up to the time he left.
3866. Who was the head of the opposition after he left?—I don't know; I did not trouble myself about it.
3867. The feeling was more general after he left?—Yes.

3868. What

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3868. What was the cause?—I cannot say.
3869. Was there a feeling in the camp that you carried tales to the Government Resident?—I don't know.
3870. How do you account for the officers desisting from their conversation when you came up?—I think it was in consequence of the Government Resident appreciating what I did; if he ordered me to knock down a house I would obey, as he was my superior officer, but the others would not.
3871. They had an impression that you told the Government Resident what was going on?—Yes; but I never did.
3872. How did Mr. Finniss come to know all this?—I don't know.
3873. Was his reference to the subject in his examination only a chance remark?—I suppose so.
3874. Have you heard the officers disparage the site?—Yes.
3875. Were any of them in favor of it?—No.
3876. How did you see the sketches in Atkinson's tent—were you prying in there?—No; I was never prying.
3877. Were you not looking about?—No, I went into Atkinson's tent to have a yarn with him, and he said to me, "Here see these," and showed me the drawings.
3878. Did you not furnish him with the materials for one of those sketches?—No.
3879. What qualified Mr. Fred Finniss to command an armed party?—He had been in the volunteers, and understood the use of the rifle, and knew where to place his men.
3880. How do you arrive at that conclusion?—I consider so.
3881. Was that your only reason?—Yes—and his pluck.
3882. Was Mr. McMinn a volunteer?—Yes.
3883. And Mr. Hamilton?—Yes; in the artillery.
3884. Would they not know how to place men?—Not so well.
3885. Did you hear anything stronger ever said by Mr. Ward, than what you have mentioned?—No, I did not take any notice.
3886. His remark was only a little premature on that occasion, was it not?—Yes; the reason Mr. Ward made the remark was, that he expected that the *South Australian* would bring Mr. Finniss's recall.
3887. When did you leave?—In May.
3888. Why did you leave?—My time was up, and I did not get any increase of wages.
3889. How far is the Alligator River from Escape Cliffs?—I can't say. I was only there once, a long time ago.
3890. About what distance?—I should think from forty to fifty miles.
3891. On which side of the Cliffs?—The side opposite Port Darwin.
3892. Bynoe Harbor is on one side, and Alligator River on the other?—Yes.
3893. Was that all the exploration done in the boats?—Yes.
3894. Do you remember that the natives were said to have taken the flag away at Port Charles?—Yes.
3895. What was done?—We had to put another flagstaff up.
3896. Who did it?—The boat's crew of five men.
3897. Was Morris one?—No.
3898. Did he go there?—No.
3899. Tuckwell?—Yes; he was one of my crew.
3900. Fitch?—No.
3901. There were only five men there then—how long did it take to do the work?—We were two days about it; we put it up the second day. The first day we could not do it, as I was too ill. The next day three volunteers came up from Sandy Camp. Roberts was one and White another.
3902. What were your orders?—To go and fix the pole and put up the flag.
3903. Did you make the flag?—Yes.
3904. Were the men who came up, volunteers from the survey party?—Yes.
3905. You were two days about this job?—Yes; but we also had to take soundings in the channel, as the beacon had been washed away.
3906. What was the effect of water in the wells upon spirit?—I don't know; I never noticed.
3907. Had the river camp any advantages over Escape Cliffs as a camping place?—It did not possess any.
3908. I suppose you are not aware of the reason for going up to the river camp and then coming back to Escape Cliffs?—I heard that Commander Hutchison had said that we had better take a trip up the river, and he said that was the best place to land, and we went ashore.
3909. Was water found at Escape Cliffs then?—No.
3910. Did you ever hear afterwards that it had been found there?—No.
3911. Was any exploring made before you went up the river?—No.
3912. You would have seen if any had been?—I should mention that one trip was made to Escape Cliffs in the *Julia*. The party had breakfast ashore, and came away again.
3913. That was all before you went up the river?—Yes.
3914. (*By Mr. Goode*)—Are there many swamps round Palmerston?—Three or four.
3915. On which side?—There is one to the south, a swamp a little way back to the north, and one to the east.
3916. Would these swamps render the place unhealthy?—Only one of them—that to the south.
3917. Why would that be unhealthy?—It was a salt-water swamp, and when the tide flowed out it left the debris.
3918. Were the freshwater swamps not unhealthy?—No, not so much.
3919. Did you see much of the sandstone similar to sample produced?—Yes; we sank through it at the wells.

3920. Mr.

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3920. Mr. Fred. Finnis was appointed to take charge of the party. Were there then officers in camp?—Yes.

3921. Were the officers competent to take charge of the party?—No, there was not one I should like to go out under; because I have been out often in the Navy, and then we went out to some purpose—not for skylarking. Some of these officers had no experience, and those who had threatened to do their best to get us hung if we touched the natives before we were attacked.

3922. You objected because they would not allow you to shoot the natives?—Yes.

3923. (*By Mr. Finnis*)—That is, they would not allow you to shoot the natives without exposing your lives to them first?—Yes. If I were to see one of the darkies shaking a spear at me, I should shoot him.

3924. You are not bound by the law of self-preservation to wait until the spear is thrown at you?—No.

3925. When you went up the river the first time with stock, were we short of water on board the *Henry Ellis*?—Previous to and at that time.

3926. Was it of importance to get water for the stock as soon as possible?—Yes.

3927. Would it have been disastrous if we had stayed to sink wells?—We should have lost three-fourths of the stock.

3928. When Commander Hutchison told me that there was water up the river, would it not have been foolish if we had not pushed on?—Yes.

3929. Was not the river camp a good place to start from, to investigate the interior? Could we not find food for the stock and fresh water there?—Yes.

3930. Could we have found a better place?—No.

3931. If we had landed at Escape Cliffs first, would we not have had to sink wells?—Yes.

3932. Was Mr. McMinn an officer at the time of the expedition to Chambers Bay?—No, he was a chainman.

3933. (*By Mr. Bright*)—How far is the nearest fresh water swamp from Escape Cliffs?—I believe it is three or four miles, as far as I can judge.

3934. (*By Mr. Rymill*)—Was Mr. Davis, the assistant storekeeper, in camp when the armed party was sent out?—No, I believe he had gone away in the *Yatala*, but I am not sure.

3935. (*By Mr. Bright*)—If he had been in camp, would he have been a fit person to command the party?—I consider he would.

Mr. F. Litchfield recalled:

3936. (*By Mr. Finnis*)—Do you recollect, at the time Mr. Boucaut was very ill, in September 1864, a talk about the water being bad?—Yes.

3937. Was there any expectation of alarm by the natives?—Yes; there was a general opinion that they would be very troublesome.

3938. What precautions did Dr. Goldsmith take?—Whenever he went about among the tents he carried a revolver in his hand, loaded.

3939. He carried a revolver also when he went to the scrub to obey the calls of nature, did he not?—Yes.

3940. Why?—To protect himself.

3941. Then Dr. Goldsmith was apprehensive of the natives, even at that short distance?—Yes.

3942. Were his fears well grounded, as subsequent events, such as the murder of Alaric Ward, proved?—Yes: I myself have seen their tracks close to the camp at night.

3943. Had Mr. King any conversation with you as to the conduct of the officers at mess?—Yes.

3944. Did he make any complaint as to them?—When we came to the last sheep there was a wish that it should not be killed, but saved in case of sickness, and to see how the wool would grow. I went to you to ask that the sheep might not be killed, and you sent me to Mr. King, and he refused; he said, that if he did not cut the sheep's throat, the officers of the mess would cut his. He said that he had heard worse conversation in the officers' mess than in any woolshed in the country.

3945. (*By Mr. Rymill*)—Was there not a general order that the men should not go about without fire arms?—Yes.

3946. Then Dr. Goldsmith might have been only carrying out the general order?—Yes; he might to a certain extent.

3947. (*By Mr. Bright*)—When Alaric Ward was killed, had he fire-arms with him?—He went out after the sheep and jumped up from breakfast hastily, and did not take his knife with him—he was generally very cautious.

3948. Did he generally take arms with him?—Up to a short time before that he did, because he had been nearly killed in South Australia before.

3949. (*By the Chairman*)—Then his going out without arms on this occasion was simply a matter of haste?—Yes.

3950. (*By Mr. Bright*)—Was he in possession of arms at this time?—I think not; he had given them in and had not received any fresh ones.

Mr. M. E. Fitch recalled—

3951. (*By Mr. Finnis*)—Do you remember when Mr. Ward was in the camp seeing him pick up torn pieces of paper?—Yes.

3952. Did he show you any of them?—No; when I have been on guard I have seen him pick up pieces of paper outside the tent where the writing was done. He would pick them up as he went to ease himself, and read them as he went along.

3953. Have you seen him put the pieces in his pocket?—No; I can't say.

3954. Do you remember, while you were at the river camp with Mr. Manton, the people saying that he kept the camp in a wet spot, so as to disgust the party and get back to Escape Cliffs?—He said himself that his party were disgusted, and wished to get back to Escape Cliffs. He wanted to live in his wooden house there again, instead of in a tent—that is my opinion.

Mr.

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Mr. J. V. Lloyd,
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Mr. John Vereker Lloyd called in and examined :

3955. (*By Mr. Finnis*)—You are a nephew of General Lloyd?—Yes.

3956. Did you go out as a laborer to the Northern Territory?—No; I went out in charge of stock on board the *Bengal*. I signed as a chainman.

3957. Were you short of water?—Yes; all the voyage.

3958. Had you not enough when you sailed?—No. I applied to Captain Hart about it and he told me there was six weeks' supply, and we should not be out so long. He thought we could do it in thirty-five days; and, as it was, the voyage took fifty-eight days.

3959. Then you made representations on the subject?—Yes; several times, but he said I was mistaken.

3960. The voyage of the *Henry Ellis* was longer than that of the *Bengal*, and therefore there was experience to guide him?—It was the same length within a day or two.

3961. What time of the year did you start?—We left here on the 4th or 6th of March.

3962. What was the consequence of Captain Hart not attending to your remonstrances?—There was a considerable loss of sheep, and the rest were in a very weak state when they were landed.

3963. Had you any ewes, in lamb, on board?—Two hundred.

3964. Do not they require more water than other sheep?—Yes.

3965. Do you recollect that any deaths were occasioned by the want of water?—I do.

3966. Can you speak strongly on that point?—Yes; there ought to have been three times more water on board than we had. We were becalmed for some time, and we ought to have had more water.

3967. On your arrival where did you discharge the stock?—At Sandy Beach. On my arrival I reported myself to Mr. Manton.

3968. Why to him?—You were away at Port Darwin, and he was in charge. He gave orders to land the stock.

3969. Have you been accustomed to stock?—Yes; all my life.

3970. What was the condition of the stock at Escape Cliffs?—The horses were in good working order when I arrived.

3971. You brought bullocks and cows with you?—Yes.

3972. Did you see the cows afterwards?—Yes.

3973. Where were they fed?—At the cliffs.

3974. In what condition were they when we left?—In good condition; fit for the butcher.

3975. Have you seen much of the country?—Yes.

3976. You went out exploring from the cliffs?—Yes. [Witness pointed out track on map.] We went across to Chambers Bay, and up on the east side of the Adelaide River, then we crossed the head of the river and turned to the westward to another river. We reached Mount Farrington, and then went down the western side of the river. My journal has been printed.

3977. Who commanded the party, and who went with you?—Mr. Litchfield commanded—King, your son, myself, Warland, and Dougall were the party.

3978. Did Warland and you agree?—No.

3979. In what respect did you differ?—On many subjects. I could never agree with him. I just heard him give his opinion.

3980. Are you as good a judge of stock and country as Warland?—Yes. I have had great experience.

3981. What would the country produce?—Nearest the sea the land is fit for rice, cotton, and other tropical productions. Inland it is better stock country, and the gullies are fit for agriculture as in this country, but its principal use is for tropical productions.

3982. Do you consider the flats of the Adelaide River fit for cultivation?—Yes, I do.

3983. Supposing they were saturated with water at certain seasons of the year, would that be any disadvantage to them?—No, it would be one of the greatest advantages in a tropical climate.

3984. From what you could see, does the river flood its banks from the head down to the Narrows?—No.

3985. You saw flood-marks on the trees overhead. How do you account for those?—The ground being higher round, then the water is thrown together and confined at the head of the river; but afterwards it spreads out as the flats are reached.

3986. Are the banks high at Ross's Ponds?—Yes. Twenty feet is their common height, but I have seen higher.

3987. Then the water coming down the narrow gullies would rise and show these flood-marks on the trees?—Yes.

3988. And when it opened out these marks were lost?—Yes; the river then covered a greater extent of ground.

3989. Were they freshets or tides which would flood the river?—Not tides.

3990. Where is the lowest place on the river that you have seen these flood-marks?—At the Rocky Bar.

3991. At the three squares marked out as sites for townships, have you seen any flood-marks?—No.

3992. Did you see any indications at the mouth of the river that it would rise above the level of its banks at the highest tide?—No.

3993. What do you think of the site of Palmerston? Do you think it suitable in any way?—I do.

3994. Is it the highest available spot?—Yes.

3995. Is there abundance of good water?—Yes.

3996. Any building stone?—Yes.

3997. Any lime?—Plenty of coral, which may be used for lime.

3998. Do you remember my returning in the *Beatrice* from Timor?—Yes.

3999. What were you feeding on then?—For myself, I fed on horseflesh and bread, and afterwards on bread alone. 4000. What

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4000. What was the reason for that?—There was no meat in the camp for rations.
4001. Did that contribute to health?—No, and it produced dissatisfaction.
4002. I brought back fresh provisions with me?—Yes.
4003. What was their effect?—Very beneficial.
4004. Were any men ill of dysentery when I arrived?—Yes.
4005. At the time of the *Ellen Lewis's* arrival were we again short of meat?—Yes.
4006. Did not that produce fresh dissatisfaction?—Yes.
4007. The men seemed to feel that they were cut off from all their friends and did not know whether they would ever see them again, and felt themselves neglected?—Yes, that was the principal cause of the dissatisfaction.
4008. You have seen that Mr. McKinlay has reported that there was great waste and disorganization?—I never saw any waste of Government rations at all.
4009. What does Mr. McKinlay mean by the appearance of the place being desolate?—There was a great deal of traffic, and people were moving about, which stirred up the dust—like Adelaide—and there was no grass. He expected to see the place green, but it was the driest season of the year.
4010. Have you read his censure on me and on the place?—Yes.
4011. Was it justified from what you saw?—No.
4012. Was there any disorder after Mr. McKinlay arrived?—Yes.
4013. I was relieved at that time, and the command handed over to Mr. Manton?—Yes; I took my orders from Mr. Manton.
4014. Was I responsible then for the disorder?—No.
4015. What were the circumstances which might cause Mr. McKinlay to speak of disorganization?—Drink was one principal cause; it came from the *Ellen Lewis*. Some was private property, and some Government rations.
4016. There were very few of my party down when the *Ellen Lewis* arrived?—Very few.
4017. Mr. Packard, the stockmen, and the boat's crew were all?—Yes.
4018. And the rest were with Mr. Manton?—Yes.
4019. Did the *Independent* come down before the *Ellen Lewis* arrived?—Yes.
4020. The men that came down by her were not employed?—No; they were idlers, and walked about the camp.
4021. Who assisted in landing the stock?—Your stockmen.
4022. Who took the horses to the stockade?—Your stockmen. They received the horses on the beach, and took them to the stockade.
4023. Did my people give every assistance to Mr. McKinlay?—Yes.
4024. Were there any stores on the beach then belonging to the old party?—No, none.
4025. Were the stores by the *Ellen Lewis* there when we left?—Yes; some were Government stores, and some belonged to Mr. McKinlay's party.
4026. These were not housed when we left?—There were tarpaulins and sails placed over them.
4027. How long was the *Ellen Lewis* there?—She arrived on the 5th November, and sailed on the 1st December.
4028. All that time there were Mr. McKinlay's and our party, and additional assistance, and yet the goods were not housed?—No.
4029. Did Mr. McKinlay bring thirty horses?—He had thirty-two.
4030. (*By the Chairman*)—Have you ever been in tropical countries?—No, never.
4031. How many sheep were embarked in the *Bengal*?—Three hundred and eighty-two.
4032. And how many were landed?—Three hundred and fourteen.
4033. (*By Mr. Rymill*)—What did you sign as?—Chainman.
4034. Were you introduced to the Government Resident?—No; I introduced myself.
4035. Did you take up letters of introduction with you?—No.
4036. Did you ever act as chainman?—No.
4037. How many days were you watered for on board ship?—Forty-two.
4038. How many sheep did you land?—Three hundred and fourteen, and shipped three hundred and eighty-two.
4039. How many horses had you?—Four.
4040. In what condition were they?—Very good.
4041. To what do you attribute that?—Horses are better sailors than sheep and cattle.
4042. Had you lots of hay?—Yes.
4043. How have you gained your knowledge of stock?—By experience; I have been brought up to it.
4044. How long have you been here?—Eight years.
4045. Had you any experience before you arrived here?—Yes; at Prince Edward's Island, British North America.
4046. Have you spent all your time in this Colony on stations?—Yes; with the exception of short visits to Adelaide.
4047. What was the effect of the feed on the stock after they landed?—They did not receive that management on their arrival that they should have received.
4048. I am speaking now as to the feed?—The feed was good if they had been allowed to go to it at a proper time, and not been put to it directly they landed.
4049. From your own knowledge is the feed good at Escape Cliffs?—Yes.
4050. Who was in charge of the stock at Escape Cliffs?—Hood.
4051. Had he been appointed long?—I don't know.
4052. What was the result of their being badly looked after?—Many died and were lost.
4053. Whose fault was that?—The person who was looking after them.
4054. You have had no personal knowledge of tropical climates, but have gained your information from reading?—Yes.
4055. Could you not step across the stream at the head of the river?—The place we crossed was not wide in the dry season.

4056. Was

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4056. Was there a valley on both sides?—No.
 4057. And the banks were twenty feet high?—Yes, above the level of the water.
 4058. What was there on the other side?—The land rises on both sides.
 4059. Have you ever seen the place where Mr. Manton's camp was?—Yes; I have seen the country, but not since the camp was there
 4060. How do you know the spot then?—By the description.
 4061. Was Mr. Manton capable of giving an opinion as to matters connected with his business as a surveyor?—I can't say, as to surveyor's business; but I have not a good opinion of him as a judge to choose country.
 4062. Do you attribute any weight to Mr. Manton's assertion as to the river being flooded at certain times?—No.
 4063. Why not?—I don't think Mr. Manton as capable of judging as some others.
 4064. Who were more able?—Those who had seen tropical countries.
 4065. Had Mr. Warland had experience of country generally?—I don't know.
 4066. Are you aware that he has been here a great many years, and has been exploring a great deal?—I did not know of his exploring, but I understood he had seen a great deal of the country.
 4067. Do you know anything of Mr. McKinlay?—Not personally; I know of his experience of the country.
 4068. Are there any swamps in the neighborhood of Escape Cliffs?—Yes; to the south-east, and north.
 4069. On every side of this, but the sea?—There are places called swamps where the water lodges, but they do not surround the cliffs.
 4070. Are there any swamps at the Narrows?—Yes.
 4071. Between Palmerston and the Narrows?—Near the coast, but not on the track I travelled.
 4072. Do they run far inland?—No.
 4073. To what distance?—I have never seen them more than one and a-half miles.
 4074. On both sides of the coast?—Yes.
 4075. How far is it to Chambers Bay?—I do not recollect the distances; I could not give an idea.
 4076. Why?—I never timed the distance.
 4077. Is there much timber about?—A great deal.
 4078. Are you a judge of building timber?—Yes.
 4079. Are there many trees fit for that purpose?—For rough work, not for flooring boards or carpenter's work.
 4080. Why?—They are not large enough for planks.
 4081. Were you there when Mr. Finnis went to Timor?—Yes.
 4082. Was it generally known then where he had gone?—No.
 4083. You say that when he came back he brought fresh meat with him. Could not any one else have gone there as well as Mr. Finnis and brought meat back?—I don't know that; it is very difficult to get a supply from Timor, as their stock is very small.
 4084. When did Mr. Manton take command of the party?—I don't know the date.
 4085. It was some time after the *Ellen Lewis* had arrived?—Yes, but not long.
 4086. If the vessel arrived on the 5th and Mr. Manton took command on the 13th, was not Mr. Finnis the proper person to check any disorganization in the meantime?—I don't know.
 4087. Who was the officer in charge?—Colonel Finnis was in charge.
 4088. If there is any disorganization is not the superior officer responsible?—I suppose he would be.
 4089. Were Mr. Manton's stores exposed?—Those sent for Mr. Manton's camp.
 4090. Did they belong to the Government Resident's party?—They were for the party.
 4091. For Mr. McKinlay's party or for the party which existed before Mr. McKinlay's arrival?—For both, but they were not placed together.
 4092. Were they left in the same condition?—Some of Mr. McKinlay's were in tents, and the Government stores had sails thrown over them.
 4093. Were they better protected?—That depends upon the quality of the canvas.
 4094. When did you last see the Government stores under canvas before the *Ellen Lewis* arrived?—I do not recollect the date; I did not see any but the *Bengal's* stores under canvas, and those only until they could be carried away, for the dray could not carry them away as fast as the boats could bring them.
 4095. You say you saw some drunkenness—Who were drunk—all the parties?—Members of every party.
 4096. Where did the spirits come from?—Different sources—some were Mr. McKinlay's, and some Government rations.
 4097. How do you know that any were Mr. McKinlay's?—I have had some myself from Mr. McKinlay.
 4098. Did you get sufficient to make you intoxicated?—No; but I might have had if I wanted it.
 4099. Soon after Mr. McKinlay landed, he went up to see the country?—Yes.
 4100. How long was he away?—I forget the number of days; it was two or four I think.
 4101. Were there any cows and a bullock there when you came away?—Yes.
 4102. How was the bullock fed?—On grass, nothing else; he was running loose.
 4103. Did you ever see him fed on bread?—No; I never did.
 4104. Did you not hear it mentioned?—No; there was a cow in milk, and a few loaves were given to her.
 4105. But it might have been done and you not know of it?—It is possible, but not likely.
 4106. Would not this feed cause it to become fat?—No.
 4107. Have you tried?—No.

4108. How

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4108. How do you know then?—Not having tried, I can't say.
 4109. Did you see any portion of the Narrows under water?—No.
 4110. Were you there often, and at all changes of the tide?—Yes.
 4111. Is it not, as a rule, often under water?—I have never seen all the land which was surveyed; I have only seen the high land.
 4112. Did you ever see it up to the blue mark on the map?—It might have been; but I did not see it.
 4113. Then it might take place, and you not know it?—Yes.
 4114. Am I to judge of the rest of your evidence in the same way?—I suppose so.
 4115. (*By Mr. Bright*)—On the arrival of the *Bengal*, were the horses in good working order?—Yes.
 4116. Were they fed on imported corn, or on the natural herbage of the country?—I don't know; that was before I arrived.
 4117. You have stated that the camp was badly off for meat before Mr. Finniss returned from Timor—Was there no opportunity of catching fish or shooting birds or other things?—Yes; but there was not sufficient to keep us in meat.
 4118. Do you know whether there was a quantity of damaged flour there on the arrival of Mr. McKinlay?—No.
 4119. (*By Mr. Goode*)—What do you mean by the Narrows?—The narrow part of the river—[Witness pointed out the Narrows on the map]. The land on each side is not under water. I have not been over the whole of the township, and I only speak of each side of the Narrows themselves.
 4120. You say that the country is capable of producing rice, cotton, and so on—How do you arrive at that conclusion?—From reading; it is the same description of country as that required in other parts of the world.
 4121. (*By Mr. Finniss*)—There was a good deal of timber on the Narrows township when it was surveyed?—Yes.
 4122. Were there portions covered with timber which would prevent you seeing any parts covered with water?—Yes; that is the reason I could not see all over.
 4123. Will you point out the position of the swamps?—[Witness complied]—The small swamp, about twelve acres in extent, could be easily stopped up, as the channel to the sea is only ten or twelve feet wide. The swamp to the north could also be stopped up.
 4124. Were there any swamps where I intended to place the town?—No.
 4125. On what place did the grass grow most luxuriantly?—On the low grounds, but the best quality was on the higher ground.
 4126. At Escape Cliffs, where did the cattle generally feed?—On the swamps, except when the land had been burned, and the green feed was young.
 4127. After my return from Timor, did the *Beatrice* go to Sourabaya?—Yes.
 4128. What was the reason of that?—To get provisions; and she went at once, because of the windy season coming on.
 4129. Was not my being superseded known amongst the men on Mr. McKinlay's arrival?—Yes.
 4130. Did that improve my control over the men?—It made no alteration in the party I was connected with, I don't know as to the other parties.
 4131. Do you wish the Commission to understand that the stores on the beach came by the *Ellen Lewis*, but that they were intended for different parties?—Yes.
 4132. There was only one tent on the beach?—Yes.
 4133. Was Mr. Davis living there?—Yes.

Mr. W. Reid re-called:

4134. (*By Mr. Finniss*)—In reference to the water at Escape Cliffs; do you remember Dr. Goldsmith asking you to get some Timor water for him?—Yes; on the arrival of the *Beatrice* from Timor, Dr. Goldsmith came to me with a small canteen in his hand, as I was going off to the *Beatrice*, and asked me if I would oblige him by filling it with water from Timor, for him, as the water at the camp was not fit to drink. I made an excuse, and got the water for him. Afterwards I said to my mate, "Dan, did that water come from Timor?" and he said, "No, its a tank we broached yesterday, it was filled from our own wells." I took the water ashore, and never said anything about it; I gave it to the Doctor, and he cleaned a glass and filled it. It was very clear, and he said, "There, I call that water fit for a Christian to drink." He asked me if I would take any grog, and of course I said "Yes." I did not say anything about this for two or three days, and then told it in the tent.
 4135. Then this was the same water that he had called poisonous?—Yes; out of the same well.
 4136. (*By Mr. Rymill*)—Do you know where the water was got?—From Beatrice Well; I know that from seeing the tanks filled up.
 4137. You have said before, that you thought Mr. Davis was not in camp, but was away in the *Yatala*, when the Chambers Bay party went out—do you recollect now whether he was present?—I believe he was present.
 4138. And you say that, if he was present, he would be a fit person to command the party?—I for one should have no hesitation in obeying his orders.
 4139. How long would it take you to build a shed—say 30ft. by 15—if the timber and palings were ready, and to cover it with palings so as to be waterproof?—I have helped to build such a place in three days in Adelaide.
 4140. How long did it take to build such a place in the Northern Territory?—I have seen it take three months.
 4141. How long ought it to take with all the appliances there?—Two men could build such a shed with an open front in a week.
 4142. When was the last time that you saw stores under canvas?—When they came by the *South Australian*.
 4143. How

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4143. How long were they under canvas?—I recollect that they were all under cover in the beginning of January.

4144. If a witness says that they were not under cover till May, is that true?—Perhaps it may be.

4145. (*By Mr. Goode*)—If you could put up the shed in a week, how was it that it took three months to do?—I speak of a house.

4146. How long would it take to build a house?—It would take four men a month.

4147. Here or there?—Here; and if it were lined, six weeks.

4148. Was the house there lined?—Yes; one difficulty we had was to tongue and groove the lining boards, and prepare them from rough boards.

4149. (*By Mr. Finniss*)—The boards were warped, and wanted fitting?—Yes; they required as much or more than if they had just been sent out of a timber-yard, and fitted there. They were warped by the water and the weather.

4151. Then you would never recommend a person to take framed houses up there?—No; they should take lengths, and do the fittings there.

4152. Were any buildings attempted to be put up?—No.

4153. What kind of building was put up?—Logs sawn; some seven to nine inches across, and the roof made of deal and some saplings.

4154. Could you put up such a building as that in a week?—No; not in Adelaide, not in a week. Commission adjourned.

Thursday, 26th April.

Present—

The Auditor-General, in the chair.

Mr. Goode | Mr. Bright.

Mr. Rymill and Mr. Finniss were also present.

Mr. Samuel Baker called in and examined.

4155. (*By Mr. Finniss*)—Did you go to the Northern Territory in the *Henry Ellis*?—Yes.

4156. When did you leave?—By the *Ellen Lewis*.

4157. It has been stated that you had an easy berth. Will you give the Commission an idea of the work you performed?—I was engaged in the usual work there. I was first with Mr. King, engaged with the laborers, and then was busy cutting timber. Afterwards the men who were sent out with the sheep usually lost them, and Mr. Finniss asked me to take charge of them, and I did so up to the time I went up to the River Camp. One man lost his life by tending the sheep alone, but I had to tend them three or four miles away alone. No one can say that I did not do my duty, and if that duty was easy, then I had an easy billet.

4158. Did you ever form an opinion as to the quality of the land, and state that opinion—and were you not persecuted in consequence?—Yes.

4159. What was the nature of that persecution?—The people threatened my life, and nothing but fear of the law prevented their taking it. There was great excitement manifested, and they threatened to pitch me over the cliffs, and said that shooting was too good for me. Another wondered that I did not destroy myself under such persecution, I see that something has been said as to Mr. Warland taking the water. I was going to work with the masons, and saw Mr. Warland take the water, and I asked your servant if I ought not to take some water out of the tank. He said it was not allowed, and I said that I might as well take it as others; he forbid my taking it. The servant's name was Baumgartel. Next day I was accosted by Mr. McMinn. He expressed himself in very violent language, and called me a hypocrite, I believe. Warland falsely stated that I was a Government spy. This was all I reported. I never reported anything. I was put down by Mr. Stow as being a spy, and having an easy billet.

4160. How many tanks were there at my house?—Two large 400-gallon iron ship tanks.

4161. Were there any others attached to my house?—Not to my recollection.

4162. Do you remember being bitten by a centipede, and what took place between Dr. Goldsmith and you, then?—Yes; I was bitten by a large centipede in my fingers. Dr. Goldsmith left me in about an hour, and I was in agonies; I knew something about homœopathy, and knew that heat was good for it; I bathed the finger that evening in warm water, and took some liquor and lay down—next morning I was no better, and when Dr. Goldsmith came in, I told him what I had been doing, and he told me to go about my business, and that he would do nothing for me. I cured myself.

4163. Did he ask you anything about me?—On another occasion he saw me speak to you, and asked what I had been saying. I told him that it was not a gentlemanly question.

4164. Were you at the River Camp?—Yes; I was at the first fight there, at the first encampment.

4165. You went into the scrub to assist the horse party?—Yes.

4166. Did the officers attempt to rescue Mr Pearson?—There were none there, they were all in the camp.

4167. What do you think of the country about Palmerston—is it a proper place for a camp, or city?—It is the best place there. There is no place under water for one-and-a-half or two miles back; towards the swamps the land is moist, but there is none under water for half an hour in the wettest weather.

4168. There is no part of the surveyed City of Palmerston under water?—No, except while it is raining.

4169. Were you ever at the Narrows—Did you see marks of floods on the river?—I did not notice any.

4170. Did you find stone on the land near the Narrows?—When I was going overland with the bullock dray I found sandstone within five miles of the Narrows.

4171. How near the banks of the river?—About three-quarters of a mile to one mile from the banks. It could be easily taken to the river.

4172. Is

CC—No. 17.

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April 25th, 1866.

Mr. Samuel Baker,
April 26th, 1866.

Mr. Samuel Baker,
April 26th, 1866.

4172. Is it building stone?—Yes; not granite but good building stone.
4173. Were you up the river with Mr. Manton before you came away?—Yes, with sheep under his command.
4174. You gave proper notice and a boat was sent up for you, and you left and kept faith with me and the Government?—Yes.
4175. What was your particular duty there?—To take care of the sheep.
4176. What was the condition of the sheep?—They weighed twenty-five pounds when they came there, and after they had been there a month they weighed thirty-one pounds, and increased every killing; the last weighed forty-five pounds.
4177. What about the horses?—They were not so good at first but afterwards they improved.
4178. And the bullocks?—They were in good condition when we left about three weeks before the *Ellen Lewis* sailed.
4179. Did you go up with Mr. Manton in the *Beatrice* to his first camp?—Yes.
4180. Were you put ashore?—Yes.
4181. What was the height of the banks above the water?—Nine or twelve feet, the highest place above high-water mark.
4182. Did you go up the river further?—Yes, about three miles. The banks were gradually increasing.
4183. When you were out with sheep, did you see marks on the plains as if they were covered at times by the overflowing of the river?—I saw marks as if the plains had been flooded—I considered it was by the rains, as the plains were low. A great portion of the land would be under water in the wet season, but not much in November. There would be seven months that the land was fit for cattle.
4184. What was the cause of the floods?—The heavy rains.
4185. Was the rain heavy in the Northern Territory?—Yes, very. Forty inches fell altogether; five inches fell in one night.
4186. What was the quality of the soil?—It was black alluvial soil. The vegetation was very thick, and the wild grapes very numerous.
4187. Were there detached hills on the plains, on which settlers' homesteads might be built?—Yes; there were a number of hills on which houses might be built.
4188. How many hills are there within the limits of Mr. Manton's survey on which houses could be built out of the reach of wet?—About three or four.
4189. Did you go over the whole of the survey?—Nearly the whole.
4190. And are there only three or four?—There are about six. There are hills on the side close to the survey.
4191. Did you go along the west line?—A good portion of it.
4192. Does it not run along the edge of sloping ground?—Yes.
4193. Is that all out of the influence of the water?—There is a nice oval hill about one mile and a-half long, and another three-quarters of a mile long.
4194. Besides those you have mentioned?—Yes.
4195. (*By Mr. Rymill*)—Were you shepherding a long time?—Yes, a portion of the time.
4196. How long were you at Mr. Manton's camp?—All the time he was there.
4197. Did you go up with him?—When he took charge of the party.
4198. What was the time of year?—I think it was in July.
4199. And when did you leave?—In November.
4200. Was that the dry or wet season?—All the dry season.
4201. You saw evidence of the plains being flooded in the wet season?—Yes.
4202. What was the reason of that?—The heavy rains.
4203. Was it owing to the freshets coming down the river, and causing it to overflow its banks, or to the rain on the plains?—I was not there to observe; I can't say.
4204. You cannot say that the river does not overflow its banks?—I think not.
4205. How do you arrive at that conclusion?—The lowest place is one to two feet above high water mark, and the tides would carry off all the floods.
4206. These hills in Mr. Manton's survey—what are they?—Some are isolated. One of them is a spur from Mount Daly.
4207. Does it extend as far as Mr. Manton's survey?—Yes.
4208. Were you with him much on the survey at the Narrows?—I helped to run portion of the line.
4209. Did you see any water there?—None on the land; there was some like a part of a mangrove creek.
4210. How much?—Not so much as there is at the Port.
4211. Is there a swamp between Escape Cliffs and the Narrows?—I call it a valley collecting the water, and then a creek carrying the water to the sea.
4212. Is it open to the sea?—Yes.
4213. Does it rise and fall with the tide?—No; it is fresh water.
4214. Where is the building stone you saw?—About five miles to the south on the west side.
4215. You say it is sandstone—do you know sandstone when you see it?—Yes, I believe so.
4216. Is it like the sample produced?—That is from near the cliffs; I don't call that sandstone, I saw nothing like that.
4217. You don't call that sandstone?—Not like what I saw, it was good building stone.
4218. How far is Billy's Swamp from Palmerston?—About three miles from the cliffs.
4219. What is it?—I have already described; it is a valley gathering in the water.
4220. You have spoken of a swamp between Escape Cliffs and the Narrows?—That is a portion of Billy's Swamp; it is a flat valley which receives the water. There is a small nice dry ridge near Point Daly.
4221. (*By Mr. Bright*)—Does this plan (the eye sketch), resemble the place?—It is not detailed enough.

4222. (*By*

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4222. (*By the Chairman*)—Do you understand plans?—I have seen a good many of them.
4223. (*By Mr. Rymill*)—How far is it from Escape Cliffs to the swamp?—About two miles.
4224. What is the width of the swamp?—About 300 yards at the place I saw; some of it is more and some less. There is good grass land on both sides and gravel and sand between.
4225. Is it connected with Chambers Bay?—I don't know; I did not see it, but I have heard that it is near to the Bay.
4226. Then it extends nearly from Chambers Bay to the Narrows?—I imagine so.
4227. Were you ever down here?—[referring to the place marked "mud and mangroves" near the Narrows on the eye sketch.] There is a large flat with mangroves; the tide comes over it. It is like the place; but it extends over about two miles on the map though it is not above half a mile.
4228. What is the distance from Chambers Bay to Escape Cliffs?—I don't know, I never was there.
4229. Are there any other swamps?—There is one which might be stopped by £10 worth of labor northward of Palmerston.
4230. Any others?—There are no swamps like those marked in the plan.
4231. What is the track along the high land?—It is only a few feet. The highest part may be twenty feet high, and some parts ten feet high.
4232. Is the lower land towards the sea?—The land falls there.
4233. Is the ridge a good road?—Yes, except in one place of about four chains, which could be macadamized easily.
4234. Is there a mangrove swamp north of the town?—There is a creek runs in there.
4235. No swamp?—Only a small one, perhaps eight or ten chains from the township.
4236. Do you know the large creek marked on the map?—I have not been there.
4237. What was your occupation before you went to the Northern Territory?—I was farming and storekeeping.
4238. What would the valley of the Adelaide River produce?—Any tropical productions.
4239. Have you ever been in the tropics?—Only in the Northern Territory.
4240. Then you have had no experience?—No, except in the Northern Territory.
4241. Did the sheep thrive there?—I have told you that they increased from twenty-five pounds to forty-five pounds in weight.
4242. Were you shepherding before you went up to Manton's camp?—Yes.
4243. Why did not the sheep thrive before they went there?—The grass was not so good.
4244. Were any of them ever lost?—Sometimes.
4245. Did you lose any?—Some.
4246. Did you lose any buffaloes?—Yes.
4247. Was shepherding hard work?—Not ordinarily, but I call it hard work up there. I would not be a shepherd at the Northern Territory under £500 a-year. I would not have done it when I did if Mr. Finmiss had not asked me.
4248. Did you do a fair day's work?—Yes.
4249. Did the other men you saw?—It is not imperative to give you an answer. [Mr. Rymill referred to the Commission who requested witness to answer.]—I believe that a great portion of the time they did as much as they were able, and the other part they did not do as much as they could.
4250. What were the working hours?—Six hours, if they were not among the cattle. They were allowed to do the work in their own time so that they did six hours' work—some went to work at nine o'clock—and two hours were allowed at mid-day for dinner.
4251. Did you write to the papers?—I wrote some private letters which got into the papers.
4252. Were you "The Hardy Laborer"?—Yes, I believe so.
4253. Do you remember seeing any of your letters in print?—Yes, but I did not write for the press.
4254. Is this letter, in the *Observer* of the 7th January, 1865, yours?—I might have written it but not for the press.
4255. It runs as follows:—"I enjoy my health here quite as well as I did in Adelaide; and as to work—you know something of the Government stroke—it is carried out here in right good style. If we have been a little short of food we have not killed ourselves with hard work. We have had plenty of good flour and rice to eat; it is only meat that we have been short of. It would amuse you to hear all the grumbling that has been going on here amongst some of the men; but some that were the greatest growlers, and acted as ringleaders, are the quietest now the vessel has arrived, fearing, I suppose, to be discharged and sent back in disgrace. The worst growlers of the lot are going home with the steamer, and two of the laziest also, and one sailor who has nearly killed himself with drinking. Ward, the Postmaster, who was too big for his shoes, and the captain of the *Yatala*, are returning. The latter was suspended for not agreeing with the Governor about bringing some things from Timor, so the mate was sent there in his stead. The *Yatala* has been away ten weeks, that is two weeks longer than the allotted time. She is to bring back buffaloes, fowls, and provisions. We got some buffaloes from Timor before, and a large quantity of fowls, sweet potatoes, yams, maize, rice, cocoanuts, and bananas. The fowls were divided among us and we could keep them if we liked. Me and my mate kept ours, and built a nice fowlhouse, and we have mostly two eggs a day each man."—Did you build a fowlhouse, you and your mate?—Yes.
4256. "Most of the other men eat their fowls. I am very glad that I kept mine as the eggs are very nice made into egg-flip, and that twice a day goes down first-rate. The weather is warm here in the daytime, but you can always sleep with a blanket on you. I sleep between the linings of the tent when the mosquitoes are about, and do not be troubled by them. As to the country, what we have seen of it is the best grass land I have ever seen. There is water in abundance, and where it is not on the surface it can be got by sinking a few feet. As to the natives, there is no more fear of them here than there is in Adelaide. They are not half so numerous here as they were when we first came to Adelaide." The following is an extract from another letter by the

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the same writer:—"I am very well satisfied with my situation. It is not half so hard work as farming, or working for oneself. We only work six hours a day, and get two hours to dinner. We work from nine till twelve, and from two till five; but there is a great deal of shamming and idling time away during the six hours. I suppose when they begin to survey we shall have to buckle-too a little more. There has not been a native near us since the last black was shot that I told you of. They seem to have got a real sickening of us. As we have not left the camp since I last wrote I have no news to tell you."—Is what is stated in that letter true?—Yes; but you understand that is written about the first part of the expedition, and is a description of the country about Beatrice Hill.

4257. Is there lots of timber at Manton's Camp?—Not lots.

4258. What is the nature of the country?—Flat, with hills here and there. I may state that one of the hills near Fred's Pass is not stony; most of them are.

4259. Did you go anywhere else than to Mr. Manton's camp and out shepherding?—I went ashore twice; each time the vessel stopped, and walked inland.

4260. Were you there when the Government Resident was there?—No; we were behind him.

4261. Mr. Manton speaks disparagingly of the country where his survey camp was?—He states that it is a hungry subsoil; I speak of black soil. He spoke of the best he had seen.

4262. Did you hear the other surveyors speak of it?—No.

4263. You did not like Dr. Goldsmith's treatment of you?—I did not consider it right.

4264. You say you got bit in the finger?—Yes.

4265. Did you go to bed that night?—I went to sleep.

4266. Did you take anything before you went to sleep?—Yes; some rum.

4267. Have you heard it said that you were drunk?—Yes.

4268. Did the rum improve your wound?—I have read that spirit delays and stops the effects of poison. I did not take a large quantity—nearly two glasses. What with the pain and the poison in the wound, I fell down into a swoon which lasted from eight in the evening till three next morning.

4269. Then you healed yourself homœopathically—except the rum?—I took that by medical advice.

4270. And when Dr. Goldsmith understood this he sent you about your business?—Yes.

4271. Was there any dissatisfaction at Escape Cliffs amongst the men?—There were various opinions among the men.

4272. Was there any with the Government Resident?—Among some a great deal.

4273. Which faction did you belong to?—I belonged to none.

4274. Did you not report the taking of the water by Warland?—There is no evidence that I did.

4275. Did you not report it to the Government Resident's servant?—I asked him if I might take as well as the others.

4276. What did you want it for?—We had not got any of our own.

4277. Do you remember the tanks being taken away from the men's place?—They were placed there, and two were taken away.

4278. You don't know whether any tarpaulins were taken away?—I don't know.

4279. Did you ever hear of it?—I can't say.

4280. Was the place liked by the men?—I can't say.

4281. Did you ever hear the officers speak well of the place?—No.

4282. You say the men threatened you?—For writing that letter, and for Warland's case.

4283. Who threatened you?—Several; it's no use mentioning their names now.

4284. Did you see any waste of stores?—I can't say. I saw some spoiled.

4285. Does the River Camp possess any advantages over the cliffs as a camping place?—No, it does not; except that Escape Cliffs was rather thicker timbered at our first landing. [Witness here produced a sample of wool from the last sheep killed at the Northern Territory].

4286. (*By the Chairman*)—How many months' growth is this wool?—I don't know; it was from the last sheep killed. The sheep came up either by the *South Australian* or the *Bengal*.

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Mr. William Stephen Murray called in and examined:

4287. (*By Mr. Finmiss*)—In what capacity did you go up to the Northern Territory?—As laborer and able seaman.

4288. Did you go up in the *Henry Ellis* with me?—Yes.

4289. Did you go up to the river camp with the bullocks and sheep?—Yes; we landed on the 1st July.

4290. Did you land on the way up the river to cut grass?—Yes; for the bullocks and sheep.

4291. Did they eat it?—Yes; thoroughly clean.

4292. What was their condition when we got up there?—These sheep had been two months on board, and of course they were very much reduced. Part of the time we had only half a bottle of water a day to give them.

4293. Did the sheep improve up there?—Yes.

4294. What was the grass like?—Some of the grass was from five to six feet high, and some of the new grass twelve to eighteen inches when we first went there.

4295. Were you caterer for the officers' mess?—Yes.

4296. Did the officers show any disrespect to me at mess?—They ridiculed and criticised you so much that at last I refused to cater for them any more, because they went on that way.

4297. Did you lose your respect for them?—Yes.

4298. Were they all alike?—No; I did not hear Mr. Manton say anything; and Mr. King objected to it.

4299. Do you remember any picture ridiculing me as sitting on a bullock-dray with a bulldog?—Yes.

4300. Who brought forward these things chiefly?—Mr. Ward.

4301. Was

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4301. Was this before the river fight?—Both before and after.
4302. Was there a good feeling between myself and the officers?—No; not even on board ship. I have seen them giving and putting the tongue in the cheek, and ridiculing the drill.
4303. Did you go out with Mr. Pearson when the natives attacked you?—Yes.
4304. Did you shout for assistance, and did the officers in the camp come to the rescue?—After I had fired seven shots from my revolver, I had no more ammunition. My horse bolted, and it was not easy to pull him in. I went in to give the alarm to the camp. There were plenty of officers, but none of them went into the scrub until I had gone through again.
4305. Was there a feeling among the men that the officers had not done their duty?—Afterwards there was.
4306. Did you say anything to the officers?—I told them they were cowards; because a man might have been killed, and they must have heard our cries. My opinion then was, and is still, that they might have done something more.
4307. Do you recollect the rider to the verdict of the jury?—Yes.
4308. When was it prepared?—Before the inquest.
4309. How do you know?—Wadham told me so when he came into the tent.
4310. Do you remember any expression he made use of?—He said that bloody thing was cut and dried beforehand.
4311. Were you ever engaged in landing goods?—Yes.
4312. Did you see any waste?—I saw plenty the last time the goods were landed from the *Ellen Lewis*.
4313. Were you employed to discharge any of the goods before you went to the River Camp in the bullock dray?—For a little time, and then I went over to raft the timber to Point Charles.
4314. Was there any waste then?—No; none that could be helped. The perishable goods were first moved; they could not be all moved at once. The men worked well.
4315. Did you raft much timber at Point Charles?—There were two rafts—one twenty feet long, and the other about twelve feet square.
4316. Do you know anything about the water at Escape Cliffs being drunk?—Yes.
4317. What did the doctor say?—He told us that, if one drunk half a gallon at a time, or a gallon in the day, without any stimulants, it would kill us.
4318. Do you recollect Bennett being in the camp then—did he suffer any persecution?—I did not see it, for he did not mess with us while I catered; but I have heard of it.
4319. What was he called?—The Government pimp.
4320. What did that mean?—I suppose that he carried tales.
4321. Do you know whether he did?—I don't know.
4322. Do you think him capable of such a thing?—I thought him a very nice gentlemanly person.
4323. Do you recollect working at the well?—Yes; I was in charge of a party.
4324. How long did it take you to sink it?—About two months.
4325. Was it hard work?—Some of the stuff was nearly as hard as clinker; we could only get through about six inches a day; and, when we struck water, we had to throw out about fifteen buckets of water to one of stuff, at fifteen feet from the surface.
4326. Who set you to work?—Mr. Manton generally.
4327. Did he ever tell you to go and catch lizards and bandicoots?—Yes; when we had nothing to eat but sago, and we complained to him, he said he could not help it, and told us to get out of his sight and go and get something.
4328. How many were employed in sinking the well?—Eight men.
4329. Was there plenty of water?—Plenty. It was a large well, seven feet three inches in diameter, and twenty-six feet nine inches in depth; we struck water at fifteen feet from the surface.
4330. Was the water good?—I never felt any ill effects from it. In my opinion it was good.
4331. Do you remember any rough building stone at the foot of the cliffs, some of which was afterwards used for building an oven?—Yes.
4332. Would it do for other buildings?—From what the mason said it would, if they had brick quoins.
4333. Was there any clay fit for making bricks?—Yes.
4334. What sort of treatment did you receive from Mr. Manton at the River Camp?—I had no cause to complain, but others had.
4335. What was your duty there?—I had charge of the fire arms, and was one of the guard.
4336. How many men were kept in the camp on account of the natives?—Three cooks, and two guardmen, and the stockkeeper, if he was not out. There were five when all hands were well.
4337. Was it necessary for your protection to keep all those in camp?—I suppose so.
4338. Were you there when the *Ellen Lewis* arrived?—Yes.
4339. Were all the stores on the beach when we left?—Yes; except two cases of axes and handles, which were left on board by mistake, and taken back again.
4340. Who was in charge of the stores by the *Ellen Lewis*?—Davis and Hulls, of some.
4341. Did Mr. Jefferson Stow speak about you?—Yes, but there was some mistake; the boot was on the wrong leg.
4342. (*By Mr. Rymill*)—What did you go out as?—Laboring man and seaman.
4343. Were you one of the boat party?—I was not out more than a fortnight.
4344. What was Mr. Pearson?—A surveyor.
4345. Was he in charge of the horse party to recover the goods at the native camp?—Yes.
4346. Was it usual for more than one officer to go out with two or three men?—Yes.
4347. You fired seven shots, you say, and then your horse bolted, and you came back to the camp?—Yes.
4348. What officers did you see there?—Mr. Manton, Mr. Ward, and Mr. Watson; those are all that caught my eye.
4349. What did you see when you went back?—I saw Alaric Ward and another man loading their rifles.
4350. Did

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4350. Did you see any of the officers after that?—Not for some time; I was taking aim at a man that I thought was a native, and some one called out to me to stop, for he was the blacksmith.

4351. Did the officers come up as you were going to shoot the supposed black?—No.

4352. Did you see Mr. Ward?—No.

4353. What time did Mr. Manton come up?—About twenty minutes after.

4354. The ridicule in the officers tent was too much for you?—I did not like it.

4355. What officers ridiculed the Government Resident?—I cannot say the number of times I heard Mr. Pearson and Mr. Ward doing so.

4356. Did you hear any others?—There was only a limited number in the officers' mess—generally only four, and I have mentioned two who did not.

4357. Was there a good feeling between the officers and men at Escape Cliffs?—The principal part of the men would rather obey Mr. Finniss than any of the other officers except Mr. King.

4358. Did the officers speak well of the cliffs as a site?—No they did not.

4359. Was it approved of generally in the camp?—Well, I heard some speak well of it and some not.

4360. Who spoke well of it?—I can't say, I suppose there were two parties, but I had nothing to do with it.

4361. How long were you at work cooking?—Three days.

4362. Did you object to it?—No; but about that time I took charge of the bakehouse and I objected to being caterer.

4363. By whose orders were you appointed caterer?—Colonel Finniss's.

4364. Were you dismissed?—No, I gave my reasons and offered to do anything else.

4365. Do you know if any others were dismissed because they refused to do the cooking?—Yes.

4366. And you were not?—I did not refuse, I only asked to be put to something else.

4367. Do you recollect Styles?—Yes, he went up to the Government Resident and distinctly refused to cook.

4368. What became of him?—He was dismissed. I said I would do anything else, and Mr. Manton said I must go out as a laborer.

4369. Then there was an exception made in your case?—I don't know, I only give the facts.

4370. Are you a brickmaker?—No.

4371. Are you a judge of the proper earth for brickmaking?—If I see two kinds of earth I can make a comparison. I have seen plenty of earth for brickmaking about Hindmarsh.

4372. Then it is only your imagination?—I can form an opinion about it without being a brickmaker.

4373. (*By the Chairman*)—Whereabouts was this clay?—Up the river. There was some at Mr. Manton's last camp.

4374. There was none near Escape Cliffs?—Not at Escape Cliffs. Fitch made two or three models, and placed them in the sun, and they dried without splitting, so we thought they would make good bricks.

4375. (*By Mr. Bright*)—I wish to ask you if you know whether the officers endeavored to ridicule Mr. Finniss before the men?—I have seen the caricatures in Mr. Ward's hands when he was playing cards with Pennycuik.

4376. Do you refer only to Mr. Ward?—He was the only one I have seen with the caricatures, except Atkinson.

4377. That occurred in the mess tent?—Yes.

4378. Not anywhere else?—He was the principal person; but I have seen Mr. Pearson ridicule Mr. Finniss, but not so much as Mr. Ward.

4379. (*By the Chairman*)—Were there any men present at the time?—Not in the tent; but they must have seen the caricatures, because they were looked at outside the tent.

Mr. F. Litchfield recalled:

4380. (*By Mr. Finniss*)—Do you produce specimens of the wood from the Northern Territory?—Yes; they were brought down by Dyer. [Witness produced a piece of iron wood, and some whip handles, turned in Adelaide, from wood brought down from the Northern Territory.]

The Commission adjourned.

Wednesday, May 3rd, 1866.

Present—

The Auditor-General in the chair.

Mr. Goode

Mr. Bright.

Mr. Rymill and Mr. Finniss were also present.

Mr. Henry Baumgartel called in and examined:

4381. (*By Mr. Finniss*)—Did you accompany me to the Northern Territory?—Yes.

4382. You were my servant and tentkeeper, and served me in various capacities?—Yes.

4383. Did you go up to the river camp in the early part of the expedition?—Yes, on the second trip.

4384. Were the natives very troublesome?—Yes.

4385. Were you on guard yourself when the stores were plundered?—Yes.

4386. Will you state what took place on that occasion?—You were out exploring—I think at the Daly Ranges—but you were not in camp. Mr. Pearson ordered Machell and myself to mount guard over the stores at the river but not to shoot any of the blacks. After a while the blacks came to the river and began to take the *Yatala's* stores; I made signs to the blacks not to take them; two blacks came up to me and took hold of me by the right and left shoulders and wheeled me round, and another pointed his spear at me—Machell had gone to dinner at this time.

I

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I whistled and cooeyed; but could attract no attention, and I was afraid to move on account of the blacks, so I watched them and kept whistling and cooeying; afterwards Machell came down and we decided that the best thing would be, if the blacks attempted to do us any harm, to shoot them whether we had orders or not.

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4387. Did you afterwards go to Escape Cliffs in the *Yatala*?—Yes.
 4388. In charge of my baggage and the light stores?—Yes.
 4389. Did you find me there? Was this in the early part of August?—Yes.
 4390. You left Mr. Manton's party at the river camp?—Yes.
 4391. Then when you arrived at the cliffs half the party were at the cliffs and the other part at Manton's camp?—Yes.
 4392. Did you discharge the goods there?—Yes, from the *Yatala*.
 4393. Did the men work well?—Yes, they worked hard.
 4394. Did you?—Yes, I worked hard and I did my other duty besides.
 4395. Was I present then?—Yes; you used to sit on the cliffs watching over the men.
 4396. Did I render any assistance?—Yes; one of the men was carrying a bag of flour, and not carrying it the right way, and you showed him how to do it.
 4397. Where was Mr. Davis's tent?—Not many yards from the derrick.
 4398. How many tents had I then?—One then, and another soon after.
 4399. Had I three tents then?—No; you did not have three tents until all the stores were shifted up to where the camp is now.
 4400. Something has been said as to a tarpaulin being taken away from the men, can you explain that?—The tents could not be fixed up at first for the men, and you gave them a tarpaulin from your tent until the tents were fixed up. After the ship was discharged, they used the tarpaulin to cook under. When there were sufficient tents for all the men, Cowie and I took the tarpaulin, and put it back in your tent as before.
 4401. Had the other officers tarpaulins as floor cloths?—Yes.
 4402. Had the men any?—I don't recollect.
 4403. Had they not canvas sheet?—Yes; some of them.
 4404. When the stores were hoisted up by the derrick, were they left exposed?—A tarpaulin was put over them until the stores were built, and then they were all taken in. The flour was put on a floor made of logs. I made it myself with Moorshead, and the flour was covered over with a tarpaulin until it was moved into the stores as soon as they were built.
 4405. Were the party short of food?—Yes; we were short before the supply came from Timor, and afterwards again.
 4406. What did you do?—The best we could. We had bread, and tea, and what game and fish we could catch; but that was very little.
 4407. Did you catch any kangaroo rats?—Yes.
 4408. For use?—Yes.
 4409. Was a duck cooked for food?—Yes; we all had some of it; a piece was cooked for you.
 4410. Did you see Mr. Ward busy in the galley seeing what was cooked?—Mr. Ward often interfered. On one occasion he came and asked whether you were not going to have an omelette for dinner; I told him it was not his business.
 4411. Did he not often come and talk to you and Cowie?—Not so often as Dr. Goldsmith did. Dr. Goldsmith was a friend of Cowie's, and used to come and talk to him.
 4412. Did you sell any spirits?—Yes, I did.
 4413. Will you state what you know on this subject?—I received my usual rations of spirits, but I didn't drink them; I saved them, and one and another used to come, and asked me for a bottle, and I let them have one. Several others had sold grog before I did, and I thought I might as well do it too. I considered the grog part of my wages, and I thought the money would do my wife and family more good than drinking the grog myself.
 4414. Did you sell any grog on my account?—No, I never did; all that I sold was my own rations. I sold a few bottles belonging to Mr. Fred. I told the men I had got no more, and they asked me if Mr. Fred. would not let them have some. They would not leave the place until they got it. They begged hard, and he let them have it.
 4415. Do you remember my coming back from Timor?—Yes.
 4416. Were there many sick then?—Yes, with scurvy; I had it myself.
 4417. Did the men get better on the food I brought?—Yes.
 4418. Did you drink the water in the wells?—Yes.
 4419. Was it reported bad?—Yes. On one occasion Mr. Pearson and Dr. Goldsmith put a new razor into a tumbler full of water, to see the effect, as they thought there was copper or some mineral in the water. I said I had drunk it all along, and had found no ill effect from it, and that it was nothing like the water I had had to drink when on the Hon. John Baker's run; if they wanted to taste mineral in the water they should try that. I took a cupful of the water and put a new nail in it, and let it stand for twenty-four hours; then I took it out and it was just the same. I told Dr. Goldsmith of this, for if there is any mineral in the water it generally affects new nails in this way.
 4420. Are you a miner by trade?—Yes; when I told Dr. Goldsmith this, he said that I knew nothing about it. I said that if ever he had drunk water out of a new well, it would always have a peculiar taste, on account of the surface water; but after it had been used a while, it would be better.
 4421. Did you see any vegetables growing in the garden at Escape Cliffs?—Yes; pumpkins, vegetable marrows, and cucumbers.
 4422. Did you set them before me daily for several months?—Yes; and we brought some away on board the *Ellen Lewis*.
 4423. Do you remember a cotton-tree growing in my garden?—Yes.
 4424. Was my garden in the best or the worst soil at the cliffs?—I considered it the worst.
 4425. Did the cotton-tree look well?—Yes; Burton, the carpenter, said that he had not seen better in America.

4426. Did

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4426. Did you hear Mr. Manton and others express any discontent at the site after their arrival at the cliffs?—I heard a good many say that they preferred Escape Cliffs to the River camp, and were glad to be shifted.

4427. (*By Mr. Rymill*)—Did you see any cotton growing on the tree you have spoken of?—Yes; and took off some. I gave it to Mr. Finniss.

4428. What position did you hold in the expedition?—I was once cook, and then groom and messenger to the Government Resident.

4429. What was Deacon?—Cook.

4430. How many men were there then?—I don't recollect.

4431. How many went up on the expedition?—Forty-one or forty-two.

4432. Then there were about thirty-one men, without officers, were there not?—I think so.

4433. Did you sell all your grog?—No.

4434. How many gills does it take to fill a bottle?—Five.

4435. Then a bottle was nearly a week's supply?—Yes.

4436. You did not sell all?—No.

4437. Some witnesses have said that they got five or six bottles in a week, do you know anything about that?—No.

4438. You say Mr. Fred. Finniss sold some?—Only a few bottles; they were his own rations.

4439. What kind of land is there about the cliffs?—Some is good. I have not been far about, but of what I have seen some is very good and some bad.

4440. How much good land is there?—I don't know.

4441. Have you been to the Narrows?—No. I have only passed going up the river in the *Beatrice* and *Yatala*.

4442. (*By Mr. Finniss*)—What was your daily ration?—One gill.

4443. Then your weekly allowance would be seven gills?—Yes.

4444. (*By Mr. Goode*)—Did you sell any grog besides your own?—No; except what I have said, I have told you that the men wanted me to ask Mr. Fred. for some of his. He would not let them have it at first, as he said he wanted it when he went out exploring, but they gave him no rest until he let them have a bottle.

4445. Were you likely to know of all the grog sold then?—Yes; I should know.

4446. Do you think that any was sold without your knowledge?—No.

4447. When the tarpaulin was taken away from the men, how many tents had they?—I don't know; except that there were sufficient tents for all the men.

4448. (*By Mr. Bright*)—Did you see any men the worse for liquor in the camp?—No; never.

4449. (*By the Chairman*)—Was there any gambling?—Yes; a good many times I saw card playing going on, and money lost at it.

4450. Did you report to Mr. Finniss that you had sold any grog?—No; I don't believe that Mr. Finniss ever knew it.

Commission adjourned.

APPENDIX.

No. 1.

Extract from the Requisitions for Northern Territory Supplies, as approved.

12 Horses, not less than fifteen hands high, sound wind and limb, not less than four years old, nor exceeding six years; all well broke to saddle, free from vice, eight of the number also well broken to harness and staunch. To be delivered at the port of embarkation, or the police stables, as may be required.

300 Sheep.

10 Working bullocks.

2 Strong bullock drays.

2 Extra strong spring carts.

1 Hand cart.

Memorandum.—The Government Resident is requested to furnish a requisition for a wooden store forty feet by eighteen feet, to be made in frame here, so as to be easily put together at the place of settlement; also a wooden house of six rooms, say thirty-six feet by thirty feet, with a lean-to of six feet, to be made in frame here.

22/3/64.

H. A., C.S.

No. 2.

Treasurer thinks some prime pork, in half barrels, at John Newman's, Port, should be purchased for Northern Expedition. He proposes that it be examined by the Expedition Storekeeper in conjunction with the President of Marine Board, without delay.

Portland Cement has been secured in an iron tank.

9/4/64.

E. W. HITCHEN, U. T.

No. 3.

The Government Resident, N. T., begs to inform the Hon. the Chief Secretary, that he has directed a general muster of the expedition at the barracks this afternoon at four o'clock, for final orders.

The Government Resident will be at his office at three p.m., to pay outstanding accounts; he will cause the vouchers in detail to be compared with the entries in the store book, will check the store book and correct the printed list of stores.

The storekeeper reports having received the Hon. the Treasurer's orders to prepare troughs for the cattle on board the *Henry Ellis*, and has been authorized by the Government Resident to incur the necessary expense. If this work is completed to-day, which is fully expected, the cattle will be sent to the Port to-day for embarkation to-morrow.

The Government Resident reports that all the stores, including personal baggage, except a few small packages, have been sent down and are stowed away on board. The ship is expected to leave the wharf to-morrow, should the Hon. the Treasurer see no objection.

The Government Resident is now proceeding to the Port, to see that all arrangements are being carried out, as above reported, and will return to his office at three p.m., to await any further instructions the Hon. the Chief Secretary may be pleased to favor him with.

O. K. RICHARDSON, U. S.

Chief Secretary's Office, April 20, 1864. 10.15 a.m.

No. 4.

Adelaide, 24th March, 1864.

Sir—As there are no salt provisions (beef and pork) to be obtained in Adelaide, or even in Melbourne, as I am informed by leading firms who have sent telegrams, I have the honor to request that an attempt should be made to obtain the necessary supply from the Commissariat in Sydney, through His Excellency the Governor-in-Chief; otherwise we may be driven to the alternative of the chance of getting salt meat from vessels arriving from England, &c. The quantity required for forty persons for six months, would be fifty casks of pork, 200lbs. each: description—prime Irish mess pork. If pork cannot be obtained, the quantity might be made up in beef of similar description. There would be wisdom in doubling the requisition for future purposes.

I have the honor, &c.,

The Hon. H. Ayers, M.L.C., Chief Secretary.

B. T. FINNISS, Government Resident.

No. 5.

Camp, Escape Cliffs, September 6th, 7.30 a.m.

Sir—I take the earliest opportunity of informing you that I have this morning carefully examined the water brought into camp yesterday. It contains traces of copper, and is saturated with sulphuretted hydrogen gas, the result of decaying vegetable matter. I consider it highly deleterious to health, and that immediate steps ought to be taken either to procure a more healthy supply or remove the camp to another locality.

I am, &c.,

To B. T. Finnis, Esq., Government Resident.

F. E. GOLDSMITH.

No. 6.

Sick Report, September 8th, 1864.

Pearson, Mr.; Read, dysentery; King, Mr., debility; Baumgartel, lumbago; Boucaut, Atkinson, Wiltshire, severe gastric irritation, from the use of deleterious water. Several other cases of the above are under treatment, but are not so ill as to be entirely incapacitated from duty.

F. E. GOLDSMITH, Surgeon.

No. 7.

Beatrice, Adam Bay, July 11th, 1864.

Dear Col. Finnis—The *Yatala* arrived late on Saturday evening. I went on board *Henry Ellis* with Mr. Humbert to have a look at what remained; I found it would be impossible to clear her by the 16th, as there is two good loads for *Yatala*, if not more, so I gave Captain Phillips your letter retaining him.

It is very annoying, after all our exertions, to have to keep him on. I would have taken what the *Yatala* left, if the *Beatrice* would have stowed it.

If the *Yatala* had arrived here Friday evening instead of Saturday, it would have been all right; she could have returned by the 14th, in time for several loads.

It

•—No. 17.

It has taken my men, with the assistance of yours and *Henry Ellis*, since Tuesday, to dig out and land the wooden houses and timber. I had no conception of the quantity, the first day we commenced rafting; but that was slow work, so I went along side *Henry Ellis* twice, and filled the *Beatrice* up each time over her gunwales, and landed it on Charles Point. The tanks we could not get at, as provisions, stores, &c., had to be cleared away first.

Thanks for receipts for gun.

I remain, &c.,

JOHN HUTCHISON.

No. 8.

Ship *Henry Ellis*, Adam Bay, 20th July, 1864, 2.30 p.m.

Sir—In reply to your letter of this morning, requesting me to move my ship up to the entrance of the Adelaide River, I am sorry to say I must decline doing so, until such time as I can be furnished with such directions from Captain Hutchison (who is I believe at present occupied with the survey of the channel thereto) as will enable me to bring my ship there without risk; or if Captain Hutchison will allow Mr. Howard to come on board and pilot the ship in, but with a distinct understanding that you, on the part of the South Australian Government, hold yourself responsible for any accident which may happen to the vessel, which is, by my last letters from England, I find only partially insured.

Awaiting your answer, I remain, &c.,

JOHN L. PHILIPPS, Master of the Ship *Henry Ellis*.

B. T. Finnis, Esq., Government Resident, N.T.

No. 9.

Report of an Examination and Analysis of Water from the Northern Territory.

Sir—We have made a careful chemical and microscopical examination of the water kindly supplied by you to us from the Northern Territory, and have much pleasure in sending you a report of the results.

On evaporating a small portion of the sediment of the water, and examining the dried residuum under the microscope with an inch and a-half objective, a quantity of saline deposit was observed in superposed layers on the glass, overspread with vegetable matter, apparently lycopodium or moss. We also found in a drop of the water, the volvox lunula animalculæ which occur chiefly in marshy places.

On testing the water with chloride of barium, the presence of one or more sulphates was clearly indicated, by the production of a white precipitate insoluble in nitric acid.

On repeatedly testing with crystalline nitrate of silver, the presence of chlorides was shown by the appearance of a white curdy precipitate of chloride of silver, which afterwards proved to be insoluble in nitric acid, but readily soluble in ammonia.

On the addition of lime water, the application of heat, and other tests, no indication of the presence of carbonic acid could be obtained, nor any effervescence produced by the addition of acids, either to the water or the dried residuum.

On testing with acetate of ammonia for lime, a white milky precipitate was produced, clearly indicating the presence of the latter.

On testing for magnesia, with carbonate of soda, with the phosphate of soda, and with ammonia, a characteristic white precipitate was in each instance produced, by the formation of the phosphate of ammonia and magnesia. Traces of alumina were also shown by the phosphate of soda test.

On testing for sulphuretted hydrogen, with a solution of the acetate of lead, with lead paper, and with silver leaf, not the slightest indication of its presence was given, either in the cold or the heated state.

On testing for copper, with excess of ammonia, with the ferro-cyanide of potassium, and by immersion of polished steel in the water, slightly acidulated, not the faintest trace of its existence could be discovered.

On testing for iron, with gallic acid, ferro-cyanide of potassium, etc., no trace of it could be found. No discoloration was produced by mixing it either hot or cold with brandy, although allowed to stand for several days.

In order to ascertain the comparative hardness of the water, and therefore its utility for domestic purposes, we made use of what is designated the soap test. Taking distilled water as being represented by the figure 1, the hardness of the Adelaide water would be represented by the figure 4, and the Northern Territory water by 4.5.

The same result was obtained by a comparison of the two waters, when both were tested by the acetate of ammonia.

A review of the whole of these processes yields the following results:—

1st. That the water does not contain either copper, iron, lead, sulphuretted hydrogen, or carbonic acid.

2nd. That it does contain, in greater or less proportions, chloride of sodium or common salt, sulphate of lime, sulphate of magnesia, chloride of magnesium, alumina—probably as a silicate, and organic matter.

We find therefore that there is nothing of a deleterious character in the water, nor indeed anything which is not usually found and may be fairly expected in water taken near the sea, and in a tropical country abounding in rank and luxuriant vegetation. Although we find there is nothing in it actually injurious to health, we are of opinion that for drinking purposes it might be much improved by being filtered and boiled.

We are, &c.,

CHAS. CLARK, M.D., F.R.C.S.

JAMES MAUGHAN.

To the Hon. H. Ayers, Chief Secretary.

No. 10.

Camp, Escape Cliffs, September 14th, 1864.

Sir—As our stores, &c., are in such a scattered and unprotected state, from the weather, &c., I am induced to write to you, suggesting the importance of your erecting, at your earliest convenience, a log building, say 24 × 18—(twenty-four feet long by eighteen feet wide), and covered in with broad paling, would be sufficient for our stores at the present time, and prevent further loss.

B. T. Finnis, Esq., Government Resident.

I have, &c.,

STEPHEN KING, Storekeeper, &c.

No. 11.

Escape Cliffs, 9th December, 1864.

Sir—I have the honor to report the safe landing of twelve horses and 397 sheep, being only three short of the number placed on board at Queensland, viz., 400 sheep.

I would beg to call your attention to the fact that the sheep, when placed on board, were in the most miserable condition; and I consider the horses unfit for the service for which you require them, some being unsound.

The men have used every exertion on their part to bring them here in good condition; and therefore I would favorably recommend the following names to your notice, for payment from the time of their signing the agreement, viz.:—Geo. Warland, Kirby, King, Deacon, Neel, Tuckwell, Kersley, Edmunds, Young, Burton, Martin, and Ross.

I have, &c.,

R. H. EDMUNDS.

To the Government Resident, N.T.

No. 12.

Northern Territory, Palmerston, December 12th, 1864.

Sir—I have the honor to report to you the condition of the stock received per *South Australian*, landed here on the 5th and 6th instant, viz., 395 wether sheep. They were landed in a poor and miserable condition; and, from the mixture of breeds and being principally full-mouthed, were evidently culled from the yards of some butchers. Those which we have killed were found to be diseased, suffering from violent inflammation of the lungs and bowels; the

the intestines, especially the liver and bladder, were covered with boils, from which large masses of corruption were floating between the caul fat and intestines, varying in size from a shilling to a five shilling piece, but considerably thicker. The bladder, in some cases, was surrounded with pieces larger than good sized marbles. The meat is of a pale color, and does not harden, but continues in a soft and flabby state. I have no hesitation in saying that it is decidedly unwholesome, and not fit for human food. Several died soon after they were landed; and I am of opinion that if great care had not been taken of them on board the steamer, a larger number of them would have died. In short, they are a very inferior lot of sheep—the heaviest of them, when killed, not weighing more than 33lbs.

On the 6th instant, twelve horses were landed. There was not one of them sound, nor properly broken-in, but more properly speaking, broken down. Half of them were in a state of disease, principally of the lungs and farcey. In some cases they were supposed to be suffering from the disease known as pleuro-pneumonia. Medicines have been used for their restoration; one is evidently incurable, and two others are doubtful. The whole of them are unsuitable for draught; and for the most part, not fit for saddle. I have been informed that they were in a worse condition when they were put on board the steamer, which shows that they were not injured by the voyage, and at the same time evidences the care taken of them by those in charge.

I have, &c.,

STEPHEN KING, Storekeeper and Superintendent of Stock.

B. T. Finnis, Esq., Government Resident.

No. 13.

Extract from Mr. E. Ward's letter to the Editor of the South Australian Advertiser, dated 24th January, 1865, and published in that paper on the 30th January, 1865.

* * * * *
Now, Sir, I will tell you what was the determination I came to respecting them. I felt that I could no longer profess honestly even the semblance of friendship towards Mr. Finnis, and that I had good ground to complain to the Adelaide Government of his conduct towards me as an officer of the expedition. But I declare that I refrained from adopting that course, and that I swallowed the insult I had received, solely because I was unwilling to introduce the elements of official antagonism amongst our small party, upon whose thorough union on all matters of duty so much depended. I therefore determined that although I could no longer seek to sustain a friendly intercourse with Mr. Finnis, I would scrupulously render him obedience and respect as Government Resident. And I do solemnly declare that up to the day when I left the Northern Territory, I never upon any occasion either disobeyed any order he ever gave me, or failed to treat him, as Government Resident, with all the respect due from an officer and a gentleman to the position he occupies. Whatever I may have said about Mr. Finnis in any private conversation, or written in my private letters, has, I maintain, nothing in the world to do with my conduct to him personally as Government Resident. That, I assert, has always been deferential and respectful, although that respect was rendered by me to the position the man occupied, and not experienced by me, since the 23rd June, for the man himself.

The determination I have expressed above, so absolutely governed the whole of my demeanor to the Government Resident, after the 23rd June, that I will refrain from going so much into detail respecting occurrences that were subsequent to it. In fact, as far as our official relations are involved, all that I have to defend is my conduct as a jurymen at the inquest of the 9th of August, inasmuch as that is the only so-called "offence" Mr. Finnis has ventured to charge me with, as his reason for "suspending" me in the first instance, and afterwards for turning me into the scrub of a savage country, to starve if I could do no better, denying all pay, quarters, or rations; all of which the Government have since, while pretending to uphold the Government Resident's action towards me, admitted my claim to receive.

Now, then, as to the inquest of the 9th of August. In the first place, no part of the responsibility of the holding of the inquest pertains to me, because I had no power to cause it to be held. But I will say, that if I had been placed in the position Dr. Goldsmith occupied as a specially appointed Protector of Aborigines, Justice of the Peace, and Coroner, I should, under such circumstances as those which had arisen have acted precisely as he did. And when the merits of the case are fully understood, I am certain it will be admitted that had he acted otherwise than as he did he would have failed to fulfil the duty imposed upon him by the commissions he had been sworn to respect, and by the instructions given to him by the Government, and which he was bound to obey. It is quite certain that if the Government had not appointed a Justice of the Peace and Coroner, no inquest could have been held, but it is equally certain that no magistrate or coroner who conscientiously respected the responsibilities of his position, could have refused the inquiry which Dr. Goldsmith determined to hold. The summons which I received to attend as a jurymen at this inquest was from the Coroner, and was delivered to me by one of the special constables of the Expedition. I never hesitated one moment about obeying it, and it is certain that not one of the other members of the Expedition who were summoned to attend, either as witnesses or jurymen, disobeyed the precept they received. The 8th clause of the Coroners' Act, No. 7 of 1850, makes the disobedience of such a precept by any person, a penal offence, and although the Jury Act of 1862 entitles an officer of the Civil Service to claim exemption from service on common juries, if he chooses to do so, it is not made compulsory that such exemption should be claimed; and how was it possible for any one, situated as we all were, to believe the Government even wished him to exercise his right of exemption in such a case as that which had arisen, they having themselves provided all other necessary machinery for such an inquiry? There was a clear moral necessity why an inquest should be held. A native—the first, we suppose, who had been sacrificed to our occupation of this new territory—had been slain, not, as has been falsely stated, "in open fight," but in a private duello in the scrub. No one of the party, except the man who confessed the deed had seen it committed, and no spear or even woomerah was found near the body of the dying native. Will any one, who professes civilization and humanity say that it was not well that such a circumstance should be legally investigated, and the justice of the act which cost the savage his life be amply demonstrated, or its injustice rebuked? Would not such a course have been adopted wherever English laws prevail? Or does any one suppose the propriety of holding the inquiry would have been questioned, even by those who now denounce that inquiry most rabidly, if the finding of the Jury had been confined to the two words "justifiable homicide."

I will now come to the "rider." Mr. Finnis has stated, to begin with, that the assertions it contains are false. I declare that it is absolutely true in the minutest particular of any assertion it embodies, and there are the signatures of twelve other persons besides myself, written under oath, to prove the fact. I suppose it will be admitted the testimony of those thirteen signatures is superior to the unsworn evidence of Mr. Finnis, or any other man. And as to the opinion of the jury recorded in that rider of the cause of the event they were sworn to investigate, I challenge the production of the evidence taken at the inquest, which the Government have hitherto suppressed, as they have many other documents of great importance to owners of land in the Northern Territory, and I declare that that evidence thoroughly sustains the rider. The rider would not have been proposed if the evidence had not been most unmistakable on the subject, or if it had been, I don't think it would have been unanimously adopted. But in truth, after hearing the evidence, it was impossible to arrive at any other conclusion, and every jurymen was sworn to give a verdict according to the evidence. And, in fact, so they did, and in doing so they simply discharged an imperative duty fearlessly and honestly.

Well, I have been specially persecuted in this affair, on the ground that I proposed this rider, in which the jury, as Mr. Finnis says, "were made, inferentially by me, to join." Now, in the first place, what right has Mr. Finnis, or the Government to invade the privacy of a jury room for the purpose of ascertaining who may have proposed an unwelcome verdict in order that his punishment may be secured? I have no desire to evade any responsibility I may have incurred in the matter, and I fully admit I did draft and propose the rider; but that was when only the jurymen were present, and when the verdict was publicly announced to the Coroner by the foreman, it was not my verdict, but the verdict of the thirteen jurymen who had unanimously adopted it.

* * * * *
I have put up with repeated public insults from my superior officer, rather than create obstacles that I thought might perhaps have been obviated, if I sacrificed my personal feelings to public interests. And when I felt compelled, on behalf of those interests to take exception to anything that had been done, I was careful not to do so

in a way that would compromise the authority of the Government Resident, but to avail myself of the legal or official means which the laws of the country on the one hand, and the instructions of the Government on the other, indicate as those to be properly adopted. His Excellency the Governor has been reported to have stated the other day, in reply to a deputation from the owners of land in the North, that the proper course for the officers to have pursued, if they had objected to Mr. Finniss's proceedings, was to have represented their case to the Government, and in the meantime yielded the Government Resident obedience and respect, but that instead of doing so they resorted to insubordination, &c. I should be sorry to write one word that would even appear to convey any disrespect to the gentleman who is our Sovereign's representative here, but I must declare that what His Excellency says the officers of the Expedition should have done, is precisely what they have done, and there must be at this moment documents in the Chief Secretary's office, if they have not miscarried, which, if produced, will prove my assertion. If they have not been received, which I think unlikely, copies are extant. In fact, the course adopted by all the officers with whom Mr. Finniss was openly at issue, was to represent matters which had occurred to the Government, as the regulations prescribe, and in the meantime to yield the Government Resident obedience and respect. That was certainly my course, and, so far as I know, no different action was adopted by any other officer implicated. Insubordination, rebellion, &c., are mere figments of the imagination, which in plain truth no more existed amongst the officers of the Expedition than did the famous stockade, which looked so warlike on paper, and within which it was once believed in Adelaide, the members of the unfortunate Expedition were cowering for protection from native spears and Malay blunderbusses.

I submit, too, that upon inquiry it will be absolutely proved that the action that I and some others have adopted in bringing matters which have occurred in the Northern Territory to the knowledge of the Government has ensured this essential advantage to them and to the owners of land; their eyes have been opened as they would not otherwise have been, and they have now the opportunity of remedying past errors, which they would not otherwise have had. If the opportunity is neglected, and if obstinacy is permitted to prevail, I shall have the additional mortification of knowing that the losses and injury I and others have sustained will have been disregarded and unappreciated by those in whose interests they were incurred.

No. 14.

Rain Fall at Palmerston, during the Month of January, 1865.

Date.	6 a.m.	6 p.m.	Total for 24 hours.	Date.	6 a.m.	6 p.m.	Total for 24 hours.
	Inches.	Inches.	Inches,		Inches.	Inches.	Inches.
January 2.....	0	1.730	1.730	January 17.....	2.980	0.230	3.210
" 3.....	0.114	0.185	0.299	" 18.....	0.185	0.015	0.200
" 5.....	0.385	0	0.385	" 19.....	1.750	2.050	3.800
" 6.....	0.316	0	0.316	" 22.....	0.290	0.600	0.890
" 7.....	1.116	0.200	1.316	" 24.....	0.025	0	0.025
" 8.....	0.030	0.628	0.658	" 25.....	0.077	0	0.077
" 9.....	0.265	0.303	0.568	" 26.....	0	0.102	0.102
" 10.....	0.396	0.108	0.504	" 27.....	0.013	0	0.013
" 11.....	0	0.050	0.050	" 28.....	0.017	0	0.017
" 12.....	0	0.600	0.600	" 29.....	0.175	0	0.175
" 13.....	0.063	0.034	0.097	" 30.....	0.464	0.064	0.528
" 14.....	0.322	0.933	1.255				
" 15.....	0.920	0	0.920		9.903	9.770	19.673
" 16.....	0	1.938	1.938				

J. BAUER.

No. 15.

Palmerston, 7th February, 1865.

Sir—I have received your letter of yesterday, sent by Roberts, together with a joint letter from Atkinson and Roberts, two of the men transferred to your party since Mr. Pearson's has been broken up.

You rightly interpreted my order respecting the exemption from cooking of the men of any survey party engaged chaining, as, of course, men cannot chain and cook also, and it is to the advantage of the service that the same man should always do the chaining. In reply to Atkinson's and Roberts's letter, you will inform the former that he is hereby discharged from the Government service, and his name will forthwith be struck off from the strength of the Northern Expedition.

You will state to Atkinson, that my reason for selecting him as an example and warning to others, when Roberts signed the same letter, is because Roberts has hitherto, for some time at least, conducted himself with steadiness and propriety, whilst on the contrary Atkinson has been a mover of mischief and discord in the camp, to the subversion of my authority and the delay of the surveys, and that amongst other acts of obstructiveness and insubordination he incited others, under orders to proceed to the survey of the Narrows with Mr. Pearson, to sign a document protesting against the employment of any party in a place which did not please them. In this, and for the letter which contains the falsehood that you had given him and Roberts a monopoly of the cooking, whereas your orders were that they were to take their share of it, in terms of my general order, it is evident that Atkinson is unfit to remain in the Government service. Atkinson will be allowed to reside in the tent where he is, on sufferance only, during good behaviour, and will also be allowed to purchase his rations from the store, until an opportunity occurs, by the arrival of some vessel, to enable him either to quit the settlement or lay in his own private stores.

As Roberts has also caused loss of time by his absence from work yesterday and part of to-day in order to be the bearer of a letter from you, rendered necessary by his own improper act in signing the letter of Atkinson, you will inform him that one day's pay will be stopped from him, and that unless I hear good reports of him from you, I shall remove him also from the service.

I have, &c.,

B. T. FINNISS, Government Resident.

Mr. A. Hamilton, Surveyor.

P.S.—You will read such parts of this letter to Atkinson and Roberts as concerns them, and not allow it to pass out of your possession, or perused by any other than yourself.

B. T. F.

No. 16.

Palmerston, 3rd March, 1865.

Sir—I have to recommend to the favorable consideration of His Excellency the Governor-in-Chief, that all persons engaged at Adelaide for the Northern Expedition, on completion of twelve months satisfactory service, shall be entitled to the benefit of a free passage for their wives and children to Palmerston, and one week's rations to be issued to the families after arrival.

This measure would only be an act of justice to the men who have kept to their engagements, and would tend much to the comfort of the settlement.

They would then have the strongest possible motive for saving money, and building accommodation for themselves on town allotments.

Women

Women are much wanted, to wash clothes and nurse the sick; and some of them arriving would no doubt turn their attention to such matters.

I have, &c.,

B. T. FINNISS, Government Resident, N.T.

The Hon. Henry Ayers, M.L.C., Chief Secretary, Adelaide.

No. 17.

Survey Camp, Adelaide River, 4th March, 1865.

Sir—I have the honor to tender my resignation as a junior surveyor, in and for the Northern Territory attached to the Province of South Australia. My reasons for so doing are—1st. That the salary I receive is totally inadequate and disproportionate to the duties I have to undertake; and when it is considered that the lowest salary paid to surveyors in the Government service of South Australia is £200 per annum with rations, and that the work I have to undertake is both arduous and irksome, involving also great responsibility as the senior surveyor in charge of an out-station, apart from which I am subjected to great annoyance in the direction of survey parties, I consider myself justified in resigning my appointment at the termination of twelve months' service. I may further adduce in support of my argument, that the mechanics attached to the expedition receive higher remuneration than myself. 2nd. That surveyors have been sent by the South Australian Government, attached to the second expedition, at far higher salaries, to undertake the same description of work as myself; thus offering me no inducement to remain here, and showing no intention of promoting me, in the event of my proving myself competent to undertake the work of a surveyor here. In conclusion, allow me to thank you for the support and encouragement you have always afforded me, when acting under difficult circumstances under your direction.

I have, &c.,

A. R. HAMILTON, C.E.

The Government Resident, Northern Territory.

No. 18.

Analysis of Dr. Goldsmith's Monthly Sick Reports, from July, 1864, to February, 1865, inclusive, omitting sick of the Beatrice and Yatala.

Month.	No. of persons on Sick List.	No. of days borne on Sick Reports.	No. of individuals in Government party, exclusive of Yatala and Beatrice.	Greatest No. of days, if all had been sick.	Per centage of day's sickness.
July	3	23	43	1,333	1.20
August	8	65	43	1,333	4.95
September	19	140	43	1,200	10.85 with one death
October	4	28	39	1,200	2.33 three left in Yatala
November	6	38	39	1,170	3.25
December	9	54	36	1,116	4.83 { three left in S.S. South Australian and 36 joined
January	13	59	72	2,232	2.63
February	17	142	71	1,988	7.14 one discharged
Eight Months	79	553	386	11,671	37.23
Monthly Average for Eight Months	9.875	69.125	48.25	1458.875	4.74 nearly

The ratio of persons on the sick lists to the whole party has been, for the eight months, 20.40 per cent. The ratio of day's sickness, for the same period, to the greatest amount of sickness that could have occurred, has been 4.74 per cent.

The greatest population on 1st January, including men, women, and children, was seventy-nine. The months in which the greatest number were on the sick list, were:—September, nineteen—number of party, forty-three; February, seventeen—number of party, seventy-one; January, thirteen—number of party, seventy-two; December, nine—number of party, thirty-nine; August, eight—number of party, forty-three; October, four—number of party, thirty-nine; July, three—number of party—forty-three.

And the days on which the greatest number appear on the list are:—eleven on 13th September—small party; seven on 9th February—large party; four on the 19th December—small party; of the sickliest months.

B. T. FINNISS, Government Resident, N.T.

Palmerston, 9th March, 1865.

No. 19.

Statement of Assets and Liabilities in the Northern Territory, South Australia, on the 30th March, 1865.

ASSETS.	£	s.	d.	LIABILITIES.	£	s.	d.
By cash	139	7	0	To the amount due for wages and sundries	1,699	2	9
Deficiency	1,559	15	9				
	£1,699	2	9		£1,699	2	9

N.B.—In addition to the other assets, there are £1,500 in bills on London, not negotiable in the Settlement, there being no monied establishments.

No. 20.

Adam Bay, Northern Territory, April 25th, 1865.

Sir—I have the honor to report to you the arrival of our party on board the *Benjal* at Adam Bay. The conduct of the men has been very good, and strict care and attention has been paid to the stock on the voyage.

I am sorry to say we have had a very long voyage, having been becalmed for three weeks, with the thermometer standing 110° 'tween decks. We were forty-six days from anchorage to anchorage, and commenced loading the stock in Port Adelaide on the 3rd March, and finished discharging them at Escape Cliffs on the 24th April—leaving fifty-two days that the stock were on board. Also, our water was not sufficient for so long a voyage, and in such hot weather; consequently we have lost fifteen ewes, fifty-three wethers, and two bullocks. All the other stock I have delivered over the side of the ship—I think, in good order (considering the length of voyage and want of water); particularly the large stock are in very good condition—namely, four horses, four bullocks, two cows, 185 ewes in lamb, 129 wethers, and eleven goats.

I have, &c.,

JOHN V. LLOYD.

Lieut. Col. the Hon. B. T. Finnis, Government Resident.

No.

No. 21.

Escape Cliffs, 29th April, 1865.

Sir—I have the honor to tender you my resignation as a junior surveyor, as the pay of £120 per annum is insufficient for the work performed.

To the Government Resident, Northern Territory.

I am, Sir, &c.,
WM. SMITH.

No. 22.

Requisition.

Three teams of bullocks, of eight each (say ten, for casualties); sets of yokes, bows, chains, and bells for ditto
Four light ordinary bullock drays
Ten horses, with saddles and bridles, and two sets of draught harness for four-in-hand
1,000 sheep, half to be in lamb; if shipped, two months' supply of water.

B. T. FINNISS, Government Resident, N.T.

Escape Cliffs, 5th May, 1865.

[True copy—B. T. Finnis.]

No. 23.

Narrows, 1st July, 1865.

Sir—I find it my duty to report to you that, this evening, between six and seven o'clock, while the men were at tea, the camp was visited by some natives. They entered the tent occupied by Warland and McMinn, emptying it completely, also taking the former's revolver.

To the Hon. B. T. Finnis, Government Resident, Escape Cliffs.

I have, &c.,
H. D. PACKARD.

No. 24.

To the Hon. B. T. Finnis, Government Resident, South Australia, N.T.

Sir—In pursuance of your instructions, I have the honor to furnish a return, showing the number of days I was employed surveying and pegging out that portion of the township at Escape Cliffs, from the N.W. corner of Section No. 5, to S.W. corner of Section No. 12, from thence to S.E. corner of Section 478, and from thence to N.E. corner of 471, equal to 160 acres, which is set out in half acre allotments, and all the corners pegged, numbered, and trenched. Also returns showing the time I was employed in re-surveying and correcting Messrs. Edmunds's and Packard's surveys.

* * * * *
Return showing the time occupied in re-surveying and shifting the pegs in Mr. Edmund's survey of portion of township at Escape Cliff, commencing at the N.W. corner of Section No. 13, and extending to N.E. corner of Section 479, from thence to N.E. corner of Section 487; and from thence to N.W. corner of Section 639, equal 149 acres.

Date.	Self employed surveying in the fields.	Self employed at office and camp work.	Men employed surveying.	Men employed trenching pegs.
June 13	One day	—	Six men one day	—
“ 14	One day	—	Six men one day	—
“ 15	One day	—	Six men one day	—
“ 16	One day	—	Six men one day	—
“ 17	One day	—	Six men one day	—
“ 26	—	One day	—	Three men one day
“ 27	—	One day	—	Five men one day
“ 28	—	One day	—	Five men one day
“ 29	—	One day	—	Five men one day
“ 30	—	One day	—	Five men one day
July 1	—	One day	—	Five men one day
“ 3	—	One day	—	Five men one day

In this survey I found all the lines running north and south correct, but the lines running east and west were eight links too long, commencing at nothing, and gradually increasing to the above named error, which I have corrected, and the men finished the trenches at the corner peg, on the 3rd instant.

I have, &c.,

J. T. MANTON, Engineer and Surveyor, N.T., S.A.

Head Camp, Escape Cliff, July 4, 1865.

No. 25.

To the Hon. B. T. Finnis, Government Resident, Escape Cliff, N.T., S.A.

Sir—I have the honor to acknowledge the receipt of your Despatches of the 6th inst. The boat arrived at this camp last night at half-past nine o'clock, and I am truly sorry to find that one of your men has been murdered by the natives, which must undoubtedly give you much anxiety about the safety of this camp. However, I trust we shall have a sufficient amount of care and watchfulness to protect ourselves and stores from any attack made by the natives. I have had always two watchmen on all night, Murray and Colwell are the men selected for this purpose, and also to take charge of the rifles and ammunition. The men have charge of the revolvers and a certain quantity of ammunition, which they keep with them in their tents. We always keep ten rifles loaded and piled in a tent where the ammunition and arms are kept, which the watchmen have charge of, and it is only used as a watch tent. We have not seen much of the natives here, up to the present time, but they are about, as we have had two visits from them. On Monday, 31st July, an old man and a boy came, and yesterday the same old man and boy came again, and brought another old man with them, but I have given strict orders that on no account are the natives to be allowed to come into the camp, nor not more than two or three at a time to come within spear throw of the tents. Benham and party from the Narrows, arrived at the camp on the 1st instant, and brought the cattle and things all right and safe, excepting one bullock, which he had to leave behind about ten miles from the Narrows—the particulars of the case I have desired him to report officially. We have commenced the survey, and are getting on with it pretty well. All hands in the camp are well and at work every day.

Diagrams, reports, &c., will be made up and ready for the dispatch boat at the end of the present month.

The camp is never left in the day time with less than seven men in it.

I have, &c.,

J. T. MANTON, Engineer and Surveyor, N.T., S.A.

Adelaide River Camp, Survey B., W.A., August 8, 1865.

No. 26.

Camp No. 3, Survey B., W. A. Section 116, September 30, 1865.

Sir—I have the honor to transmit for your information the diagrams of surveys completed in this district during the month of September, 1865, viz.:—one by myself, containing 1514 acres, and one by Messrs. Edmunds and Watson,

Watson, working together, amounting to 3,972 acres. The men in my survey party have been well and at work all the month, but some of Mr. Edmunds's and Mr. Watson's men have been laid up with bad eyes, which will be entered in the general form ordered for that purpose. Mr. Edmunds, I regret to say, is laid up again with inflamed eyes, and is unable to make out his monthly returns, but will do so immediately after his eyes get better. On the 20th instant fifty unarmed native men came to our camp, showing friendly signs as they came along the plains. All the survey parties were out at work, but, very fortunately, I happened to see them from where we were working, and also saw twenty-four more, besides those that came to the camp, go amongst the reeds and scrub carrying with them large bundles of spears—these men did not come to camp, but appeared to be a reserve in case of emergency. However, we did not appear to take much notice of them, except showing friendly signs in return to theirs, and drove straight forward into camp, and sent off for the other survey parties to come into camp immediately. The natives stayed a short distance from the camp the greater part of the day, and exchanged spears, &c., for old clothing with our men. When I went out amongst them they appeared to know me, and pointed towards the place of our first camp on the Adelaide River. I believe all of them had been at our first camp, for I could recognize the greater portion of them. They have been about our camp several times since but in much less numbers, and appear to be very friendly at present; but, of course, we keep a strict watch and keep them at a distance from the camp, as it would not be safe to place any confidence in them whatever.

I have also to report that some of the men employed in the survey parties up here are busily engaged after working hours, and by the aid of moonlight nights, in constructing a boat, which is almost completed, and from all appearances I should say it is large enough and strong enough to carry fifteen or sixteen men down the river, and from what I have heard in camp I have reason to believe that they intend to make use of her for that purpose at the latter end of next month, October. The following men have given notice of their intention of leaving the Territory at the earliest opportunity, viz.:—Kersley, J. Austin, — Grainer, — Strawbridge, W. Stow, G. Warland, J. Wadham, P. Wadham, J. Ryan, — Ryan, — Cleland, and — Colwell.

I hear, also, that there are three or four more that intend going by the first opportunity, but as they have not said anything to me about it, I have not given their names.

I have, &c.,

J. T. MANTON, Engineer and Surveyor, N.T., S.A.

To the Honorable B. T. Finnis, Government Resident, Northern Territory.

No. 27.

Escape Cliffs, 10th October, 1865.

Sir—In accordance with your instructions of the 9th instant, we the undersigned have examined a cask of pork, and have the honor to report that we do not consider it fit for human food.

We have, &c.,

F. W. HOOD, President of Board.

H. D. PACKARD, } Members.
W. ROWLAND, }

Hon B. T. Finnis, Government Resident, N.T.

No. 28.

Camp No. 3, Section 116, Survey B., West Adelaide, N.T., S.A.

Sir—In reply to your letter of 20th instant, with respect to some omissions of figured dimensions on the diagram of the survey, executed by me during the month of August, I have the honor to return your tracing with those dimensions supplied, and very much regret that this should have happened, as in all probability it has been the cause of some inconvenience, but I must respectfully beg to excuse myself to some extent, for about that time I was very much embarrassed by the men, and as an additional disaster, I have had the misfortune to break my spectacles, therefore the office work I have had to do, has been done almost without eyes. With reference to the removal of our camp to some place of safety for the rainy season, I think of doing so in the beginning of November, and we shall, most likely, go to the Beatrice Hills, for I can see no better place at present, although the ground between our camp and those hills is very bad to travel over, and will take us a fortnight or three weeks to shift our camp and stores, still I think it would be better to go there as it appears to me at present, that we should be able to get down to the Adelaide river at any time, however wet the season may be.

With regard to your instructions respecting my marking in the diagrams of surveys in this locality, a proper site for a township, I have not yet been able to do so, but I shall have a little more time to examine the country around us, when we are shifting camp, and if I should meet with a suitable spot I will extend the survey in that direction, so as to include it as soon as possible. I have not yet been able to get the names of all the men that intend leaving this camp, but from what I have heard, six men will come down to-morrow by the boat, viz.—Warland, Stow, Wadham, Wadham, Grainer, and Burford. The storekeeper will send down the accounts they have to pay, and Mr. Watson will furnish an account of the time his men have worked this month. Grainer and Burford have worked all their time up to the 26th instant.

The disease in the eyes, which has been so prevalent in this camp lately, has now almost disappeared, although I regret to say Mr. Edmunds is not yet able to go to work, his eyes are very much better than they were, but are still very weak, and the least exposure to the sun inflames them immediately, and I certainly entertain some fear as to their ever being strong enough for him to carry on the work of a surveyor under a tropical sun.

I have, &c.,

J. T. MANTON, Engineer and Surveyor, N.T., S.A.

To the Hon. B. T. Finnis, Government Resident, Northern Territory, South Australia.

No. 29.

Survey Camp, Adelaide River, 26th October, 1865.

Sir—I regret having to acquaint you that I have again, through severe indisposition—ophthalmia and symptomatic fever—been obliged to relinquish my duties in the field; and, although nearly recovered from the malady, I feel myself in too weak a state to resume my usual avocations, I fear, for some time; if indeed I ever recover my usual good health without some change—for I would remark that, during the entire period I have been in this part of the country, I have been more or less ailing and have felt my strength diminishing.

Under these circumstances, I would respectfully ask you to accord me leave of absence, in order that I may re-establish my health by a voyage in the next ship to Adelaide, to return by the next opportunity, should I feel myself sufficiently strong.

I should feel greatly obliged by your early advice and consideration.

I have the honor, &c.,

R. H. EDMUNDS, Surveyor, N.T.

The Honorable B. T. Finnis, Government Resident

No. 30.

Camp No. 3, Survey B, West Adelaide, Section 116, October 31, 1865.

Sir—I have the honor to forward for your information the diagrams of surveys executed in this locality during the month of October, 1865, viz.—one by myself, containing 2,463 acres, and one by Mr. Watson, containing 1,320 acres. I also forward the usual returns of camp equipage, &c. Mr. Edmunds, I regret to say, is still unable to go out to work; although his eyes are much better than they were, yet they are not strong enough to enable him to do any surveying—for the least exposure brings on the inflammation again, and a giddiness in the head.

The aborigines continue to be peaceable and quiet, and to all appearance very friendly; but we do not trust them, nor do I intend. We keep a strict watch all night and a sharp look out by day, when they are about, so as to show them that we do not intend to be taken by surprise.

All

No. 17.

All the tents, excepting the four last new ones, are entirely useless as regards affording shelter for the men, and as to any attempt to repair them, would be a complete waste of time; for they are full of holes all over, and too rotten to hold the sewing-twine. The little rain and wind that we have had already has drenched the men and every thing in their tents; therefore, if we should not get new tents sent out shortly, I think it would be advisable to put up some temporary log building, to shelter the men during the rainy season, or else we may expect some serious consequences from illness during that period.

I have, &c.,

J. T. MANTON, Engineer and Surveyor, N.T., S.A.
To the Honorable B. T. Finnis, Government Resident, Northern Territory, South Australia.

No. 31.

Monthly State of Cattle in charge of Colonial Storekeeper, October, 31, 1865.

Working Bullocks—			
Condition	{	Good	1
		Middling	—
		Poor	—
Total			1
Horses—			
Condition	{	Good	—
		Middling	7
		Poor	6
Total			13*
Cows—			
Condition	{	Good	1
		Middling	1
		Poor	—
Total			2

This is to certify that the annexed accounts are correct returns.

F. W. HOOD, Acting Storekeeper and Inspector of Stock.

To the Government Resident, N. T.

* One horse died during the month.

No. 32.

N. T. Expedition, Sept. 29th, 1864.

Sir—In pursuance of your instructions of the 27th inst., we have the honor to inform you that we have this day examined seventeen half barrels of salt pork, and we are of opinion that the whole of it is unsound, and entirely unfit for human food.

We have, &c.,

J. T. MANTON, President.
A. R. HAMILTON, Member.
J. WADHAM, Member.

To B. T. Finnis, Esq., Government Resident, N. T.

True copy.—B. T. Finnis.

No. 33.

March 31, 1865.

Sir—In pursuance of your instructions we have the honor to inform you that we have examined three barrels of pork, each barrel containing about 200lbs. all of which we consider to be entirely unfit for human food. We have also examined three tins of potatoes, each tin containing about 112lbs. which are likewise entirely unfit for human food.

We have, &c.,

J. T. MANTON, President.
JNO. W. O. BENNETT.
F. W. HOOD.

To B. T. Finnis, Esq., Government Resident N. T., S.A.

True copy.—B. T. Finnis.

No. 34.

Escape Cliffs, June 18, 1865.

Sir—In pursuance of your instructions we have the honor to inform you that we have examined one cask of beef, and are of opinion that it is entirely unfit for human food.

We have, &c.,

J. T. MANTON, President.
CLEMENT YOUNG, } Members.
F. W. HOOD, }

To the Hon. B. T. Finnis, Government Resident, Northern Territory.

No. 35.

Analysis of Meteorological Tables, kept by John William Ogilvie Bennett, from the 25th of September, 1864, to the end of February, 1865; with other information.

Months.	Barometer reduce to 32° of heat.		Monthly mean of Barometer.	Thermometer.		Monthly mean of Thermometer.	Days Rain.	Rainfall estimated by inches.	Wind—Westerly.		Ratio of sickness or number of cases on the sick list to the greatest number that could have occurred, from the 1st of September.
	9 a.m.	3 p.m.		9 a.m.	3 p.m.				9 a.m.	3 p.m.	
1864.									Days.	Days.	
September...	30.364	29.928	30.146	89 5	86 4	87 95*	—	—†	5	5	10.85 per cent.
October	29.966	29.785	29.875	88 0	89 0	88 5	2	—	22	19	2.35 "
November...	29.884	29.056	29.470	88 8	90 0	89 4	5	—	19	14	3.25 "
December ...	29.967	29.739	29.883	82 0	91 0	86 5	16	—	17	13	4.83 "
1865.											
January	29.821	29.872	29.346	82 0	84 0	83 0	18	19.673	21	21	2.63 "
February ...	29.851	29.785	29.818	83 0	84 0	83 5	13	12.9.3	16	25	7.14 "
	29.992	29.704	—	85 5	87 4	86 45	—	—	16.6	16.1	—

* Mean heat.

† No reliable register kept.

N.B.—From the above it appears that the pressure of atmosphere was greatest in September, and least in January. It also appears that the pressure diminishes every afternoon, by rather more than two-tenths; which is a fact, I believe, generally observable in the tropics. All the above results, except the rainfall, which was taken day and night, are from day observations only; no register being kept after sunset by Mr. Bennett. The sick statistics are extracted from Dr. Goldsmith's monthly reports.

B. T. FINNISS, Government Resident.

15th April, 1865.

No.

No. 36.

Extracts from Parliamentary Papers.

11. The vessels *Beatrice*, *Yatala*, and *Henry Ellis*, will rendezvous at the south-western corner of Adam Bay, or as near thereto as they can safely anchor. Parliamentary Paper
No. 36 of 1864, p. 2.

12. You will, during the voyage, make yourself acquainted with the advantages of Adam Bay as a place of settlement, by a careful perusal of the works and documents particularized in the margin; and, on your arrival there, you will proceed to ascertain, by personal inspection, whether it offers the following advantages:—

i. A secure port or harbor, easily navigable, conveniently situated as a port of call for vessels trading to Malaysia and India.

ii. A healthy site for a capital, at or near to the port or harbor, in close proximity to fresh water and timber.

Should it be impracticable or undesirable to form the capital and port on one and the same site, then high table land, as near to the port as possible, should be selected for the capital, having regard to the means of communication with those parts of the interior from whence produce may be expected to arrive.

Salubrity of climate is of the utmost importance; therefore, swamps, mud-banks, and land-locked harbors, must be avoided, as such places are the chief sources of malaria.

13. It is possible you may find a port on the coast of Adam Bay, in every respect suitable as a port of call, and as an emporium for the interchange of British manufactures and Indian produce, but not conveniently situated for the exportation of the produce of the interior, for which you may perhaps find a better outlet at the head of the navigable waters of the Adelaide River. It is quite possible, however, that neither of these places would possess all the advantages necessary for the formation of a capital; and you may, therefore, find it necessary to establish three settlements—namely, a port on the coast, another on the river, and a town as near to the latter as possible.

14. Failing to find at the mouth of the Adelaide River, or on its banks, a locality which, in your judgment, would be suitable for a settlement, you will then direct your attention and inquiries to Port Darwin and its neighborhood, south of Adam Bay—and, this locality proving unsuitable, you will next proceed farther south to Port Paterson, and the surrounding waters, and to the Victoria River, including the intermediate ports and bays; and, should no sufficient inducement offer at any of these places to found a settlement there, you will then cause an examination to be made of the various inlets of Van Diemen Gulf. Several important rivers—the North and South Alligator Rivers, among others—are known to disembogue into that Gulf; and although it would be of much more importance, in a commercial point of view, to obtain a port of easy access and safety in the direct line of communication to Malaysia and India, by Torres Straits, nevertheless a good port in the Gulf would form a valuable outlet for the produce which may be expected from the excellent country discovered by Stuart in that neighborhood. Supposing that your researches in the Gulf should not be attended with such an amount of success as would warrant the foundation of a settlement there, you will proceed with your examinations eastward, until you reach the Gulf of Carpentaria, avoiding Port Essington and Raffles Bay, but directing your examinations to the western shores of the Gulf of Carpentaria, as far as the River Roper in the Limmen Bight.

15. In the event of your not forming a settlement at Adam Bay, or in its neighborhood, and your determining to further examine the coast in search of a better site, it may be advisable, if not absolutely necessary, until you have finally fixed upon the locality for the settlement, to land your party, stock, stores, and material from the *Henry Ellis*, and form a dépôt at some convenient place, from whence your stores, &c., may be afterwards conveyed by means of the *Yatala*, and your stock driven overland. In coming to a determination upon this subject, your own discretion and the circumstances of your position must be your guide. Besides the great expense of keeping the *Henry Ellis* for any lengthened period after the expiry of her lay days, it would not be possible for you to make provision for the sustenance of your stock on board ship while you were engaged in an examination of the coast, which might possibly occupy considerable time.

No. 37.

OFFICE FURNITURE.—Six office chairs, deal tables, 6 wooden stools, 8 drawing-boards, 4 sets of trestles for ditto, 1 deed-book, 1 iron safe, 1 copying-press. Parliamentary Paper
No. 89 of 1864, p. 1.

STOCK, LIVE.—Thirteen horses, 10 bullocks, 150 sheep.

FORAGE.—Forty bales hay, 8 tons bran, 1 ton pollard, 23 bags oats.

TRANSPORT.—Two bullock drays, 2 light spring-drays, 1 hand cart, 14 saddles, 14 bridles, 14 halters, 26 pairs hobbles, 300 yards tether-rope (heavy), 300 yards ditto (light), 6 saddle-bags, 6 pack-saddles (complete).

No. 38.

MINERS' TOOLS.—Two crowbars, 1 jimmy, 1 set blasting tools, 6 gads, 100 yards safety fuse.

PROVISIONS AND MEDICAL COMFORTS.—Two tons biscuit, 12½ tons best flour, 102lbs. loaf sugar, 983lbs. best ditto, 2,457lbs. second-quality ditto, 2,068lbs. third-quality ditto, 997lbs. tea, 112lbs. raw coffee, 528lbs. rice, 360lbs. oatmeal, 472lbs. split peas, 300lbs. sago, 503lbs. salt, 28lbs. pepper, 148lbs. cheese, 818lbs. soap, 58lbs. washing soda, 30lbs. Scotch barley, 42lbs. arrowroot, 10lbs. tapioca, 1½ tons potatoes, 80 gallons vinegar, 372lbs. tobacco, 23 barrels salt pork, 20½ ditto ditto, 4½ casks brandy, 6 barrels rum, 3 gallons gin, bottles ditto, 96 ditto brandy, 240 ditto port wine, 240 ditto sherry, 240 ditto porter, 228 ditto ale, 75 tins jam, 169lbs. raisins, 102lbs. currants, 112lbs. almonds, 48 bottles fruit, 50 tins boiled turkey (preserved), 10 ditto fowl ditto, 20 ditto meat ditto, 30 ditto beef and mutton ditto, 6 ditto soup ditto, 52 ditto mock-turtle ditto, 770lbs. preserved vegetables, 12 hams, 56lbs. butter, 48 bottles pickles, 9lbs. mustard, 42 bottles sauces, 300lbs. salmon, 50 boxes sardines, 18 gallons lime juice, 6lbs. citric acid, 24 packets groats, 1 pestle and mortar. Parliamentary Paper
No. 89 of 1864, p. 2.

No. 39.

No. 39.

Depôt, Escape Cliff, 1st May, 1865.

Sir—I do myself the honor to acknowledge your letter of the 17th February last, No. 114, informing me of the loss of the *Yatala*, and enclosing the document relative thereto. I have heard nothing further than what is supplied in this letter, of the proceedings of Mr. Davis, or of any of the party. Under all circumstances it was fortunate that the Government acted with the promptitude displayed in sending the *South Australian* with assistance. Parliamentary Paper
No. 15 of 1865, p. 16.

I have to acquaint you, for the information of His Excellency the Governor-in-Chief, that the *Bengal* arrived here on the 21st ultimo. The cattle were in a very weak condition; several perished on the voyage, and many more after landing, the report of which will be found in a subsequent letter.

I have, &c.,

B. T. FINNISS, Government Resident, N.T.

The Hon. H. Ayers, M.L.C., Chief Secretary.

No. 40.

No. 44.

Depôt, Escape Cliffs, 5th May 1865.

Sir—I have the honor to enclose report from Mr. Hood of state of stock, &c., sent per *Bengal* and *Beatrice*.

I have, &c.,

The Hon. the Chief Secretary, Adelaide.

B. T. FINNISS, Government Resident, N.T.

No. 41.

Depôt, Escape Cliffs, 2nd May, 1865.

Sir—I have the honor to report that I have received all the goods shipped by the *Beatrice* and *Bengal* in good order and condition, with the exception of the potatoes and onions. Out of the seventy-five bags potatoes, I will only be able to save about one ton. I may also add that I have got all the stores housed. There were also landed 314 sheep, three horses, two cows, three bullocks, eleven goats. A great number of deaths have occurred amongst the sheep since landing, especially amongst the ewes—one hundred and fifty-one (151) having died up to the present time.

—No. 17.

time. I can only account for this from their being so very short of water on board ship, as every care has been taken of them since landing; and I am confident that none have died from being allowed too much water or feed. One bullock, that was ill when landed, has since died—also three goats.

I have, &c.,

F. W. HOOD, Acting Storekeeper, and Superintendent of Stock.

The Hon. B. T. Finnis, Government Resident, N.T.

No. 42.

Extract from Mr. Howard's Report.

Parliamentary Paper No. 89 of 1865.

We reached Adam Bay on the 16th July, having been given up for lost or gone to Timor by most of the party. On our return the *Beatrice* was at once employed to take a survey party of over twenty men, their tents, stores, and two months' provisions, up the Adelaide, at the request of the Government Resident. This occupied us till the 28th of July.

Your Excellency will see, by the tracing of the river, that we landed the party higher up the river than we had before taken the *Beatrice*—the object being to get a good landing-place and camping-place close to.

The river banks here were rather steep, and about ten feet above high-water mark. We were about one and a-half miles below the limit of navigation for a vessel of our draught of water. The river was about forty yards across.

We filled up eight tons of water abreast the camp, baling it up from alongside. It was very muddy for a day or two, but then became remarkably clear. We have been using it ever since, and it has always been quite clear and sweet.

No. 43.

Mr. Howard's Letter of 1st May, 1865, from Adam Bay.

Parliamentary Paper No. 15 of 1865-6, p. 18.

With regard to fresh water, I should think both places would have about an equal supply; but, for coolness and health, I should think Escape Cliff far preferable. There is nearly always a fresh breeze from the eastward; while at Port Darwin we were becalmed eighteen hours out of the twenty-four, the faint sea-breeze which came over the land to the northward being tainted with the smell of mangrove swamps.

We have now seen the whole coast south-west from Adam Bay to the boundary, and also several detached pieces along the coast to the eastward, and, I must confess, without seeing any place superior or more adapted for a first settlement than the Adelaide River—with, perhaps, Port Darwin as a seaport.

As I think Adam Bay is likely still to continue to be the port of call for shipping bound to the Northern Territory, I propose to devote next spring to a detailed survey of Clarence Straits and the passages through the Vernon Islands, unless otherwise directed.

Our proposed movements, after returning to Escape Cliffs, are to return immediately to Sourabaya (calling at Timor for letters), and there to refit and provision, getting back to Escape Cliffs in February. From Sourabaya I hope to be able to forward a tracing of our running survey from Blaze Bay to Point Pearce, and a tracing of our soundings entering and leaving the Victoria River.

No. 44.

Parliamentary Paper No. 36 of 1864, p. 3.

18. You are referred to the instructions which have been handed to the Surgeon—acting, also, as Protector of Aborigines—in which will be found the duties devolving upon that officer with respect to the care and treatment of the aborigines, of whom the information hitherto obtained is somewhat contradictory. They are represented by some as friendly and inoffensive; and by others as treacherous, and quite ready to attack any one who may visit their shores. Your duty will be to exercise the greatest caution and forbearance in communicating with them—to warn your party to studiously avoid giving them the slightest offence—and, should you find them sufficiently trustworthy to have intercourse with them, or to enter into any dealings with them, you must insist upon every transaction being carried out on your part with the most scrupulous exactness; and, while it may be well to encourage communication with them, by showing them that you are prepared to trust them, you will take every precaution against their taking you by surprise by being always prepared to act upon the defensive by keeping regular watch in your camp, and by ordering your party not to move about the country in small parties or unarmed. Above all, you must warn your party to abstain from anything like hostility towards them, and to avoid the extremities of a conflict, which must only be had recourse to in self-defence, and only then from absolute necessity. You will show them that, while you are anxious to gain their goodwill and confidence by kindness and judicious liberality, you are able to repel, and, if necessary, punish aggression.

No. 45.

24. You are authorized to accept applications for pastoral leases, in terms of the accompanying regulations under which leases of the waste lands of the Crown are to be granted; and, as it is the intention of the Government to dispatch an augmentation to the surveying staff in the course of the next two or three months, it will be desirable that you should, soon after the arrival of this addition to your strength, organize a survey party, for the purpose of proceeding into the interior of the territory to make sketches of the principal features of the country, in order to assist you in determining applications for pastoral leases; and, in connection with this, it may eventually be necessary to establish branch survey offices in the interior for the receipt of applications, and thus save applicants from the necessity of applying at the seat of government.

25. Mr. John Thomas Manton has been appointed Engineer and Surveyor, with the rank of second in command; and it is understood that, in the event of your sickness or inability to perform your duties, the charge of the party will devolve upon him, pending other arrangements being made. It will therefore be advisable for you to communicate freely with Mr. Manton on all subjects connected with the expedition, so that, in the event of his having to assume the command, he may be thoroughly acquainted with your plans and intentions.

No. 46.

Extract from Letter of Lieut. Helpman, to the Hon. the Commissioner of Crown Lands.

Warnambool, Nov. 11, 1861.

Parliamentary Paper No. 26 of 1864, p. 6.

In presuming to offer an opinion upon the all-important subject of an outlet for South Australian stock, I would take this opportunity of saying, that the Adelaide is in every way suited, and that no river on the coast possesses facilities to be compared with it. The Adelaide has a clear navigable mouth, and easy of access, for nearly eighty miles; it abounds with fish and wildfowl. Its whole course, as far as we saw, is of a rich fertile character; it did not appear subject to any violent torrents; its banks were easy of access; and its waters are fresh for the greater portion of its length. Having cleared the entrance, no difficulties are in the way for voyages to either India or Europe.

The Victoria, on the contrary, can scarcely be considered more than an estuary, dangerous of approach, with the stream running ebb and flood at the rate of from four to five miles per hour. It is filled with enormous sand banks, difficult for boat navigation, and its banks unapproachable; whilst the general character of the land, so far as we saw it, is useless and barren in the extreme. The rivers flowing into the Gulf of Carpentaria, if they were equal to the Adelaide, have this disadvantage, that vessels would have still a difficult and very tedious passage out of the Gulf, and then through the remaining portion of the northern passage to India or Europe, besides being further to travel.

The fact of forests of bamboo being passed proves that extensive floods never visit this magnificent river.

I have, &c.,

FRANK HELPMAN, Lieutenant, R.N.

No.

No. 47.

Escape Cliffs, 14th November, 1865.

Parliamentary Paper
No. 134 of 1866.

D. 80.

Sir—I have the honor to acknowledge receipt of your letter of the 21st September last, in which I was ordered immediately to hand over the command of the party, and the care of all Government property, to Mr. Manton. At the same time I was directed to avail myself of the opportunity of returning to Adelaide in the *Ellen Lewis*, which arrived in Adam Bay late on Sunday evening the 5th instant.

I lost no time in complying with these orders; and as soon as the stock was landed, I accordingly sent the *Julia* with the Despatches for Mr. Manton, and a letter transferring the command to him.

He was at the time stationed up the River Adelaide, with a strong party, surveying rural Sections, and making such a reconnaissance as might serve to guide the Government in the site of a city there, should it be ultimately decided to adopt the course of placing the capital there.

Mr. Manton returned yesterday at two o'clock, and immediately reported his arrival to me.

He has left Mr. Packard, with twelve men, to take charge of the river camp, and brought back with him three men—Murray, Dyer, and Fitch, summoned as witnesses to Adelaide; and there also accompanied him Mr. Edmunds, the Surveyor, who has returned, I believe, on account of his health; Mr. Watson, whose purpose in coming I do not know; and also three men who had given formal and proper notice of intention to leave, and who proposed to take passage to return to Adelaide. Their names are Kersley, Austin, and Baker.

In my letter of the 16th ultimo, marked "D No. 78," I reported the arrival of Mr. Litchfield, and his discovery of a gold-producing country. Separately, I enclosed a sketch map of all the explorations, including his. In that letter I called attention to the fact that several men, whose time had expired, gave notice of intention to return to Adelaide by next opportunity. I informed them that if they remained at the river camp, I would take care to afford them a passage to Escape Cliffs in time to avail themselves of the means of returning to Adelaide, which might present itself on the arrival of the next vessel from Adelaide.

Some of the men continued at the camp under this arrangement, and have been brought down by Mr. Manton. Others have since changed their minds, and remain. But six men, Mr. W. Stow, Warland, J. Wadham, F. Wadham, Grainer, and Burford, left in a boat which they had constructed, and reached the Cliffs on Saturday the 28th ultimo. Strawbridge came down next day, making seven who left, despite the arrangement I had made for their passage, and my express caution that I had no work for them at the cliffs. They had been told of this, as I was anxious to let the men know that they could not choose their own employment, or their own residence, whilst engaged as survey laborers. On arrival I accordingly struck their names off the roll of the party. What their intention may be I know not. Some intend to return, and others to remain, if they can get work from Mr. McKinlay or Mr. Manton.

I saw Mr. McKinlay and the captain of the ship, the day after the arrival of the *Ellen Lewis*, and made all the arrangements possible for the landing of stock and the discharge of cargo.

Mr. Davis, the storekeeper, informed me yesterday, that Mr. McKinlay had landed most of his stores at that time. The lay days commence in Adam Bay from Monday the 6th instant.

I enclose my last instructions to Mr. Manton, previous to the arrival of the *Ellen Lewis*, and also a copy of the letter which I sent him giving up the command; also, a copy of the letter of instructions I issued to Mr. Davis, the storekeeper, respecting the return of stores required, and respecting the landing of Government stores, and of general order.

With these documents close my official correspondence from Escape Cliffs and the North Territory.

I shall probably continue the correspondence, and send a more detailed reply to the Despatch which I am now acknowledging when I have the leisure which the voyage will afford me. I now conclude by particularizing the conduct of such of the officers and men as deserve my special commendation.

Mr. Manton, my second in command, has worked hard at surveying and deserves my best thanks.

Mr. Young, in the Treasury department has been careful and attentive. Mr. Bennett, draughtsman, has been diligent, useful, and steady; also Mr. Roland, acting clerk. Mr. Litchfield has made great and unusual exertions in the public service; whilst directing the police, the stockmen, and explorers, he has taken on himself, personally, the hardest labor, and set an example in that branch of the service which has been attended with the happiest results. Ross and Dugald have both supported him, and also Mr. F. Finnis and Mr. Lloyd; Mr. Willshire, as acting-pilot and coxwain of the *Julia*, and generally superintending the boat service, has been of great assistance, and his will has been with his duty. There are individuals whose services have been less obtrusive than those whose names I have mentioned, but none the less efficient, and I would name them, but I should fill my Despatch with detail.

We had a beautiful shower this morning, the first of the season, and its good effects will be visible in a few days in the renewal of vegetation. I hear of no sickness in camp to-day, nor for many weeks past, except two or three cases of inflamed eyes, which, however, readily yield to eye-water and avoidance of the sun.

On the whole everything may be said to be in a forward state for settlement and survey, waiting only the decision of the Government as to the site for the capital and the arrival of free settlers, of whom at present there are only two, who are sadly in want of land and occupation.

I have, &c,

B. T. FINNISS, Government Resident, N.T.

P.S.—I now enclose the tracing of the river survey, executed by Messrs. Manton, Edmunds, and Watson, the whole party being under the control of Mr. Manton. The work was done during August, September, and October last, a period of three months.

The Hon. the Chief Secretary.

B. T. F.

No. 48.

Escape Cliffs, 20th October, 1865.

Sir—I have the honor to acquaint you that I received your letter and reports by the *Julia*. Your letter is dated 30th September, which you will observe is twelve days anterior to your receipt of my instructions sent by the *Julia*, and which reached you on the 14th instant.

I presume, therefore, that as you do not allude to my communication, that nothing had occurred in the interval to alter the state of things. The blacks, I conclude, have been peaceable. But, of course, you must not confide in them, nor permit them to enter camp, as their only motive for these visits—especially by the young men—seems to be to ascertain your number and resources.

I shall take care to strengthen your party as soon as those leave you who have given notice, and I shall watch after your safety as closely as I can. I think you should commence removing to your camp where you intend to abide the rainy season, some time in November, so as to be prepared for the rains setting in by the beginning of December.

In my last instructions I referred to a site at the base of the low hills, extending north from Mount Daly, and to the westward of Beatrice (Bald Hill). For south in that description read north. The site I mean you cannot fail to have seen from some of your camps or positions.

It is approachable from a creek, and from the river bank, during any season but the most rainy part of the year by a dray; at this season you can have no difficulty whatever. The distance, roughly estimated, is three miles from the river, and it bears probably west-south-west from Beatrice Hill. You will, when there, be within the rectangular area, which I sketched on the tracings which accompanied your original instructions for the survey of the main part of the rural sections on the west side of the Adelaide. You will find the ground there is firm, and sufficiently level for the site of a town. If desirable there is also ample area of land suitable for such a site, and abundance of water obtainable in the vicinity. I am thus particular in describing the locality, because you say you cannot find a site suitable for a capital—mentioning, amongst the difficulties, that the plains are inundated, and the hills rocky; I presume, therefore, that you have not visited the place I mean. You cannot find as good a place any where else conveniently to the land which you have to survey, which has equal advantages for a summer camp.

You will have a certain communication at all times, except for periods of a few days after those heavy rainfalls, which render roads impassable in all countries in the world when they descend. You may have communication by water probably the greater part of the wet season, and you will be in a situation to work in the wet season, as you will

No. 17.

will be elevated above the reach of all floods. As you cannot recommend this site or any other for a township, I should wish you to point it out to me when you survey it; I do not wish you to incur the responsibility in this instance, at least, as you do not seem to desire it, of giving any opinion on the merits of such a site for the capital.

I merely want sites pointed out in connexion with your rural surveys that would be suitable to be laid out into streets and allotments. It will be for the Government in Adelaide to decide such questions, and for me to recommend, and I know of no other within the limits of the country you have to survey, but the low hills at the foot of Mount Daly, abutting on Fred's Pass, and the site where I wish you to place your summer camp. I shall supply you with food such as I have myself, so as to provide you against all possible contingencies. My instructions by the *Julia* will have put you in possession of the course which I mean to take with regard to the men of your party who propose to quit the settlement by the next opportunity.

I send you their names as furnished by you and by themselves, and should wish you to send a report of the day on which they cease to work for you, and on which they embark, together with a statement for the month of October and for the current month, and of any deductions to be made from their pay; also of all accounts with the store department, prepared and vouched by Mr. Benham, so that when they arrive I may have as little difficulty as possible in having their accounts made out. I must repeat, what I have to all men in my own camp, that I have no work, except on the survey parties for any men whatever beyond the number kept at head-quarters for protection, and to keep open communication with you. I shall not find a day's work for any of your men after arrival. Their departure from your camp will terminate their connexion with Government, and it must be clearly understood that I cannot find shelter for men unless they obey my regulations, and that I am not in a condition to supply them with food beyond a certain time; as, of course, Government servants have the first claim on all my resources. When the mail-boat leaves this I shall probably send Mr. Packard and his men to recruit your strength, together with any new hands that may be available, and I shall probably increase your original number. But of this, much must depend on my instructions.

A ship is now due; I am without a medical officer; the Government know this, and therefore, I presume, are making every exertion to send a ship. They may be waiting for my reports from the *Victoria*, however; and there is the possible contingency that a vessel may be wrecked, in which latter case it will be six months before any further succour would reach me.

I have to anticipate all this.

I send you medicine and eye-water, prepared by Dr. Ninniss, who cannot remain at the settlement, and who was prevented from visiting your camp by the short stay of the *Beatrice*. Your people will find that change of food, and quinine, will act constitutionally as to the sore eyes, which are common at the *Victoria*, and all down the coast at this time of year.

If the men were to sleep in caps, and protect their eyes at night from a draught of air, they would, I think, speedily recover.

On arrival in South Australia the same eye-soreness prevailed, and it was always mitigated by one sleeping with nightcaps or hats, keeping the head warm at night.

Your sick are likely to do at least as well where they are as they would here, having better food where you are, and equal sick appliances.

By the next boat, if no other tents arrive, I shall send you a bolt of strong canvas for repairs. This I have now by me.

Hoping that your men will continue in good health, and that the sore eyes will be cured,

I have, &c.,

B. T. FINNISS, Government Resident, N.T.

J. T. Manton, Esq., S.M., Engineer and Surveyor, N.T.

No. 49.

General Order, 155.

Escape Cliffs, 9th November, 1865.

The Government Resident, having received the orders of His Excellency the Governor-in-Chief, to repair to Adelaide by the *Helen Lewis* on special duty, hereby notifies that he has handed over command of the expedition to Mr. Manton. The Government Resident takes this opportunity of thanking the officers now in the Government service for the support and assistance he has invariably received from them.

To Mr. Manton, for his exertions in pushing on the survey under very serious obstacles and difficulties, he is specially obliged.

In taking leave of the men of the expedition, the Government Resident would do injustice to the party which has been most frequently under his own individual supervision were he not also to record his sense of their toils and hardships, and of the unvarying respect and obedience which they have manifested towards him from the first, and he expresses his wish and hopes that they will render to Mr. Manton equal assistance.

B. T. FINNISS, Government Resident, N.T.

J. T. Manton, Esq., and officers and men of the N.T. Expedition.

No. 50.

MEMO.—Accounts received from Mr. Manton render it desirable that the Government Resident should quit the depôt to proceed to remove the whole party from the River Camp. He leaves the following orders and directions for the safety of the depôt during his absence:—

All existing orders respecting guard and sentries to be strictly attended to.

Mr. Davis will have general charge of the camp.

A guard, consisting of Mr. F. Finnis, as Sergeant of the Guard, Mr. Bennett, Henry Baumgartel, and John Cowie, will take charge of the stores and public property near the Government Resident's tent.

Mr. Davis, and a guard of three men, to consist of Atkinson, Hake, Pennycuik, and McMinn, as Sergeant of the Guard, will take charge of the stores at the landing-place.

Mr. Ward will guard the public property in his own tent near the stores.

This will dispense of ten persons. The remaining eight, under Mr. Hamilton, will form a reserve force to succour either guard, or act as may be required, and to take charge of the horses.

In the event of an alarm by day or night, Mr. Davis will see that these arrangements are attended to, and with one of the reserve patrol the camp frequently. Both guards will mount in such case.

The horses must be kept up every night near the Resident's tent, and even by day if there be any alarm. Rockets, and even the six-pounder gun, may be fired at night, in case the natives are about in the woods.

All work should be suspended during the presence of the natives near the camp, except defence.

If a ship should arrive during the absence of the Government Resident, rockets and blue lights, and a signal gun, should apprise her of the position of the camp by night, and a gun by day. The *Julia* should be sent with directions for her to anchor west of the depôt in five-fathoms low water, taking care to apprise the captain the spring tides rise and fall eighteen feet.

B. T. FINNISS.

To J. Davis, Esq., Assistant Storekeeper.

In case of attack, the men will defend themselves in pairs, or files, in skirmishing order, each pair taking post behind a tree, or a cart, or a case, and loading and firing alternately, taking care that one man of every pair is always loaded whilst his comrade is loading.

B. T. F.

[For Despatches from Government Resident to Chief Secretary dated 11th October, 1865, see Parliamentary Paper No. 83, 1865-6, page 11.]

No.

No. 51.

Extracts from a letter from Mr. J. W. O. Bennett to his father, dated North Palmerston, 22nd April, 1865.

* * * * Enclosed I forward a note from Mr. Pearson to me. * * * You may be sure I enjoyed my meals very much when listening to such insinuations as—"The bloated lump of carrion." "The B**y T * m F**," and many others, as "Prince Chaw Bacon" accompanied His Majesty in his yacht to Chambers Bay, when having visited some stations there, and partaken too freely of a repast of wallaby, found himself so far indisposed as to prevent his sailing any farther. This last is a sentence or announcement that appeared in a manuscript document entitled the "Court Circular," and placed under Mr. Ward's plate every morning for some time, in the handwriting of Mr. Pearson (disguised), and this was read by Ward always to the mess. Some of them had allusion to myself—"The Chief Pimp" dined with His Majesty and Prince Chaw Bacon yesterday afternoon.

This was all done at the time we were so badly off for food, just about the time the *South Australian* came in. This shows the selfish, envious, feelings of men; and those men say they know of no one so selfish as the Government Resident (or, as they say "Finniss"). You need not think that with Ward left the cantankerous spirit of disension amongst our party. The fountain head only left, but the young shoots remain and are doing well. This feeling will never leave the Expedition until the Government Resident is independent of all the men now employed; and there are plenty here ready to be employed.

The talk in camp about the conduct of the Colonel is far less now than previous to the *South Australian's* arrival. You mention having seen McDonald. What is his opinion of the place? I thought he was partial to the Colonel. The first thing I heard him say was "You are all to go back who can't agree with Mr. Finniss."

* * * * *
Now the *South Australian* steamer when arriving at Brisbane, and having several hands on board of the above-named radical lot, so soon as they were visited by the Surveyor-General of that place (Gregory), imbibed very strongly the notions put into their heads by him which he himself had discovered, namely, that about the Victoria—naturally enough he would be anxious to see that part settled and his name attached to it. He told them the Adelaide was no use, that the Victoria was a "paradise," but never sent one word to Mr. Finniss about this—*i. e.*, he made the men and all dissatisfied, and never mentioned a word to the Government Resident. Is this a gentlemanly or an official piece of conduct on the part of the Surveyor-General? Stow and Warland, coming in the *South Australian*, and hearing, or rather taking up the notions of the Surveyor-General, became immediately concerned and connected with the opposition party. Stow got information everywhere and whenever he liked—from the Doctor, and many others. Warland the same.

* * * Stow has been a great source of trouble to the Government Resident here, writing long letters, with his cutting sarcasm. No doubt his letters will be published in the newspapers. You may also see the Government Resident's despatch in answer to the above—a regular pamphlet. Stow intended to show the Government Resident how he ought to conduct exploring parties, and after one day's trip inland, with Stuckey, both on their own horses, the former lost his horse by plunging him into a mangrove creek, and both man and horse turned over and over in the water. Stow lost his fowling piece, and after succeeding in unseating himself from his horse's saddle, he swam for the bank, and the horse up the creek with everything on. The minute Stuckey saw the horse plunge in, he drew in reins, luckily for him too. Stow came ashore with nothing but his shirt, all torn to pieces, and his boots. * *

* * * This drawing you mention is fully described in Mr. W. Finniss's letter, and is simply one of the many obscene drawings by Atkinson. I know of no business my initials have on it. Mr. Finniss, I have no doubt, will let you see my description of it in his letter. It is a disgraceful subject, and I don't care about writing it twice.

True extracts.—B. T. Finniss.—1st May, 1866.

No. 52.

Extract of a letter from Mr. Bennett to Mr. William Finniss.

The author I hesitate not in saying is T. Railton Atkinson. These originals, for I know of more than one, got into Sneecer Draw's (Eb. Ward's) hands, and I refusing to copy them, he got Watson to do so. I am sorry you did not mention this circumstance to me. If you have seen them tell me what paper they were on, and the subject. I have seen quite as bad here as you can mention, so that is no point of nicety to stop at. I have the authority of Mr. P. Auld, from one of his letters, that those said drawings were sent to the offices in one of Watson's letters.

It is all very well for a lot of men to come to me and say "Why do you side with Finniss? (Sneeringly). You know very well yourself that he is wrong" * * * It is amusing to hear, though disgusting to listen to, Stow, Stuckey * * * as themselves ridiculing Finniss—or the Government Resident—about his capabilities of judging the site for towns, and qualities of land. Stow, an inexperienced man—a boy when he came to South Australia. * * Mr. Atkinson quietly announced, in my presence, that he had been taken with a fit of morality and had destroyed all his obscene drawings. This looks suspicious. Soon after the news got spread over the camp of this affair which is generally known now. Stow mentioned the affair to me as astonishing the Ministry. What a nice predicament to place one in. Now the Government Resident is also concerned in it. This is just the kind of malice shown to him, and does him very great harm. It is right you should know all these little manoeuvres going on with respect to him. If you have not seen these drawings I am sure you would be shocked if you did, and others, in camp; I have seen even worse again, but said to be destroyed.

True copies.—B. T. Finniss.—24th April, 1866.

No. 53.

Extracts from Mr. Arthur Hamilton's letter to Mr. William Finniss, dated 7th Oct., 1864.

"Your father occupies a very difficult position, surrounded by those on the *qui vive* for any opportunity of complaint.

"Little Bennett has had to undergo a tremendous amount of persecution in the officer's mess, on account of being a good deal employed writing for our Governor."

A true copy.—B. T. Finniss.—May 1, 1866.

No. 54.

General Order.

All the available men in camp will continue the discharge of the *Ellen Lewis* to-morrow (Thursday), and another day will be fixed for the celebration of the Prince of Wales Birthday.

Escape Cliffs, 8th November, 1865.

True copy.—B. T. Finniss.

B. T. F.,
G. R. N. T.

No. 55.

Memo.—Mr. Young will be good enough to see that all hands not required in camp are sent down to the beach to place themselves under the orders of Mr. Davis, the storekeeper, who is specially charged with the duty of superintending the removal of the Government stores, and has all the available hands placed under his orders for this purpose. Moorshead and Walker are required to remove the fittings, and must place themselves at Mr. Davis's disposal.

9th November, 1865.

True copy.—B. T. Finniss.

B. T. FINNISS,
Government Resident, N. T.

d—No. 17.

No.

No. 56.
General Order.—No. 159.

The Government Resident having directed Mr. J. Davis, the storekeeper, to give all orders respecting the landing and security of the Government stores, all men of the Government party will obey his orders and assist as far as in their power.

10th Nov. 1865.

B. T. FINNISS,
Government Resident, N. T.

True copy.—B. T. Finnis.

No. 57.
Extracts from General Orders.

General Order No. 5.—Ship *Henry Ellis*, May 9th, 1864. The Storekeeper, Mr. King, will furnish the Government Resident with a correct list of all stores shipped on board the *Henry Ellis* on her departure from Adelaide, in the preparation of which he will be assisted by Mr. Davis. The Storekeeper will at the same time enter in a stock book a similar list, and make no alteration in entries in this book until the period for making another return to the Government Resident, when the total of issues under each head will be deducted from the original list, and the stock in hand at the date exhibited. The Storekeeper will also keep a day book of issues, and sum up the issues weekly. From the weekly total in this book the periodical returns will be prepared.—B. T. FINNISS, Government Resident, N. T.

General Order No. 9.—The Government Resident finds that Mr. King and Davis have neglected their duty of issuing weekly rations for the use of the several cabins according to the dietary scale, and have permitted the ship's steward to perform their functions by making out his requisition and presenting it without signature or authority of the issuer of stores. In future, no provisions of any kind will be issued unless in the presence of the Storekeeper or Mr. Davis. With respect to the issues to the first cabin, Mr. King will prepare a statement of weekly issue to the steward, and affix it in the cabin, in order that the cabin passengers may be satisfied that the proper dietary scale has been attended to. The waste and neglect which have, on several occasions lately, been the result of want of care by the Storekeeper and Mr. Davis, in the issue of wines and malt liquors, oblige the Government Resident to remind Mr. King that he himself is the proper person to superintend their issue and custody. No officer or assistant in the Storekeeper's Department should be permitted on any account to give or issue spirits, except in the immediate presence of Mr. King at stated and regular hours.—B. T. F.

Memo. 18.—July 18th, 1864. A party of ten men and Mr. Auld will proceed to explore the east side of the river opposite the camp on foot, in order to pick up Stuart's track if possible. The party will return before dark. Captain Phillips will be good enough to move his ship to the mouth of the Adelaide River as soon as the tide and wind will permit. Mr. Wiltshire, who now knows the channel, will inform Captain Phillips, should he require it, as to the soundings and anchorage. The Government Resident will await the arrival of the *Henry Ellis* in the *Yatala* at the anchorage north of the Narrows. The remainder of the cargo of the *Henry Ellis* can then be transhipped into the *Yatala* if desirable. The Government Resident sends the boat's crew of the *Henry Ellis* and a crew from the *Yatala* to assist in mooring the ship if necessary, if Captain Phillips does not deem it prudent to move.—B. T. F.

Memorandum 22.—On board H.M. schooner *Beatrice*, 21st July, 1864. The Government Resident has received Captain Phillips's letter declining to move his ship to the mouth of the Adelaide River as ordered. The Government Resident now wishes Captain P. to anchor as near to Escape Cliffs as possible, so as to facilitate the discharge of the remainder of the cargo. Commander Hutchison has sent the mate of the *Beatrice* to give any information. It is desirable to effect these matters without delay.—B. T. F. Captain Phillips.

Extract from General Order No. 41.—Mr. Manton will for the present remain at head-quarters, checking and superintending the surveys under the direction of the Government Resident. He will be specially charged with the proper direction of main roads, and will see that the marking of the stations and sectional boundaries is properly done and recorded. The plans of the town for selection will be on the scale of four chains to an inch. The plans of rural sections will be drawn to a scale of two inches to a mile, or forty chains to the inch, and the plan of all towns and nautical surveys, in order to be shown on the same plans, will be reduced to this scale. The general features and runs in the interior will be plotted and drawn to a scale of half an inch to the mile. December 29th, 1864.—B. T. F.

General Order No. 47.—Every Saturday will be devoted to clearing up camp during the forenoon, and the remainder of the day will be allowed for washing, &c. The hours of work in the summer will be six hours in the field, exclusive of the time of going and returning and of meals. No survey camp beyond the camp of the peninsula will ever be left without two men whilst our present relations with the natives continue, and all surveyors in the field will, as far as possible, have revolvers constantly with them. No natives are to be encouraged to approach the camp, and, if they should be seen in the neighborhood, the surveyor should report the circumstance to the Government Resident, and adopt all proper measures for the security of his party both by day and night, keeping night watch in such case. No man forming one of a survey party will quit his camp or sleep away from it without the permission of the surveyor, on pain of being reported absent without leave. All men reported absent from work, or from the survey camp, will subject themselves to stoppage of their pay at the discretion of the Government Resident. December 29th, 1864.—B. T. F.

Memorandum 53.—Mr. King, the Storekeeper, will be required by the Auditor-General to show authorities in writing from the Government Resident for all his issues except the regulated rations. He is again cautioned against issuing tents, camp furniture, stores of any kind, or ammunition, without such express authority. January 18th, 1865.—B. T. F.

General Order No. 69.—Store Department. It has come to the knowledge of the Government Resident that the Storekeeper has issued grog to the men at head-quarters in weekly quantities instead of daily, according to previous orders, by which a great deal of drunkenness has prevailed in the camp. The Government Resident therefore strictly enjoins Mr. King, the Storekeeper, to issue the spirits daily only. Men who do not draw their daily ration will not be allowed any back supply. All survey parties encamped at head-quarters will be subject to this rule. February 21st, 1865.—B. T. F.

General Order No. 73.—The slow progress of the surveys by the four parties engaged, together with the absence of Mr. Wadham at Timor and the continued illness of Mr. Surveyor Pearson, render it necessary for the Government Resident to take further steps to urge on the field work. Mr. Manton will therefore be relieved of all camp duties at head-quarters, and will devote himself exclusively to the prosecution of the surveys. Arrangements will be made to provide him with a party, and he will commence his work by continuing the meridian line to the Narrows—commenced by Mr. Pearson—joining his work on to the traverse of the coast and river. February 27th, 1865.—B. T. F.

General Order No. 95.—Saturday half holiday. With reference to General Order No. 47 of 29th December last, in which it was stated that the Saturday forenoon was to be devoted to cleaning up the camp, and the remainder of the day allowed for washing, the Government Resident directs the same to be cancelled as to that part of the General Order. The men will devote a full day to work on Saturdays as on other days. 17/4/65.—B. T. F.

Memo. 96.—Store Department. Mr. Hood, Acting Storekeeper, will be kind enough to furnish me with a report of the number and description of cattle landed safely from the *Bengal*, and of the number of deaths to this date, stating the cause as far as can be ascertained. His attention is particularly directed to ascertain if any of the casualties arose from being allowed to eat too freely of fresh grass after being landed. 27/4/65.—B. T. F.

General Order No. 132.—Surveys (up river). Instructions to Mr. Manton. The land is to be divided into rectangular parallelograms of the given area, with an occupation road one chain wide round each square mile. The surveys are to be commenced from a base line running due west from some point on the river bank in the immediate vicinity of the first camp. All the sections will be surveyed to the north of this line. Corners and angles must be marked with numbered pickets and trenches, as also the boundary lines, and there should be a trench in every line at distances not exceeding five chains, the distance to be diminished, if necessary, where the line is carried over hills or

or other impediments to vision in its direction. Hills, creeks, swamps, streams, watercourses, and lagoons, which are crossed in the line of chaining, should be laid down, and offsets should be taken and such features as are within two chains of the boundaries. The bank of the river should be carefully surveyed and made a boundary, but without interrupting the general direction of the back boundary, which should always preserve an east and west or north and south bearing, by which it is to be understood that the back line of Sections having river frontages are not to follow the parallelism of the river banks, nor is it to interfere with the rectangular form and the direction of the Sections inland. Monthly progress reports with diagrams and all reports required by the regulations should be prepared and ready by the last day of each month for transmission to the Government Resident through Mr. Manton, who will peruse them and make such remarks thereon as he may deem useful and necessary for the information of the Government Resident, and forwarded with his own diagrams included in the above; reports should be also sent by each surveyor of the work done by him, which will, in short, constitute his progress report. All lines, the survey of which is completed, and which are properly marked, without which no survey will be considered complete, should be marked by black lines on the diagram, and sections completed should be numbered in black figures. Other work, the lines of which have been measured, but not marked, should be shown in red lines and red references. Mr. Manton will apportion the work to be done by each separate survey party, taking care that the whole be connected. The principal lines of road should be determined with reference to the natural features of the country; the general directions of these lines will be from south to north and from east to west, deviating only to follow the features of the country, not with reference to its present wild state, but having a view to future facilities of road making. In the undulating country under survey, the occupation roads will probably, in most cases, suffice for the main roads the greatest part of the lengths. Where the nature of the ground requires it, they should deviate from the straight line—for instance, in following a valley or a spur where it may be advantageous. If any Section measures less than 160 acres by reason of a main road running through it, and if the quantity cannot be made good by taking in a piece of land on one of its boundaries, the area of the diminished Section must be marked in the diagram. These Sections of lesser area can be reserved or selected at the option of the holders of land orders. Mr. Manton, as senior surveyor, will direct the surveyors working with him as to the direction of these main roads. The square form of sections is to be adhered to as a general rule, because the progress of the work and the facility for checking the surveys will be much enhanced by this system. It will be easier hereafter to run anew the boundaries and to pick up corners of Sections, the marks of which have become obliterated or removed, when a regular system of equal parallelograms has been followed out. The site of the first encampment will be in the vicinity of the site of a township, which the Government may ultimately decide to make the capital. After the division of the country into rectangular figures to a sufficient extent for this purpose, Mr. Manton will ascertain and sketch the best site for such a town on the diagram to be sent in. This area should not comprise less than two square miles, to admit of the after division into half acre blocks with streets and reserves. When he has done this he will also survey the best line of road through the Sections to communicate with the river, and to the north, as part of the system of main roads. The instructions imply that the country in the first instance is to be surveyed into rectangular blocks, the lines of road and the features of the country determined in the course of this survey, and not by any previous triangulation, as such a system involves a double survey and far more extensive means of transport and appliances than we now possess. During the survey of the rectangular blocks the best line of main roads can be ascertained and their intersection with the boundary lines measured, recorded, and marked. E. C., July 17th, 1865. B. T. FINNISS, Government Resident.

General Order No. 147.—The Government Resident being about to absent himself from head-quarters on an examination of the coast, Mr. Young will take charge of the Dépôt, and all men in camp are hereby required to render him obedience. E. C., August 11th, 1865.—B. T. FINNISS, Government Resident, N. T.

No. 58.

Maryborough, Victoria, 6th April, 1864.

Sir—I have the honor, in accordance with your request, to submit the following notes regarding the coast in the vicinity of the Adelaide River, together with such observations as are suggested by the proposed settlement.

The circumstances under which the Adelaide River was discovered, aptly illustrate the character of its adjacent coast line.

While H. M. S. *Beagle* was at anchor on the west side of Cape Hotham, Mr. Fitzmaurice, returning from the survey of the Vernon Islands, skirted the south shore of Adam Bay, as far as Cape Charles, whence he struck off towards the ship, observing nothing, in the intermediate coast line, but continuous mangroves. Crossing the Bight, however, he experienced suddenly a strong set out of the Bight, which he rightly judged to be caused by a fresh out of a river, and reported the circumstance on reaching the ship.

The apparently unbroken line of mangrove quite justified the low estimation in which Captain Wickham evidently held this stream, that now promises to become the link between Southern and Northern India, when he replied, "It's only a mangrove creek, I will examine it on the morrow; but put two days' provisions in the boats, in case of delay." The fourth day, however, arrived, without the reappearance of the expedition from the "Mangrove Creek," and fearing some disaster beyond an exhausted commissariat, the ship was being shifted more into the Bight, with a view of dispatching relief to the missing party, when in high spirits they returned on board, not only with the store of provisions taken from the ship still untouched, but the boats were decorated from stem to stern with a variety of game, and what was of more importance to us, an abundant supply of fresh water.

The name of the good Queen Dowager was suggested as the most appropriate for the river, from the fact of its running into the Strait named in honor of Her Majesty's late Royal Husband.

In the selection of a site for the first settlers in the new territory, the experience of the Dutch colonists among the Indian Islands, according to Mr. Earl, condemns the occupation of a locality which is beyond the influence of the sea breezes. If this objection be well founded, the Cape Hotham Peninsula (provided it possesses a good water supply) appears to me to be the site best adapted; as I doubt not, when the eastern shore of the Cape is surveyed, an anchorage will be found there to accommodate ships during the Western Monsoon, while the western shore will be available in the Eastern Monsoon.

Referring to the extract contained in the Pamphlet at page 53, Leichardt's opinion of the natives is thus quoted:—"They exhibited none of that ferocity which had been met with on the other side of the Gulf of Carpentaria." I presume this refers to poor Kennedy's fate, but from the best of evidence, I have no hesitation in asserting, that the master of a British vessel, from his own confession in the Booby Island Post-office, in June, 1841, was indirectly the murderer of poor Kennedy, and which is substantiated by the author of the voyage of H. M. S. *Rattlesnake*, in Torres Strait, in a foot-note at page 1, vol. 2.

It is to be hoped that the Government of the Northern Territory will be marked for its conciliatory bearing towards the Aborigines.

I hope I have not trespassed beyond the limits of information sought for, and that what I have given may be of some service.

I have, &c.,

CRAWFORD PASCOE.

To the Hon. the Chief Secretary, Adelaide.

No. 59.

Palmerston, December 9, 1864.

Sir—My last letter to you was written on board the *Beatrice* off Port Darwin on the 10th October last. Since then nothing has transpired of importance to landowners in England. I mentioned to you in that letter, however, that I had decided on fixing the site of the first town at Escape Cliffs. I now confirm that statement, and have to inform you that the City of Palmerston, as it has been named by the Governor-in-Chief, will be laid out at Escape Cliffs, at the very spot where the officers of the *Beagle*, Messrs. Fitzmaurice and Keys, had to dance for their lives to avoid the spears of the natives assembled to attack them. We have got possession of the top of the cliff, and the natives

No. 17.

natives are now a myth as regards the whole of the Hotham, or as it will now be called, the Palmerston Peninsula, for they have not shown themselves for several months. I do not think we shall have any trouble with them.

On the fifth inst. the steamship *South Australian* arrived here with reinforcements of men and supplies of cattle and stores. She made the passage by Torres Straits, calling at Melbourne, Sydney, and Brisbane. She has brought us forty fresh hands, fourteen horses, and 400 sheep, all of which have been safely landed from the anchorage, something less than a mile from the cliff. I am now in a position to proceed with the surveys, and they will be pushed with all possible vigour. I propose to lay out about two-thirds of the city fronting the sea at the cliffs, which is a fine healthy situation, open to westerly sea breezes, and the remaining portion at Port Daly, an inner harbor between the mouth of the River Adelaide and the Narrows. This harbor is safe from all winds, deep, and capacious. You have no doubt received from the Admiralty, Commander Hutchison's survey, which will explain its capabilities better than I can do in writing. The land around the basin which forms the harbor is low, some of it covered at high water spring tide to the depth of six inches; but there are other portions of the shore which though low are still quite free from any tidal influence. The water being deep enough for vessels of any size to lay within a few yards of the shore, capital only is wanted to make wharfs and stores for the convenience of shipping. There is a level road from this to Palmerston, less than six miles, so that the busy merchant may after office hours take his drive to the more healthy and pleasant site of Palmerston for his dinner and social enjoyments.

I have not laid out the city at the inner harbor, because it is a low swampy country, and will probably be hotter in temperature and less salubrious than the site at the cliffs. The whole of Adam Bay is a sheltered harbor, and for some years to come it is probable that vessels will not enter the inner harbor, as they are almost equally safe outside in a tranquil sea at all times, with scarcely a ripple, and they can discharge cargoes by lighters with great facility at Palmerston itself. The stock-stations for sheep will be on the Daly Ranges, about sixty miles from Palmerston to the south, and for horses and cattle on the flats on each side of the river intervening, where the country is of the richest description, covered with tall grass, which it is scarcely possible to walk through, and abundantly supplied with fresh water from lagoons and running streams, which are found at both sides of the river at intervals of less than a mile.

This country will form admirable breeding-stations, having direct water communication for sixty miles with the shipping. The banks of the river are steep, and the water deep.

Settlers in the interior will have no difficulty in shipping horses and produce from the steep banks of the river directly into lighters when provided, and from the smoothness of the water in Adam Bay they can have them taken alongside vessels anchored opposite Palmerston until the wharfage accommodation is erected at the port.

I have no doubt from what I see of the climate, and from conversations with my shepherds and stockmen, that wool can be produced here as profitably as in the northern runs of South Australia. I think also that wheat can be grown successfully. As to cotton, there can be no doubt that the flats of the Adelaide are admirably suited for its growth. Rice also; but sugar I should doubt, as the soil is not volcanic, and the alternate wet and dry seasons would, I think, be unfavorable.

I have not seen any limestone yet, but there is a white sandstone which will be found, when quarried, to produce excellent building stone. Lime, if not discovered, can be had by burning the coral, which can be collected in abundance from any of the coral reefs which everywhere fringe the north-west coast.

I see no harbor that, in an equal degree with this, opens access by water with so large an extent of available country. In this respect, the Victoria alone could compete. But, judging of the effect of the tides and currents in that river by what I see of the Adelaide River, I am convinced that no settlement there would thrive, because no sailing vessel can safely enter and depart without the aid of a steam tug of great power. This disadvantage attaches in some degree to the navigation of the Adelaide River, where the tides rise only twelve feet, and rush with a velocity of only three knots an hour; whilst, in the Victoria, the tides and currents are more than double, from which must result more than double the difficulty in navigation. Stock will thrive in the back country of the Victoria; and in the course of years, when an export has been created sufficient to employ many ships, it will probably become a port of importance. But as we must work for the present as well as the future, Palmerston, as now situated, is open to the visits of ships of every description and tonnage without danger or delay. The soil of the peninsula, about fifty square miles, consists of a ferruginous sandstone, which forms an admirable dry site for dwelling-houses; and although not as rich as remoter land, yet it produces oaten grass long enough and thick enough to render walking through it a matter of great difficulty, and trees and shrubs of many varieties, amongst them the spiral and the cabbage palm. Under these circumstances, I infer that it will be suitable for many descriptions of cultivation; and, as water can be obtained over the whole area of the peninsula by sinking wells from six to twenty-six feet deep, this portion of the district to be surveyed will be profitably occupied by future settlers. There is some very rich ground about three miles east of the cliffs, which will form the market gardens of Palmerston.

Fishing will be profitable, if undertaken as a trade by skilled persons; especially, I think, turtle fishing and trawling for crabs, sole, and other flat fish. The crabs are fine and large, but are not easily taken by us without proper means.

I found the natives very troublesome at first. They were shy, and would not approach us for some time, but after making and receiving signs of friendly intentions they came to us in great numbers, abusing our confidence by stealing, and claiming everything that was within their reach. Their pertinacity in this respect was so great that to avoid quarrels we were obliged to suspend all work during their visits, which became at last too frequent and troublesome. Not having an interpreter between us, it was difficult to make them understand that our peaceful behaviour was not the result of inability to defend ourselves; hence a quarrel at last arose. One of them was shot, but not until they had wounded one of our party, and they retaliated by spearing our horses. I sent out a retaliatory party to clear the peninsula of the natives by destroying their camp, and in an affray which took place another native was shot dead, a noted chief and thief, to whom I had shown the greatest kindness. Since this, which is now nearly three months, we have had no communication with them. We see their fires about ten miles off, up the river, and on one of the Vernon Islands. I think that their hostility has been averted at very little cost to them, and have no doubt our stronger party will awe them into respect, and that thus our future communications with them will be of a friendly nature. I never expect to find them useful as laborers, although some such views have been enunciated. The speedily shirk away from the labor of unloading boats, although I gave them food for every package they carried. They are too fat and well fed on easy terms from the natural products of the country to care to work. We shall require for outdoor operations a large amount of labor, before which the numbers of the whole native population, if converted into the civilized habit or working for wages, would be quite inappreciable. We must have Asiatic labor and that speedily, before we can have buildings, roads, or cultivation to any extent. Land-owners who intend to settle must see to this. I have made this letter rather long for official correspondence, and have departed from the usual rule of confining our remarks to one subject; but I know every information to be given by persons on the spot will be valuable to future settlers and speculators.

G. S. Walters, Esq., Agent-General.

I have, &c.,
B. T. FINNISS.

No. 60.

Extract from Journal of Northern Territory Expedition.

Monday, May 16, 1864.—BeCALMED until noon. Colonel Finnis availed himself of the steady position of the ship to commence drilling the men as volunteers in squads of ten. The drill was conducted on the poop, and the men turned out in the red shirt uniform selected for their wear when on duty. Gun drill was also commenced. One sheep died.

No. 61.

Instructions to Boyle Travers Finniss, Esq., Government Resident of the Northern Territory of South Australia, and the several Officers under his command; together with Extracts from Letters, &c., from Messrs. Earl, Helpman, and Pascoe.

His Excellency the Governor-in-Chief having been pleased, by the advice and with the consent of the Executive Council, to issue a Commission under the Public Seal of the said Province, appointing you Government Resident in

and for the New Territory recently annexed to the said Province by Her Majesty's Royal Letters Patent, bearing date the sixth day of July, one thousand eight hundred and sixty-three; and His Excellency having authorized and commanded you to execute in due manner all things that shall belong to your said appointment, in accordance with the several powers conferred upon you by the said Commission, is further pleased, by the advice aforesaid, to issue for your guidance the following

GENERAL INSTRUCTIONS.

1. The officers and men forming the Expedition, appointed to proceed with you to the Northern Territory, are under your entire authority and control; and you will be held responsible to Government for their good conduct, and for the faithful and efficient discharge of their duties. You will, therefore, impress upon them, collectively and individually, the necessity for prompt and cheerful obedience to your orders; and you will endeavor, by every means in your power, compatible with strict discipline, to establish and cultivate kindly feelings between yourself and them.

2. To enable you to maintain the discipline necessary for the safety and success of the Expedition, two of your officers have been appointed to the Commission of the Peace, and a number of your men have been sworn in as Special Constables; and you are hereby authorized and empowered to suspend any officer or man who may be guilty of insubordination, or any other misconduct, which, in your judgment, may justify suspension; and temporarily to appoint others in their stead, subject to the approval of the Governor in Council, to whom you will make a full report of all the particulars of each case of suspension and temporary appointment, by the earliest opportunity.

3. Should any temporary appointment thus made by you be confirmed by the Governor in Council, the holder of it will be entitled to full salary from the date of his appointment; but, if not confirmed, only half salary will be allowed from that date. The person under suspension will be under stoppage of half his salary until reinstated by yourself or the Governor in Council; should, however, the sentence of suspension be reversed by the Governor in Council, he will receive the amount of half salary stopped since the date of his suspension.

4. The Government have chartered the ship *Henry Ellis*, of 464 tons burthen, commanded by Captain Phillips, and have fitted her up expressly for the purpose of conveying the Expedition to the North-west Coast; and so soon as your stores, stock, and material have been shipped on board that vessel, you and your party must be ready to embark and proceed *viâ* Cape Leuwin to the south-western corner of Adam Bay, the estuary of the Adelaide River, in Clarence Strait.

5. The officers and men forming the Expedition will be provided with all necessary rations on the voyage, at the cost of the Government, in accordance with a fixed scale; and you will make all the necessary arrangements for the economical cooking and serving of such rations, by appointing certain men of your party to discharge these duties.

6. You will frame such regulations as you may consider necessary for the good conduct, safety, and comfort of the party on ship-board, taking especial care that any rules relating to cleanliness of quarters, fixed hours for meals and retiring to rest, the use of lights, and the non-interference with the crew of the vessel, be strictly enforced; and you will not allow the men to assist in the working of the ship, except by your permission, at the special request of the master.

7. Mr. Gregory's horses having suffered so much on the voyage to Victoria River, that few of them were able to do their work when landed, and many died soon afterwards, your attention is particularly directed to the necessity for taking every possible care of your stock on board ship, and for which purpose you will appoint regular relief watches by day and by night; you will also guard against their being roughly handled in landing; and if at first it should be found they do not take willingly to the natural herbage of the country, you will cause them to be fed from your stock of fodder.

8. Any furniture, fittings, fodder, or stores put on board for the use of your party, and not consumed, will be landed on arrival at your destination, and added to your general stock of stores and materials.

9. The surveying ship *Beatrice*, Commander Hutchison, R.N., has been dispatched to the North-west Coast for the purpose of making a careful general survey of the same; and that officer will afford you, from time to time, any information he may possess respecting the navigation of the coast and its inlets, to guide you in fixing upon a port and settlement, and to enable you to prosecute your discoveries by the navigation of the rivers. He has also been requested to assist you in various other matters, for the particulars of which you are referred to his instructions.

10. The Government schooner *Yatala*, Francis Humbert, Master, will be also dispatched to Adam Bay, and on arrival there, she will be under your orders and control.

11. The vessels *Beatrice*, *Yatala*, and *Henry Ellis*, will rendezvous at the south-western corner of Adam Bay, or as near thereto as they can safely anchor.

12. You will, during the voyage, make yourself acquainted with the advantages of Adam Bay as a place of settlement, by a careful perusal of the works and documents particularized in the margin; and, on your arrival there, you will proceed to ascertain, by personal inspection, whether it offers the following advantages.—

i. A secure port or harbor, easily navigable, conveniently situated as a port of call for vessels trading to Malaysia and India.

ii. A healthy site for a capital, at or near to the port or harbor, in close proximity to fresh water and timber. Should it be impracticable or undesirable to form the capital and port on one and the same site, then high table land, as near to the port as possible, should be selected for the capital, having regard to the means of communication with those parts of the interior from whence produce may be expected to arrive.

Salubrity of climate is of the utmost importance; therefore, swamps, mud-banks, and land-locked harbors, must be avoided; as such places are the chief sources of malaria.

13. It is possible you may find a port on the coast of Adam Bay, in every respect suitable as a port of call, and as an emporium for the interchange of British manufactures and Indian produce, but not conveniently situated for the exportation of the produce of the interior, for which you may perhaps find a better outlet at the head of the navigable waters of the Adelaide River. It is quite possible, however, that neither of these places would possess all the advantages necessary for the formation of a capital; and you may, therefore, find it necessary to establish three settlements, namely, a port on the coast, another on the river, and a town as near to the latter as possible.

14. Failing to find at the mouth of the Adelaide River, or on its banks, a locality which, in your judgment, would be suitable for a settlement, you will then direct your attention and inquiries to Port Darwin and its neighborhood, south of Adam Bay—and, this locality proving unsuitable, you will next proceed farther south to Port Paterson, and the surrounding waters, and to the Victoria River, including the intermediate ports and bays; and, should no sufficient inducement offer at any of these places to found a settlement there, you will then cause an examination to be made of the various inlets of Van Diemen Gulf. Several important rivers—the North and South Alligator Rivers, among others—are known to disembogue into that Gulf; and although it would be of much more importance, in a commercial point of view, to obtain a port of easy access and safety in the direct line of communication to Malaysia and India, by Torres Straits, nevertheless a good port in the Gulf would form a valuable outlet for the produce which may be expected from the excellent country discovered by Stuart in that neighborhood. Supposing that your researches in the Gulf should not be attended with such an amount of success as would warrant the foundation of a settlement there, you will proceed with your examinations eastward, until you reach the Gulf of Carpentaria, avoiding Port Essington and Raffles Bay, but directing your examinations to the western shores of the Gulf of Carpentaria, as far as the River Roper in the Limmen Bight.

15. In the event of your not forming a settlement at Adam Bay, or in its neighborhood, and your determining to further examine the coast in search of a better site, it may be advisable, if not absolutely necessary, until you have finally fixed upon the locality for the settlement, to land your party, stock, stores, and material from the *Henry Ellis*, and form a dépôt at some convenient place, from whence your stores, &c., may be afterwards conveyed by means of the *Yatala*, and your stock driven overland. In coming to a determination upon this subject, your own discretion and the circumstances of your position must be your guide. Besides the great expense of keeping the *Henry Ellis* for any lengthened period after the expiry of her lay days, it would not be possible for you to make provision for the sustenance of your stock on board ship, while you were engaged in an examination of the coast; which might possibly occupy considerable time.

Selection of a settlement, Adam Bay.—Stokes' Discoveries in Australia, vol. 1, pp. 415 to 427, inclusive, ed. of 1846.—Memo. by G. W. Earl, 29-2-64.—Government Pamphlet on Northern Territory, p. 27.—Letter and extracts from Journal of Lieut. Helpman, R.N.

16. It

16. It is therefore more than probable that a depôt would have to be formed; and if so, your first care will be to see that your stores, &c., are carefully housed and protected, and that a sufficient number of your party are left in charge to protect themselves and the property entrusted to them. With the remainder of your party you will transfer yourself to the *Yatala*, and proceed with your examinations as before directed.

17. Whenever, either by the formation of a settlement or a depôt, you are able to dispense with the services of the *Henry Ellis*, you will, if the master has faithfully carried out his part of the charter-party, settle with him by paying the amount due to him under the charter, by drafts on the Agent-General, in London at par; but if he should not have performed his part of the charter, you will withhold such payment, and furnish the Government, as early as possible, with a detailed account of your reasons for so doing.

18. You are referred to the instructions which have been handed to the surgeon, acting also as Protector of Aborigines, in which will be found the duties devolving upon that officer with respect to the care and treatment of the aborigines, of whom the information hitherto obtained is somewhat contradictory. They are represented by some as friendly and inoffensive, and by others as treacherous, and quite ready to attack any one who may visit their shores. Your duty will be to exercise the greatest caution and forbearance in communicating with them; to warn your party to studiously avoid giving them the slightest offence, and, should you find them sufficiently trustworthy to have intercourse with them, or to enter into any dealings with them, you must insist upon every transaction being carried out on your part with the most scrupulous exactness; and while it may be well to encourage communication with them, by showing them that you are prepared to trust them, you will take every precaution against their taking you by surprise, by being always prepared to act upon the defensive, by keeping regular watch in your camp, and by ordering your party not to move about the country in small parties or unarmed. Above all, you must warn your party to abstain from anything like hostility towards them, and to avoid the extremities of a conflict, which must only be had recourse to in self-defence, and only then from absolute necessity. You will show them that, while you are anxious to gain their goodwill and confidence by kindness and judicious liberality, you are able to repel, and, if necessary, punish aggression.

19. Separate instructions have been prepared for the guidance of the following officers under your command, copies of which instructions will be found in the Appendix, and to which it is only necessary to refer you:—

- i. Clerk in charge, Accountant and Postmaster.
- ii. Storekeeper.
- iii. Superintendent of Stock.

20. It is not the wish of the Government to levy any Customs duties, or other imposts upon goods imported into the Northern Territory in the first instance, nor until the opinion of Parliament can be taken as to the advisability of declaring the whole of the ports of the Northern Territory free ports. The clerk in charge has been instructed to keep an accurate account of the arrival and departure of all vessels, with their tonnage, passengers, and other particulars.

21. In your capacity of Stipendiary Magistrate, you will be required, with the assistance of the Justices, to administer the law; and you are referred to Act No. 15 of 1849, and No. 6 of 1850, which, in practice, will be found to comprise all the duties of a Stipendiary Magistrate, whose powers it is not intended that you should exceed. You will be provided with a stock of the necessary forms of proceedings, the Acts of the Parliament of South Australia, and a small collection of works on evidence, criminal proceedings, and other matters likely to prove useful to you in the performance of this branch of your duties.

22. It having been suggested by Lieutenant Pascoe, R.N., that the mass of quartz at Tale Head—the southwest headland at the entrance of Port Darwin—may prove auriferous, you are requested, whenever the nature of your more important duties will admit, to cause an examination to be made of this locality, and to forward to Adelaide a few tons of the quartz for examination.

23. You will, as early as possible, proceed with the survey of lands, in such manner as to place the purchasers in possession with the least delay, giving them as large an extent to select from as the number of surveyors at your disposal will admit. For further detailed instructions and suggestions upon this subject you are referred to the communications of the Hon. the Commissioner of Crown Lands, and the Surveyor-General.

24. You are authorized to accept applications for Pastoral Leases, in terms of the accompanying regulations, under which leases of Waste Lands of the Crown are to be granted; and as it is the intention of the Government to dispatch an augmentation to the surveying staff in the course of the next two or three months, it will be desirable that you should, soon after the arrival of this addition to your strength, organize a survey party, for the purpose of proceeding into the interior of the territory, to make sketches of the principal features of the country, in order to assist you in determining applications for Pastoral Leases; and, in connection with this, it may eventually be necessary to establish Branch Survey Offices in the interior for the receipt of applications, and thus save applicants from the necessity of applying at the seat of Government.

25. Mr. John Thomas Manton has been appointed Engineer and Surveyor, with the rank of second in command, and it is understood that in the event of your sickness or inability to perform your duties, the charge of the party will devolve upon him, pending other arrangements being made. It will therefore be advisable for you to communicate freely with Mr. Manton on all subjects connected with the expedition, so that in the event of his having to assume the command, he may be thoroughly acquainted with your plans and intentions.

26. As it will at all times be of interest to receive from you full accounts of your proceedings, and of all matters affecting the progress of the settlement, you are requested not to lose any opportunity of keeping the Government fully advised of all important events. On these, and all other subjects, you will correspond with the Chief Secretary; and any communication which any officer or servant of the Government may desire to make to the Government must be transmitted through you, in order that you may forward a report thereon for the information of the Government.

27. The foregoing general instructions may hereafter be supplemented, varied, or rescinded by other instructions issued from time to time by the authority of the Governor in Council, and by communication made to you through the Chief Secretary. The object of the Government is to place you in possession of their views upon your most important duties; there are many details which they have not thought it necessary to enter into, because they feel that they may rely upon your discretion and your long experience of official business for due attention to all such minor matters. They have the utmost confidence in your ability, and in your earnest desire satisfactorily to discharge the very responsible duties you have undertaken; and they do not therefore wish to hamper your operations by insisting upon a strict adherence in every particular to these instructions, should circumstances occur to justify a departure from them. In such a case the Government only require that you should take the earliest opportunity of informing them of the extent of—and your reasons for—such departure. The Government are of opinion, that to leave you thus at liberty will prove the strongest incentive to the accomplishment of the important objects which you and they are so anxious may be crowned with success.

Adelaide, 14th April, 1864. By command, HENRY AYERS, Chief Secretary.

No. 62. Depôt Camp, Escape Cliffs, 10th August, 1864.

Sir—I do myself the honor to report, for the information of His Excellency the Governor-in-Chief, that the *Henry Ellis* arrived at her destination, in Adam Bay, on the 21st June, all well; and no casualties amongst the horses and bullocks. The sheep suffered severely from want of room, and we only landed fifty-five, out of one hundred and fifty embarked; about fifty perished on the voyage.

The *Beatrice* had arrived about twenty-three days before us, and we found her at anchor at the “rendezvous.” The *Yatala* came in on the 29th June, with the loss of her rudder and false keel, having got ashore off Cape Vashon, one of the best-surveyed localities on the coast. I forward copy of the schooner’s log during the time she was aground. With the exception of this casualty, and the loss of one of the crew of the *Henry Ellis*, by drowning, all has gone on well. The man was a small hump-backed landsman who fell overboard, from the mizen chains, the day after the ship anchored, and was seen no more.

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My first object was to land the stock, as we had only six days' water left; and we had been, both passengers and cattle, on a short allowance for three weeks, and the cattle were suffering severely.

There was no place on the coast where stock could be landed, as the distance was too great from the vessel to the shore to hope to get them safely disembarked, considering their weak condition. Fresh water, moreover, was not to be obtained nearer than the Adelaide River, and about forty miles up the stream. It was impossible to supply the cattle on board from such a distance, and a single day lost in attempting to find water in wells might, if unsuccessful, have proved fatal. I, therefore, accompanied Commander Hutchison up the river, to look for a landing-place which he had previously seen; and the cattle were the next day transhipped on board the *Beatrice*, and in two trips, safely carried up the river and landed at a place where feed and water were abundant.

This service Commander Hutchison volunteered; and I must here record my sense of the great obligation under which he has placed the South Australian Government, by the prompt and energetic manner in which he has used his vessel and crew to assist the expedition. But for his timely assistance the difficulty of landing the stock and stores would have been almost insuperable, as the *Yatala* came in severely crippled, and the only boat available for landing goods was the *Julia*. The *Henry Ellis* rendered us no service in this particular. His long boat, never in a condition of useful repair, was entirely broken up the day we anchored, and the Captain's gig, the only remaining boat, was too light for any such purpose; at any rate, she was never used for landing cargo. The *Henry Ellis* was two men short of her complement, after the loss of the man which I have recorded. The crew struck work during the passage, and when they returned to their duty were not to be compared to the men under the orders of Commander Hutchison, in the way in which they worked. All the assistance I got from the *Henry Ellis* was in helping to discharge cargo over the ship's side, and in manning, with the mate and four men, one of the boats always required to tow the *Beatrice* or the *Yatala* up and down the river.

Having landed the cattle, I made my first encampment on the Adelaide River, with the view of dispensing with the services of a costly vessel which could be of no use to me; and I was in hopes that a permanent depôt might be formed higher up the stream where some hills appeared, which promised to afford a healthy site for the purpose, and, perhaps, for ultimate settlement. In order to ascertain this fact, I made an excursion up the river, by land, on horseback, with a party of five men, as soon as the horses were strong enough to bear the journey.

I found that the country along the banks of the river was intersected by fresh water lagoons, swamps, and running streams, for a distance of from three to six miles; and, though I repeatedly made attempts to reach the hills before me, and which Commander Hutchison had first called my attention to, I was always stopped by marshy ground. The hills were about twelve miles from the camp, in a S.S.W. direction, and completely surrounded by water. I then proceeded about twelve miles, further to the southward, and reached the Daly Ranges, which appear to form part of an extensive elevated portion of the Continent, and are well suited for pastoral occupation, the grass and water being of the best quality, and abundant. Here again I was disappointed in being able to connect the river with the ranges over a country that would be accessible for drays, without which we could not form a depôt. The same marshy country, very rich in soil and productions, cut me off from the river.

The opposite side of the river presented precisely the same features, and this was afterwards confirmed by Mr. Auld and others, whom I detached to examine the country.

The Adelaide River, as will be seen from the charts and sketch map of Commander Hutchison, is a noble river, navigable for at least sixty miles of its windings by ships of the largest burden used in commerce. But it must be carefully surveyed, as there are rocks here and there in its course which require to be marked, and a steam-tug must be used, as without such assistance a sailing vessel must drop down with the tides, having a boat a-head to assist her in steering. The tide runs about three miles an hour, and there is rarely any wind at this time of the year to beat up by. The breadth of water at the Narrows and at the camp is about 170 yards, and the channel extends nearly the whole width. Finding that there was no place up the river suitable for a depôt in which to encounter the rainy season, having regard to the health of the party, and its accessibility from the sea with the means likely to be at the disposal of a first settlement for some time to come, I turned my attention elsewhere, and had no hesitation in fixing on Escape Cliffs as a healthy, cheerful habitation, and sufficiently near to anchorage in Adam Bay, and at the mouth of the river, to be in communication with the shipping. I sent a party to search for water, and a well was sunk by some of the men of the *Beatrice*, under Lieutenant Howard, which soon produced an abundant supply of good fresh water. I have therefore now completed the landing of the stores from the *Henry Ellis* at our depôt, Escape Cliffs, through the aid of the *Yatala* and the boats of the expedition, and she proceeds up the river to-day to remove the stores and party now stationed there under charge of Mr. Manton. The collecting these stores and securing them will occupy from three weeks to a month—say till the 1st of September. Our whole strength has been hitherto employed in similar operations. When the depôt is formed, I shall commence the surveys in the neighborhood of the camp, reserving, until the return of Commander Hutchison from Timor, the question of the site of the capital.

The provisions of the *Beatrice* are running short, as also the fresh supplies of the rest of the expedition. Commander Hutchison has, therefore, proposed to take his schooner to Timor with Despatches, and after recruiting his own health and that of the surgeon (Dr. Ninnis), to return with fruit, vegetables, and other supplies. I have authorized him to engage the services of ten or twelve coolies, to act as cooks and axemen to the survey parties. This will serve as an experiment of the usefulness of Asiatic labor.

The *Henry Ellis* being now completely discharged, is at liberty to leave the settlement on the 6th inst. As her movements are uncertain, I prefer sending the mails by the *Beatrice*, especially as arrangements must be made with the Dutch Government at Koepang for their transmission to Singapore, and for payment of the postage charged by foreign postmasters. I begin to feel my funds growing very short, and shall have to authorize Commander Hutchison to obtain cash for one of the bills with which I have been furnished. The *Yatala* must be sent to Koepang or Batavia for repairs as soon as the *Beatrice* returns, which will be towards the end of September; and I have not yet been put in communication with any house of business where I can negotiate my bills or obtain credit. Not to mix up too many subjects in one letter, I shall close this Despatch by stating that the health of the party continues good, with the exception of sore legs, occasioned chiefly by mosquito bites, but aggravated to inflammation by the indifferent food and cooking which we all have to put up with, and the exposure which is inevitable, sleeping out frequently without shelter ashore and in open boats. With the return of the *Beatrice*, I trust new vigor will be infused into the party, and we shall then be in a condition to carry out the great work before us—the survey of 250,000 acres of land.

The Hon. Henry Ayers, M.L.C., Chief Secretary.

I have, &c.,
B. T. FINNISS.

No. 63.

Friday, July 8.—This morning, at 9 o'clock, the Government Resident started on an expedition to examine the country in the vicinity of a low range of hills, which may be seen to the southward from the outskirts of our depôt camp, apparently about twelve miles to fourteen miles off. The party comprised Colonel Finnis, F. R. Finnis, P. Auld, Litchfield, Packard, and Wadham, all mounted and armed, and with two led pack-horses bearing stores, &c.

No. 64.

Instructions to Auld.

Mr. Auld will proceed on Tuesday with a light party on horseback, and a week's provisions, to examine the country south of the bight or bay east of Cape Hotham. He will, if near the spot, try and identify the spot where Mr. Stuart planted his flag, which he will probably succeed in doing by keeping the sea coast when he strikes it across the neck of the Peninsula on a course E.N.E. from the Narrows, from whence the expedition starts. He will take care to avoid all risk of being short of water and provisions, and will fall back on the wells at Escape Cliffs on his return, where a party will wait his arrival. Mr. Davis has been ordered to look out and assist. Mr. Auld will remain in camp at Escape Cliffs, taking great care of his horses, until the return of the *Yatala* from the camp, whither she proceeds on Monday evening.

No. 17.

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XX. APPENDIX TO EVIDENCE TAKEN BEFORE NORTHERN TERRITORY COMMISSION.

As the *Yatala* may be back to port before Mr. Auld's return, he should look out for her at the point of starting, and get water for his horses if she be there, provided he can do so without too much inconvenience or fatigue.

If the *Yatala* should not be there, Mr. Auld should leave a report in a bottle, explaining where he is gone, and reporting success or otherwise.

The main object, and most important one, is to ascertain if a dray horse road practicable in the wet season can be found from the spot where Mr. Wiltshire's examination ceased, at the head of the bight, to the interior, for about twenty miles south of the sea.

The distance east from the Adelaide River is of no consequence. It is merely desirable to follow up, if possible, the elevated ground between the Adelaide and Alligator Rivers which is assured must exist.

Mr. Auld's party will consist of himself (in command), McMinn, F. Finnis, Wiltshire, and Boucaut, with five saddle and one pack horses.

The remaining two horses—one being sick—will be sent in charge of Packard to the wells at Escape Cliffs, with Pennywick and Dougal. Packard will take charge of the party till Mr. Auld joins him, carrying three days' provision for his party of three, and communicate with the *Henry Ellis*. Mr. Davis will then join the party as above, with Hake and Atkinson.

July 20th, 1864.

No. 65.

Extracts from a Private Letter from B. T. Finnis, Esq., Government Resident, Northern Territory, to the Hon. Henry Ayers, Chief Secretary, South Australia.

Depôt, Escape Cliffs, August 13th, 1864.

Dear Sir—I have enclosed, in a public Despatch, some general orders, which I have issued for the immediate safety of this camp, and others which I reserve to be communicated to the whole body when they join me. The *Henry Ellis* sails for Colombo, on the 17th instant, and the *Beatrice* sailed yesterday, for Timor, with the most important part of the mail. This I send by way of Colombo, and it may reach you a month earlier than the Timor Despatches. But not to excite alarm, which you will find there is no occasion for, when you get the full details of my proceedings, I mention now, that we are all well except Mr. Pearson, wounded in three places, but only flesh wounds. There is, however, experienced a want of good wholesome fresh food and vegetables, and fruit, which causes the men to break out in sores, and depresses their spirits. The pork, in half-barrels, is inferior and uncatable, and I am obliged to substitute flour for it. Pork, in a climate like this, leads to cutaneous disorders, and we have no beef. The mutton has always been diseased, dry, and lean, and with very little nourishment from the bad treatment the sheep had to put up with on board, from which they have not even yet recovered.

I am at Escape Cliffs with part of the stores, and eighteen men, including myself. The rest of the party and the *Yatala* are at the River Camp, and I expect the *Yatala* will leave there to-night or to-morrow, with a cargo of stores for this place, where I am anxious to see all assemble as soon as possible. It must, under any circumstances, be ten days before that can happen; and then commences the work of erecting our stores, wooden houses, and stockade.

Commander Hutchison has behaved to me not only as an officer and a gentleman, having the good of a certain service at heart, but as a friend. I am deeply indebted to him for valuable assistance, and prudent, sagacious, intelligent advice whenever I have had occasion to consult him.

My mind is strongly determined in favor of making this the capital, with Adam Bay for an outer, and the mouth of the river for an inner harbor. It appears to me that we have everything sought for, and certainly more than the Ministry expected. But in deference to Commander Hutchison's judgment, and in order to avoid the imputation of having acted precipitately, and without sufficient information, I shall abide his return, in order to visit Bynoe Harbor, which I am sure is the only other place that can compete with this, if it can even be put in comparison. Our great difficulties are already vanquished in establishing a position as we have done, and acquiring the statistical knowledge which I possess. If I were to give all the varied details of this expedition, I should have to write quires of paper, and require three or four clerks; as it is, I give only general accounts, as clearly and succinctly as I can. My difficulties are really hidden from view in these reports, both as to risk, and exposure, and anxiety, and annoyance.

The mangrove scrubs, which are described in such awful terms, are simply tall straight trees without branches, from ten to thirty feet from the ground, and which men and cattle can freely pass. There is no grass or thicket growing under them, and the so-called scrub is only a fringe or grove of timber about a hundred yards through to the plain beyond. There are a few vines, about ten yards through, at the very edge of the creek.

Depôt, Escape Cliffs, 16th August, 1864.

Sir—I have the honor to enclose copies of orders which I have prepared, and proposed to issue when Mr. Manton's party join me. I wish you to assure His Excellency the Governor-in-Chief, that I have written these orders with great regret, and only on the necessity to which I have been driven by the hostile and alarmed attitudes which have been assumed by some of my officers. Hostile, I mean, as regards me. The effect of which must be to create distrust at a time when union and concord are our chief hope of safety. I have been obliged to justify myself as publicly as I have been attacked. The Despatches, by the *Beatrice*, will give full details. The *Yatala* is expected this evening or to-morrow, with the chief load of stores from the camp, and perhaps the whole party, if she can remove everything. Our men are suffering in strength and spirits at this camp, from want of animal food. The pork, in half-barrels, which is the only supply here, is stinking, and cannot be eaten; we live on damper and preserved vegetables, but we want change of food—beef and good wholesome mutton, potatoes or yams, fruit and good bread; some of these we shall obtain when the other stores arrive, and the *Beatrice* will supply us with all that is necessary from Timor. Our party is weak in men; we also want revolvers, many of those sent from Melbourne appear to be defective; the Colts', heavy pattern, are the best and surest.

I have the honor, &c.,

B. T. FINNISS, Government Resident, Northern Territory.

The Hon. the Chief Secretary.

No. 66.

North Territory, South Australia, Depôt, Escape Cliffs, 6th October, 1864.

Sir—I do myself the honor to report proceedings in continuation of my Despatch, No. 2 of the 16th of August last, which was dated from this depôt.

On the 16th August, I discharged the *Henry Ellis*, finding her rather an incumbrance than a service to the expedition, as the master made too many difficulties about moving her where required, and she had only a captain's gig in the shape of boats, and was herself undermanned, by the loss of two of her seamen, one by desertion in Port Adelaide, and the other by drowning in Adam Bay. It would have been impossible to use her as a depôt, even had these circumstances been otherwise, as whilst any stores were on board, some of my party had to remain with the assistant storekeeper, to watch the stores, and almost every package was required ashore, to supply some article of necessity for the expedition.

Capt. Phillips was settled with on the 16th August, in the following way—five hundred pounds, as due under the charter; four hundred and sixty-four pounds, hire for one month, under the original agreement; and thirty pounds twelve shillings for supplies had during the voyage and pending her stay in Adam Bay. The total sum paid to Captain Phillips therefore, amounts to nine hundred and ninety-four pounds twelve shillings (£994 12s.), which was done by a bill on the Agent-General for £1,000 at par, the balance being returned to the accountant here.

Having found all that was needed for an infant settlement at this place, viz:—a convenient harbor, fresh water in sufficient abundance, and easily obtainable, an apparently healthy, cheerful site, and good soil in abundance, I made this my permanent depôt, and collected all the party here on the 31st of August, with the cattle and stores. I regret to say, however, with the loss of three horses and three bullocks, which I am satisfied died from the effects

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of eating a poisonous weed, which appears to grow chiefly at the Narrows, near salt swamps, and probably in similar situations elsewhere.

The labor of getting our stores collected, I cannot yet say secured, at this place, has been immense, under all the disadvantages and difficulties that opposed us.

The goods were first landed in boats from the anchorage outside, nearly a mile from shore, across a mud flat, which was only accessible twice a day, when the tides flowed. Thus, very seldom could more than two trips be made by each boat, when the goods had to be carried by hand through the water to high-water mark. The varying height of the tides at neaps and springs rendered high-water mark a constantly shifting line. From the point where the goods were landed they had then to be again handled at a subsequent time, and carried to a derrick, which I had caused to be made, to hoist them up the cliffs, about twenty-five feet high, for a distance of about one hundred yards, over deep heavy sand. When collected on the top of the cliffs, they were again removed by animal power, to our position, about 400 yards south of the landing place. I found my party quite insufficient for the labor. There are eleven officers in the expedition. Three men on horseback were required all day to watch and protect the cattle on their feeding ground, three miles off, and another party of four was constantly employed digging well and fetching water to the camp. These casualties, with cooks, shepherd, and sick, rendered my effective strength quite insufficient for the work to be performed. Hence there has been much damage to the stores from accident, water, weather, and I am sorry to say, plunder in some cases.

I have not yet got my stores housed, or indeed any of the party; that is a work yet to be performed, whilst a change of weather is threatening. The wooden houses are not yet landed at this dépôt. They were taken out of the *Henry Ellis* by the men of the *Beatrice*, through the kind assistance of Captain Hutchison, and safely stacked on the beach at Point Charles, the only eligible place, at the time they were landed, to which they could be conveniently conveyed. The *Yatala* and the *Julia*, with some of my men, are at this moment employed rafting them off, and I expect to have them here to-morrow.

I stated in a former Despatch that the *Beatrice* had proceeded to Timor for supplies. She returned on the first day of this month with supplies of fresh provisions, fruit, and vegetables, greatly to my joy, for her presence was much needed, and I had strained my eyes for days watching her appearance.

My anxiety was occasioned chiefly by the failure of our stock of food. We have abundance of flour, tea, and sugar, but our salt meat, of which we had only brought a stock of pork, had become tainted and unwholesome, both in the large and in the small barrels; and our small stores—rice, cheese, jams, peas, were exhausted; our sheep, now reduced to half a dozen, were husbanded, but even when killed afforded very little nourishment, as from the grass having been of necessity burned, they had to subsist on leaves and shrubs.

The health of the party from these combined causes—exposure on exploring trips amongst swamps, insufficient animal and succulent food, hard labor in a tropical sun, and perhaps also from a changing season—had begun to fail, and with it their spirits and energies. None of these causes have been assigned by the surgeon of the expedition (Dr. Goldsmith) to account for the sickness, which he attributes solely and exclusively to the quality of the water. But I am quite satisfied that he is mistaken in his opinion, and his own reports, which I transmit by this mail admit the fact.

The alarm created and excited was sufficient to cause despondency, and I have no doubt that it had such an effect.

From the very day of the arrival of the *Beatrice* a change has been operating for the better in the health of the men. This morning Dr. Goldsmith only reports one sick of my party, viz., Mr. Pearson, who has been on the sick list since his wounds. I have given the men as much fruit and vegetables as they can consume. We killed our first buffalo on the morning after the arrival of the *Beatrice*, and we can, with the aid of fishing and kangaroo hunting, now make our supplies of fresh meat and vegetables hold out for three months.

On the 9th, Commander Hutchison proceeds to Timor, on his way to Adelaide, and I have ordered the *Yatala* to accompany him as far as Timor for additional supplies, to enable me to hold out for a further three months, by which time I presume the first reinforcement from Adelaide will reach us.

I send Mr. Davis, the Assistant Storekeeper, with all my remaining funds, on board the *Yatala* as supercargo. The *Yatala* cannot be completely repaired at Timor, as Commander Hutchison informs me that they have no sheet copper or copper rods; iron will be substituted, but will not last twelve months. But as her speedy return is a matter of importance, owing to our necessities and the expected change of monsoon, there seems to be no alternative.

Perhaps Major Douglas could send copper pentals for the rudder, and sheathing of copper for her bilge and keel from Adelaide. If so, she could be repaired here by our own carpenters.

The little fleet will be accompanied as far as Port Paterson by the *Julia*, with ten hands, including myself. I avail myself of this opportunity to take a view of other harbors, assisted by the judgment of Commander Hutchison, before I finally declare the site of the capital. I shall return in the *Julia* with my mind fully made up on this subject. In a separate Despatch, at the last moment, I shall communicate the result of our united examination. With respect to the progress of the surveys I have much to say, but very little time in which to write. Nothing has been done in the way of surveying at present, nor can I commence, even assuming this to be the site for settlement, until I get the stores and party under shelter from the rains. The hurricane squalls, as they are termed, blow from the north-east with considerable violence, and it will be unsafe to trust to the insufficient shelter of tents in a climate in which health can only be maintained by care, good shelter, and good food, combined.

I do not like, under all the varying circumstances that may occur, to promise any particular time for the completion of the surveys of the town and Port; I can only venture to say that I hope they will be completed before the first of March next. I have a season to meet which I know nothing of, and I have but a small party, entirely inadequate to spare ten men for the field, under the circumstances that have occurred and may occur. But of this the Government may rest assured, that no exertion on my part shall be wanting to get the lands ready for selection as early as possible. I have taken up this service in the full conviction that my reputation, and honor, and welfare, are involved in its success; and though I have had to struggle through more difficulties than were foreseen, I am not daunted with the prospect before me, nor do I entertain the slightest doubt of the ultimate accomplishment of all that was expected.

With respect to the rural surveys, I shall want at least forty fresh hands—all hardy laborers and no officers—with provisions, tools, drays, cattle, and horses. I have no occasion for surveyors. I have as many with me as I can possibly find work for, with the additional hands I allude to, for the next twelve months. They will only impede me. They will require good shelter and attendance if they come, and have nothing to do.

When I require more it will be easy to communicate with the Government; but, in the meantime, they will be a positive obstruction. One thing must be supplied to me immediately, viz.—a lighter or punt of about twenty tons, flat-bottomed, and drawing about three feet water. Without such a convenience I cannot move a single party across the Adelaide River, or any of the rivers. The punt should be, say from twenty-five to thirty feet in length, and about eight feet wide, clear inside. She must be made to carry a dray loaded, and bullocks. There are no means of conveniently or safely landing or embarking horses and stock without such a boat, or of landing cargo, except at great loss of time and damage; moreover, the stations inland can only be supplied in this manner. Without roads, in this intersected country, drays are almost useless on account of forests, and creeks with muddy banks, and fresh water swamps. I can push on the rural surveys up the east side of the Adelaide River, where there is abundance of fine land at a distance of five or six miles from the river, and so gain the Daly Ranges on this side. But all surveys on the west side must be suspended until I have such means of transport.

The seas here are as tranquil as a lake, but the waters of the river are turbid, subject to a rise and fall of tide varying from sixteen feet here to much more down the coast, and the reaches of the rivers tortuous, so that sailing vessels have no chance of using a wind, they must be towed. A punt should have a strong mast and gaff, to be used to hoist cattle and heavy goods, and she should also have a stage in her stern, to let down when necessary, to admit horses and drays to enter, and be withdrawn when alongside the banks of rivers, which are steep enough to admit of this stage reaching the firm ground. I have dwelt in detail on this, because it is absolutely necessary for the surveys.

I am now altogether without funds, or at least shall be so in a few days. A supply should, therefore, be sent. Bills on London, &c., can only be negotiated by sending a vessel to the islands, at a great cost. For supplies to be derived

derived from thence they will, of course, answer; but I ought to have cash. The men have their dealings with themselves, and with the stewards of ships; and they like to send their own cash to Timor for supplies. I would suggest, however, that instead of paying the men who desire to remit to Adelaide by procurative orders as I am doing at present, that a credit should be established at one of the banks, say the English, Scottish, and Australian Bank in Adelaide, in the name of the Government Resident or the Accountant here, and that he should have authority to pay by cheques drawn against such credit, which should always be watched by the Treasurer in Adelaide, and varied in amount according to the growing expenditure of the place. I have now, in conclusion, a suggestion to make, with regard to the mode of selecting rural lands.

If I am to defer notice of selection until 250,000 acres of land, at least, are surveyed, this will be the result—The surveys will be obliterated long before completion by fires, which must overspread this country or no one can move through the long grass, by excessive growth of underwood, and heavy rains saturating the ground and destroying spade marks, and by white ants, which in three months leave the wood of the country nothing but a shell. Stone is not to be had except at long intervals, and that of such a hard texture as not to be easily broken by a hammer.

These difficulties can be partially, perhaps wholly, met by altering the Regulations, by legislation if necessary, giving power to the Government Resident to call on holders of Land Orders to select as soon as blocks of, say not less than 20,000 acres shall be ready, on a month's notice. The order of choice could then be determined in Adelaide, and the numbers of the Land Orders, with the order in which they were entitled to be used in selection, communicated to the Government Resident. There are some details of minor importance to be attended to in the scheme, such as—on the opening of a block for selection, how long the holders of Land Orders may withhold their selection if they do not approve of the land offered, and what notice they should give on each occasion of their intention to withhold the exercise of their right. If any proprietors, with a large block of land, when it came to their turn, might indicate the locality for survey under certain restrictions, to prevent the cost of distant operations away from settlement and supplies, and where the survey parties might be exposed to danger from natives.

I know that too much capital is involved in this undertaking, and too lively an interest felt in its success, to feel it necessary for me to apologize for the length of this communication, because it contains, unlike some of the letters which I have lately been compelled to write, much matter for consideration.

I have the honor, &c.,

B. T. FINNISS, Government Resident, N. T.

The Hon. H. Ayers, M.L.C., Chief Secretary.

No. 67.

Thursday, April 28.—At anchor off the Semaphore. Captain Phillips was busily preparing for sea. Two sheep died from the effects of overcrowding in the hold and injuries occasioned when the cargo was being stowed.

No. 68.

Northern Territory, South Australia, 3rd October, 1864.

Sir—I have the honor to enclose the duplicate of the cash-book from its commencement in this Colony to the 30th September, 1864, with vouchers.

It is not in the state I should have wished, as the vouchers are incomplete during the time it was kept by Mr. Ward, and I have failed to induce him to put it in a proper state, although he had ample time on the 28th September, after he received notice of his suspension, to have done so before the books and papers were received by the Board appointed to examine and certify his balances. The Acting-Accountant has copied his cash-book, and, by my directions, Mr. Ward's vouchers as he found them. The balance in the Colony amounts only to the sum of £76 3s. 7d. in cash, and £400 in bills. There are the September balances to pay, and I have the repairs of the *Yatala* to meet, as well as the cost of additional supplies of fresh food. I trust that the next mail will bring supplies of cash. My bills can only be negotiated at the cost of sending a vessel to Timor or Batavia. Cash is required by the members of the expedition to purchase private supplies.

I have, &c.,

B. T. FINNISS, Government Resident, N. T.

The Hon. H. Ayers, Chief Secretary.

No. 69.

Additional Instructions to Boyle Travers Finniss, Esq., Government Resident of Northern Territory, together with the names of the Officers appointed to reinforce the Expedition, and list of Stores forwarded per South Australian.

Chief Secretary's Office, Adelaide, South Australia, 28th October, 1864.

Sir—I have the honor to acknowledge the receipt of your Despatch, under date the 16th August last, addressed from the Depôt at Escape Cliffs, covering copies of certain orders which you had prepared and proposed to issue when Mr. Manton's party joined you.

His Excellency the Governor-in-Chief, while sharing with you the regret which you express on the necessity for the issue of those orders, fully approves of the course you proposed to take.

It is most unfortunate that your Despatches by the *Beatrice*, *via* Timor, have not yet reached me, and the more so from your having omitted to furnish me with duplicates of those Despatches by the *Henry Ellis* to Colombo, from whence it was to be expected that letters would reach Adelaide much earlier. The omission is a serious one, and prevents the Government giving you that perfect relief which they are so desirous of doing, as they are in utter ignorance of your particular wants. I have to impress upon you that, on all future occasions, duplicate Despatches must be forwarded, and to call your attention to the fact that a copying-press was included in your original office outfit.

It appears almost incredible that a party, including four of your principal officers (Messrs. Manton, Goldsmith, Pearson, and Ward), camped at the river depot, should have so far forgotten their instructions as imprudently to leave valuable stores, on which the support of the entire expedition depended, unprotected on the beach, in close proximity to treacherous and aggressive savages; and I sincerely trust that the sad disasters which resulted from that imprudence will have been a lesson to all to exercise more watchfulness, and to follow your instructions more implicitly for the future. I am not yet in possession of the whole of the documents connected with the holding of the inquest on the body of the native (a most unnecessary and unheard of proceeding under the circumstances), but there is sufficient evidence before me to show that the rider attached to the verdict of the Jury, by the action of the Clerk and Accountant, was a most unjustifiable proceeding on his part, and one deserving of the severest censure. You will find herewith a letter addressed to that officer, under cover to yourself, in which the opinion of the Government on his conduct is fully expressed, and it is left to your discretion to determine whether you continue him in the service, or relieve him from his duties altogether.

Full authority has already been given you in your General Instructions (sections 2 and 3) to suspend any officer or man of your party, who may be guilty of insubordination or culpable neglect of orders; and the Government hope that you will not fail to exercise that authority whenever the good of the service over which you preside requires that you should do so.

Allusion has been made to some of your party suffering in health for want of vegetables. I hope to hear that the return of the *Beatrice* from Timor supplied that want, and that you have ere this received some benefit from the planting of the vegetable seeds which you took with you.

The Government, in their anxiety to afford you immediate relief, determined upon chartering and dispatching a steam-vessel, and they were fortunate in being able to secure the services of so suitable a boat as the *South Australian*, which proceeds to Adam Bay to-morrow. Her lay-days are limited to four only; you will therefore lose no time in getting the stock and stores landed, as every day's additional detention will be at a cost of fifty pounds (£50) per diem. You will forward to this office a report on the manner in which the charter has been performed.

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The addition now made to your party consists of three officers and thirty-seven men. The officers are—Mr. R. H. Edmunds, a surveyor of the first class; Mr. H. D. Packard, a surveyor of considerable colonial experience; and Mr. Clement Young, a clerk who has had experience in the Post Office Department and the Chief Secretary's Office. Among the men, who have been mostly engaged as laborers, and who have been all enrolled and sworn in as Volunteers, will be found men of education, artisans, chainmen, axemen, and laborers of the Survey Staff, stockmen, carters, mariners, and others. They are engaged as laborers, to ensure their employment, with the prospect of promotion, should they deserve it. I believe you will find among them men who are capable of filling important and trustworthy situations, and who are entitled to your consideration should better occupations than those they have entered upon at any time offer. They are in charge of Mr. R. H. Edmunds, a copy of whose instructions you will find enclosed. You will be separately advised of the advances made to the officers and men, and of the procurations and deductions which will affect their pay, the rate and commencement of which you will learn by reference to the articles in possession of Mr. Edmunds.

A separate Despatch will cover list of articles and bill of lading of provisions, stores, and other goods shipped by the Government to your address per *South Australian*.

A further supply of arms and ammunition is forwarded [see list of articles separate]; but I regret that Colt's revolvers cannot be obtained either here or in Melbourne, the last that were procurable there having been issued to the Victorian Police Force.

Among the articles forwarded for your use will be found a few stores for the aborigines—consisting of rice, calico, prints, and counterpanes—the judicious distribution of which among any of them who may exhibit a friendly spirit towards you will not be without advantage.

Reference is made to the enclosed letter from the Treasury, containing the particulars of the remittance made to you by this opportunity.

Mr. Jefferson P. Stow, who is proceeding to Adam Bay as a settler, has been appointed by His Excellency the Governor-in-Chief to the Commission of the Peace, which will enable you to obtain the independent service of a Justice wholly unconnected with the Government.

The Clerk and Accountant will be relieved of the duties of Postmaster, and Mr. Clement Young will assume them, and when not required to attend to the Post Office, he will assist generally in the clerical department. Should you require a successor to the present Clerk and Accountant, the appointment is to be temporarily conferred upon Mr. Young; and on your reporting that he discharges the duties of the office satisfactorily, his appointment will be recommended for confirmation. In the event of Mr. Young's promotion you can connect the Post Office duties with those of the Storekeeper, or make any other temporary arrangement which you may consider advisable.

Mr. Young has been appointed by the Registrar of Births, Deaths, and Marriages an agent for the performance of this duty.

Before this reaches you the site of the capital will, in all probability, have been determined upon, and you will have proceeded with its survey. His Excellency the Governor desires me to instruct you to name it "Palmerston," in compliment to the venerable and eminent statesman who now occupies the first position in the Councils of Her Majesty.

I trust that you have lost no opportunity in communicating with the Agent-General in London, and giving him information respecting the general nature of the country and other matters which may be interesting to the purchasers of land residing in Great Britain, and that you will continue to furnish him with such information from time to time.

Considerable interest is manifested here as to whether the climate and herbage of the Northern Territory are adapted to the healthy support of sheep, and also whether any deterioration takes place in the growth of wool. Your experience on these subjects cannot, as yet, be very extensive; but any information you have been able to collect would be well worth communicating in your next Despatch.

Government Gazettes to complete your files, and the latest local newspapers have been duly forwarded; and instructions have been given to supply you with these for the future.

The roll of volunteers will be handed to you by Mr. Edmunds.

I have the honor, &c.,

HENRY AYERS, Chief Secretary.

To Boyle Travers Finniss, Esq., Government Resident, Northern Territory.

No. 70.

Memo. by G. W. Earl—Memo. on the best Site for Preliminary settlement in the Northern Territory lately annexed to South Australia.

I presume the requirements to be as follows:—

1. A secure harbor for shipping.
2. A healthy climate.
3. Convenience of position for communication by sea with other places.
4. Convenience of position as a port of call for ships passing along the coast.
5. Convenience of position for communication with the interior of the country.

The spot which appears to me to meet all these requirements more fully than any other, is the peninsula which forms the south side of Clarence Strait (the western entrance of Van Diemen Gulf) lying between the mouth of the Adelaide River and Shoal Bay, the first indentation of the coast outside the Gulf. The port forms the south-western corner of Adam Bay, the estuary of the Adelaide River, and was surveyed by Captain Stokes, H.M.S. *Beagle*, when that river was discovered. (See Admiralty Chart, Sheet IV., of North Coast of Australia). The scale of the chart is small, but it is sufficient to show the capabilities of the port. My personal knowledge of it is confined to a passing view while running through the Vernon Islands, which form the north-western side of the port, in September, 1855, on my way to the north-west coast. The main land hereabouts is of undulating character, from sixty to 150 feet high, and rising abruptly (sometimes in precipices) from the beach, which is lined for the most part by a coral reef, dry at low water. The cliffs appeared to be of sandstone, and the country very closely resembles that about Port Essington. The land was rather thickly covered with a growth of *Eucalyptus*, the white-barked variety being most common. I will now enter into details on the five points mentioned above.

1. The harbor is well sheltered from all winds, and particularly so from those which blow strongest, namely, the north-westers, which prevail during the rainy season, and the strong southerly and south-east winds which blow during the months of May, June, and July. The bottom is a stiff tenacious mud or clay, mixed with ironstone pebbles. Depth, five fathoms and upwards to seven fathoms, and rise and fall eighteen feet at spring tides. The entrance from the eastward is eight miles wide, with a clear channel up to it through Dundas Strait and Van Diemen Gulf; that is to say, "clear," as far as is yet known, but a good deal of careful sounding will have to be performed, both in the Gulf and the open sea to the westward, before the approaches can be pronounced "well surveyed." The entrance from the westward is by two channels through the Vernon Islands—one between the South Island and the main land, three-quarters of a mile wide, and least water three fathoms; the other between South Island on one side, and North and Middle Islands on the other, rather more than a mile wide, with eight fathoms least water.

2. *Salubrity*.—This is a point of very great importance, as the failure of Port Essington was chiefly owing to its deficiencies in this particular. After close inquiry I became convinced that this unhealthiness was attributable solely to the *malaria* caused by stagnant air and water, which is generated more or less in all land-locked harbours within the tropics, and should, therefore, be avoided for the future, as sites for settlement. I do not think there is any spot upon the north or north-west coast where the circulation of air is more free than here. The temperature, too, is rather lower during the hot months than on the north coast (Compare Capt. Stokes's Narrative, Vol. I., pp. 407 and 427; Vol. II., pp. 3, 7, 19, and 27, with the register of the thermometer in "Parliamentary Papers relating to Port Essington.")

3. *Communication by sea with other places*.—The port possesses no peculiar advantages on this point, except in

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a singular particular—it is the only port on the north-west coast from which a ship could get to sea during the spurts of strong westerly wind which occur in December, January, and February, and sometimes as late as April.

4. This is also an important point, but a glance at a map will be sufficient to show its capabilities in this particular (as a port of call). The north coast has the advantage in the case of ships bound to India, that have passed through Torres Straits, and will also have the advantage when lines of steamers pass along the same route. A report was current in the Straits Settlements about two months ago, to the effect that the French Government intended establishing a monthly line of "Messageries" steamers between Singapore and New Caledonia, calling at Sourabaya (Java), Timor, and Cape York; and as the French are increasing their establishment in New Caledonia very considerably, the report may prove correct. It would be worth inquiring into, as the steamers could bring mails to the new settlement without deviating greatly from their direct course.

5. *Communication with the interior.*—The port is conveniently situated for communication by means of boats and barges with the head of navigation of the Adelaide and Alligator Rivers, and indeed of any other rivers that may be discovered in Van Diemen Gulf. It is also a central position for receiving the produce of the Victoria and Roper Rivers, which will probably be brought by coasting vessels to the chief settlement for shipment, until the produce of these rivers become sufficiently great to induce large vessels to load at their mouths. This, however, is a contingency that must arrive before many years elapse, and it will probably then be found necessary, in order to reconcile conflicting interests, to establish the seat of government in some central position near the sources of all these rivers, where the elevation of the land gives promise of a climate well suited for European occupation.

I have not found it necessary to say much about the Victoria River, the only spot that can compete with Van Diemen Gulf, as the site for preliminary settlement, as the example of the Sydney underwriters, in refusing to take risks on vessels entering the Victoria River,* is likely to be followed by insurance offices elsewhere; and I need scarcely say that this would have a very depressing effect on (if it were not absolutely fatal to) the prospects of the new settlement.

No. 71.

Extracts from Journal of Lieut. Helpman, R.N., relating to the examination of the Adelaide River on the North Coast of New Holland.

Monday, July 29th, 1859.—At four a.m. left ship, to examine an opening which we followed up, gradually trending to the south-east; and, to our great delight, we found every appearance of a river, having deep water, seven fathoms, the general breadth half a mile. With a flood tide, and being very anxious to push on, we got a distance of not less than twenty miles, when all doubts were at an end; we were now in a river, the largest and finest known in New Holland, having a perfect ship entrance, and plenty of water up to this point; where the width is 300 yards. We landed, at ten a.m., to get sights for the latitude and longitude. The land is exceedingly level, and soil good, fine rich mould. We remarked that each alternate reach of the river was wooded on the one side, and immediately opposite was a clear open space. The reaches were very serpentine; the points rounded. After taking the noon sights, we again started, and reached about twenty-two miles, when we hauled into the thick bushes, landed the boat's galleys, and cooked our dinner. * * * * We had long since cleared the mangrove and clumps of trees; on each side were ancient forests. The land had still the same appearance, flat and open, with long high grass, but the whole seemed parched up, and there were several fires spreading in all directions. The number of alligators' beds in the grass make it dangerous walking. We saw several about ten feet long. After dinner we again pushed on, carrying seven, eight, and nine fathoms water; general breadth of the river 250 yards; the general length of each reach three-quarters of a mile, and very serpentine, trending from south-east by east suddenly to south-west. * * * *

July 30th.—At four a.m. weighed, and continued our winding progress; the river still maintaining its breadth, depth, and number of alligators. As the day dawned the scene became magnificent. We here fell in with clumps of bamboo fifty to sixty feet high; and landed for breakfast on an extensive rich plain, well-grassed, without any appearance of elevation. Large flights of birds were now seen—geese, ducks, and cockatoos. On the plains we saw several ibis. We continued ascending the river till eleven o'clock—bamboo forming the principal part of the vegetation. The land continued of the same rich character; the breadth of the river 250 yards, and seven fathoms deep. We were now forty miles from the entrance, and have been in fresh water from the time we reached the first plains. Still continuing ascending. Enormous flights of vampire almost darkened the air in the reaches. Country still the same character; the thermometer, during the day 94°, and 66° in the night, but we felt no inconvenience from it. As we were coming-to for the night, we saw high land apparently about two miles off.

July 31st.—Recommenced, at daylight, our ascent, knocking over a few ducks to recruit our provisions; fish were very abundant; we caught several. We found very little difference in strength of either ebb or flood. At nine a.m., the river was divided into two, diminishing its breadth to about 100 yards. At four p.m., came-to for the night. The banks were here thirty feet high; the opposite land a low extensive plain; we scarcely perceived any strength of tide, though the rise was about four feet. The latitude was 12° 55' south, or fifty-one miles south from the entrance. We heard kangaroos drinking at the river during the night.

August 1st.—After breakfast, again pushed up the river, which narrowed to about seventy yards. At eight a.m., the passage of the river became obstructed by large trees falling from either bank, although it was here sixty yards wide, and three fathoms deep. It was now determined, much to our regret, to return, being about nine miles south of last night's station; or about sixty miles due south from the entrance, but 120, actual length by the reaches.

(Signed) FRANK HELPMAN, Lieutenant, Royal Navy.

No. 72.

Palmerston, 13th February, 1865.

Sir—In compliance with your instructions of the 3rd inst, I have the honor to report, for your information, as follows:—The land selected for the site of the garden, and pointed out to me by Mr. Manton on the 19th December last, and fenced by myself and Gilbert with posts and three rails, and completed on the 5th ultimo, which contains about forty-eight rods, since that date various seeds have been planted, and with the following results, viz.—cucumbers, vegetable marrows, pumpkins, French beans, carrots, turnips, cabbages, cauliflowers, endive, mustard and cress, parsley, thyme, lettuce, radish, tomato, Cape gooseberry, beet, chillies, cotton, and peas. The first three enumerated above are doing exceedingly well; French beans, radishes, beet, tomato, Cape gooseberry, appear at present to thrive but middling; other seed, after having been tried two and three times, have signally failed each time, and, in my opinion, I consider any further attempt futile. The only reason I can assign for the failure, after appearance above ground of several of the kinds, especially cotton, is the want of a good subsoil, and the intense heat of the surface of the ground. Others I consider for the most part bad seed, and two and three kinds are destroyed by a small kind of ant. I beg, however, to suggest that it is my intention, with your permission, to collect the manure from the stockyards, and after rendering it into a liquid, well saturate the ground. This, I imagine, will be a great benefit if continued, the soil being such a porous nature.

I beg also to state the number and condition of plants in the garden:—Nineteen banana plants, all looking strong and healthy, showing every prospect of doing well; one guava, three oranges, one lemon, one pomegranate, one cocconut, three ginger, three arrowroot, and one loquat—the four last-named all growing fast; the same will apply to the guava and two orange plants, other two have been eaten down by land crabs, but are still growing.

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* I allude to the case of the *Monarch*, the ship which brought the horses of Mr. Gregory's North-west expedition from Moreton Bay to the Victoria River. In this case the owners effected an insurance on the ship for the entire voyage from Sydney to Singapore, excepting during such time as she might be in the gulf or estuary of the Victoria River, to the south of a line drawn from Cape Hay (lat. 14° S.) to Cape Dassejour (I think) near Cambridge Gulf.

The rest of the plants are all dead, including two guava, two loquats, two vines, three quince, and one pomegranate. I consider the loss of these plants may be attributed to the lengthy exposure they received after landing, on the beach.

I have the honor, &c.,

A. SMITH, Gardener.

I also beg to state, that the site chosen for the garden is not the best, as much better land can be had, and a fairer trial made.

I have the honor, &c.,

A. SMITH, Gardener.

B. T. Finnis, Esq., Government Resident, N. T.

No. 73.

D. No. 54.

Escape Cliffs, 19th June, 1865.

Sir—In my letter by the *Bengal* I had the honor of acquainting you that I had made a second visit to Port Darwin, and that, on my return to this anchorage, I found the *Bengal* had arrived. All hands were fully occupied in removing the goods forming her cargo, and in housing them, except the survey parties at the Narrows.

The *Bengal* sailed on the 6th May, taking with her a large party of my men, who, having completed their term of engagement, were indisposed to stay. Some deserters also left me, who preferred forfeiture of wages to remaining. Two of these left in an open boat, with Mr. Jefferson Stow; and two others contrived to get away by the *Bengal* too late to have their names recorded. My party, of course, is much weakened; but I got rid of most of the idle, troublesome hands and of the chief disturbers in my camp by this opportunity, so that work has progressed more satisfactorily, and we have peace and concord at last.

On the departure of the *Bengal*, I fitted out a party, under command of Mr. F. Litchfield, to examine the country around the Adelaide River and the Daly Ranges; it consisted of six persons in all, with twelve horses. As soon as they started I sailed in the *Beatrice*, taking my boat's crew with me, to explore the river to its head in boats. I send a sketch of the tracks of the exploring parties, and of the general course of the river, connected with the survey formerly made by Commander Hutchison, having reached what Mr. Howard considered the limits of navigation for his vessel, and having ascended all the creeks forming the branches and sources of the river above this point, so far as boats could penetrate. We were stopped on the main stream of the river by trees, which lay directly across, where we encamped to take observations, and the next day took a walk up the course of the stream, and struck it again where it was running clear and strong, and above all tidal influences, in lat. 12° 56' 15". There was evidently a considerable fall between this point and the spot where we had encamped the night before; and the horse party ascertained that a rocky bar crossed the river about half a mile north of the latitude I have named, where the tide was completely arrested. It appeared, from our observations, to rise and fall about six feet at its terminal limit. The stream above this bar was not more than twelve feet wide, having a running stream on a rocky bed, discharging about as much water as leaves the Gorge of the River Torrens, at the head of the Waterworks, during the summer season. The river cannot extend much further to the south. There were many feeders and lagoons, which, during the rains, must receive the drainage of the valleys and swamps of the interior, and discharge a large body of water into the main stream. The banks were high—about thirty and forty feet; and there were flood marks on the trees about twenty feet above the level of the water. The land, however, is well above the reach of inundation, and probably these floods are not more serious than the torrents which swell the Light and other creeks in South Australia. The river opens out so rapidly from bank to bank as you descend, and the creeks assume such wide dimensions, that there is ample reason to suppose that no considerable tract of country is covered below the anchorage of the *Beatrice*, where Beatrice Creek joins the river. I am particular in making these remarks, because, when men see a river for the first time in a climate to which they are unaccustomed, opinions are frequently at variance.

In ascending the river you find a complete change in the scenery where it emerges from the hilly country, and this occurs in about latitude 12° 45' 15". The Daly Ranges are of low elevation not exceeding 600 feet, as far as I could discern, but they comprise sheep runs and cattle runs of first-rate character. The grass on the sides of the hills is mostly similar to kangaroo grass, and fresh water is abundant in small creeks and lagoons. Half a million of sheep could easily find stations in communication with the river, from whence the wool must be carried in barges to the deep water.

If I add, that long flat-topped ridges from the Daly Ranges run northward nearly to the coast on each flank of the river, at a general distance of fifteen miles apart, and of an elevation not probably exceeding 200 feet, I shall complete my description of the country which drains into the Adelaide.

The prairies of the Adelaide are extensive flats which fill up the intervening space, and, I have no doubt, will ultimately be found of great value for tillage. At first these plains will afford excellent pasture for cattle.

Nothing occurred worthy of note, to either of the expeditions, unless occasional intercourses with the natives. On several occasions they approached us with caution, and making signs of amity. They were not encouraged on board, as these visits invariably lead to quarrels; two or three were permitted to swim off to the vessel, and were well received, but afterwards dismissed to their homes. About fifteen miles from the Narrows we recognized the tribe which have all along been the great depredators. They were alarmed at first, but, on receiving signs of friendship, they collected in the trees to the number of about thirty, gazing on the vessel with intense curiosity, shouting and chattering. Our friendliness seems to have encouraged them in their thieving propensities, for they commenced their depredations at the camp immediately we had returned—having followed the vessel back. These proceedings I shall make the subject of another letter devoted especially to the aborigines.

Mr. Stephen King, one of the horse party, was struck down by fever, at the head of the river, and could not be moved except on a litter. I was compelled to send a boat party up the river to fetch him, on my return; and Dr. Ninnis volunteered to proceed on horseback, escorted by Mr. Litchfield and another. Mr. King, under the careful attention of the surgeon, is, I am happy to say, fast recovering. Two more of the party were attacked in a similar way, but the prompt arrival of Dr. Ninnis at their camp prevented the disease from assuming a formidable character.

The horses employed on this expedition consisted, for the most part, of those sent by the *Henry Ellis*; the others being weak and unfit for work. But all are alike now out of condition, and will be unfit for any journey for at least six weeks. During my absence, and up to the present time, Mr. Manton, Mr. Edmunds, and Mr. Packard, with large parties, have been employed completing the surveys of the township at Escape Cliffs and the Narrows, which were too far advanced when the *Bengal* arrived to admit of my abandoning the sites altogether. Instead of surveying them for the capital as I intended, I have merely laid them out as secondary towns of lesser dimensions; but, should anything occur to cause any change in the views of the Government with respect to the future site of Palmerston, this can in a short time be completed as originally designed. Mr. Manton proceeds to-day with an escort to cross the river at the Narrows, and fix on a site for his camp, to commence, with a party of twenty-five, the rural surveys on the west side of the Adelaide River, which I have entrusted him to carry on to the southward, taking in the river flats, where they are not swampy, and lay out a block of about twenty miles from north to south, by a width of ten or twelve miles. This will supply about 200,000 acres for selection when surveyed. And I propose to survey a similar block on the east side, when I get reinforcements of men, bullocks, and horses, without which nothing more can be done except the laying out of the peninsula, which Mr. Packard will undertake with a separate party. Mr. Manton takes with him a team of eight bullocks, which comprises all I have except an odd bullock. He will also have a horse dray and six horses. These means of transport will be utterly insufficient for progress; and his supplies must be kept up by the constant employment of a boat up the river as soon as he has ascertained the best point of connexion. No time should be lost in furnishing me with four more teams of bullocks, with drays, &c. Mr. Manton will require one more; and a second party of the same strength as his two teams also; whilst one must be kept at the depôt to remove goods from the beach, cart water to the camp from the wells, and supply the field party on the peninsula. Each team should consist of not less than eight bullocks.

Twenty more horses also required. Those I brought with me are being thinned out by disease, accidents, and are, moreover getting fast used up.

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The *Beatrice* is now on a cruise to examine the eastern entrance to Clarence Strait. On her return, on Monday next, the 26th instant, she will prepare to take me and a boat's crew to examine the coast under my last instructions, and to finish with the exploration of the Victoria; after which she will take the mail to Timor. Another rainy season will have passed before I can possibly get the instructions of the Government promised on the reports which I have transmitted by the *Bengal* by this opportunity, unless steam power is used. But, under any circumstances, no city can be laid out until after the rains, working being then impossible, as I have had experience. If the site which I may be instructed to adopt should be far removed from here, another depôt must be formed. Above all things, a barge or lighter capable of embarking and transporting horses and bullocks is needed.

I again, on this occasion, examined the river and back country to ascertain if an eligible site for Palmerston could be found. There are only two sites at which townships can be advantageously laid out: one at what may be considered the head of navigation for vessels of eighteen feet draught of water, and another higher up the stream, but approachable in boats and barges. The former is inaccessible now for drays and produce, but would be available if a road three or four miles in length were constructed across the flat connecting this site with the river. Mr. Manton will be instructed to reserve the spot for future survey. At present I can only give a general description of the locality; at a future time it must be carefully examined from the land side. It is an admirable building site, and well supplied with water; it bears about west from a point in the river, in lat. about $12^{\circ} 42'$, distant three miles.

The other comes close to the river bank, in lat. $12^{\circ} 48'$, and can only be approached in small vessels and boats. Here, also, a road of about two or three hundred yards must be constructed.

The obstacles to the settlement of the river by a concentrated population, consist in the tortuous navigation, and the invariable calms and tides, also in the greater temperature, and increased liability to sickness. These were my reasons in the first instance for not selecting a site for Palmerston so far up the river—others may think differently; but I can only point out the localities, abiding instructions.

In closing the subject of sites, I may mention that I have not yet seen anything like limestone.

I have the honor, &c.,

The Hon. Henry Ayres, M.L.C., Chief Secretary.

B. T. FINNISS, Government Resident.

No. 74.

Escape Cliffs, 16th October, 1865.

Sir—I have the honor to report the return of Mr. Litchfield and party from their exploration of the Daly in good health and spirits. The river discovered by him on his former trip proves not to be the Daly, but a stream losing itself in the fresh water marshes at the back of Bynoe Harbor. The most interesting feature is the *discovery of gold*, of which I send a few specks. Leaving this locality, which he named the "Finniss," he proceeded on a south-west course for the Daly, and fell in with an intermediate river, losing itself in fresh water marshes like the Finniss. This he named the "Reynolds." Finally, he reached the Daly at about thirty miles from the coast. I now give his narrative as collected in a conversation whilst he is sitting before me. The journal and map will be sent if I have time to copy it; but Mr. Howard is impatient to get to sea, in order to get back from Sourabaya before the stormy weather sets in.

Mr. Litchfield struck the Finniss at the gorge of Mount Bennett on the 21st of September (ult.), in latitude about $12^{\circ} 55'$ south, and in longitude (by estimation) $130^{\circ} 46'$ east. As he found the country promising in gold, he tried a little prospecting, being an experienced gold digger. In half an hour he found some in the alluvium of the river bank. His opinion and that of the party—two of whom, Walker and Burford, have seen the river workings in New Zealand—are that a workable gold field certainly exists higher up the river. Mr. Litchfield then descended the stream, crossing very fine country, grassy plains, and meeting with fine specimens of the cotton tree, sixty feet high and three feet thick at the bottom, fit for planks. At twelve miles from Mount Bennett the river ended in very wide-spreading fresh water marshes at the back of Bynoe Harbor.

Proceeding on a south-west course, Mr. Litchfield struck another river, which he named the Reynolds. This, like the Finniss, ended in fresh water swamps before reaching the coast. I think it eventually drains into the sea at the creek west of Port Paterson. The country seen was of the best description, and there was abundance of timber—white and red cedar, satinwood, cottonwood of large growth, and hickory bamboos were seen five inches in diameter and 100 feet high, between the Finniss and the Reynolds. Mr. Litchfield next struck the Daly, on the 2nd instant, at a point about fifteen miles on a straight line from the coast by estimation. The tide was ebbing and the water fresh. The river appeared to be deep, and of the breadth of from eighty to 100 yards. The banks were however low, and very little elevated above high water springs. The country inland was open, well grassed, and similar in appearance to that found on the east side of the Adelaide, at Julia Plains. Mr. Litchfield followed it up for about thirty miles; the plains gradually contracted, the banks became higher, and open forest land came close down to the river. There seemed to be a rocky bar across the river at this point, as was inferred from the troubled nature of the water, and a large creek joined from the eastward. As the provisions of the party were reduced to one week's flour and a tongue, Mr. Litchfield turned back. He lost a horse, accidentally shot on the journey by running between bamboos with a loaded gun on the saddle, which caught in the branches and went off.

On the way back, Mr. Litchfield called at Mr. Manton's camp. I am unwilling to recount mere hearsay in the absence of authentic reports from Mr. Manton; but I cannot fail to perceive that a spirit of dissatisfaction prevails, from the highest to the lowest. Neither officers nor men like to quit head quarters, and I believe all would like to return. It is no use keeping men with this feeling. I anticipated it to a great extent from the obstacles and difficulties that were thrown in my way when I proposed to start the party. The feeling of dissatisfaction may be gathered from every plan and every report. The plans carefully record everything that can be conceived, damaging to the place; and not an acre of ground is mentioned in the references fit for human habitation or cultivation. Lagoons are described sometimes fresh, and in other places no reference is made, leading a distant stranger to the inference that they are salt. The country is described as inundated in the plains, although it is impossible that inundation can occur from the flooding of the river on such plains. In all countries where a rainy season prevails, there will be marks of a heavy rainfall, and saturation of the soil; every gully and stream becomes a torrent, and the flat country is everywhere for a short time but a large lake. Mr. Manton cannot discover available land anywhere, or any locality fit for the site of a town. The plains are too wet, the hills are too rocky. There is a thorough disgust with the country, because men's positions and prospects are not what they expected. It is up-hill work; and were it not that there are some staunch men among the party, sufficient to enable me to hold my own to the last, there would be nothing left but to abandon the place. At the same time, Nature has given us as fine a country as men could desire. One of the most plausible and most disappointed men seems to be Warland. He very much leads the tone in Mr. Manton's camp, and seems to be a most conceited, ignorant, consequential man. If I had men to put in their places, I would discharge at least one-half of the useless hands I have.

Amongst one of the proofs of the way in which men dislike the surveying work is the fact, which I am informed by one of Mr. Litchfield's party, that a boat is being built at his camp to enable the men to leave, in case I should prohibit them. I shall certainly not do that, for useless men are not willing and cheerful servants; they are better out of the way, for they only draw pay and rations to do injury to the service. It is evident that the same feeling has prevailed at Camden Harbor, and has led to the abandonment of that place with more reason perhaps, although it is difficult to arrive at true reports of a country when men are ignorant, or dissatisfied with wages, or have any other motive for disparagement. I could pick out twenty men who will do their duty; the rest are not worth the rations they receive, and the sooner they are permitted to depart the better. The men are not of the right stamp. Men from the town should be avoided. I could pick out any number from the mining districts, "grass men," through agents of my acquaintance, who would be ready in a week, and would know how to rough it in tents or log-houses, and to use axes and picks. These men would require better pay, but they would be worth what they got. In future, the surveyors should be young men with the world before them, not men who consider they have established a reputation. Here again the pay should be greater.

I have the honor, &c.,

The Hon. H. Ayers, M.L.C., Chief Secretary.

B. T. FINNISS, Government Resident, N.T.

P.S. The *Julia* is not yet back from Mr. Manton's camp, although I expect her to-night or to-morrow. As Mr. Howard cannot wait beyond eight o'clock to-morrow, I am unable to send either a plan of Mr. Litchfield's journey or

or the official reports from Mr. Manton. The month's work for his party of three surveyors, for August, was about 5,000 acres, as detailed in trace (A) forwarded. I expect double the quantity to be done in September; therefore I assume that there are 15,000 acres surveyed under his superintendence. I enclose a plan (B) of the town surveys of Escape Cliffs and at the Narrows, which by some mistake was omitted in the last Despatches; also a duplicate tracing (C) of the rough sketch of the explorations; also one packet (D), containing two specks of gold.—B. T. F.

No. 75.

Friday, August 26.—Nothing requiring especial mention has occurred at the Escape Cliff Camp during the absence of the Government Resident. Some fishing parties have been very successful in the bay, and made with the seine several large hauls of excellent fish, which proved a most welcome relief to the ordinary rations. Amongst the varieties of fish caught was one resembling a pike, and another exactly identical with the sole, common to English waters. The *Yatala* came in sight this morning, from the river. At two o'clock the Government Resident landed at the Cliff, with Messrs. Manton, Pearson, Goldsmith, and some other members of the expedition. The whole of the stores have now been brought from the river depôt, and an overland party of twelve men, under the charge of Patrick Auld, are on their way to the Narrows, with the bullocks and horses which had been left at the old depôt. The party will cross the river at the Narrows.

No. 76.

Depôt, Adelaide River, July 27, 1864.

Sir—I have the honor to inform you, that on the morning of Wednesday, the 20th instant, I started in the boat *Emily*, accompanied by Messrs. Ward, Watson, and Machel, on a trip up the river, with a view of procuring game and fish, to supply the depôt with fresh provisions; on rowing up the river during the continuance of one rising tide, and not having succeeded in the object for which we started, I thought it advisable to remain until the next rising tide, and proceed further up, where I anticipated game might be more abundant; finding the country improve, and being interested in public exploration, I proceeded as far as I considered consistent with safety. I had with me a pocket compass, and took the bearings of the different reaches, as I ascended, estimating the distances to the best of my ability; but a considerable portion of the trip having been accomplished by moonlight—some errors have undoubtedly been made.

About twelve miles from the depôt, the first clumps of bamboo were seen, but they were small at this part of the river; here, also, the water was perfectly fresh, at all stages of the tide. We encamped at midnight at the spot marked A, on the accompanying sketch, where the banks were about fifteen feet above high water mark—they had been gradually rising for the last ten miles.

On the following morning Messrs. Ward and Watson walked inland to an isolated hill, rising from the midst of a grassy plain, apparently about two and a half or three miles distant, and which appeared, from the vicinity of the camping ground, to be about 150 feet above the surrounding country. They were absent about four hours. By the tide, which commenced rising in the afternoon, we continued ascending the river—the banks attaining a greater elevation, and the bamboos a more luxuriant growth. The river had gradually decreased in breadth, and was only about five chains wide. We passed a channel on our left hand, which divided the river into two nearly equal portions—whether this is a fork of the river, or merely forms an island by joining the river higher up, I was unable to determine. About two miles after passing this channel, marked C, on sketch, a noise similar to that produced by a waterfall was heard, and not knowing the cause, we ceased rowing, and drifted with the tide, occasionally, as the noise increased, backing water with the oars, to stop the boat's progress, until I had satisfied myself that we were not in the immediate vicinity of the danger; in this manner we continued, until I found that we had approached very near to the spot from which the noise proceeded; when we drew to the bank, and camped at half-past ten p.m., at the spot marked B. The country was here elevated above high water mark about twenty-five feet, and to the E., and distant apparently about three miles, over a grassy plain, was a fine range of hills—the width of the river, probably about fifty yards. At daylight on the following morning, we pulled against a falling tide, to reach the place from which the noise, already referred to, proceeded, when we found that it was occasioned by the tide rushing over a rocky bar, extending nearly, if not quite, across the river. I caused the boat to approach, until by sounding with the oars, we had only five feet of water in the centre of the river, the tide then being little more than half out. Further progress I deemed unsafe, and determined to return, which we did, the rowers having to exert themselves to maintain the boat's position—the rise of the tide at this point was about seven to eight feet; the country materially improves on ascending the river, and at the different places where I was ashore, I found that although the grass had for the most part been recently burnt, yet it must be very luxuriant in growth. In the distance, in many places I saw what appeared to be belts of large timber; the soil appears to be alluvial deposit, but not having had an opportunity of proceeding any distance inland, I can pronounce no opinion on the general nature of the country.

We reached the depôt on Saturday morning, shortly before daylight. I may mention that strict watch was kept during the whole time the party were either encamped ashore, or asleep in the boat, while waiting for the tide to answer.

I have, &c.,

WM. PEARSON, Surveyor, Northern Territory.

The Hon. B. T. Finnis, Government Resident, Northern Territory.

Camp, Adelaide River, July 28, 1864.

Sir—I have the honor to report, for your information, that on the morning of Wednesday, the 20th instant, I left the depôt, in the dingy, accompanied by Messrs. W. Pearson, R. Watson, and C. W. Machel, for the purpose of proceeding up the river on a fishing and shooting excursion, with the view of supplying the camp with fresh provisions. Mr. Pearson (Surveyor), having already given you a report of our proceedings, and of the causes which led to our exceeding the leave given us by Mr. Manton, the officer in charge of the depôt, I shall confine my remarks to matters which came under my own observation, independently of his.

On Wednesday evening, we camped on the east branch of the river, about thirty miles by the reaches, from the depôt. At daybreak, on Thursday, Mr. Watson and myself, while our companions were preparing our morning meal, started for a walk inland; on emerging from the belt of scrub which borders the river, we found ourselves on an extensive and richly-grassed plain, at an elevation of quite fifteen feet above the high water level of the river. The grass was not so coarse as it is near the depôt. Bearing south-east of our camping place, and about three miles distant, we saw a hill, which rises from the plain, to a height of, apparently 200 feet. Animated by the hope of obtaining a fine view of the surrounding country from its summit, we determined, if possible, to ascend it. In our walk towards it, we found an abundance of quail, and in one place on the plain, we saw thirteen kangaroos feeding together—we could not, however, get within range of them with our fowling pieces. We crossed, in our way, several fresh water holes (dry now), and presently came to what was evidently the edge of a large fresh water swamp. The vegetation here was even more luxuriant than nearer the river, and the soil, instead of being hard and cracked, was a rich mould, and full of moisture.

A few yards beyond this we found a perfect jungle of reeds and grass, growing to a height of more than six feet, and so thick that it had to be literally trampled down to afford a passage; but there was still no water on the bottom. The swamp appeared to run north-east to south, and was nearly half a mile wide. Beyond it, on the eastward, and running in about the same direction, was a belt of timber, consisting almost entirely of the white barked variety of the gum tribe, which is plentiful near the coast; the trees are very high, and their stems as clean and straight as a ship's mast. The soil is moist and exceedingly rich. We were now near the base of the hill it was our object to ascend, and after forcing our way through another jungle of reeds and grass, and then through a belt of low tangled scrub, we gained the rising ground; we found that a second hill rose from a plateau, less than 100 feet above the level of the plain, to nearly 200 feet above the level, with a shallow fall intervening. The soil of these hills was thickly impregnated, even on the surface, with ironstone and quartz; and on the summit of the highest rise, two veins of rock, slate, and quartz cropped out to a height of five feet.

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The only timber there consisted of a few small trees, resembling fig-trees, in foliage and growth, but there was an abundance of excellent feed. We had a splendid view of the surrounding country from this position. The Bald Hills, which are visible from the outskirts of our depôt, bore as nearly as we could determine, from the position of the sun, due north, and apparently twelve miles distant. A lower and intervening range trended from north to south-west, and other ranges extended thence almost without a break, but at varying elevations, to north-east, and again, the peaks of more distant and higher ranges rose above them on the horizon. None of these ranges were nearer the hill on which we stood, than five or six miles, and the plains around us were everywhere richly-grassed, their appearance presented no other variations than the beautiful belt of trees I have already mentioned, which appeared to extend to a wide forest on the north-east, and occasional indications of fresh water swamps, and of the windings of the river.

Here there are found abundance of feed and fresh water, strips of the richest soil, a fair supply of useful timber, probable indications of mineral deposits, and high country in the background in almost every direction, except from north to north-east.

We rejoined our companions at eleven o'clock, and proceeded about ten miles further up the river, with the next tide. At our second night's camping place, the banks of the river were at least twenty feet above its level, and the plains, trending to the ranges, which surrounded us were five or six feet higher than the banks. Mr. Pearson's report will have informed you of the rocky bar across the channel of the river near this point, and beyond which we did not attempt to penetrate. The tide ebbed and flowed there very strongly, and there was a rise and fall of at least seven feet.

I have, &c.,

EBENEZER WARD, Clerk in Charge, Northern Territory.

The Hon. B. T. Finnis, S.M., Government Resident, Northern Territory.

No. 77.

115/65.

South Australia, Chief Secretary's Office, Adelaide, 10th February, 1865.

Sir—I have the honor, by desire of His Excellency the Governor-in-Chief, to inform you how deeply he regrets that, notwithstanding the measures taken at the commencement of the enterprise under your command to insure a successful issue, the want of cordial feeling between yourself and your officers should have been so destructive to the best interests of that undertaking.

I have, in separate Despatches, acknowledged in detail the voluminous correspondence lately received by the *Beatrice* and *South Australian*. There is much in it which I had better pass over without comment, and limit my observations to such questions as I consider are of the greatest importance, and on which you should be in possession of the views of this Government.

The circumstances connected with the pilfering of the stores by the natives at the River Camp Depôt, and the subsequent affray with them, have been fully disclosed in the correspondence and documents transmitted to the Government, who are of opinion that you are relieved of all responsibility with regard to that sad affair.

Whether the choice of the camp was or was not judicious is not of so much importance, as you had determined upon removing it. You had made provision for the protection of your party and stores left there during your absence while making arrangements for their removal; and, had your instructions been observed, the disasters which followed would in all probability have been prevented. Two serious mistakes were made by the officer left in charge—one was the withdrawal of the guard from the stores when it was only supposed that the natives had left the neighborhood, the other was in sending out so small a party for the recovery of the stolen property. Without wishing to enter into the question of the propriety or necessity of an inquest upon the body of the aboriginal male native killed in the affray, the examination of the witnesses appears to have been conducted more with a view of bringing out evidence condemnatory of the camp, which the Coroner and others knew you had determined to remove, than for the purpose of eliciting the facts connected with the native's death, the cause of which the jury justified. There the matter should have ended. The rider to the verdict was quite unnecessary, and not required to be given by a jury under the oath taken by them, was unsupported by the facts, and was an act of insubordination sufficient to warrant you in suspending any one of your force, and more especially one of your officers, known to be the author of the rider.

It is a matter of regret that the suspension of Mr. Ward from his duties as Clerk in Charge, &c., did not follow immediately on your being made aware of the action he took as a juror, as it might have had the effect of checking the insubordination which afterwards appeared among some of your other officers. His subsequent suspension by you has been supported by the Government, who revoked his commission on the 11th ultimo as and from the 11th December last. It was not without surprise that the Government learned from your Despatch No. 12, of 4th October last, that you were prejudiced against Mr. Ward before leaving Adelaide, and that you thought there was not a more unfit person for the post he undertook, or for any Government post; because, if such were your opinions respecting him at that time, you should have communicated them to me, as you did not hesitate to do in regard to many applicants for employment in the expedition.

Although the Government have paid Mr. Ward full salary to the date of the revocation of his commission, the arrangements made by you with Messrs. F. R. Finnis and Bennett with regard to the division among them of half Mr. Ward's salary, during the time they discharged his duties, are confirmed, and the expenditure must be treated as an excess.

Mr. Clement Young has been appointed Clerk in Charge and Accountant, at a salary of £350 per annum, from the 12th December last, and his commission has been forwarded to him.

The Storekeeper (Mr. King) having continued to discharge the duties of Postmaster, the temporary increase of £50 to his salary is made permanent, in consideration of the extra duties imposed upon him.

As your recommendation respecting the increase of salary and alteration of duties of Messrs. Bennett and F. R. Finnis does not meet with the approval of the Government, those gentlemen will continue to discharge the duties originally assigned to them.

The discharge of Mr. Humbert, master of the *Yatala*, has been confirmed, and the commission appointing him has been revoked as and from the 7th December last.

Mr. George Frank Graham has been appointed an Officer of Customs and Commander of H.M. Revenue Cruiser *Yatala*, from 8th December last, and his commission has also been forwarded to him.

The salt meat (pork) which you state became tainted and unwholesome was supplied by the same firm that supplied the salt provisions to the *Beatrice*, which was found to be perfectly sound and good to the last. Probably yours suffered from insufficient storage.

There appears to be some difficulty in the way of adopting your suggestion as to the selection of rural lands. By the time you report the survey of any considerable quantity, the Government will be prepared with a plan to prevent as little delay as possible consistent with fairness to all selectors.

The samples of water from Escape Cliff have been examined, but not analyzed; and I hope before I close this Despatch to hand you a report upon its quality. When the bottles were opened, a most unpleasant odour emitted, and continued for some time, arising, probably, from decayed vegetable matter, which would be more or less present in water obtained near the surface in a well not sufficiently protected. The conduct of the Surgeon in respect to this subject appears most inconsistent and embarrassing. First, he rejoices at having found water so good; then he declares that the water is so deleterious that it is the cause of the illness prevailing in the camp; and, finally, his medical reports show that the illness was trivial, and had altogether disappeared for a month before the arrival of the *South Australian*, although the same water had been used by the camp.

You will please inform the Surgeon and Protector of Aborigines (Dr. Goldsmith) that I have not acknowledged any of his numerous letters addressed to me, as it was not intended that he should correspond with me direct (see 26th clause of your instructions), but that he should address you, and you would determine what portion of his correspondence it would be necessary to transmit to this office. I have to some extent answered the points raised in his correspondence, and you are at liberty to communicate any portion of this letter to him which you consider necessary. I may state, for your information, that it is the intention of the Government to relieve Dr. Goldsmith of his

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his duties as soon as an eligible successor can be obtained, and there is an opportunity for Dr. Goldsmith to leave the settlement, which I believe will offer itself within the next month, when we hope to obtain a vessel bound to some Indian port to call at Adam Bay.

I hand you a list of the medical comforts forwarded by the *Beatrice*. The remainder of your requisition not now forwarded will be sent by the next ship.

The Agent General in London has been advised to protect the two bills—one for £54, and the other for £60—which you advise as having been drawn upon him.

I have to request, however, that you will not follow a similar course for the future to place yourself in funds.

Should these bills reach London before they are advised, they will most probably be dishonored, and the credit of the Government will suffer. It was never intended to confer this power upon you, and there was nothing in the circumstances you describe to justify you in taking an unauthorized course.

With regard to the remarks contained in your Despatch No. 26, of 8th December last, it would appear that you were laboring under the impression that no payment can be made at the settlement except in specie, whereas the specie was furnished for a circulating medium only, and you should endeavor to make such arrangements as would ensure its being used for that purpose, to prevent its being hoarded or sent out of the territory, by offering to grant orders on the Treasury in Adelaide to those who desire to save their earnings, and avoid the risk of robbery, or who may wish to remit funds to Adelaide, which they could do more cheaply, safely, and conveniently than by sending the coin.

Every facility should be granted for this purpose, notice being given previous to the sailing of vessels that bills on London, or orders on the Treasury, Adelaide, may be obtained in exchange for specie. Without adopting this course, it may so happen that the vessel taking up a supply of specie might take away the whole sum in payment for her cargo.

You will find the bills on London everything but useless to you, for, on the contrary, they are just the payment a master of a ship would prefer. You must, not, however, seriously entertain the idea of sending a vessel to Timor or Batavia to get your bills discounted, as no position you are likely to be placed in would justify such a proceeding. I refer you to a letter from the Hon. the Treasurer (enclosed) for your future guidance on matters of finance.

I understand the attack made on the native camp at Escape Cliff, on the 8th September last, was avowedly to retaliate upon the natives some of the injuries inflicted on your party, and from the letter of Mr. F. R. Finnis, who was in command of the attacking party, it would appear that another object was to recover the stolen property and bring the offenders to justice, as well as to find two bullocks that were missing; and inasmuch as you approve of the destruction of the natives' property, it must be taken that this was also one of the objects of the expedition. The Government consider it to be extremely unfortunate that the property of the natives should have been destroyed, and cannot agree with you that "this act was calculated to teach them the value of property." If the stolen articles had been recovered, and a conciliatory course adopted by leaving the property of the aborigines untouched, it would have been more in accordance with our sense of justice. It was also unfortunate that the command of the party was entrusted to one so young as Mr. F. R. Finnis, who would, from his youth and inexperience, be less likely to have control over his men, and to check them when heated with conflict; besides, the impolicy of such an appointment was aggravated by the fact that there were officers in camp. The Government deeply deplore the circumstances attending the death of the native in this affray; and as charges of a most serious nature have been made against some members of the party, a strict investigation must take place, for the purpose of ascertaining whether the occurrence was justifiable or otherwise. While it is a matter of regret that you did not allow the Protector of Aborigines to accompany the party, nothing can justify that officer, when permission was refused, in the language used by him, and in his part of the correspondence which followed.

I enclose herein a report of an interview which a deputation of the Committee of the Aborigines Friends Association had with His Excellency the Governor-in-Chief on the 13th ult., in which will be found an address from the Committee referring to the death of the native, together with His Excellency's reply to the deputation, and from which you will gather the views of this Government on the subject. His Excellency has commanded me to cause an inquiry to be made into the whole of the circumstances attending the death of the native, and for that purpose has appointed Mr. Fred. Howard, R.N., Dr. Nimis, R.N., and Mr. R. H. Edmunds, or any two of them, a Board to hold the inquiry, and report the result, through you, to the Government; and I have to request that you will afford the Board all the assistance in your power to aid them in arriving at a decision.

The Government do not agree with you in considering that the services of this officer are unnecessary until the settlement is more advanced. If his duties are judiciously and properly discharged, and if he submits himself to your authority (as it was always intended he should, and as his instructions direct him to do), much good might be accomplished in protecting the aborigines, and promoting a proper feeling among them.

There is no subject of greater importance in connexion with your duties than the judicious selection of a site for the metropolis, or principal town of the territory; and there is no other subject on which so much discussion has taken place, or respecting which so much dissatisfaction has been expressed.

The selection of the Escape Cliffs for that purpose, the suitability of which you so strongly and decidedly support, is condemned by everybody, including those resident there, and those whose only knowledge of it is derived from reports.

You will perceive from a report of a meeting of holders of land orders, held at Adelaide on the 10th ult., and which I enclose, that they do not approve of your choice.

The meeting authorized a Committee to present an Address to His Excellency the Governor-in-Chief, which they did on the 18th ultimo; the report of the interview, the copy of the Address, and His Excellency's remarks, you will also find enclosed. The Government had previously determined not to approve of the site at Escape Cliffs for the capital, and you will therefore not survey it as such. It may serve as a temporary location, and may ultimately become a subsidiary township; but the universal feeling is, that it is utterly unfit for the principal town, and certainly, before such a site is selected, situated as it is on a narrow peninsula, far removed from the interior, in the neighborhood of swamps, not well supplied with fresh water, and deficient in building materials, a thorough examination of the sea-board and interior must be made, extending from Adam Bay to Port Darwin and Port Patterson, and, if necessary, to the Victoria River. For this purpose Mr. Fred. Howard, R.N., in command of the *Beatrice*, has been instructed to render you every assistance and co-operation.

Your first instructions (clauses 13 and 14) are very explicit on the subject, and it is generally thought that you too readily accepted the site at Escape Cliffs without sufficient examination of other places; and that opinion is to some extent supported by the remarks in your Despatch, No. 17 of 6th October last, in which you state you avail yourself of the opportunity of the sailing of the *Beatrice* and *Yatala* to take a view of the harbors, assisted by the judgment of Commander Hutchison, before you finally declare the site for the capital; and in a Despatch written a few days later you state, "I see nothing in Port Darwin or Port Paterson to cause any alteration in my opinion as to the superior advantages of Adam Bay for a place of settlement." Now it would have been far more satisfactory to the Government and the public if you had stated what was the nature of your examination of Ports Darwin and Paterson, and in what respect they were inferior to Adam Bay. As the land at the head of the waters, called Port Darwin, is not more than thirty miles distant from the Adelaide River, surprise has been expressed that you had not organized an exploring party to examine the country between the Adelaide and those waters; and, if you have not yet done so, it is the desire of the Government that no time should be lost in ascertaining the nature of that country, together with other parts of the sea-board, and of the interior also whenever it is practicable. This may be done by dispatching a small party, selected from the many good bushmen you have with you (such as Auld, King, Warland, Litchfield, and others), without interfering with your surveyors and their men—who, pending the selection and approval of the capital should be employed in the survey of rural lands on the banks of the Adelaide, and in any good localities that may be discovered.

It appears to the Government that the works executed by you and your party at Escape Cliffs are singularly unimportant; for, passing over the period of ten weeks to the 31st August last, consumed in taking up the stores to the river depôt, and in bringing them down the river to Escape Cliffs, you report yourself, party, and stores all safely located there at the latter date, and yet, from that period to the writing of your last letters—more than 100 days—nothing of importance has been accomplished.

No

No report of the interior had been furnished; no shelter provided for men and stores, although the wet season had commenced; no attempt to form a garden; no paddock fenced in for the protection of the stock; and not the slightest effort made to commence the survey of either town or country land.

There appears to have been an absence of that energy and foresight which are indispensable in the leader of such an enterprise as you have undertaken.

You say that your reputation, honor, and welfare are involved in its success—and I may add, that the interests of the purchasers of land are also deeply involved.

It is in consequence of the very important interests at stake that I would urge upon you, in the strongest terms I can, the necessity for greater energy and promptitude of action, that the Government may be justified in rendering you that support which they are so anxious to afford you.

They are not insensible to the difficulties attending your position, greatly increased by the want of co-operation on the part of those who should have given you ready and cheerful support, and by the spirit of insubordination existing among your officers, affording a ready pretext to any of your party who chose to avail themselves of it to cover their own shortcomings.

The Government willingly make allowance for these embarrassments, but they do certainly expect that, after providing you with the additional men and stores, your next Despatches will contain something more substantial and satisfactory than the record of petty squabbles which have filled so many of your last letters.

A copy of the instructions to Mr. Howard, R.N., in command of the *Beatrice*, is enclosed for your information.

I have the honor, &c.,

HENRY AYERS, Chief Secretary.

B. T. Finnis, Esq., Government Resident, Northern Territory.

No. 78.

On board the *Beatrice*, Victoria River, 1st September, 1865.

Sir—I have the honor to report, for the information of His Excellency the Governor-in-Chief, that, on the 12th of August, I left Escape Cliffs as a passenger on board the *Beatrice* to complete the examination of the coast of the North Territory to the westward, pursuant to your instructions. I was accompanied by the *Julia* and eight persons—the *Julia* being provisioned for two months, and carrying 100 gallons of fresh water, which was all that stowage could be found for.

Before leaving the Cliffs, I saw that the camp was well protected, and that all arrangements were complete to forward the rural surveys, and to secure the safety of both parties ashore. I also left directions with Mr. Young to send an exploring party in the direction of the Victoria as soon as the horses were fit for the journeys, and some preliminaries had been settled. The treacherous conduct of the blacks in the murder of Alaric Ward, and the system of scouts which they had established, made it incumbent on me to take additional precautions against their depredations, and to create in the members of the party a feeling of personal security, without which no work would proceed, and they would leave the country by the first opportunity. Mr. Litchfield with the police and a few volunteers of his selection, was ordered to make another effort to punish the murderers by sweeping the whole Peninsula with his horsemen. I very much doubt his success in meeting them, as the places to which they retire are impervious to both horse and foot. But the natives will learn that we are on the alert to resent their conduct, and the men in camp will cease to feel that alarm which has assumed an exaggerated form as their previous indifference and dangerous over-confidence, which set at naught all prudential considerations.

To revert now from this digression to the more immediate purport of this Despatch, I have to state that we kept the coast in sight from the time of leaving the Cliffs, approaching as near as the safety of the *Beatrice* would permit, when any portion of it invited closer examination; especially where breaks in the coast were seen or indicated in the charts, I made a close examination in the *Julia*. In this way I ascertained that the openings in the bay north of Point Blaze have no real existence; the bay is shoal and the coast line complete; two or three creeks not large enough to admit the dingy at low water, being the only features in the nature of inlets. It is evident, therefore, that the river discovered by Mr. Litchfield in the Daly Ranges, and which was trending westward, did not disembogue here. We named it Fog Bay, as a very dense fog in the morning rendered all objects invisible beyond one hundred yards.

I next examined the openings in Anson Bay, north of Cliff Head, and found them the embouchures of a river, having four and five fathoms in a channel about 500 yards wide. The two openings united about six miles up, when the river, in one broad channel, had a southerly trend for a long distance. The shores were low, flat, and bordered with mangroves, resembling, in appearance, the Adelaide River. Bamboos were found drifted into the mangroves from the sources of the river; and floods at times come down with great violence, as the upper end of the island, where the forking of the river occurs, was much denuded, and the trees for some distance from the point were bent down in the direction of the flood. There were ten creeks falling into the north opening in the space of six miles—all salt, and lined with mangroves. There can be no doubt that a considerable fresh water stream flows down this river at all times, mixing with the estuary, which, as in the Adelaide, was salt, and must be so for a great many miles inland, from the great rise and fall of the tide in the bay, which is at springs twenty-four feet. I did not proceed to the source of this river, because I could have learnt nothing more of its character or of the country than was already apparent. To identify it with the discovery of Mr. Litchfield would have, perhaps, been impossible in boats, if that identity should exist, as the river he mentions was not navigable; and there is such a close resemblance in all the natural features here, that the fact could be ascertained by riding it down. This I left as an instruction to Mr. Litchfield.

As this is the largest and finest river next to the Adelaide which we have seen, I propose to call it the Daly; and, as it communicates at a distance from the coast with the hilly country of the Daly Ranges, it will form a valuable outlet for produce at a future time, and a secondary town will then be advantageously laid out. The country between Cape Hotham, Escape Cliffs, and this river, is all the same in character, having the same timber, the same rocks, and the same mangroves. The objection to recommending the Daly for the site of a capital is to be found in the shoal water at the entrance, which the *Beatrice* could not pass at the period of our arrival. An extensive flat, extended from the south end of Pearson's Island across to Cliff Head, barring all entrance for vessels of her class (100 tons), except at spring tides.

Continuing the survey of the coast, we arrived at Port Keats, which I ascended to the head in the *Julia*. It is a fine harbor for shipping, and there were a few places at which a landing could be effected free from mangroves. It is a large estuary, not terminating in a fresh water river, and surrounded by low, flat, rocky land inside the line of mangroves, which the tides penetrate to a considerable distance inland, more especially as the head was approached. There are reefs, covered at high water, across the entrance and some miles out to sea, which render the approach dangerous to strangers by night, and without a further survey. These, however, have been laid down in the chart preparing by Mr. Howard, commander of the *Beatrice*. Port Keats will also be a valuable outlet for produce from the back country of the Fitzmaurice and Victoria Rivers.

We next reached the Victoria—and here I went in boats as far as Palm Island, where the river at this season of the year is dry, and the water in the last reach quite fresh. It was salt to within a mile of Palm Island.

The River Victoria measures forty-three miles from the entrance, halfway between Points Pearce and Turtle, to the anchorage in Blunder Bay, where the navigation for large ships may be said to cease, as beyond this, dangerous shoals commence, and the bottom is foul, sometimes consisting of a tenacious sandy mud, in which the anchor is lost, or of rocks with a thin coating of sand, which will not hold. The *Beatrice* was not taken higher up than Blunder Bay, and even here she dragged, although comparatively free from the velocity of the tides. All produce from the interior, or Upper Victoria, destined for export, must be shipped at this Bay, or near it. Steamers and lighters, drawing not more than three feet water, can at spring tides proceed up the river to within one mile of Steep Head, a total distance of 112 miles. The *Julia*, drawing two feet four inches, had great difficulty in passing beyond Black Point. She frequently grounded, and could not be taken to the point I have named, where rocks barred all further progress. This seems to have been the station chosen by Mr. Gregory for his camp, as far as I could ascertain. The navigation to Palm Island was continued in the dingy and one of the gigs of the *Beatrice*, but

but both boats had to be dragged for a quarter of a mile over rocky bars on which there was not nine inches of water with a breadth of less than sixty feet. For navigable purposes, the river may be pronounced one of the worst and most unsafe on the coast. Still eventually it will be used by large boats to bring down produce from Steep Head and intervening points, where the river may be approachable from the land to sea-going vessels anchored in Blunder Bay.

There is nothing attractive or valuable in the country until you reach Curiosity Peak. As far as this, the shores consist of rocky hills of the most ragged and barren description, timbered with dwarf gums, and a species of pine which makes excellent firewood, with here and there grassy hills in the distance, where probably sheep stations might be formed. At Whirlwind Plains a remarkable change occurs; the ranges fall back right and left like a great sea wall, and a rich flat country appears, lightly timbered with the peppermint or box tree—which constitutes the Black Forest near Adelaide—and richly grassed. There was an area of at least 300 square miles forming the flat of these plains, which are about twenty feet above the level of the river, and do not seem subject to flood. Indeed, the sudden way in which the Upper Victoria at Palm Island enters this expanse of level country, would preclude all danger from floods, the water having indefinite expansion the moment it leaves the gorges. At Palm Island, I recognized a country similar to that at the head of the Adelaide River, of which I have no doubt it forms a continuation.

The country from Curiosity Peak to the sources of the Victoria may be said to be fit for all the purposes of settlement, and for every variety of cultivation which the climate may admit. Tropical vegetation is rare on the Victoria. A few palms are seen near Curiosity Peak, and again at Palm Island. The scenery is strictly South Australian, varied only by the presence of the gouty stem tree, which grows in abundance on the steep rocky slopes. At this season of the year there was no indication of surface fresh water near the river, and the natives are not numerous away from the coast. We saw two or three of them only at Blunder Bay, where they endeavored to excite our attention by shouting and making signs, but we held no communication with them, nor did we see anything more of them up the river. The country was on fire as we ascended, but there was no succession of signal fires, as we had witnessed almost every mile along the coast as far as Point Pearce.

I have not found limestone in any part of the coast, but on Whirlwind Plains a limestone resembling that found at Port Lincoln was discovered. I did not, however, procure any fossils from it.

The whole formation is sandstone, ranged in horizontal lines of stratification, and becoming schistose in depth. I saw neither granite, nor mica, hornblende, nor quartz rock. There were no veins, dykes, or lodes, or other indications of igneous action beyond the extreme hardness of the sandstone, which was fine grained and highly crystalline. No timber fit for planks is to be found. Gum trees of the kind seen on the Park Lands of Adelaide and at Kensington are very scarce; the tree of this variety attains only a stunted growth.

I could not recommend the formation of a capital city or of a first settlement on the banks of the Victoria River. A port, useful only for shipping, should hereafter be laid out near Blunder Bay; and an inland town, near Steep Head, where the produce of the Upper Victoria may be collected, to be taken down the river in barges at spring tides. Water on both sides must be obtained by sinking wells.

The result of my now completed examination of the coast, from the mouth of the Alligator to the Victoria, is now before the Government, for the information and benefit of land owners in the North Territory.

There is no river to compete with the Adelaide, either for navigation or the productive capabilities of its valleys and flats; and the capital must be placed so as best to command these advantages. A city, containing in one block the necessary number of allotments to satisfy the requirements of holders of preliminary land orders, must be surveyed, either at Escape Cliffs or at Mount Daly, where a survey party is now engaged laying out rural sections.

Every reach of the Adelaide River is a port for shipping; and I cannot see a better connection with the back country than that I have proposed.

The next in importance is Port Darwin; but, with a capacious sea harbor, it does not open up the extensive and rich country on both sides of the Adelaide. There would be boat communication with the best plains of the Adelaide River, by means of the South-eastern Creek at the head of the harbor; but the extent of country thus opened out is limited. Goods must be handled first in boats, and afterwards transferred to sea-going ships; and I doubt the supply of fresh water for a large population, and the salubrity of the site.

Lastly, we have the Daly River; but the want of a harbor, accessible at all tides, would form a serious drawback to its eligibility for a first settlement.

I now await the instructions of the Government to govern my future proceedings, in laying out a capital, and in any further examination of the coast to the eastward. Mr. Howard has been in that direction, within ten or twelve miles of the Roper; and his impression is, that the mouths of all the rivers on that part of the coast are difficult of access, from the shoal water which prevails in the Great Bight of the Gulf; but of this the Government and the shareholders will decide.

In order to place the Government as early as possible in possession of the further information now gained, the *Beatrice* will take this mail on to Timor. I shall proceed in her both to save the time which would be lost were she to return with me to Escape Cliffs before going to Timor, and to obtain supplies of fresh provisions, vegetables, fruits, and seed for the forthcoming time for cultivation. It is also my purpose to procure, if possible, roofing material for the stores and public buildings which are at present covered only with straw, which is not weather proof, and highly combustible. I expect to be at the Cliffs by the first of next month.

I have, &c.,

B. T. FINNISS, Government Resident, N. T.

Hon. Henry Ayers, M.L.C., Chief Secretary.

No. 79.

Depôt, Escape Cliffs, May 2, 1865.

No. 42.

Sir—I have the honor to enclose a report and sketch of Mr. Auld's exploratory trip to Port Darwin, and a copy of my instructions to him.

On the arrival of the *Beatrice*, I commenced the arrangements for this expedition, hoping to complete before the arrival of the *Bengal*. As I had been informed that she would have only four lay days given for discharge of cargo, it was of moment to me to be back early, I therefore limited this first trip to another examination of Port Darwin.

Mr. Auld found the country too wet for proper exploration, and his horses were much knocked up on arrival at Port Darwin, where they required rest to enable them to get back in proper condition for further operations. My stock of horses, with three fresh arrivals, is now only twenty-two, some of which are still very weak, and have been severely worked in taking supplies for twenty-two men employed at the Narrows. I am, therefore, obliged to be careful of their strength. The proper time for exploration commences in June and lasts till December. It is during this period only that the country is passable with any view to examination.

I append a sketch of the country about Port Darwin, gathered together roughly during two trips up the creeks which flow into the harbor from the Daly Ranges. Mr. Guy, the second officer of H.M. schooner *Beatrice*, accompanied me on these expeditions undertaken in his boat, and he has made sketches and observations which will reach the Government and elucidate my reports.

I find Port Darwin a magnificent harbor, as far as shipping and landing conveniences are concerned. The cliffs at Point Emery, and to the eastward for some distance within the harbor, appear to be about eighty feet high; the country inland, that is towards the sea to the north, shows a rise or low ridge about 100 feet in elevation, which trends away to the east, and, curving round to the south-east, forms the dividing ridge between the waters of the Adelaide and Port Darwin. This would form the communication by land with the Adelaide River and with the Daly Range; and a good road may be easily struck out for drays. Along this separating ridge are numerous well-grassed and well-watered cattle runs, as I have previously reported—indeed too good for cattle; and I am dispatching a strong survey party, under Mr. Manton, to proceed with the survey of rural Sections there. In about a fortnight the country will be sufficiently dry in that direction to enable me to send provisions by pack horses, and, possibly, soon after by drays. In ascending the creeks, I found the eastern area surveyed by Stokes, to terminate in fresh water at its head; and a fresh stream flows into it in latitude $12^{\circ} 35'$, coming from the ridge I have mentioned.

This

No. 17.

This fresh water will probably disappear in November as streams; but I have no doubt that in wells there an abundant supply will be found. The water of the middle area—the largest—was salt up to its head, in latitude 12° 46', as far as we went; but probably fresh water is to be found at its source at this season.

There are several places where a landing may be effected, and communication by drays established along the line of these creeks; and produce may be brought down in boats to Port Darwin. All along the shores of the harbor, from the Bluff Hill, north of the anchorage, to where the first of these landing places occurs, which is in latitude 12° 34' (about), the country is flooded by the high tides for some miles inland, and densely covered with mangroves. This feature presents itself all round the harbor, except at the cliffs of Point Emery and at the opposite side at Tale Head, where the country for a few miles is elevated about 150 feet to the background, sloping down to the water. However, all along the circumference of the harbor, there is not a mile which does not present the features of salt inlets, densely fringed with mangroves, within which a landing is impossible.

Mr. Howard, whilst I was away, discovered the well sunk by Lieutenant Emery of H.M.S. *Beagle*, to the depth of twenty-eight feet. He found it nearly filled with rubbish, but obtained fresh water on the beach, under the cliff, just opposite the vessel; he also found a swamp a short distance inland from whence water could be obtained by sinking, and where there was a native encampment. Both he and Mr. Auld describe the plateau on the top of the cliff as very rocky and stony. The gold-diggers of the party considered the country auriferous, having the trap rock as they called it, and an indurated clay—the pipeclay of the diggers. They said they had the top and bottom of a gold field, but on this occasion were not successful in finding the precious metal. I also, having two gold-diggers with me, got some of the debris washed for gold of the east arm, but failed in finding any gold. The appearance of the country, and the formation, struck the eye of experienced diggers; it is quite possible, therefore, that the future may disclose auriferous soil. Of this only there is a certainty, that there is nothing in the formation to lead to the inference that it does not exist.

No limestone was found, but the same white sandstone as at Escape Cliffs in different stages of hardness, with quartz intermingled on the surface. The timber appeared of the same varieties as are found on the Cape Hotham Peninsula, and in the same abundance, but the grass was less abundant in the forest and the land less suited to agricultural purposes; at the distance of a few miles to the eastward along the ridge which I have described, the country assumed a more reddish appearance and the soil was more friable—it was pronounced excellent by the explorers.

I have now stated the natural capabilities of Port Darwin; as a site for settlement it is greatly inferior to Escape Cliffs both on account of the land and the water, which must there be procured in wells at a greater depth than at Escape Cliffs.

The main objection, however, is that the harbor is land-locked, shut in by rocks on the north side, and encompassed in the form of a horse-shoe, toward all other quarters by low mangrove shores which are covered by a rise of tide of twenty-four feet in the harbor, and twenty feet at the head of the creeks; the whole country is thus cut up into island hills with creeks running up to them and around them, leaving the dry ground cut up like a star-fish, sending out rays in all directions.

The harbor is completely excluded from all breezes of a refreshing character; and those from the eastward, when they do prevail, which is seldom, must travel over a malarious region. Calms and intense heat prevail at the anchorage and on shore, when other more favored places, open to the sea, enjoy a climate ten degrees cooler than at Port Darwin, and constantly refreshed by breezes. As soon as the *Bengal* is off, I shall proceed to make an examination of Port Paterson, as directed, and the coast down to the Victoria, which I shall also examine, as I am sure that no one will be satisfied until I have done so.

As it would be a lamentable waste of labor if I were to abandon the surveys at Escape Cliffs and the Narrows in their present stage of advancement, I proceed with them, so as to complete square blocks properly marked, to which the remaining sections detailed on the plan can be afterwards added if required. These blocks will remain as town surveys, open to the directions of the Government at a future time, and will form the base for the rural surveys.

I propose to send Mr. Manton to start from the west side of the Narrows, where Auld's party crossed, with Edmunds and Watson under him as surveyors, and twenty-five or thirty men, to reach the first fitting encampment, connect it by a measured line with the work at the Narrows, and then proceed to lay out blocks north and south, pushing east to the river and west towards Port Darwin wherever the country admits. I shall also dispatch an exploring party under Litchfield, who is decidedly my best bushman, and knows most of the country through which he will start, to proceed to work out the Daly Ranges whilst I am absent at Port Paterson. I shall then return, and, according to circumstances, start him again to the westward. Then, if no casualty occurs, the whole country inland will be examined as far as the Victoria by horse parties, whilst I shall complete the coast examination in the same direction.

Mr. Hamilton, Mr. Smith, and Mr. McMinn, whom I have stationed at the Narrows, and promised them £200 a-year if they justified my expectations by the results of their work, have left me—Mr. Hamilton and Mr. McMinn to join Mr. Jefferson Stow, who has purchased one of the boats of the *Bengal*, and proceeds, as I understand, with a party of six, to reach Camden Settlement and Swan River. I shall supply the party with arms and provisions on their own private account, although I think they are proceeding on a very perilous enterprise.

My men are very much disturbed at present by these movements, and by the hopes of returning to Adelaide. About twelve of the old party will get away, and I believe one or two of the new hands contemplate desertion; but I shall send an account if I can by the *Bengal* of their movements, although it may then be too early.

Mr. Pearson proceeds to Adelaide for the recovery of his health. He has always been an invalid, and has not done six weeks' work since I sent him out with a party. Mr. King also returns on sick leave. His health has been giving way for some months. I do not think they can either of them live here; Mr. Pearson, I am sure, will never be fit for active work again in this place. My surveyors are now reduced to Mr. Manton, Mr. Edmunds, Mr. Packard, and Mr. Watson. Mr. Packard will proceed to lay out the peninsula of Cape Hotham as rural sections. My party, with officers, will comprise only sixty-four. I shall require four more surveyors and twenty more men to continue the rural surveys and meet fresh casualties, as I shall have lost about that number. No junior surveyor should be paid less than £200 in this place, and after twelve months he should receive £300, if his work and conduct prove satisfactory; and first-class surveyors should begin at £300, and receive an increase to £400 a year after twelve months' work. Without such an arrangement they will fall off into land agents and servants to squatters.

Respecting the men, the mode of payment is far from satisfactory; at first it was necessary to pay by the day, but in future arrangements it will work better to pay for every hour's work done and rendered, at a rate equivalent to present pay with compensation for rations, grog, and medical attendance, so as to place the survey men on the footing of survey laborers in Adelaide. I shall, if I have time, suggest a more complete plan by this mail.

I have the honor, &c.,

B. T. FINNISS, Government Resident, N.T.

The Hon. H. Ayers, M.L.C., Chief Secretary.

No. 80.

D. No. 60.

Escape Cliffs, Northern Territory, 31st July, 1865.

Sir—In other letters by this mail I have reported the result of Mr. Litchfield's explorations round the valley of the Adelaide, and the commencement of the rural surveys by the dispatch of a party of three surveyors and three men under the general control of Mr. Manton. I desire now to add further information on those subjects and on my proceedings up to this point.

The sketch of the River Adelaide which is enclosed in Despatch No. — has been prepared by me to show the country and the various tracks of explorers. It has been prepared chiefly from my own rough surveys in various expeditions on land and in boats, except as regards the reaches of the river as far as Manton's Hill, in latitude 12° 43', which has been copied and reduced from Captain Hutchison's plan. In this sketch are shown four sites for townships, either of which would afford a convenient area for laying out a city of 1,500 half-acre allotments, if the Government should ultimately decide on adopting either of them. The first is at Port Darwin, on which I have already reported; the others are in the neighborhood where Mr. Manton is now surveying. The

The site to the southward embraces hills of slight elevation, like the site on which Adelaide is built, and is less than three miles from wharfage on the river, where a depth of from five to seven fathoms is obtainable. The *Beatrice* discharged her cargo here from the yard-arm on to the land. A road must be made to render access to the river practicable at all times, on account of some creeks and flats which become marshy from January to July. There is an ample supply of timber, from the forests which line the ranges, of the same description as that found at Escape Cliffs. Stone of a hard texture, indurated quartz, felspar, and a crystalline trap, found in dykes and fissures, is abundant; it will answer for rough walls, but is too hard to be dressed. Water is abundant, and in Auld's Lagoon there is a permanent and plentiful supply. No lime is to be found nearer than the coral reefs on the seaboard. Healthiness remains to be proved. I am of opinion that no site removed from the influence of the sea and its breezes will be found as healthy as those on jutting points and peninsulas. The navigation, as far as depth of water is concerned, is practicable for vessels of almost any size, as the tides rise from fifteen to twelve feet as you ascend; and there are deep reaches in which five fathoms can always be obtained at low water. The river being tortuous and narrow, and the tides strong, and the winds always baffling, sailing vessels cannot ascend the river without the risk of frequently grounding; and they must in all cases be towed by two or three boats, according to the size. A steam-tug would remedy this, but until one is provided the river is not available for commercial navigation.

The northern site, on the west side of the river, is better adapted for laying out a square city, as the ground forms a moderate rise—open, and almost free from timber—on which a city may be laid out with uniformity. The soil is dry and stony, the rock being a sort of red sandstone. This site has the advantage of being near to Port Darwin, with which the communication is easy; but the road to the Adelaide River must be a made road, for the reasons given in my last description. In all other respects the same remarks apply.

The third site, at Manton's Hill, embraces a group of low hills of very moderate elevation, and the connection with the river is better than elsewhere. The greatest distance of flat on which a road would be required does not exceed 400 yards. There is a good deep reach opposite, and the river banks are steep. Wood must be brought down the river for fuel and other purposes; but the same hard rocky surface is to be found as at the site under Mount Daly, first described. The back country, about twelve miles to the east, is undulating, of fine quality; but immediately to the east of the site a marshy country exists, over which road and bridge making would be necessary and expensive. Although at present more convenient for shipping, I prefer either of the western sites as being better connected with the back country, and with the line of future communication with the country at the head of the Victoria, in which direction settlement and stations will probably extend.

I prefer any of these sites to Port Darwin, but none to Escape Cliffs. I await instructions for the survey of the City of Palmerston. I ought to mention here that if the Government should ultimately approve of Escape Cliffs for the site of the chief city, the design forwarded by me admits of any degree of extension to the eastward to lay out the requisite number of allotments. The site has everything to recommend it to the surveyor—being dry, easily drained, and almost a dead level. The water supply is abundant and good; one well alone watered upwards of eighty persons and 500 head of stock, including thirty head of bullocks and horses, during the driest season of the year, without any sensible fall in the depth of water. Within a few days 2,000 gallons have been carted away from this well in six hours, without perceptible alteration of level of the water. The water, as to quality, is clear, sweet, and wholesome, and good as any water that is ever obtainable from wells. When population requires it, or public convenience, there is nothing to prevent the execution of waterworks to conduct fresh water to reservoirs from sources of supply in the valley of the Adelaide River.

I wish now to continue the report of my proceedings. I stated in a previous letter, No. 54, of 19th June, that I was proposing to remove Mr. Manton to a camp about thirteen miles south-west of the Narrows. Mr. Manton's report of the locality, and of the difficulty of land carriage, induced me to send him up the river to the spot where he is now settled, in order chiefly to place him within water communication with our depôt here. In order to effect his removal, I had to request the assistance of the *Beatrice*, which was promptly afforded by Mr. Howard, on his return from a cruise to the eastward, where he was detained by weather and interesting surveys three weeks longer than he or I expected. She arrived in Adam Bay on the 16th ultimo, and took up Mr. Manton's party of twenty-five persons in all, with stores for three months, including forty sheep, eight bullocks; six horses and the dray were dispatched overland on the 27th. Mr. Manton's party could not be moved sooner, because the surveys at Escape Cliffs and the Narrows were not completed before the middle of July, and I had no means of transport other than the *Beatrice*. The *Julia*, by which the removal might have been effected in four or five trips, was under repair, and had been so for three months, as the worms had completely destroyed her bilge. An attempt at removing so large a party by boats would have occupied a month at least, and have seriously damaged the boat; I preferred, therefore, waiting for the *Beatrice*. I proceeded the *Beatrice* up the river, selected a landing place, and made a rough triangulation of the country, as shown in the sketch, walking to the hills, within distance of the river; but, as soon as I had seen the party landed, I returned aboard the *Beatrice*, and dispatched Mr. Manton's stock party overland. Mr. Packard, with a party of six men, has been retained to lay out rural Sections on this Peninsula, but his illness, and that of two of his men, has hitherto delayed the commencement of that work. In the meantime I have proceeded with the fencing, by an upright log fence, of a space of ground, within which the Government cottage, the two stores, and the treasury, and offices are included. This fence, arranged in a suitable form, will afford efficient protection to the small party to be left at head quarters, without the necessity of guards. It will be absolutely safe from all incursions of the natives. Within this enclosure sheds can be erected and stock and sheep secured should any arrive from Adelaide. I am now starting Mr. Litchfield, with four of the stockmen and eleven horses, to examine the country as far as the Victoria, if possible, following the good country at the foot of the Daly Ranges, which extend in that direction, and form, probably, a part of the high land at the head of that river. On Sunday next I proceed myself in the *Beatrice*, with the *Julia* and crew in company, to examine the remaining part of the coast and the Victoria head of Port Paterson.

The party at head quarters will then be reduced to fifteen persons, including five officers. As I have arranged for frequent communication with Mr. Manton by means of the gig manned from here, the party will at times be so small that I could not prudently have left them without the protection of an enclosure. As no vessel has arrived since the *Bengal*, I am acting on the assumption that none will be sent until the Government receive my letters by her. Consequently I do not expect a vessel until the middle of October, during which time I shall be absent from the settlement. Our supplies of fresh food are running short, as the stock return will show. Several hundred of the sheep and several horses and working bullocks sent by the *Bengal* died after arrival, and the sheep left are the remains of the best which have been killed. Those left are very poor, not averaging in carcase more than twenty-five pounds each. Hence I have resolved to attempt to get some supplies from Timor, both of fruits and vegetables. The sweet potatoes, yams, and maize, do so well here that I shall plant enough this season to supply the settlement for a year. The ground is now grubbed, cleared, and nearly fenced for the reception of the seed, which will be planted in December, and produce in June next. I am quite satisfied of the appearance of affairs here, and consider that everything will henceforth progress as rapidly as the climate will admit. I have no want of good will in hands. The sickness, although embarrassing at times, from men having to knock off work, is not serious, and in the cases that have occurred has been well met and successfully attended to by Dr. Ninnis, of the *Beatrice*, whose zeal and kindness I cannot too fully appreciate and record.

I have, &c.,

B. T. FINNISS, Government Resident, N.T.

Hon. Henry Ayers, M.L.C., Chief Secretary.

No. 81.

Depôt, Escape Cliffs, 10th August. 1864.

Sir—I now proceed to complete some of the subjects to which I made only partial allusion in my Despatch No. 1. The Government will be anxious to have my views respecting the site for the first settlement.

My instructions direct my attention chiefly to the Adelaide River, and I have accordingly examined this locality well, in the first instance, by land, whilst Commander Hutchison has made a careful survey of the mouth of the river

river inside Point Ayers, which is the eastern headland, whilst Point Hart forms the west side of the entrance, and has also ascertained the channel outside the mouth, and the soundings in Adam Bay. A town and harbor in immediate conjunction seems to me difficult of attainment—not that harbors are wanting, or sites for a town, on the other hand, having the requisites of healthiness and good water. The harbors are land-locked to a certain extent; as, for instance, the opening of the Adelaide River, and Port Darwin, and Port Paterson or Bynoe Harbor; and, as far as I am yet informed respecting the latter, they are all surrounded by salt swamps.

There are many sites along the coast that have elevation enough to secure a sea breeze; but I do not believe that a more healthy and cheerful site for a settlement on the whole north coast than Escape Cliffs, in the vicinity of Cape Hotham. It is open to the sea breezes of both monsoons, and the soil is dry and well timbered for shade and building purposes. I shall make trial of it by the establishment of a depôt; and, unless further information, which I shall take care to obtain, points to a better place, I think that my judgment will be given in favor of this place.

Adam Bay itself is a fine harbor, being sheltered from all winds at all seasons in some part or other of its extensive anchorage. Melville Island, which is only eighteen miles distant, and the Vernon Islands, afford good shelter from the west, north-west, and north, and ships can discharge from a distance of half a mile from the landing-place, when capital, public or private, shall have compassed the erection of a jetty or jetties. A town at Escape Cliffs would be as well provided, with a harbor in close proximity, as most cities in the Indian Seas; but there is an inner harbor of refuge inside Point Ayers, in case it should be required, and such a harbor would be required at first, on account of the greater facilities it affords for landing. A road, not eight miles long, connects this inner harbor with Escape Cliffs—a distance not exceeding that between Adelaide and its port, and over a country as easy of access. Inside Point Ayers there is deep water close to the shore; but, at spring tides, the water covers part of this landing-place to the depth of about six inches. This could easily be embanked out. Closer to the Narrows the same bank is several feet above the reach of any tidal influence, and affords facilities for landing, with a comparatively trifling outlay, as timber for wharfs and jetties is abundant and at hand.

I am of opinion, therefore, that we shall not find a more suitable place, on the whole, than this; but I shall see other places first, and be guided very much in the choice of the site for settlement by Commander Hutchison's opinions of the harbor. He is now proceeding to Timor, and until his return I may be prevented from visiting other ports, as the *Yatala* is not in a state for coast navigation. The stations which will be formed up the Adelaide for sheep, cattle, and horses must all be supplied by water carriage, or by means of lighters or steam-tugs. Ships would call freely at Adam Bay, and a town situated here would soon grow in importance. I now approach the subject of the aborigines. They are apparently very numerous, divided into many tribes, and warlike and powerful. They resemble very much the blacks of the Murray in feature, and have no distinguishing mark beyond tattooing. They are most determined thieves, regular wreckers, and keep us continually on the alert when they present themselves. They do not fear to travel by night, and creep about our parties by night for the purpose of plunder. I much fear our relations with them will not long continue amicable, owing to this propensity of theirs, which there seems no method of checking. Small parties, unless very vigilant, would be liable to be stripped of everything. Their weapons consist of reed or bamboo spears, which they can fling by means of a throwing-stick to a distance of 150 yards with considerable precision. I have used every means of conciliation possible, and shall continue my efforts to prevent a collision. The country about here is beautifully timbered along the margin of the coast and river with useful wood, apparently mangrove, but growing tall and straight as a stringybark tree in the forest of Mount Lofty, but not so large and lofty. Gum-trees of every variety, ironbark, stringybark, palm trees, &c., are found in abundance. Game of all kinds found in South Australia abounds, as well as many new descriptions of birds. The crocodiles are numerous, but shy; they always slip away on the approach of a boat. Altogether, I have a favorable opinion of the climate. The heat is not unpleasant during this season, even in the sun, and the temperature feels cool and agreeable in the shade. At night, up the river, the thermometer fell below 40°. I shall touch upon other topics in separate Despatches, and

Have the honor to be, &c.,
 Hon. Henry Ayers, M.L.C. B. T. FINNISS, Government Resident.

No. 82.

Off Port Paterson, North Territory.

Sir—I do myself the honor to report that I have sanctioned the discharge of two of my men—W. C. Machell and Jno. Bohn—who have signed articles with Commander Hutchison and proceeded to Adelaide in the *Beatrice*. They have exchanged with two fine stout able seamen of the *Beatrice*, at the same rate of pay they were receiving.

I enclose certificates, for the information of the Treasurer, of the dates of settlement here with Machell and Bohn; and Captain Hutchison has their written authority to retain their pay whilst on board the *Beatrice* until they shall have discharged any debt due to the Government of South Australia for advances in Adelaide under procurement orders. As they had left half their pay in Adelaide, a debt will have accrued from the 1st October, the day after their discharge, until a final settlement in Adelaide.

As Captain Hutchison is now leaving me, I can only add to my former Despatch respecting the site of the town that I can see nothing in Port Darwin or Port Paterson to cause any alteration in my opinion as to the superior advantages of Adam Bay for a place of settlement; and I accordingly take the responsibility of advising you that I shall fix on Escape Cliffs for the main part of the town, and on Port Daly, inside the Adelaide River, for the remainder of the allotments.

The superiority of Adam Bay and Escape Cliffs consists in its affording ingress and egress to and from the distant interior by water communication, which will be ultimately navigable by the largest vessels, and which, in the meantime, will be available for lighters bringing down stock from the interior to the ship's side when anchored either in Adam Bay or Port Daly. Large ships can discharge cargo in Port Daly close alongside as soon as wharfs are made, and, in the meantime, by lighters from the anchorage opposite the cliffs.

As soon as I can muster a few spare hands from the work of the camp I shall commence the surveys. I enclose a sketch of the site of the town and port, traced from Captain Hutchison's chart, as regards the coast-lines; and I wish to guard against any publication of a mere design which, whilst it will be carried out in its general plan, will be materially altered in detail when the ground inside is properly surveyed.

I have, &c.,
 The Hon. Henry Ayers, M.L.C., Chief Secretary. B. T. FINNISS, Government Resident.

No. 83.

Palmerston, December 8, 1864.

Sir—I do myself the honor to acknowledge receipt of your letter, dated 28th October last, sent by the steamship *South Australian*, which arrived here on the 5th instant at noon.

This reinforcement was most opportune, and has completely changed the aspect of affairs. The men are a fine respectable body, and some new blood was wanted. The stock arrived, and have all been landed safely.

We began this day to discharge the rest of the cargo, but as, at this particular period of the moon's age when the neap tides prevail, we have only one tide by daylight, and as the boats can only cross the reef for about three hours each tide, I fear it will be impossible to clear her within the four lay days. However, every effort is being made. On the 6th, I took the captain and some of the passengers to visit Port Daly, whilst the stock was being disembarked. The want of fuel, and the short time allowed for the stay of the ship, has alone prevented the *South Australian* from entering, and I should have made every effort, even by cutting fuel for the purpose, but for the necessity of her leaving as early as possible to avoid the great cost of demurrage.

I regret the serious inconvenience which has arisen from my omission to send duplicates of my Despatches by the *Henry Ellis*. However, the reports as to the destination of the ship were so vague up to the last moment that I had doubts whether it would be of any avail to send any letters by her. Moreover, I was utterly unable to cope with the mass of correspondence which came before me. The copying press had not then been established, as the stores were not in a state to be unpacked, being under removal at the time.

On.

On this occasion I have endeavored to supply the omission as regards those I sent by Commander Hutchison; but the want of office accommodation, very insufficiently afforded by a tent full of dust and boxes, will render the duplicates incomplete. The *Yatala* has not yet arrived from Timor, but is hourly expected.

As soon as the new hands are available by the discharge of the *South Australian* I shall make arrangements for the survey of the City of Palmerston at this site, as I have already intimated in my Despatch by the *Beatrice*. I am fully satisfied that I have chosen the best site in the north-west coast—having seen quite sufficient of the country to come to this conclusion. As we were getting our supplies of water from wells at the distance of more than a mile; I prepared for the difficulty of having to cart, over perhaps heavy roads, during the winter, by sinking a well close to the Depot. We have obtained excellent water at the depth of about twenty-four feet, about a quarter of a mile due east of the camp from the cliffs, in the fullest abundance; and from excursions I have made round and across the peninsula, I find water is obtainable over its whole surface in this the driest season of the year at depths varying from seven to twenty feet from the surface, through strata easily worked by the pickaxe.

As some persons have hinted at the Victoria River as a site for a settlement, I think it proper to state my views on the subject. I find that no ship can pass up the Adelaide River without being towed by three boats, with a favorable tide. The current is strong and the reaches tortuous, therefore sails are useless. The tide rises twelve feet or more, and no merchant ship could man three boats with the crews they take to sea.

A steam-tug would therefore be required, and a careful survey must be made, previous to any attempt to navigate by such means. The delays, and risks, and expense of such a system would deter any vessel from visiting a settlement up the Adelaide River, where, if placed, it must be at a distance of nearly fifty miles up to attain fresh water.

In the Victorian district these difficulties are much increased—as the tides rise and fall thirty feet and upwards, and the currents are from five to six knots an hour. It would require very powerful steamer tugs to overcome these, and there would be no trade to make one pay for a long time; until, indeed, an export was created, which must be the work of years. Whatever may be the result of future settlement on this coast in the formation of new sites of commerce and new ports, I am quite convinced, from the foregoing considerations, aided by the printed evidence which I have studied, and my general knowledge of the coast and its capabilities and its tides, that a first settlement at the Victoria would be a complete and fatal mistake.

I have fully gone into the merits of this site in former Despatches, and I confidently leave the correctness of the views entertained by the Government in framing my instructions, confirmed as they have been most fully by my own judgment on the spot, to be established by the result. I never felt more satisfied with any opinion on which I may have acted than with that which I have formed as to the propriety of the site I have selected for Palmerston.

Palmerston, with its outer harbor in Adam Bay, where the s.s. *South Australian* is now discharging cargo and other cattle, at a distance little less than a mile from the landing place, and its minor harbor of Port Daly, connected with it by a road less than six miles in length, may safely look to the future in support of its pretensions to be hereafter a flourishing settlement.

I have, &c.,
B. T. FINNISS, Government Resident, N.T.

The Hon. Henry Ayers, M.L.C., Chief Secretary.

No. 84.

36. Palmerston, Northern Territory, 15th April, 1865.

Sir—I have the honor to transmit herewith two letters, dated respectively 16th December, 1864, and 20th January, 1865, from Messrs. Jefferson Stow, John Stuckey, and Jacob Bauer—with my reply to the first, dated 19th December—on the subject of the site of the capital.

Since the gentlemen who jointly sign that letter contemplate making it public, which I infer from its tenor, I now proceed to enter more fully, perhaps than I have hitherto done, into my reasons for the selection of the site of Palmerston.

Before going into details, I shall, however, draw attention to the real question which is at issue, viz.—the suitability of the River Victoria for the site of the new capital.

I was aware when I left Adelaide that a party there advocated the superior claims of the Victoria over that of the Adelaide River; and I know that this party had its representatives amongst the members of the first expedition.

On the arrival of the *South Australian*, on the 5th of December last, in Adam Bay, I repaired on board before a single passenger had landed; and all the cabin passengers with whom I conversed, including members of the Government party, informed me that Mr. Gregory had strongly urged on them the superior advantages of the Victoria for a settlement.

One of the land agents, Mr. John Stuckey, went so far as to ask me to proceed there at once in the *Yatala*, that he might have an opportunity of seeing the locality. He almost urged this request as a right; and seemed astonished when I informed him that the site of the capital was already fixed, and that I had no present intention of going to the Victoria, even had a vessel been available to take me there, which however was not the case, as the *Yatala* was on her voyage to Timor.

It seems to me that the gentlemen, who as land agents have favored me with the accompanying correspondence, left Adelaide impressed with the superior capabilities of the Victoria River; and that Mr. Gregory, the Surveyor-General of Queensland, contributed, as much as lay in his power, by his statements, to strengthen these impressions; but if these gentlemen arrived in Brisbane without any prepossession in favor of the Victoria, then he has created this partiality in their minds.

No one who reads the last letter of Messrs. Stow, Stuckey, and Bauer, can avoid the conclusion that a favored view of the Victoria as a site for the capital exists in their minds.

I anticipated the question which I foresaw would arise from the feeling existing on board the *South Australian*, by entering in my Despatches to the Government sent by that vessel, somewhat fully into the considerations which in my estimation would be conclusive against the eligibility of the Victoria; and which I think justified, and undoubtedly guided, the Government in directing my attention more particularly to the Adelaide River as a site for settlement, in case I should find a suitable spot for the capital in its vicinity.

But as, after all, those reasons of mine, apparently rested only on my own judgment and experience, and Messrs. Jefferson Stow and Co.'s demur to the correctness of my statements, and my qualification to decide on the capabilities of a country—as they do, indeed, to those of all my party who differ from them—I shall quote from other authorities than my own observations and that of the individuals of my party—authorities which, I presume will not be questioned by the public, although they may be by Messrs. Jefferson Stow, Stuckey, and Bauer, whose sole guarantee of superior knowledge and qualification consists in their own assumption and assertion.

To proceed, I quote from the narrative of Captain (now Admiral) Stokes, R.N., then the chief officer of H.M. surveying ship *Beagle*—first, on the danger of the approach and navigation of the River Victoria.

Captain Stokes writes of Captain King, one of the celebrated circumnavigators of the Australian continent, thus:—"His visit to this part of the coast was in September, 1819, and under very adverse circumstances. His vessel had but one anchor left; and the strong easterly winds then prevailing, with the thick hazy weather, rendered his progress both difficult and hazardous. After a trial of two days, and having several narrow escapes from getting on shore, he bore away," &c.

Captain Stokes now writes of the performances of the *Beagle*. The *Beagle*, after anchoring in five fathoms S.E. by S. of Point Pearce, proceeded up the Victoria, when he says:—"The tide, however, making against us, and the wind gradually failing, we were compelled to anchor," &c. "Abreast of Fossil Head, we steered from it on the bearing of the deep water channel we had seen yesterday. We proceeded cautiously, feeling our way with the boats ahead. After passing some distance along the eastern side of a long, dry sandbank, we were obliged again to anchor, both boats signalling a depth of about two fathoms. A rapid stream, passing between barren and rocky heights—here stealing along in calm silence, then eddying and boiling as it swept past—lay at our feet. Taking a hasty breakfast, we pulled up the river. The tortuous nature of the first reaches, changing their direction suddenly from N. to E.S.E. with a depth of seventeen and twenty fathoms, produces violent eddies and whirlpools." Further on, he says—"We were sorry to perceive that it was much occupied by shoals, which showed themselves at that time

time of tide. After a careful examination of the boats, the ship was shifted on the 21st, but to another anchorage, at the point of Quoin Island, about thirty-five miles under Point Pearce."

Finally the *Beagle* was anchored nearly fifty miles up the Victoria, at Holdfast Reach, and might have gone seven miles further; the head navigation for ship is, therefore, fifty-seven miles up the river.

On the 4th November he says:—"This afternoon, and the whole of the next day, when the tide suited we were endeavoring to weigh the ship's anchors; but they were, together with the cables, so embedded in the bottom, which must have been a quicksand, that this proved impossible."

"As it was, after bearing down the ship nineteen inches by the head, and splitting the hawse pipes, we were ultimately obliged to leave both behind, and thirty fathoms of cable with one, and fifteen with the other. This circumstance suggested the appropriate name of 'Holdfast Reach' for the locality."

"December 1.—We slipped from our last anchor at daylight, and proceeded down the river. After pirouetting through Whirlpool Reach, we got as far down as the flats fronting River Peak."

On quitting the river, Captain Stokes exclaims:—"That the *Beagle* was once more anchored outside all the banks—to have touched any of which, in the great strength of the tides that hurried us along, would have been fatal, was a great relief to all of us."

Again, of the tides, Captain Stokes states—"They rose twenty feet in one place, and in another, the moon being full to-day, we noticed that the tides were very strong, particularly the flood stream, which came in bores, and sometimes swept by the ship at the rate of six and a-half knots, while the ebb did not exceed four and a-half; the greatest rise also to day was twenty-four feet."

Then the fresh water of the river is not attainable in a less distance than upwards of 100 miles from the entrance, viz.—at Palm Island.

Turning now to Lieut. Helpman's, R.N., account, another officer of the *Beagle*, he says—"The Victoria, on the contrary, can scarcely be considered more than an estuary, dangerous of approach, with the stream running ebb and flood at a rate of from four to five miles per hour.

"It is filled with enormous sandbanks, difficult for boat navigation, and its banks unapproachable; whilst the general character of the land, so far as we saw it, was useless and barren in the extreme.

"The rivers flowing into the Gulf of Carpentaria, if they were equal to the Adelaide, have this disadvantage, that vessels would have still a difficult and very tedious passage out of the gulf, and then through the remaining portion of the northern passage to India or Europe, besides being further to travel."

Again, Mr. Windsor Earl says:—"I have not found it necessary to say much about the Victoria River, the only spot that can compare with Van Diemen Gulf, as the site for preliminary settlement (as the example of the Sydney underwriters, in refusing to take risks on vessels entering the Victoria River is likely to be followed elsewhere), and I need hardly say that this would have a very depressing effect on (if it were not absolutely fatal to) the prospect of a new settlement."

Then in the compilation of the Government, entitled the "Northern Territory of South Australia," published in 1863, under the heading, "Entrance Island and the Sandstone Gorge"—"The low land, mud flats, and sand banks (at the mouth of the Victoria), terminate suddenly at Entrance Island, thirty miles from the sand heads, where the river contracts to a width of less than a mile, and rushes through a gorge in the sandstone range with a velocity that creates numerous eddies and whirlpools, which render the navigation critical, although the depth of water is great, sometimes as much as twenty fathoms. H.M.S. *Beagle* passed through this gorge, which is ten miles in length, and anchored in Holdfast Reach, where some wells were sunk on the north bank of the river, and a plentiful supply of good water obtained.

"The *Beagle* remained the whole of the month of November at this anchorage, while the boats were exploring the upper waters of the river. Captain Stokes says—"That she might have gone seven miles further up than Holdfast Reach; and the *Tough Tom*, a schooner of 140 tons, in attendance on Mr. Gregory's overland expedition ascended the river for 100 miles in September, 1855, but she was so much injured by repeated groundings on the sandbanks, that she required extensive repairs before she could be sent to sea, and was condemned as soon as she reached a commercial port."

It is not likely, however, that vessels of burden will ascend the river so high as Holdfast Reach, except with the aid of a powerful steam-tug, for the *Beagle* was turned round and round by the strength of the eddies, while passing through the narrows; and although the risk was not very great in a handy vessel of 200 tons, with a numerous and disciplined crew, it would be otherwise in the case of a modern clipper ship, whose length and capacity would render her unsuited for this kind of navigation. Nor does the anchorage at Holdfast Reach present any attractions beyond the wells of fresh water; as the two anchors, with which the *Beagle* was moored, bit so deeply into the ground, owing to the strength of the tide (sometimes six and a-half miles per hour), that they could not be weighed, and had to be left behind with a portion of their cables. This anchorage seems also to have been oppressively hot, probably owing to the radiation from the red sandstone ranges, as the thermometer on board the *Beagle* sometimes stood at 105° in the shade.

I have now given, from unexceptionable authorities, a statement of the disadvantages and dangers under which the River Victoria must be approached and navigated, in its present state, without buoys, beacons, and steam-tugs—appliances which a wealthy settlement only can supply, and which will require a large population and a considerable export to support, both of which are the creation of years. I have been enabled to judge of the extent of these difficulties from comparison with the navigation of the Adelaide, and from having had a general view of the coast nearly all the distance between the Adelaide and Point Pearce.

I have passed up the Adelaide River to where the water becomes fresh at low tide—twice in the *Beatrice*, a surveying vessel of ninety-three tons, commanded by Captain Hutchison, R.N.; twice in the Government schooner *Yatala*, of seventy tons; and four times in an open boat.

I witnessed the effects of a tide of only fourteen feet rise at the mouth, diminishing considerably up the river, with a current not much exceeding half the rate recorded in the Victoria; and I am justified in assuming that the delays, difficulties, and dangers of navigation for sailing vessels—without the appliances of steam-tugs, buoys, and beacons—experienced in proceeding up and down the Adelaide, would be at least doubled in the navigation of the Victoria.

Each of the vessels I have named had to anchor for a favorable tide; then they were towed by two boats, to keep their heads in the course of the stream and enable them to steer, proceeding rarely more than fifteen miles a tide, whether up or down; whilst tortuous reaches, constant calms, or suddenly shifting breezes, rendered sails useless, except at short intervals and under favorable circumstances. What merchantman has hands sufficient to man tow boats?

These obstacles to navigation will to a certain extent disappear, when the rivers are carefully surveyed and buoyed off, and steam vessels may be employed.

But steam vessels must have a trade to maintain them, if provided by private persons; and a revenue, if provided by a Government.

These are conditions only to be found after a lapse of years, and certainly not in an infant settlement.

Therefore, I say that the River Victoria is not the place for a first settlement; and there is no site at its mouth suitable for such a purpose, because a good harbor, easy of approach and access, is an absolute essential; together with a situation convenient for the call of vessels passing the north coast through the Straits.

The descriptions of the river are within the reach of any one who reads carefully the published accounts, with a mind directed to discover the best place for settlement.

But I have had the additional advantage of having seen the Adelaide River and the neighboring coast, and am therefore enabled to take a clearer view of what must be the effects of the tides, shoals, and currents of the Victoria, than any mere reading could afford.

My information from these different sources, and the power of comparison which I had gained, convinced that the Victoria was not to be thought of, except as a last resource, in the event of no other suitable site for settlement occurring between Cape Hotham and Point Pearce.

As to the soil and productive capabilities of the country on the banks of the river, and for some distance at least inland, it is thus described:—

Macadam Range, 600 feet high, is composed of white, compact sandstone.

The summit is covered with the same (macadamized), and there was a thin sprinkling of short, green grass. Table Hill, 650 feet high, is accessible only at one narrow place in the south-east corner, by a break in the cliff. The country near Entrance Island consists of red sandstone, with wiry grass scattered sparingly about. It had a most unpromising appearance, and utterly sterile.

After passing Whirlpool Reach, the blocks of sandstone on the hills resembled old ruins, and the country was still sterile.

The country begins to improve at Black Point, fifty-seven miles from the entrance.

In the neighborhood of Holdfast Reach, after a walk inland, Stokes says:—"The country was most dreary—vast ranges, strewn over with huge blocks of sandstone, rose in desolate grandeur around chasms, ravines, thirsty stony valleys on every side; all was broken, rugged, and arid, as if the curse of sterility had fallen on the land."

Where, then, I may be permitted to observe, are the superior advantages of the Victoria for a first settlement?

However Mr. Gregory may favor the locality, what I have quoted, and the experiences of his vessel, the *Tough Tom*, of 140 tons, which accompanied him, demonstrated the dangers of the navigation.

If the first expedition had been driven to the Victoria, by reason of not finding a suitable place for the capital elsewhere on the north-west coast, the settlement would have been a failure.

Now, what objections do these same authorities urge against the Adelaide River.

They are all contained in one paragraph:—"The mouth of the river is fronted with shoals that extend out five miles; the channel between these is narrow, three or four fathoms deep, and being on the west side of the bay."

Stokes makes no mention of shoals and sandbanks inside, whilst the advantages are numerous, and stated by all navigators who have seen the river—Stokes, Helpman, Pascoe, and Hutchison.

Stokes says:—"We felt that we had discovered a river navigable for vessels of four and five hundred tons for about fifty miles, with fresh water, a thing hitherto unknown in Australia."

Having even proposed to take the *Beagle*, a vessel of war formerly belonging to a class known as ten-gun brigs, up the Adelaide, and fill the tanks with fresh water from alongside; but the probable delay accruing from the tortuous course of the river, at a time when provisions were scarce, and when Captain Wickham was anxious to return to Port Essington, only seventy miles distant, to make so important a discovery known at the settlement, prevailed against the first intention.

As for the anchorage outside the mouth of the river, opposite Escape Cliffs, Adam Bay, where North Palmerston is now placed, Stokes says:—"Our observations placed Escape Cliffs (too remarkable and conspicuous to be overlooked), and which ships should anchor abreast of, &c., &c."

Again, of the site he says, writing in August:—"Sea and land breezes prevailed; the former blowing from the N.W., which gave it the advantage of being easy of access, either from the seaboard through Clarence Strait, or from the east through that of Dundas." And, in another place—"Having cleared Clarence Strait, and found it to be perfectly navigable with ordinary precaution (which in a slight degree enhanced the value of the Adelaide), our course was directed to a bay to the southward."

It appears that the Adelaide River is navigable for vessels of considerable draught into fresh water; and this is not the limit of navigation for small vessels, lighters, and boats. They can proceed as far as eighty miles, to a point where the river forks, and to where the tides are scarcely perceptible, and the water clear without current.

The river is held by Lieut. Helpman to be, to the furthest point reached in the boats, reckoning by the reaches, 120 miles long.

"Between twenty and seventy miles from the mouth, the soil is a light colored mould; above this, commencing where the river is marked by a coarse red gritty sandstone projection, the aspect of the country changes from that of low plains to a slightly wooded and gently undulating surface."

Referring now to Lieut. Helpman, Commissioner of Crown Lands, New South Wales, who, in a letter to the South Australian Government, dated Nov. 11, 1861, observes:—"In presuming to offer an opinion upon the all important subject of an outlet for South Australian stock, I now take this opportunity of saying, that the Adelaide is in every way suited, and that no river on the coast possesses facilities to be compared with it. The Adelaide has a clear navigable mouth, and is easy of access for nearly eighty miles. The whole course, as far as we saw, is of a rich fertile character. It did not appear subject to any violent torrents. Its banks were easy of access, and its waters are fresh for the greater portion of its length. Having cleared the entrance, no difficulties are in the way for voyages to either India or Europe." The fact of forests of bamboo being passed, prove that extensive floods never visit that magnificent river.

And Lieutenant Pascoe, R.N., in a letter dated 6th April, 1864, adds:—"This stream, that now promises to become the link between Southern and Northern India." And in another paragraph of the same letter, he says:—"On the selection of a site for the first settlement in the new territory, the experience of the Dutch colonists among the Indian Islands, condemns the occupation of a locality which is beyond the influence of the sea breeze."

If this objection be well founded, the Cape Hotham peninsula (provided it possesses a good water-supply) appears to me to be the site best adapted; as I doubt not, when the eastern shore of the cape is surveyed, an anchorage will be found there to accommodate ships during the western monsoon, while the western shore would be available for the eastern monsoon.

Mr. Earl, a great authority on such subjects, from his residence, in the first instance, at Port Essington, and subsequently at Java and Singapore, and still more from the extensive and philosophical information which he has industriously collected and published with reference to North Australia and the Indian Islands, observes, in a paper furnished to the South Australian Government, on the 29th February, 1864, after enumerating the conditions under which a settlement should be selected:—"The spot which seems to me to meet all these requirements, more fully than any other, is the peninsula which forms the south side of Clarence Strait (the western entrance of Van Diemen Gulf), lying between the mouth of the Adelaide River and Shoal Bay—the first indentation of the coast outside the bay. The port forms the corner of Adam Bay, the estuary of the Adelaide River, &c." Under the head of salubrity, he says:—"This is a point of very great importance, as the failure of Port Essington was chiefly owing to its deficiency in this particular. After close inquiry, I became convinced that the unhealthiness was solely attributable to the malaria caused by stagnant air and water, which is generated more or less in all land-locked harbors within the tropics, and should, therefore, be avoided in future sites for settlement. I do not think there is any spot upon the north or north-west coast where the circulation of air is more free than here. The temperature, too, is rather lower during the hot months than on the north coast." With regard to communication with the interior, Earl says:—"That it is conveniently situated for communication, by means of boats and barges, with the head of navigation of the Adelaide and Alligator Rivers; and, indeed, any other rivers that may be discovered in Van Diemen Gulf."

I have now disposed of the alleged superior suitability of the Victoria for the first settlement, and I have also stated the advantages of the River Adelaide, irrespective of the results of inquiry through the means of the expedition which I have the honor to command.

It remains now to shew what I have done towards adding to our stock of information, and how far I have succeeded in finding a suitable place for the capital in the neighborhood of Clarence Strait, so as to secure the advantage of the Adelaide in the first place.

Port Daly, the inner harbor of Palmerston, is situated actually within the river in the first reach. It is deep, capacious, and easy of approach from the eastward and westward. The entrance channel and harbor were carefully surveyed by Commander Hutchison, of H.M. surveying vessel *Beatrice*, immediately after the arrival of the expedition in June last. The outer harbor, where vessels may remain in perfect safety, during any weather we have experienced from June, 1864, to March, 1865 (a period of nine months), is convenient and easy of approach. The chart of the harbor, copied from the surveys of Captain Hutchison, is appended (A), as also an eye sketch, corrected by astronomical observations, of the Adelaide River (B), up which he ascended in the *Beatrice* to the permanent fresh water. To this sketch I have since added the track of the various exploring parties (C), which I have either led or sent to examine the valley of the Adelaide. I append also a plan of Palmerston, as designed by me. Part of the city is being surveyed on the flat land at the back of Escape Cliffs, having a westerly aspect open to the sea breeze; and the remaining portion of the town is being surveyed on the east side of the inner harbor, where the deep water approaches near enough to the bank of the river to admit of vessels discharging on the wharfs

wharfs when constructed. There is a good natural road between North and South Palmerston, of less than six miles in length, and which may be considerably shortened by the process of roadmaking (see Mr. Manton's report in Appendix, marked D). The water supply at North Palmerston is derivable, during the dry months of the year, viz., from September to January, from wells which produce abundantly, and may be extended over every part of the peninsula, which has Cape Hotham for its northern extremity. During and after the rains, surface water is found in lagoons.

The soil of the peninsula generally is of a fair average quality, and comprises large patches of rich country fit for garden ground. The reports of the gardener appended (marked E) confirm this statement. The immediate site of North Palmerston is the worst part of the country as to soil, but well suited for building purposes, being dry and easily drained—no water remaining on the surface an hour after the heaviest rain falls. Building material will probably be found abundant enough.

Lime can be provided from the coral reefs by water carriage from a distance of three-quarters of a mile, and as sandstone rock is the basis of the formation of the peninsula, and shows itself in the cliffs, I have no doubt that stone for building purposes is obtainable easily and in any quantity; some specimens of the rock brought to me are of excellent quality.

Timber equal to cedar or the pine wood of the Baltic has not yet been discovered on the peninsula or in its vicinity, but wood for fencing, fuel, and huts, is plentiful in the forest which covers the peninsula.

Before quitting this part of the subject I have to observe that grass of good nutritive varieties for depasturing cattle and sheep, grows in sufficient quantity for all the purposes of a new settlement. I have not made selection of this site with a view to its becoming a sheep run or a cattle station, but chiefly for the convenience of health and commerce.

There are various considerations to be attended to in deciding on the healthfulness of any site for settlement.

Firstly, the temperature indicated by the thermometer. Many causes of disease disappear in a low temperature, which in a climate of greater heat would be operative.

Next, the pressure or density of the atmosphere. Then again, the dryness or moistness of the air. The near existence of swamps also forms an element in this question, together with the prevalence of breezes of air, and currents of water.

The thermometer for the months of September, October, November, December, January, and February, has stood in the general mean of $86^{\circ} 4'$ from day observations only, the monthly average being as follows:—September, $87^{\circ} 95'$; October, $88^{\circ} 5'$; November, $89^{\circ} 4'$; December, $86^{\circ} 5'$; January, 83° ; February, $83^{\circ} 5'$.

The barometer readings have during the same month varied but slightly, the highest mean was in September, the lowest in February.

The dampness of the atmosphere may be inferred to some extent from the rain gauge, in the absence of any other hygrometrical measurement. The rain-fall of January averages 19.673 inches, that of February 13 inches.

Previously there had been little or no rain, and fogs prevailed chiefly in September.

The greatest sickness prevailed during September, when the barometer reading was at its highest.

This appears to be a general law in all countries where zymotic diseases are prevalent.

I append Meteorological Statistics (marked F) carefully observed and recorded by Mr. Bennett, and a register of the rain-fall kept since the 1st January (marked G), by Mr. J. Bauer, an analysis of the totals shows the following results:—Mean heat during the months of October, $88^{\circ} 5'$; November, $89^{\circ} 4'$; December, $86^{\circ} 5'$; January, 83° ; and February, $83^{\circ} 5'$; equals, $86^{\circ} 45'$; the mean of the whole being $86^{\circ} 45'$.

The barometer has read highest during September, when its mean was 30.146, and lowest during January, when its reading was 29.346. The monthly medical reports furnished by Dr. Goldsmith, give one death in nine months, as due probably to climate, but induced by unusual exposure.

The average of sickness incident to climate appears 4.74 per cent. for eight months (H). It will be seen that the most sickly month has been September, and that it is associated with the highest reading of the barometer, showing apparently its connection with a heavy and depressed state of the atmosphere.

In summing up the conditions which appear to favor the superior salubrity of the site of North Palmerston, it is open to the N.W. monsoon, and to the sea breeze which sets in daily throughout the year almost without intermission. There are rapid tides and currents sweeping along the coast.

No marshes are to be found in sufficient proximity to prove injurious to health by their malarious exhalations, nor known malarious localities so situated that the prevailing winds (S.E. and N.W.) can waft any noxious miasma in the direction of the city.

Water is an absorbent of malaria; and the flat to the north-west of the site of the city is covered by the sea half the duration of every tide, and cannot have time to generate miasma, which requires, as a necessary condition, that the soil should be uncovered and drying.

Belts of trees form a fence against the propagation by currents of air of malarious influence, by arresting the progress of the vapour.

Another means can be resorted to, if necessary, in Palmerston, by leaving the trees in the park lands, instead of permitting the plain to be denuded of its natural ornament.

If I should ultimately be found in error in some of these latter conclusions, but which experience only can determine, I can certainly and safely assert that no site on the north coast is to be found without fringing reefs to seaward and marshes inland. The fact of a rise and fall of tide varying from twenty to forty feet, according to locality, must leave extensive flats uncovered, and permit the high tide to penetrate inland at every creek and watercourse, forming salt swamps even in the valleys of the highest coast ranges.

When I formed the opinion that Palmerston was as free from the evil consequences of such natural influences—and probably more so than any other site to be found on the north coast—I founded my judgment on its not being land-locked, on its being open to the sea breeze, and on its position—fronting a narrow strait.

Experience of nine months shows a favourable result, even under the disadvantages of privation, fatigue, and exposure.

We have had one case of fever, but have seen nothing like scarlatina, bronchitis, influenza, and the numerous class of diseases which prevail elsewhere; but we witness diarrhoea and dysentery in a very mild form, lasting seldom longer than a few days.

There are a few other considerations of importance to be attended to before closing this letter. The soil of the greater part of the peninsula contains, by rough estimate, about 30,000 acres of land available for cultivation; and the country is plentifully supplied with good fresh water, to be obtained in wells of less than twenty feet in depth, and in lagoons.

Large patches of first rate soil are found, fit for garden produce of any kind; and most of the peninsula would grow cotton, as was proved at Port Essington, where the soil was evidently similar. Hay may be cut from the natural grasses in quantities in many places close to the cliff and elsewhere, extending throughout the peninsula, three tons to the acre. The ground is generally covered with an open forest, with grass growing between the trees in ample luxuriance to depasture stock of any description. The soil in the valley of the Adelaide River—for several miles, at least, across and throughout its whole length—is clothed with herbage of the most luxuriant growth, and is evidently fitted for any kind of cultivation suitable to the climate.

There seems to me no doubt that cotton can be successfully grown at the lower part of the river, and on the coast. It is evidently destined to be one of the great staples of the country. Plants from seeds of a Sea Island cotton, are doing well in gardens on the site of the town.

With respect to sheep and cattle runs, there can be no doubt that horses and horned cattle will thrive in the rich prairies of the Adelaide and other rivers, and I have every reason to believe, that wool will be produced with success. In this I am supported by the opinion of the shepherds of my party; sheep will find grass almost everywhere, but the open hilly sheep runs, free from bush, so much sought after by the sheep farmer, will be found only away from the coast, in the gorges of the Daly Ranges, and upper country of the Victoria and Roper.

I have seen beautiful and valuable localities for sheep stations, in the hills of the Upper Adelaide, with a plentiful supply of clear good fresh water in streams and lagoons, for washing the wool.

Horses,

Horses, fat cattle, and sheep for the butcher; wool and cotton, will probably find ready foreign markets, both in the Indian islands and elsewhere.

Rice, I do not mention, because it is grown so extensively and raised elsewhere so cheaply, that it can never form a valuable export, although it may conduce to the support of an Asiatic population when located here.

The North Territory will import its bread stuffs from Australia, as well as its wines, bacon, and hams.

The wines best adapted for the climate, and of which there will be an immense consumption, as population flows in, are the light red wines or clarets of South Australia, and Champagne wines, entirely free from any mixture of brandy.

Ales and porter will be consumed largely, but they must be of the best description, light and bitter. Spirits and strong wines, such as port and sherry, are only fit for the hospitals.

The grain and wine of South Australia, will thus be purchased with the proceeds of the wool and cotton of Northern Australia.

This paper has already reached a longer limit than is usual in official documents, but the interests of so many persons are involved in the successful settlement of Palmerston, and my proceedings have been so eagerly, so prematurely, and so unscrupulously attacked, that I am desirous of placing on record all information in my power bearing on the prospects of the new Colony, and on the grounds for the selection of the site for first settlement, that landed proprietors may not be led away or discouraged by unrefuted assertions of ignorance and prejudice.

The founders of Adelaide were similarly maligned and attacked; but South Australia and its capital have risen and thriven in spite of early evil prognostication.

So it will be with Palmerston and the Northern Settlement; but time with its results, only, can effectually solve this question—Is Palmerston, in the north of Australia, destined to become a great flourishing commercial emporium?

I have, &c,

B. T. FINNISS, Government Resident, N.T.

To the Hon. the Chief Secretary,

No. 85.

Depôt, Escape Cliffs, 1st May, 1865.

No. 41.

Sir— I have the honor to acknowledge receipt of your letter of the 10th February, 1865, sent by *Beatrice*, in which you convey to me the sentiments of His Excellency the Governor-in-Chief on the several subjects to which I shall now allude.

With respect to the want of cordial feeling between myself and my officers, I regret it deeply myself. It has now, however, terminated by the removal of Messrs. Humbert and Ward, and the projected departure of Dr. Goldsmith and Mr. Pearson; and the discharge of a few of the most insubordinate and idle of the men. Dr. Goldsmith has resigned, and I was too glad to have an opportunity of accepting his resignation in the name of His Excellency, instead of having recourse to those more decisive measures which I must have taken at once, or very shortly, with regard to his continued employment.

Several men are leaving whose names will be detailed; but I shall feel myself stronger without them in point of real work. There are exceptions which I shall particularize in another letter.

I have to express my thanks for the support which I have received in the views which I adopted of the proceedings on the inquest.

The removal of Mr. Ward, although it has exposed me to much vituperation and slander, being confirmed by His Excellency, my hands are much strengthened by his approval of my proceedings, and in the appointment of Mr. Clement Young to succeed Mr. Ward, I think the Government have really put the right man in the right place. His steady business habits, and strict integrity of conduct and purpose are already apparent.

I have to acknowledge the attention of the Government to my recommendation to separate the offices of Accountant and Postmaster, transferring the duties of the latter post to the Storekeeper. The arrangements, I have no doubt, will work well.

On the arrival of Mr. Young, and his taking charge of the department to which he was destined, I had discontinued the services of Messrs. Bennett and F. R. Finnis in the clerical department, anticipating that the Government plans for filling the office of Accountant would not admit of their continued employment after his arrival. They remained in their temporary offices only for a few days after the departure of the *South Australian*, to assist Mr. Young in settling the amount of arrears which had accumulated.

The remarks of His Excellency respecting Captain Humbert, and the appointment of Captain Graham in his place to the command of the *Yatala*, have been noted.

It is satisfactory to me to find that the water at Escape Cliffs has been found, on analysis, not to contain copper, nor to be deleterious in quality. It is abundant enough for the supply of any population that is likely to arrive here for one hundred years; and there is no better water to be had elsewhere from wells. One well waters 500 sheep, twenty-two horses, ten bullocks, and nearly ninety persons, without any sensible diminution of quantity from this cause, and would supply more than double the quantity. It is used without restriction for all domestic purposes.

I have communicated to Dr. Goldsmith your remarks under this head; and also, as authorized, those with reference to the inquest.

The supplies of medical comforts and other stores included in my requisition, have arrived.

I have to thank the Government for protecting the two bills, for £54 and £60 respectively, which I drew on the Agent-General under what appeared to me to be a most pressing emergency, and have only to add the expression of my regret that they do not approve the course I then took.

The arrangements lately made by the Hon. the Treasurer for the supply of funds, partly in specie and partly in promissory notes, at seven days, payable in Adelaide, which are in fact a convertible medium of circulation and exchange, have completely relieved me of all embarrassment with respect to payments for salaries and wages; and the bills on the Agent-General will be found useful in the case of trading vessels when they visit Adam Bay. I have therefore to say, in place of any further remark, that the present financial arrangements are most satisfactory.

I regret that the Government have seen fit to express disapproval of part of the proceedings which I took in that case (second affray with the natives), in order to stay the alarm which was wide spread through my camp, and to put a stop to the expectation of a night attack, which I thought myself probable, by feeling their strength in their own strongholds, and showing them that we did not mean to wait to give them the advantage of a surprise.

In this line of conduct I acted on precedents exhibiting the character of the natives of this coast (generally, I believe), although statements have been made of their inoffensive nature and of their aptitude for civilization. The instances of civilization and fraternity with the settlers given, followed after they had learned to fear the white man, and were consequently awed and subdued, although philanthropists forget antecedents whilst citing the consequences. I quote in support of what I write from the writings of the naturalist on board H.M.S. *Rattlesnake*, which visited the Northern Settlements. “* * It was determined to proceed to Melville Island, where they arrived on the 30th (September, 1824), and commenced forming the settlement of Fort Dundas, in Apsley Strait. This settlement, however, after an existence of four years, was abandoned on March 31st, 1829, in consequence of the continued unfavorable accounts transmitted to the Home Government. Hostilities with the natives had early commenced, and several lives were lost on either side.

“On the 18th June, 1827, the settlement of Fort William (Raffles Bay) was formed.

“At first the natives committed many depredations, chiefly during the night. About a month after the founding of the settlement, it was thought necessary to order the sentries to fire upon the natives whenever they approached, and on one occasion they were greeted with a discharge of grape-shot. At length one of the soldiers was speared; and, in reprisal, a party was sent out, which coming unexpectedly upon a camp of natives, killed and wounded several, including a woman and two children.

“However, two years after the foundation of the settlement, when hostilities with the natives had ceased * *”

The settlement of Port Essington was the next attempt. But it must be observed, that even, the presence of ships of war and soldiers, who had nothing to do but protect themselves, was insufficient to awe the natives and prevent depredations, and that the civilians' power did not commence until they were awed into submission.

I

No. 17.

I have quoted the above extracts to show my motives for the course I took in sending out the expedition. As for a leader, I acted for the best, under circumstances in which my officers were trying to cause failure in all that I attempted, or were otherwise sick, or incapable of action, from the views which they held regarding the natives, and which they communicated to me. I felt that the lives of men were not safe under their guidance, or that the expedition, after much fatigue, would be brought back without finding the natives, and the men be dispirited, and alarm continue. In these matters, however, having acted to the best of my judgment, I bow to the opinion of the Government, and can only express my regret that they have seen matters in a different light. I have no belief in the atrocities alleged to have been committed, and which I have no doubt the inquiry instituted by the Government will dispose of at their true value, although I have had no means of ascertaining what the nature of the report of the Board of Inquiry may be.

The next subject in order, is the remarks communicated to me respecting the choice of a site for the capital. I have been furnished with a printed report of a meeting of holders of land orders, held at Adelaide on the 10th January, together with a copy of the reply of His Excellency the Governor-in-Chief to a deputation, arising out of that meeting, in which, for reasons stated, the holders of land orders do not approve of my choice.

I am also informed that the selection of the site at Escape Cliffs—the suitability of which I so strongly and decidedly support, is condemned by everybody, including those resident here, and those whose only knowledge of it is derived from reports.

It is further added that the Government had previously determined not to approve of the site at Escape Cliffs for the capital. And you proceed, in giving the reasons for arriving at this conclusion to say, that “certainly before such site is selected, situated as it is on a narrow peninsula, far removed from the interior, in the neighborhood of swamps, not well supplied with fresh water, and deficient in building materials, a thorough examination of the seaboard and interior must be made, extending from Adam Bay to Port Darwin and Port Paterson, and, if necessary, to the Victoria River.”

When I left Adelaide, I gathered the opinion of the Government to be, that time was of great importance, and if I could find a suitable place for settlement in the vicinity of the Adelaide River, so as to command its sources, which were known and admitted from the previous explorations of Stokes and Stuart, that I was to proceed to select without delay. The examination of the coast from Adam Bay to the Victoria, being contingent on my not being satisfied with Adam Bay. My instructions appear to me to bear out these views, and the debates in the House, previous to the sailing of the *South Australian*, implied an expectation that I was suited at Adam Bay, and probably proceeding with the survey of the capital, and no additional instructions were then sent. If I had supposed that the examination of the coast, as far as the Victoria, was deemed of the importance now attached to it, I should, of course, have withheld all surveys until that had been done; and if I had supposed, from the tenor of my instructions, that I was to select sites for the approval of the Government, and of the holders of land orders, I should have acted accordingly, and not have presumed to select the capital in the site which, in my own judgment, I considered best, but which responsibility, unsought and undesired by me, it seemed to me, was intended strictly to devolve on me. However, I have erred, it seems in interpreting the intentions of Government, as much as I have disappointed their expectations in the site proposed for the capital.

Soon after the departure of the *South Australian*, I saw what was preparing in the conduct and correspondence of Mr. Jefferson Stow, a land agent, who arrived here by the *South Australian*, in December last, and who informed me that he represented 200 land orders, the total number being upwards of 1,500, about; I therefore, at my leisure took up a subject, which the rush of business, consequent on having less than a week's notice of the departure of the *Beatrice* for Adelaide, which took place in October last, and in that short time, only six days, during which the *South Australian* lay here, did not enable me to go fully into at that time, especially as I had no reason to expect to meet with the opposition and disapproval which has since followed, and which now require me to enter into very full details.

In my Despatch, No. 36 of 15th April, I have given all the arguments in reply to Mr. Stow, which it seems apply equally well to those of the deputation of landholders before referred to. Indeed, the identity of views expressed by the deputation, and those conveyed to me by Mr. Stow in his first letter, written a few days after the departure of the steamer, lead me inevitably to the conclusion that his letter to me was a counterpart of what he had previously written to Adelaide, and on which the landholders seem to have acted. From this it is evident that Mr. Stow's information and opinions were gathered, not from his own personal exertions, which could only extend over two or three days, but from the reports of others, who have all along labored to impede me, and thus to injure the undertaking, and who themselves, not having been on horseback once, nor having been two miles from the depôt by land in any direction, were indebted to others for the intelligence they professed to give. Those others were my stockmen and explorers, who certainly give me a very different version of the country and its capabilities.

I refer His Excellency to that letter (No. 36) for what I consider a complete refutation of the reasons adduced against my selection; but if the Government and the shareholders in the purchase of land—whose views must direct me, and whose interests are at stake—prefer the reports and judgment of their own particular agents to mine, I am relieved of future responsibility with regard to the selection of a suitable site, and shall do my best to give effect to those wishes, when communicated through the Government, whose servant alone I am, although I have in all my proceedings acted in the interests of the landholders.

I have one remark to make which I wish to impress deeply on the minds of those who direct me, and of those who may be affected by my course of action, and that is, that health is the great point to consider in the selection of a site for the capital. Disease and death have shown themselves in a very marked way in the case of the other northern settlements, especially Port Essington; and the Dutch Government have always failed to establish naval arsenals in land-locked harbors from the fatal effects of fever. That fever does and will prevail here extensively, as in all tropical climates, must be looked on as certain. Australia, being tropical, is not exempt from this condition any more than the coast of Africa on the west, which has its continental extension to the south; and so of the South American States. There is no land of 2,000 feet elevation within 100 miles of the north coast of this Colony. The country falls in regular steps from the Daly Ranges, in lat. 13°, to the mouth of the Adelaide River the elevation of the coast ranges being rarely more than 150 feet, with intervening and surrounding plateaus only a few feet above the level of the sea.

I dwell strongly upon this, because in my selection I have regarded health as a *sine quâ non* to successful settlement; and I am sure that I shall be found correct in my assumption that the peninsula of Cape Hotham is the healthiest part of the north-west coast, within a reasonable proximity to a secure harbor. Mangroves and mangrove swamps are the natural feature of every part of the coast, including the Victoria and its tributaries.

The very argument used against this site, that it is on a narrow peninsula—although it, of course, under any circumstances, implies a more extended line of land communication with the interior—has been used and acted on by me in a completely contrary sense when applied to health. Commercially it has the best of advantages in having water communication with the interior.

The Cape Hotham Peninsula is about six miles across from east to west, and is a level plateau, covered with an open forest of many varieties and valuable timber, between which grass grows luxuriantly, and over which area water is easily and abundantly procurable—on the surface during half the year, and in wells at all times. It is open to the easterly or prevalent breezes, which are also the cool breezes of this country; and this easterly breeze becomes a sea breeze at this particular locality, as it sweeps across Chambers Bay, instead of travelling across the land and swamp country, as elsewhere. Escape Cliffs has, therefore, every advantage necessary to secure health in a tropical country, and its being on a narrow projecting peninsula is the cause of this.

The deputation which waited on His Excellency profess to derive their information from my Despatches; but no passages in my Despatches will bear out the following statements made by them—“that the salubrity of the situation is more than questionable;” “that it is entirely deficient in all those natural advantages inseparable from the requirements of a successful settlement;” “that the area of ground at Escape Cliffs appears too limited to allow all the allotments to be marked out as one township, as Mr. Finniss proposes to survey them in two unequal portions or sites some miles apart;” in addition to which, the total absence of building stone and lime, scarcity of timber, and the doubtful question of water supply, are conclusive arguments.” Now, all these arguments fail in the most

most essential particulars—they are contrary to fact. I have been careful in my reports to keep within the truth where it was possible I might be supposed to have overstepped it. I thought it more consistent with my position and with the interests of the landowners that nothing should be overstated so as by contradiction to throw a damp on the enterprise.

As to health, I have already gone into that point. As to deficiency in natural advantages, it contains all the natural advantages in a greater or less degree, than can be expected in one locality. The area of ground is sufficient for the survey of a city as large as London; but my motive, as I have often explained, in dividing the town, was because Escape Cliffs was the site for health and whatever enjoyment can be found in such a climate by Europeans. If not surveyed for the capital, it would have been taken up by some shareholder and laid out as perhaps the only sanitary residence on the north coast. The land is equal to most of the land in the interior. It is suited for market gardens, dairy farms, sugar, and, above all, for cotton. It grows many fruits to perfection, the proof of which is that they have ripened and been eaten, without that careful cultivation which is practised elsewhere.

Building materials are as plentiful as in Adelaide when it was first settled, except limestone. But the tropical substitute is found in the reefs close to the shore, which can be burned into excellent lime, as has been proved here. In the Mauritius, where I have resided many years, no other description of lime is used than that obtained from burning coral rock, which is, in short, all lime. Rough building stone can be carted immediately from the beach, and superior sandstone is plentiful, both on the coast approaching Cape Hotham, and at short distances anywhere on the coast, with water carriage to cheapen it. Timber abounds; indeed it is the obstacle to our surveys. Iron-bark, a very superior wood, with which the large boat is being now rebuilt; paper-bark, equal to red gum; and softer woods of different kinds for planking. I don't know what site could be found to possess more advantages in this respect. All the building material of London and other cities is imported. Such is the case in Adelaide—roofing, and deals, and iron, are all imported.

But to return to the reason of my division of the capital. It was to secure to *first purchasers the wharfage of what must be, in spite of all the powers in the world, the seaport of the Adelaide River*. I recollect the opposition made in the selection of the site of Adelaide by Colonel Light, by those who wished the capital at the present port. "Bring the ships to our doors," was then the cry. The Land Company at Port Adelaide has made a large profit by investments in a swamp of which the water has to be banked out for four feet at high tides and south-west winds. At the Narrows, the lowest part of the frontage is only six inches covered at high tide, with deep water close alongside. The port between the Narrows and Point Ayers, where I proposed to place the port of Palmerston, is infinitely superior to Port Adelaide, and there is plenty of room for the whole city on dry, solid ground, and for its extension across the river if necessary. But I consider this site will be unhealthy, because the easterly winds come across swamp and low country, and the malaria of the Adelaide River must taint its atmosphere at certain times. The supply of water is also not sufficiently certain to enable me to pronounce that it is to be found in abundance. Hence I surveyed the Port between the Narrows and Point Ayers, for the convenience of *shipping and wharfage*, and the site at Escape Cliffs for *health and cheerfulness*. I saw nothing in the Act of Parliament to prevent this, and my instructions pointed to the probability of having to survey three sites. If difficulty should, however, be raised on this point, then I would put the capital entirely at Escape Cliffs. The waters of Adam Bay are always tranquil, except for very short periods at a time—from December to February—when north-west gales obtain, blowing with great violence, but raising no sea to cause a ship to drag her anchors. There is a better landing place, where I had marked the principal street in my plan of the town, than is to be found at Glenelg—much nearer of access from the land, and nearer to the anchorage of the shipping. Thus, Escape Cliffs has a harbor of itself which is available at most times in the year, which would be preferable to having a good harbor at the cost of all other advantages, especially with a good harbor to leeward and close by, viz.—the north of the Adelaide River for refuge.

I have now touched upon all the important topics in your letter of the 10th February, and shall purposely abstain from making any remarks on the last subject in that communication—delay in the prosecution of works. My journal, my Despatches, and some that will accompany this mail, afford all the information which I deem it politic to offer at present; and I live in hope that future events will justify me fully and completely in all respects in the eyes of the Government. I have guided this little perilous expedition with a full experience of such matters, and of the management of men, and I believe that had I followed any other course disaster and collapse would have ensued. I have been active and energetic whenever such qualities were needed, and my apparent inactivity under certain circumstances has really been the most trying part of my position.

I have the honor, &c.,

B. T. FINNISS, Government Resident, N. T.

The Hon. H. Ayers, M.L.C., Chief Secretary.

No. 86.

Extract from Report of F. Howard, Esq., R.N., to His Excellency Sir D. Daly.

Surveying schooner *Beatrice*, Adam Bay, May 1st, 1865.

Sir—We arrived in Adam Bay (after a long and disagreeable passage) on the 9th April, having been within 800 miles of our port since the 12th of March.

We found the party here in good health; two officers—Mr. King and Mr. Pearson (with bad legs) being the only sick.

The townships of North and South Palmerston—the latter at the Narrows—are more than half completed, and the country is drying up rapidly after the rains.

After wooding and watering, which kept us at work till the 15th, we stood over to Charles Point, having during the week examined the party engaged on the 8th September last. The result of our inquiry is forwarded per the Government Resident.

On the 17th, our boat was assisting to swim some horses across the Narrows, which are to form an exploring party to meet us at Port Darwin. Dr. Ninnis, having expressed a wish to form one of the party, was kindly permitted by the Government Resident to join them. At 9 p.m. we embarked the Government Resident, and weighed at daylight next morning (the 18th), anchoring inside Point Emery, Port Darwin, the same evening.

During our stay in Port Darwin the Government Resident was constantly away in one of our boats, exploring the different creeks and the east arm, also the south-east branch of the middle arm. The east arm was followed up beyond Stokes's farthest into a fresh water creek, from the banks of which extended some beautiful country—open grassy forest, with good soil—being, in fact, the same country the Government Resident saw when exploring towards the Daly Range from the Adelaide.

The east arm was proved to be navigable for barges or lighters up to a rocky bar separating the salt and fresh water—which bar our boat crossed at high-water neaps. From below this point down to the vicinity of Point Emery the banks on each side are fronted by almost impenetrable mangroves, on which no landing could be made.

The middle arm was not ascended into fresh water, but sufficiently high to show that landing could be obtained here and there on low cliffs, which jutted out into the creek and formed communication with the back country. At the highest point reached, the water was six feet deep and fifty yards broad; the land inside being an open grassy forest, the soil inferior to that at the head of the east arm, and very rocky. Specimens of quartz, granite, and flint were brought down. Lumps of the former are thickly scattered all over the country about Port Darwin. The mosquitoes and sandflies up both these creeks are almost insupportable at this season.

The exploring party made their appearance on the rising ground north-east of Point Emery on the morning of the 21st, having been attracted by our 8 p.m. gun, fired the evening before. They describe the country between the Adelaide and Port Darwin as level and swampy. They crossed several freshwater creeks running towards the north, and describe the country in the neighborhood of the port as very stony. They started on their return on the morning of the 23rd.

We found one of the *Beagle's* wells dried up; but a freshwater swamp existed in its proximity, from which any amount of fresh water could be procured at this season. We also discovered fresh water, in another place, trickling through the beach at the foot of a cliff.

The land between Point Emery and what we call Fort Point—two miles E.S.E. of it—is a flat tableland, elevated

vated from sixty to eighty feet, with very poor, rocky soil, and thinly grassed, when compared with the land in Adam Bay, though in the gullies and against the sides of the cliffs, between the two points, is a luxuriant growth of vegetation—bamboos being conspicuous here and there.

That part of Port Darwin between Point Emery and Fort Point would make a fine port for shipping, the water being deep close to, and the beach shelving, so that goods could be landed by boat or barge at any time of tide; also, there is a much shorter water-carriage into the interior than by the Adelaide into Adam Bay.

With regard to fresh water, I should think both places would have about an equal supply; but for coolness and health I should think Escape Cliff far preferable. There is nearly always a fresh breeze from the eastward, while at Port Darwin we were becalmed eighteen hours out of the twenty-four—the faint sea breeze which came over the land to the northward being tainted with the smell of mangrove swamps.

The *Beatrice* returned to Adam Bay on the 24th of April, and on the morning of the 25th the Government Resident disembarked. We found the *Bengal* at anchor; she arrived here on the 21st, and had already discharged her live stock and part of her general cargo.

The stock have been dying off fast since they were landed, from the effect, I presume, of their long passage.

From the experience gained by our own passage up, and by that of the *Bengal*, I should advise that vessels with live stock bound to the Northern Territory should not attempt the route *viâ* Cape Leuwin until April, and then if not provided with steam power the eastern route would be the shorter.

The heat off the north-western coast was intense, the winds very light, and frequent calms. I am confident the *Beatrice* would have made a quicker passage *viâ* Torres Straits.

On hearing of Dr. Goldsmith's resignation, Dr. Ninnis handed me a letter he had received from the Chief Secretary, a copy of which I have forwarded to the Admiralty. Respecting your request that Dr. Ninnis should take medical charge of the party on shore, I have no objection to his doing so as long as it does not interfere with his duties on board the *Beatrice*; but, during any long cruises of a month or more, I do not think I should be borne out by the Admiralty should I allow him to stay behind, especially as we appear to have a very sickly crew, and in such cases he could not be performing the duty for which he was appointed by the Admiralty. Such being the case, I consider it my duty to recommend that a medical officer for the expedition should be sent out without delay.

Before the arrival of the *Bengal* the prospect here was improving. The Government Resident appeared to be heartily entering into further plans for exploration. He was preparing to push a party at once up the river to commence surveying country about the Daly Range, and was himself about to accompany this vessel to explore the coast to the south-westward to the Victoria and up that river; also a mounted party were going to strike across from the upper part of the Adelaide towards the Victoria. What may be the future plans now I do not know, but hear that a number of the men, having served their twelve months, have resigned. Some are going to leave in the *Bengal*; and another party having purchased the *Bengal's* lifeboat, are, I believe, going to explore the coast round to Swan River.

No. 87.

Camp, Adelaide River, August 13, 1864.

Sir—I have the honor to acknowledge the receipt of your instructions of the 9th inst., with reference to sending four men with Auld, in charge of the horses and bullocks, from the camp to the Narrows, with the view of crossing the river at that point, and from thence to join the camp at Escape Cliffs; also for sending Mr. Pearson down by the *Yatala*. But I find that those instructions were dispatched before my report of the 10th instant, referring to the affray with the natives reached you. If such had not been the case, in all probability your arrangements would have been very different to what they are; and from what has taken place, we may expect to be attacked again very soon, and most likely by a much stronger force than what they had before. I have, therefore, thought it prudent, for the safety of the lives of this portion of the expedition with me in camp, to retain the full strength at present, until I receive further instructions from you, which I respectfully trust will meet your approbation.

I have not interfered with Auld as to his returning by the *Yatala* or not; but he has decided to stay here, as he feels confident that he will not be wanted at head quarters until the horses and bullocks are taken down to the Narrows. With reference to sending Mr. Pearson down by the *Yatala*, the doctor tells me, notwithstanding the severe wounds he has received, it would be safe to remove him in charge of a doctor, but not otherwise; I have, therefore, thought it better to keep Mr. Pearson in camp, as he cannot be of any use at head quarters for some time to come, and it would be highly imprudent to send the doctor from the camp when we are hourly expecting an attack from the natives; and should a similar case to Mr. Pearson's take place, a valuable life might be sacrificed for the want of surgical aid. In the full hope that these arrangements will meet your approbation,

I have, &c.,

B. T. Finnis, Esq., Government Resident.

J. T. MANTON, Engineer and Surveyor, N.T.