Police Office Stanley
15th. February 1851

Sir

I have the honor to acknowledge the receipt of your Excellency's Letter dated the 11th. Instant enclosing a Letter dated 10th. Inst. from Captain Reid to your Excellency and requesting;

First, my explanation of Captain Reid's Complaints,

Secondly, my advice as to the expediency of your Excellency complying with Captain Reid's request, viz That your Excellency should issue a Warrant for the immediate recommittal of Pensioner, Patrick Byrne, on a Military Charge of threatening the Captain Reid's Life on the night of Saturday 8th. or the morning of Sunday 9th. Instant and,

Thirdly, requesting explanation of the reports your Excellency has heard that Captain Reid had ordered into Confinement, Pensioners, who were subsequently discharged without any offences having been substantiated or proferred against them, and I have the honor to reply thereto:—

His Excellency
George Rennie Esquire
&c. &c. &c.

Your

This communication received in the Civil Office on the 15th of November last given in consequence of a letter from me addressed to His Excellency asking for back copy not subject to the control of the Civil Magistrate, in consequence of Chief Constable Perry having refused to receive one of my Prisoners in charge for being found and disorderly in Barracks, beating the Drum &c. &c. &c. which had occasioned me the loss of 2 days all of which at night on the 1st of October when His Excellency returned me the back copy of this letter that by altering those same regulations which the Court has prescribed, I could have committed to prison by the Sheriff's Officer. Mr. Montague being called upon by the Sheriff verbally, complied to me which letter was to the same effect and a communication followed and Mr. Montague made out a list of Prisoners committed, which I checked with my list and on comparing them found they agreed with mine regularly committed by the Constable, who never had occasion to command a Prisoner from the Barracks.

B. I did not hear Mr. Montague make the observation he may have done so, but I did not hear him.

Your Excellency will recollect that a few weeks ago, in your presence I told Captain Reid, in consequence of certain suggestions put to Captain Reid and myself by your Excellency) that the Constables on duty would at a moments notice by day or night, if required, attend upon Captain Reid and render him every legal assistance, either in the protection or apprehension of any of the Prisoners, whose conduct made him amenable to the Law, I also told Captain Reid, as the Prisoners were Civilians, excepting when under arms, the Law did not authorize a Constable arresting a Prisoner for any language used when not under arms, but a Military Offence. I added, the Constables being under my charge, I could not sanction their acting illegally, thereby rendering themselves liable to Actions of false Imprisonment. —

Your Excellency will perceive from the Paragraph marked A in Chief Constable Perry's Statement enclosed, the description of cases to be heard I alluded to, that the men generally were sent by Captain Reid to the Watch house, without any specific charge, taken out by him (Captain Reid) without being taken before any Magistrate and this as often as twenty times, and after undergoing in fact an arbitrary punishment at Captain Reid's will, were discharged

without

A. This occurred before Mr. Montague arrived on the Colony. — The grounds for which I cancelled the men generally were for being drunk & disorderly in Barracks, fighting with one another, beating the Sergeant of the Guard &c. &c. &c. and although I have stated in duty so I might somewhat have retarded my promotion, nevertheless I did consider I was justified in so doing, for without having recourse to these measures it would have been impossible to have kept up even the shadow of discipline. The men being aware had not a moment when sober, the locking up for the night, or it might so happen a portion of the day thought being considered sufficient punishment, nothing remained but enabled to check in a great measure the cause of drunkenness and consequently the offences, which for nothing, idle and uproar-

× the locking up for the night of Junkle by a Constable to their Cells for which he was considered a sufficient punishment

without Trial.— Captain Reid replied to me, in Your Excellency's presence, that he was much obliged to me for the Information I then gave him, and that he would upon any future occasion, send to the Constable on duty when he required the assistance of the Police.

and so I did, and Every one upon (Sayers) was given in charge by me, who disregarded my admonishment to your delivering his opinion, for being drunk & disturbing the Barracks each regularly and he improperly spirits into the Constable & making use of abusive language towards some of the women, and was for the 1st offence fined by Mr Marshall 10/- and for the 2nd suffered five days imprisonment with hard labour (dates 21st & 24th Dec. 1850) in the Police Court.—

I your Excellency would look at Constables Short and Garretts Statements you will observe, That Short the Night Constable, and who is on duty every night except Saturday Night, is a Bachelor and, and sleeps in his own house apart from the Barracks, That Captain Reid instead of sending for Constable Garrett, who was on duty on Saturday Night, and was at the Police Office within two or three Minutes walk, and whose duty it was to render him assistance, made

× The Prisoners Offence

× I did not know that Garrett was on duty on Saturday night.

× I did call Short believing him to be

Short

Short get up out of his bed, in the middle of the night and discharge duty as a Constable. If Captain Reid pretends that he called on Short as a Sensioner, I would observe, Sirs, That there were others whom he more fitly might have selected, for he knew that Saturday night, was Short's only night of rest, Secondly, That Captain Reid told Short to bring his Staff, which proves that he called on him as a Constable. Captain Reid must have known it was an improper liberty to take with a Constable, because he is well aware it belongs to my office to please what Constables are required on duty.

B. If I have reason to complain of Captain Reid's calling the Constable out of his bed, ~~I have much more reason to complain of Captain Reid calling the Constable out of his bed~~ I have much more reason to complain of the Instructions given by him to the proper Night Constables. I saw his appointment as such posted up on the Government notice board, signed by authority, date of appointment July 1851. I consider the supposition that he did duty every night I released him from attending Church parades some weeks prior to this occurrence.

× J. I pretend nothing of the sort, I called Short as a Constable.

× J. I did not know this, till Short told me after he had got up & dressed, see my remarks last page.

※ See Short's testimony ※

※ K. and a most circumstantial testimony it is, particularly at page 9, within 4 lines of the bottom of the page, the charge might might with equal propriety enclose Harvey Rose and Byrnes' ※.

L. ※ True

Did not Mr. Montagu, after he had urged me to consent to the appointment of one or two of the Sensioners as Constables, do so on the ground, that I would find them useful in aiding in maintaining discipline and order around the barracks!

to Constable Short marked E (viz), that if Byrne should make the least resistance to knock him down, fortunately the command was not followed.

M. I did desire Constable Short to bring his Truncheon and I have no doubt I did desire him to use it, Should Byrne prove violent and refractory.

Your Excellency is aware that a Constable cannot arrest a man for an assault or any language upon the charge of any person, unless the assault takes place, in the view of the Constable and I had previously given instructions to the Constables to this effect more than once.

N. The charge which Captain Reid gave to the Constable as reported to me, (viz) Beating his Wife and burning her Set of Barracks (as it appears in the testimony of Short Parry and Garrett) was not a legal charge, the arrest and imprisonment were consequently illegal. Assuming that Byrne had beaten and burned his Wife out of doors, Captain Reid had no authority to give a charge, but as the assault was over, no person could give the man in charge, it was therefore

N. No Solemn Threat, the charge I gave was for being drunk and threatening to knock my brains out and on my evidence on oath before Mr Bailey J.P. (upon duty as General of the Colony) also the evidence on oath of Corporal Brown and Pensioner John Morris before the same Magistrate to the same effect 15th July 1851.

O. Garrett in his evidence at bottom of page 11 & top of page 12 states the charge given him by Short against Byrne was for "abusing his Wife Thurning her out of doors, and threatening Captain Reid's life, if he entered his place.

therefore my duty,
when I heard he was
illegally detained, to dis-
charge him from the
Watch house, and also
to point out to the Con-
stables the extreme danger
to themselves from such
conduct, and more par-
ticularly so because, be-
fore I arrived in the Co-
lony, the Constables had
unpunished sentences
even to read a Charge,
and having (shortly
after my arrival given
special orders to the
Constables as to their
power to arrest in cases
of misdemeanour,
which orders were dis-
regarded in the direct
and false Imprisonment
of Patrick Byrne. The
idea of Captain Reid,
that when I find a man
illegally imprisoned
in the Watch house, be-
fore releasing him, I
must communicate
with him is preposterous.
But your Excellency
will be surprised to
find that the charge is
utterly unfounded, and
rested only in Captain
Reid's

P. | vide my remark at page 51.

2 See the testimony of Mr Byrne, Capt Brown and Byrne himself.

2. In my remarks at page 11 I deny on this occasion having given Byrne in charge for beating or abusing Reid. I must have misunderstood me. I simply gave Byrne in charge for threatening to knock "my brains out."

Rad's excited imagination.

When Byrne's Impri:
sonment was reported to
me on Sunday morning,
I sent Chief Constable Berry
and Constable Hunt for
Byrne (what occurred ap:
pears detailed by Berry)
and I explained to both
Constables, the Illegal Act
they had done, and its pro:
bably dangerous consequences
on the presence of the Sus:
picion which I conceive
~~which I conceive~~ was my
duty, I having known
many Constables killed
when acting illegally, and
even, (who knows) if such
Illegality would have been
Committed if Murder, ac:
quitted. I feel I did not
in too strong Language
point out the danger of such
conduct. Possibly the Con:
stables might be crimi:
nally punished for their
misconduct as a warning
to others.

R.

To enable your Excellen:
cy fully to understand this
matter, and put an end
I must to all future Misun
derstanding on the subject,

R. I simply ask any
man of common sense,
was this explanation of
Mr. Montague's, either
well timed
or well judged in presence
of the prisoner an excited
Prisoner, on the night
before had threatened with:
out the slightest provocation
to knock his Officers brains
out" and that at a time
when the said Officer was
directing an act of common
humanity to be rendered
that prisoners Wife, when
found in a state of inebria:
tety and prostration at mid
night in rear of his quarters,
and from whence in all
probability she never would
have risen unless so appre:
hended found.

However that it must have
the very worst effect, on the con:
duct and discipline of my
detachment, may make that
it holds out an inducement to
acts of gross insubordination
Mr. Montague may rest assured
that he has done, and is doing
serious mischief.

J

S. I enclose the Statements of a few of the Pensioners, which were voluntarily made before me, and which I took in consequence of your Excellency's Letter, deeming such evidence best calculated to elicit the explanation you required. I might have transmitted to you many more, but considering that Captain Reed was not present, and my own position in the Colony, I trust your Excellency will consider that it was unnecessary to report the particulars circumstances in each confinement, and without which I could not satisfactorily report to you the explanation you required

I. Their evidence may have been voluntary made but you sent a Constable or Constables for all the parties examined, who were not Constables themselves, and questioned them, taking down the answers as suited your views, privately in your Office.

Captain Reed seems to be of opinion, that as a Staff Officer of Pensioners, he has at all times such authority over the Pensioners as an Officer has over Soldiers. That the house provided by Government for the accommodation of the Pensioners, is a Military Barrack and under Military Regulations, including

I. I think no such thing.

U. I do and have looked upon the Barracks in the light of a Barracks and under certain Military regulations, & as far as lay in my power I did my endeavour to have some sort of order kept, but in consequence of the apathy evinced by some of my non commissioned Officers I found that no easy task.

ding even the poor Pensioners'
V. Cottage; he thinks also, the
Pensioners Cottage is the pro-
perty of Government and not
of the Pensioner, and that he
has a right to enter it when
VI. he thinks proper; the Pension-
ers think the contrary, part-
icularly that they are Civilians
and Emigrants, and not
Military men, and that Cap.
tain Reid has no legal author-
ity over them except when on
Fatigue Duty. The consequence
is that Captain Reid's threat-
ening Interference, arbitrary
Imprisonments and Threats,
are felt by the men as an
VII. unjust and oppressive. The men
also feel that although they
are not paid as Soldiers, they
are treated as Soldiers illegally,
Captain Reid flies into a
passion at every word, they
dare not remonstrate with him,
under a sort of pretty
strong term, the men do re-
main dispondent and discontent-
ed, but they dare not say one
word, nor dare they even
complain to your Excellency.

To illustrate the general
sort of treatment these men
have to endure and the dan-
ger to which the Constable are

exposed

V. No

but I do think the
Cottages are not absolutely the
Pensioners till the expiration
of his 7 years servitude and
also I do think that I pos-
sess a degree of surveillance
even over the Cottages, as
far as outward cleanliness
goes, and the orderly con-
duct of the occupier.

VI. I never entertained
so redundant an opinion,
and I request your Excellency
will call upon the occupiers
of the thirteen Cottages, which
are completed and inhabited,
before their proceedings leave
the Colony, to state, whether
I have ever even in the
slightest degree interfered
with them.

VII. I deny the truth
of all this there may be,
one or two men such as
Varny or others and are
also more say 6 who
may indeed be mal-
contented minds
but the general body feel
that I have been kind and
indulgent towards them-
as to not daring to complain
it is all stuff.

connd, when called upon by Captain Reid, I beg to call your particular attention to the case. What occurred may be thus stated;

Patrick Byrne and his child were in bed, Mrs Byrne was undressing to go to bed, when Mrs Reddy came in to give her some grubs, The two Women then go into Mrs Reddys room and drink by themselves, (Manufactured Spirits, almost Poison). Mrs Byrne is going home, falls down on the Road, Captain Reid hears her groan admits he would not have gone out but for Mrs Reid, the night raining. Mrs Byrne is put into Mrs Humphries' bed by Mrs Fleming and Moore,

Y. If Captain Reid had gone quietly to Patrick Byrne and told him what had taken place, Byrne

D. was quite rational and would have done anything

What was necessary for Captain Reid to have done on the present occasion was quietly to have left this poor

AA. helpless woman in bed, and to have reserved the subject till the following morning for dispassionate investigation

Reid

Y. Ryan being duly sworn. Mr Montagu know this - he certainly possesses the power of the Second sight.

J. The Queen on information taken by Mr Bailey J.P. (15th Feby) proves the Assault and the Words of Byrne on several previous occasions have proved him to be when under the influence of drink a man violent and ungovernable passions.

AA. This is all very fine Mr. Montagu

But what took place Captain Reid went out of doors against his will, finds Mrs Byrne drunk, falls into a furious passion, assumes that Byrne assaulted and turned Mrs Byrne out of doors, instantly in his hasty manner, calls up Byrne, enters his room, insists on taking the clothes off his bed, or putting his drunken wife into bed, the man (Byrne) bewildered and excited, no time to collect his thoughts, falls into a passion and uses improper and improper language; Captain Reid hastens to Shorts house, calls him out of bed at Midnight, tells him to get a weapon to secure Byrne down, now his Constable illegally take, Byrne ordered to the Watch house upon a false charge of leaving his wife,

B.B.

C.C.

D.D.

makes Stokes without shoes or stockings of a wet night go over Mr Bay's Byrne locked up, when threatens to strike them off the force, and says to him If you do not get up when I call you I will strike you out of the Force, and if you do not obey me either now or I must leave the Force, he

was

D. B. Where does all this appear for in an after part of this letter Mr Monahan states I never did enter the berth of Byrne which is true I did not enter the berth but simply drew aside a portion of the curtain which screened off his berth from the space for the centre of the Barrack I had requested Mrs Simpson to go in and bring some article of warm clothing for the woman Byrne, who had shortly before been conveyed into the Barrack in an insensible state and half dead, when Byrne sprung up in his bed & uttered the threat detailed in another part of this letter viz^t that he would knock my brains out on the ground if any one else who should dare to enter his berth - This is sworn to by myself Cork Town & Monahan this 15th February before Mr Bailey J.P.

C. C. I never gave such a charge.

D. D. I did order Stokes out of bed for the purpose of assisting Short should it be necessary to convey Byrne to the lock-up and I did reprimand him for the dilatory manner he got ready.

was in a great passion; as the
E.E. | Off. Morris' room tells him
he has drunk into bed, threat-
ens to strike him off the Force
for absolutely nothing, all
this excitement in a few
minutes. He next complains
to your Excellency of me, in
contemptuous and disrespect-
ful language because I dis-
charged Byrne and told the
Constable the consequence
J.J. | of his illegal Act, in threaten-
ing that, that I incited Insubor-
dination, and am incom-
G.G. petent to decide such a
paltry case. × His anger does
H.H. not cool, the week goes on,
he calls upon your Excel-
lency without Trial or Oath,
illegally to commit, upon
his Letter alone, Byrne to Pri-
son; again, he calls upon you
illegally to try Byrne for
threatening that Captain
Reed's Life; in which
case, he ought to have
known, his Instructions
directed him to go to the
Civil Authorities; A week
is almost gone and passed,
J.J. since the language used by
Byrne, and Captain Reed
is not injured or threatened
against by Byrne; he goes
before an Unpaid Magis-

trate

E.E. that I went to call
about the Constable I left
Capt Brown and Morris
to protect the constable's woman
in case her husband Byrne
used any violence towards
her which on two pre-
vious occasions my as-
sistance had been called in
to prevent. On my return
with the Constable I found
that Morris had left his charge.
This time I also reprimanded
him which I still think
he richly deserved.

J.J. I did think and
still do think that your laying
down the law in the way you
did tended to excite to insub-
ordination. I did not in-
form the Governor you were
incompetent to decide this case
what I did say was "I con-
"ceived you had already pre-
"judged the case."

× G.G. Very paltry indeed.

H.H. I was in correspon-
dence with His Excellency
all the while seeking to obtain
redress.

J.J. What encouragement had I to go
to you after you had discharged Byrne
from your custody and expressed the
opinion you did as stated on the
other side adding that had Byrne fallen
& murdered and that one of us he would have
been perfectly justified. This is the expression
used by Mr Montagu as orally related to me
by others.

I

I was told by Mr Bailey and I have reason to believe that Mr Montagu himself acted as prompter that this was the only course open for me to pursue.

J. J. I know not to what Mr Montagu here alludes — who is his author.

K. K. True.

L. L. True again, I did make this observation to Mr Bailey in presence I think of Mr Montagu & Clerk.

M. M. Twelve petitioners came nearly a days journey & knowing how long we should be engaged to hear Bailey but in case of the time was over and the people found a civil reception had left the room. The Place was Mr Bailey's the Surveyor General's Office.

N. N. True whether it contains such a firebrand, such a member of Council as Mr Montagu

O. O. Who excites and who agitates! I again answer Mr Montagu

P. P. Yes they are in a manner happily though disappointed in their expectations of the capabilities of the Colony particularly as to its soil and climate) if they were let alone but the Pensioners and New comers appear as if they were sent here to every body

J. J. Death, and ashes by steam, he is afraid Byrne will do him some bodily injury that he makes the complaint not from Malice; but merely for the preservation of his person. I mention not his words in contemplate, standing observations through the settlement. Patrick Byrne is bound by the Magistrate to keep the Peace, himself in Ten pounds, and two of his Comrades come forward in five pounds each as his sureties, of the determination of the case, he is not yet satisfied, he publicly said,

M. M. Byrne must assuredly will lose his Pension when I write home, when he was

N. N. called upon to pay the fees a few shillings, he said it was damned dear justice paid the fee and marched out.

All this is very shocking what respect can he command! what subordination! what peace in such a colony! If a person in Captain Reid's situation thus agitates and excites,

O. O. Can the Pensioners be

P. P. happy or contented! If not such conduct as this.

Mary

hary as impotent and de
rogatory to the character
of the Office, as well as
cruel to the Prisoners, and
calculated to disturb the
Peace of the Colony. The
same question I ask in re-
2.2. ference to the Twenty or
Thirty more, in which
Captain Reid has illegally
imprisoned men in
his Station house without
any charge, and discharg-
ed them without Trial. Sup-
pose these things had taken
place in any other Civilian
than one of the Prisoners,
or, Would it be endured!
If a man cannot be
allowed to sleep in his bed
quietly and may not pro-
tect himself from the in-
trusion of others, the terms
Liberty and Law are a
mockery. If there was a
R.R. public Press, or Lawyers
here Captain Reid
would soon meet his
reward, and the evil
would be corrected; but
here the Prisoner must
endure unless your
Excellency will enter in-
fere.—

S.S. The Barracks are
not

2.2. I think there were not
so many— and several of
the committals were drunken
riotous troublesome fellows
committed two or three times
over. I had no other means
of putting a stop to scenes of
riot & disorder, which if not
promptly checked might have
ended in Bloodshed, Even
murder— and many of the
men even when they were
released thanked me for
their committal.—

R.R. God forbid any more
Lawyers should come out here
we have one and that one is one
too many.

S.S. This is Mr. Montagu's
opinion & from the profession
of it is in my opinion to be attri-
buted Reynds insubordinate conduct
and libel.

not under Military Regulations, it is only a Building provided by Government for the accommodation of the Pensioners, until the erection of their houses. Each pensioner has a portion of the Building partitioned off for his own occupation. There more trouble at the Police Office with these Barracks, than with all the rest of the Colony put together. Women and men have gained into the Barracks, (when Captain Reid must know) they get half intoxicated at the Public house, and quite drunk in the Barracks. Your Excellency has told Captain Reid to forbid the taking of spirits to the Barracks, this has been done, but is not enforced by Captain Reid.

Brown's statement it says it was night

That has taken place on Saturday night! in one Ward all the men drunk, one man stripped and dead drunk, at midnight, and two women drunk at any rate; in the other Ward I inspected no very different scene, and these Statements disclose but a few for a short time of scenes there on a Saturday night, when be a more

I. I. Mr Montagu's view may be correct one, but I do not think so & I shall not act on his opinion until told so to do by the Right Honble the Secretary of State or receive instructions from H.E. the Governor of this Colony in the meantime, I (in a letter to me written by his direction dated 13th May 1850) states "His Excellency wishes it to be distinctly understood by the Pensioners that although they are allowed during the day to go out when Labour they are still under your Military charge and superintendence and while occupying the Barracks they must in all respects conform to the rules from time to time laid down by you for the preservation of good order and for regulating the interior economy of the same."

Q196. How many of the Pensioners have been brought before Mr Morby I answer 5 or 6 in the space of 9 months. The Stipendiary Magistrate had not been overburthened with work & not the population of the Barracks equal or very nearly so to the rest of the settlement.

V. V. Yes but cannot prevent with such able help as Serjt Morris & Corpl Brown vide their evidence taken by Mr Montagu.

W. W.

V. V.

W. W.

Y. Y.

F.F more detailed examination would not, either as to Morality or Subordination improve. The fact may be just what Brown felt, somebody should interfere to prevent Prostitutes being taken into the Barracks, and before a New Jailer place, it is then to late when the Police are engaged.—

B.3 When the Pensioner is put in possession of his Cottage, he is the Tenant, it is his own Property, he is the legal possessor, and neither the Colonel, Captain Reid or any other person, can with impunity intrude upon that possession. I say this although I know that the Grant is not to give valid, the termination of the Contract. The Pensioners Cottage is a chief advantage resulting to him from his Contract, the opinion of Captain Reid, that he can

C.3. whenever he thinks proper, enter this Cottage under the idea, that it is the property of the Crown, is a

nonsense

H. H. Did not do so long before His Excellency mentioned the subject vide my orders dated so far back as 16th. March 1830 & pasted up in both wings of the Barracks and which both His Excellency and Mr. Montague saw there and read.—

X. X. How was this order to be enforced was I myself to stand sentry at the two door day and night.—

J. J. Granting all this to be true, does it not show a state of things which ought not to be suffered to exist in any community, far less in a body of Enrolled Pensioners occupying a public barrack;—but Mr. Montague still holding the opinion repeatedly expressed in his letter "that it is not a barrack and that I have no right to enter it,"—animadverted thereon in the bad state of discipline maintained & throws the blame on me! was ever anything heard of so unjust! but this is Mr. Montague all over he can shew two faces! Hold one opinion one day & another tomorrow, all to forward his own ends.—

F.F Mr. Montague still keeps on harping at me—the same animus he shown throughout.

A.3. Yes true enough but why did not Capt. Brown do his duty & interfere: he and the other Commissioners Officers are to blame, & no one else but what can be expected from Corporal Brown after reading the evidence as I have before stated.—

D. 3 | rongous, and if not corrected may, I ought to say must lead to violence.

I scarcely need make any comment on the discourteous language in which Captain Reid is pleased to refer to me when he calls upon your Excellency "to receive of any Cockade which Mr. Montagu may take into his head" because I think that no Gentleman would feel otherwise than that such language is intemperate and unbecoming.

E. 3 |

In reply to the second paragraph in your Excellency's Letter, I do not hesitate to advise your Excellency not to comply with Captain Reid's Request (viz) to Issue your Warrant for the immediate recommittal of Pensioner Patrick Byrne.

X D. 3 | Captain Reid has absolutely changed the charge, but has not had the candour to report to your Excellency

D. 3. This may be all correct and I shall not question the legality of the opinion here given.

E. 3. I am certain no such opinion

D. 3. I am sorry to say it is on my honour I believe the wish is father to the thought. Mr. Montagu has composed with my men ever since he came to the Colony.

E. 3. Mr. Montagu evinced great alarm at the term Cockade" for Mr. Montagu recollect the 5th. November? it was a marked day for it was the day of Mr. Davies's funeral and we were awaiting in the street till we got ready. I cannot pourtray what took place, [illegible] Mr. Montagu advised me to walk into his house where I did when he proceeded to take down a bound volume which turned out to be Act of Parliament and on opening the volume he asked me if I was aware that any appointment as Staff Officer [illegible] I answered I was not. He then went on to ask me if I was on full pay, I answered no, was I on full pay? no. Then Mr. Montagu said your appointment was illegal. I answered how can that be when my appointment emanated from the Secretary at War and was approved of by the Commander in chief and by the Right Honorable the Secretary of State for the Colonies and confirmed by H. M. the Queen. No matter Mr. Montagu said Her Majesty had no right these were Mr. Montagu's words to appoint you Contrary to Act of Parliament I asked him to put this opinion in writing but he answered no. I never give my opinion unless asked by the

Excellency, that he commanded Byrne on a false charge. Instead of taking upon to recommend him on the charge of saving his life, for which he was alone confined, he acts now, to recommend him on the Military Charge of threatening his (Captain Reid's) life on the night of Saturday 8th to the morning of Sunday 9th Inst. Inasmuch Captain Reid discovered that he could not send the man to the Watch house on either charge

First, Because the Prisoner (Byrne) was not under Arms on Saturday night at all, and such a threat if made was not punishable by Military Law; the latter sufficiently shows that Byrne was not on Military duty and could not have committed any Offence against Military Law; the man was not, and could not be sent to the Watch house on this charge, it appears

No. 3. | an after thought + secondly, Because if Byrne did threaten Captain Reid's

life

the Governor. Now this in my opinion is the worst of all. Mr Montagu's "cutchets" and might if propagated spread prejudicially on the eyes of any detachment of Prisoners

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No 3. Captain Reid is incapable of such trickery thank God he has acted through a long life as a man of honour and he hopes to leave the world with a good name it is for Mr Montagu the Inquisitive judge of Van Diemans Land and persons of his Stamp whose characters do not stand Examination barely to insinuate may to blast a man's character and hunt at what they themselves on their reflections would not hesitate to carry out. Garrett (who was the Constable on duty at the Police Office for the night and who received the charge from Short) on his evidence at page 12 distinctly states that "the threatening of my life" formed part of the charge given by Short against Byrne. Vide also the careless manner at the bottom of page 9 in his evidence that Short's evidence is taken down regarding the charge.

No 3. An ingenious remark and what is more it is untrue

life, a Magistrate has cognizance of the case, if Captain Reid can swear to the information (a blank Copy of which I enclose for your Guidance) which you will perceive requires him to swear, that he is afraid that Byrne will do him some bodily injury and that he makes the Complaint not from Malice but merely for the preservation of his person from injury. If any Justice of the Peace believes there is danger from the threats used, together with the surrounding circumstances, which must be stated in the Information, he will cause the defendant to be brought before him, and after hearing him and his witnesses, upon the question, the language was not merely that of Anger and Abuse, he will require him to find Sureties to keep the Peace, Captain Reid must make the Information before a Justice of the Peace, and your Excellency has no jurisdiction in the matter, indeed, Captain Reid's instructions in such a case, direct him to apply to the Civil Courts.

J. 3

J. 3

After what has taken place, I should fear Captain Reid going to another Magistrate.

This

J. 3. A Magistrate was found who believed these statements on their oath, viz. Captain Reid, Lieut. Hawes, and Corp. Brown and did bind over Byrne (Bailed Persons) to keep the Peace for three months to all Her Majesty's Liege Subjects especially towards Captain Reid himself under a penalty of 10£ and 2 Sureties of 5£ each (15th February 1851) and A. Bailey Esquire J.P. Surveyor General of this Colony was that Magistrate.

J. 3. This course I did pursue, it having been pointed out to me in a letter written by His Excellency dated (dated 14th Feby) and who had personally refused to go into the Case.

This poor old Prisoner is a Cripple, and the bigotty improper words he made use of were Instead of Injer and Christ, and Spoken under irritation if not provocation. When suddenly awoke at Midnight, whilst sleeping with his Child, his wife gone, told she was drunk outside, and Captain Reid assisting in placing the Drunken woman in her bed, words spoken in the heat of passion at such a moment, I do not consider, as words deliberately threatening Captain Reid's life, and consideration I think would be a perversion of common sense. I may here refer to the threat used by Byrne, (when in his Watch: house) against his wife to Barne, the Watchman Reid testified; the least experience would detect it to be the mere language of Intoxication. The facility shewed by the mans kind and forbearing conduct to his wife since his Intoxication. Moreover the threat was contingent and equally applied to Captain Reid or any other person who would enter his room, Captain Reid did

J. 3

K. 3

L 3.

M. 3

J. 3. He is not a cripple but a hale active man and at least 10 years younger than I am. I gave him not the slightest provocation.

K. 3. I did not do so. I simply remarked when the woman was beginning (from the means used by the by-standers) to recover consciousness that she should be placed on bed. She was placed on the bed of Mrs Humphreys not on her own bed- this much was attempted till after Byrne was removed ~~taken out~~ in custody - I know what has since followed Byrnes irritation-

L 3. This is true but see at p. 93 of this letter a statement of Mr Montagues at direct variance with it.

no sentence has room thereon, the threat did not apply, but the Complaint being made by Captain Reid, whose courage is beyond question, I do not think I could believe that any real fear (of a nature sufficient to call for the interference of the Law) existed, and might dismiss the Complaint. — Neither Magistrate who knows nothing of the Transaction, (Payne being ignorant and without advice) may possibly be induced to act otherwise. —

N. 3. | N. 3. This is quite what I expected you would do and I ought to & the Governor to that effect and stating that I could never consent to have the case heard in your Court, because I looked upon it as already prejudged by you

However, Captain Reid may by the conduct he pursues towards the Prisoners induce them (ignorant and without advice as they are) silently though sullenly to submit to what they (and I feel

O. 3. to be an unjust, illegal interference and arbitrary authority, he must not expect that others especially myself, will be alarmed or hesitate, whenever my duty calls upon me to express my opinion to express that opinion what-ever it may be, upon his conduct which the occasion requires, and Captain Reid may rest assured, that his com-

O. 3. Mr. Montagu speaks

pro

per is a sufficient Guaranty to himself, that I shall never interfere, except in the strictest discharge of my duty.

P.3 Impressed by and Captain Reid in the legal Execution of his duty, I cannot but feel that his contemptible conduct acts as an Incitement to disrespect and insubordination rather than my Language; indeed I venture to predict, that unless Captain Reid will be content with the authority entrusted to him by Law, and better govern his temper and shall abstain from assuming over the prisoners, (who are not soldiers) the authority that a Military Officer alone, in full Say could legally exercise, some irritated and independent man, sooner or later, will set his authority at defiance, and he will involve himself and the Government in trouble.—

P.3. You never were anxious to do so, your actions belied your words.

X 2.3. 2.3. No it is not so

R.3. R.3. Your prediction may revert on your own head.

Since my arrival, it has

has been my anxious and
urgent desire to assist and
S. S. conciliate Captain Reid to
the utmost of my power, but
I have almost despaired at
times, for whatever I say or
do, he flies into a passion, he
seems discontented with every
thing and almost every person,
all he says and does, appears
to me, the Impulse of Discon-
tent and passion. To this un-
fortunate instability of temper
(which is the common talk
of the Settlement) and
principally illustrated in
the present case, is attribu-
table the illegal Imprisonment
of Patrick Byrne and its
consequences.-

Since I wrote the above
Letter (with the exception
of part of one Paragraph)
Captain Reid has before my
friend. Mr Bailey, laid an
Information on Oath, That
James Byrne, threatened,
to knock out Captain Reids
brains out, if he, Captain
Reid, dared to enter Mr Byrnes
Berth; and that he Captain
Reid, is afraid that Byrne
will do him injury.-

Now personally I am
glad that Captain Reid has

S. S. With conciliation indeed,
you started at first, and at-
tempted to ride rough shod over
me,- have you forgotten the
tangent you got into about 8
days after your arrival here
because I would not give to
Magle or Rash a dog I had,
constantly taunted me, sim-
ply because he knew he hurt
at you and your daughter, one
day you were venturing up
the approach to the Barracks
and you hazed me with want
of Courtesy in not down to,
I protested that I meant no
disrespect to you whatever, but
that did not satisfy you, you
opened and commenced a
violent tirade against the con-
duct of the people in Bermuda,
asserting that from Governor
down, and the Crimes were in-
committed, in fact, (these were
your words) even thoughts
of murder,- and added that they
were ill-e conducted than
a second rate Penitentiary,
and you were pleased to say
you would make a report
of them State to Earl Grey.

To return to the said Dig
I am prepared to make Affidavit
that he never in the Colony but

taken any

when this course, it has saved me trouble, but I can not but observe, that this is the only information that has been preferred before an unpaid Magistrate, since I have been in the Colony. I refer to it, as illustrating the want of temper, that has characterized his Conduct throughout the whole of these transactions.—

This Letter would have been copied before, but at the request of Mr Bayley, and to oblige him, I lent him the assistance of my Clerk, to take down the Testimony, in the case of Captain James Reid, Staff Officer, Commanding Pensioners versus Patrick Byrne, Innkeeper.

I have &c.

Signed

A. Montagu

I transmit together with this Letter, the Statements of the following persons, viz

John Short, James Carroll
Mrs Byrne, J. H. Parry
John Brown, John Mohs
Thomas Young and Patrick Byrne.—

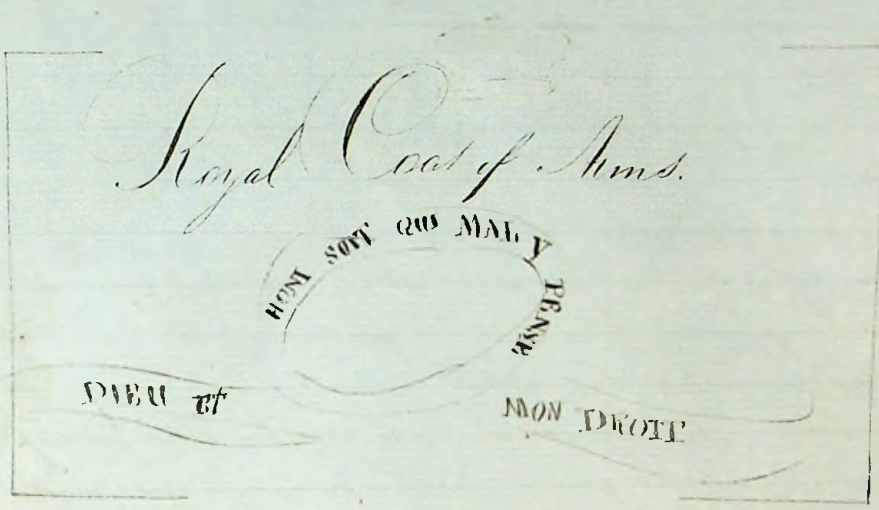
any one, except one of my own Children and that was when he was Christened and the child had taken a raw bone or piece of meat from him at the time he was feeding I mention all this now because you cause Parry the Chief Constable to enter largely into the subject in his evidence. The scars Parry saw on the mans face were inflicted on board of Ship on the voyage out, when he the man had been annoying the dog

at ✳ on the other page Mr Montague enlarges on "my irritability of temper &c" it would be well if Mr Montague would judge himself. He may take my word for it, that many honorable, nay honest men, set a very under value upon his dictates since he came among us; and I think he may congratulate himself on being very generally detested in it.

P.S. In conclusion I have to regret, that Mr Montague by so large a descendence into personalities, should have compelled me, in self defence, to reply in a similar manner which I nevertheless feel, will not redound either to his credit or to mine.—

(Signed) J. Reid
Captain & Staff Officer
Commg Pensioners

Hanover Falkland Islands
25th February 1851.



to wit. } The Information and Complaint of

in the said County of
upon Oath before me
one of Her Majesty's Justices of the Peace in and
for the said County,
the
day of in
the year of Our Lord One thousand eight hundred,
and Forty
who says that
of
in the said County,
did on the
day of now last
in the said
past, at
County,
threaten to

[here the Threat must be stated with the cir-
cumstances or so many of them
as prove that the Language was not the Lan-
guage of mere anger and Jabber.]
and that from the above and other threats used by
the said towards the said
Complainant, he the Complainant is afraid that
the said
will do him some bodily injury, and therefore

pray

prays that the said
may be required to find Sureties to keep the Peace
and be of good behaviour towards h[illegible] the Com-
plainant: And the said
also says, that he doth not make the Complaint
against nor require such Sureties from the said
from any malice or
ill-will, but merely for the preservation of h[illegible]
person from injury.

Sworn before me,

Surety 1.

Information and Complaint of
a person requiring Surety
from one threatening to do
him some bodily harm.

London:
Shaw and Sons,
Law Publishers,
Fetter Lane.

John Short - Statement of

I am the Night Constable. I was on duty every night last week, until Saturday night - Garrett was on duty that night - I am living on my own house built in the Barracks - I was called about ½ past 12 on Saturday night, the first thing I heard was Captn Reid up 5 times - he was in such a rage, that he did not take notice of me, he sang out, Short Short, come and take Byrne he is both drunk and mad, I got up and went to the door, he ordered me to dress and go and take Byrne Captain Reid was standing inside of my door while I was dressing, he asked me who I could get to help me, I said I did not know, but Garrett was on Night Watch, he was on duty - As I was going along the road, Captain Reid said, if Byrne made the least resistance, I was to knock him down, he wanted me to take my staff or something with me to knock him down, we then went to the Barracks, and I asked Captain Reid where the prisoner was and he pointed out to me Byrne, lying on the floor, on seeing there he was, Captain Reid was in a great passion, he said Byrne had called him every thing, but a gentleman, he had called him a rascal and brought him at last to a Serjeant, in consequence of Captain Reids I took him up and gave him into the custody of Garrett who locked him up, and while I found at the Police Office - Byrne was in a great rage when I came to him in bed and drunk - he walked down with me without staggering - when Byrne had got on his Trowsers and Shoes Captain Reid said if he

was

Very respectfully stated Mr Constable Short.

E

I did desire Short to bring his Truncheon and I have not a doubt that Short also desire him to assist in case Byrne made resistance.

This is Shorts own mode of speaking

was not given he would have him taken also. Byrne's little child (between 3 and 4 months old) was ill at with him. Captain Reed at different times had said, that at any time he can come into our Cottages that they are Government property and belong to Government until the end of 7 years. he said he was Staff Sergt and had a right to come in - I consider the Cottage is my Property and not part of the Barracks at all - I did not strike at Byrne at all after I took him into custody nor yet at all - Col. Pelletier addressed the men when we were on board the ship and told us that for six months we should have to work 3 days in the week for ourselves and 3 days for, that during the 3 days we were working for ourselves that Captain Reed would direct us and that we would work eight hours as was customary in the country, he told us that we should muster 12 days in the year, besides attend Church-parade on Sunday - he told us we were now no soldiers and that we should become our own masters in 6 months I considered I was coming here as a Farmer partly - gave a free Pardon - quite different to what it has been for the first 6 months the muster roll was called every night as regularly as in a Military Barracks about 6 P.M. and the men were premised and fined by Captain Reed for being absent from muster just the same as soldiers, Captain Reed made us understand that we were the same in Barracks in England but after the 6 months the night muster was dropped - I was a Constable in England and I was aware I had no authority to arrest a man, unless I saw the blow struck, I did not strike Byrne as Captain Reed said because I knew I ought not and Captain Reed was

Who told Short this?

. Not correctly taken down, what the man did say or at any rate meant to say was 3 days for Government and 3 days for ourselves

- True - it was so and by the express desire of H. E. the Governor of the Colony in the propriety of which I entirely coincided. -

× Not true - no man ever fined by me for being absent as roll call and Short must have known by what he has here stated untrue.

○ True - I should say this is incorrectly taken down I presume the man meant to say Capt. Reed told him to do in case the Byrne made resistance.

on

Byrne did not use the least violence, he came quite quietly with me to the Watch house ※ ~~Mr Byrne~~ ~~behind me as we~~ ~~out of the door~~ I was under the impression that I was made to keep in Barrack and that I could not go* out without an order from Captain Reid in writing, I believe that Varin was imprisoned for 8 days for going out of Barracks he was fined* fifty $ Mon M$. and Cash was committed to Gaol, Captain Reid said the charge was for leaving his Wife and having her out of Barracks.

Sarg$ Statement was read over to Short from the Plaint marked A to B and he says it is all correct.

※ Mr Byrne followed me going out of the door he bent to make [illegible] Catholic" as soon as Mr Byrne was [illegible] and shook him by the hand he recommended me still on the Sunday morning.

*. For go read Keeping.

× For going read Keeping out

※. As proved in Court he was ordered to pay a fine of 10$ but it was remitted and not paid— Varin was locked up by the Governors direct Order conveyed to Captain Reed in presence of the whole detachment assembled by the Governors Orderly

○ I presume that unconnected sentence alludes to Byrne's wife but I cannot trace any connection with the present case and more improperly on my attempts appeal to Varin's Wife and this did Mr Montagu has to work on to build up his declaration made on his oath that I committed Capn on a false charge for leaving his Wife at page [illegible] of Mr Montagues letter, which case of distinctly gave him in charge for threatening to shoot my brains out.—

James

James Garrett,

I am a Constable, I was on duty last Saturday night from 10 O'clock P.M. till 5 on Sunday morning, when I was not going round the township. I was at the T. Office, I heard Short bringing Byrne to me, Short told me he was sent down here to be locked up in the Watch house by Captain Reed, he said if the charge was asked it was for abusing his Wife, beating her out of doors, and threatening Captain Reed's life, if he entered his place, Short said nothing else about the prisoner – Byrne did not abuse me, he went quietly, into the Watch house quietly – I can't say he was drunk or sober, I could walk steadily, I am not Watch house keeper, but I had the key that night I was on guard, if Captain Reed had sent for me, I should have gone up as I was on duty I heard Sayers the other night, the practice has been for Captain Reed to send down men by the Prisoners – saying that Captain Reed had sent them and will appear against them he never sent any specific charge with them –

Garrett should be observed and questioned who took the charge first stated that Short made to him the ~~[illegible]~~ accusing of any [illegible] part of the charge – never to his knowledge. Mr Montague in his letter to the Governor had the assumption to charge me at page of blue letter "15" "deliberately changing the charge" adding that I had time and opportunity to acknowledge that I [illegible] prisoner Byrne on a false charge & should take a friend with whom the advantage or want of candour rests? Mr Montague or me.

True as I have explained in my answers to Mr Montague's letter.

Mrs Byrne

When I saw the woman on Saturday night the 8th Sat about midnight and towards 1 o'clock on Sunday morning the 9th July she was in an insensible state therefore I know nothing of what is stated in these pages.

Last Saturday was Pay day I had no words with my husband on Saty day, no quarrel with him in the evening. he went to bed between 8 and 9 with the little baby. I was on the side of the bed. Mrs Reddie came in, I asked her in, I went out with her to her place. coming back I fell down, I recollect finding myself in Mrs Cunningham's bed and I asked to be put in my own bed. My husband was sober when I went to bed, but I gave him a glass in bed. I stopped at Mrs Reddies about 2 an hour, there was no light it was in a cup. Mrs Reddie gave it. Oh there was no one there but herself and the baby. It is not true that my husband turned me out, he knows I went out and fell asleep after. I went out he had about 3 glasses from me, of whisky spirits, which I got from Mr Dean. I gave it him after he went to bed. When Byrne came out on Sunday morning - he never spoke unkind to me. he said see what a show you have made of yourself. I said I was very sorry - it was on the other side of the barracks that I went with. Mrs R. it was after hours - the light was out.

J. Mc Carthy

J. H. Barry

I am Chief Constable, On Saturday night, I had not charge of the Watch house On Sunday morning I saw Byrne in the Watch house - he was sober - I discharged him by the order of the Dep. Magistrate - I heard Short tell Mr Montague that he was sent to the Watch house for beating his wife and running out of Barracks - I heard Short tell Mr Montague, that he had called him up at 12 o'clock at night that he had taken Byrne out of his bed - I heard Mr M. tell Short he had no business to take any person out of their bed on a charge of Assault - also that no Constable had any right to go into a house in the night and drag a person out of bed. I heard Mr M. tell Short a man might justify himself by shooting a person, upon such a charge - that Captain Reid had no business to send him to the Watch house upon such a charge at all - and that he then ordered me to discharge him, I am aware that I have right to arrest a man for Assault without it taking place in my view or to enter any house without the people are fighting furiously inside - I met Byrne and his wife about 2 past 8 they were quite sober going towards the barracks, I passed close along side of them - before Mr M. came here Captain Reid used to send men down to the Watch house and they were locked up by Captain Reid - the next day they were discharged by Captain Reid himself without being brought up before Magistrate - some few of them were taken before a Magistrate and fined - (two or three of them I think)

J

Mr remark at page of Mr Montague's letter of the 15th Feby

A answers this.

B

I Sworn Says I do say Captain Reid had taken them out without Lead as many as 20 times the Constables have never gone round the Barracks because I think Captain Reid had said he did not want any Constables there until within the last 10 days Capt R had an immense ferocious dog there and I could not go there for fear of the dog in the day it had the name of being a very ferocious beast, it was at me 2 or 3 times near the Police Office I knew it had bit a negro because I saw the scars on a mans face where it had bit him – I would have gone up any night with any one whom the dog knew and you have given me orders to go but I would have gone at any time without orders, if Capt R had sent for me if the dog had been secure. In all other parts of the Town the night Constable goes but as yet he has not gone to the Barracks partly from Captain Reids wish and partly from dread of the dog. Soon after your arrival you gave me orders to lock up no man without a legal charge for felony or for misdemeanour a standing by Jno.

Jno. I told Mrs Montagu that when he first asked me to sanction the appointment of Constables for the Barracks

I never knew any man in the Colony to my knowledge die of it did take a man on board ships in the roads out of the town in the Colony

And so far as I was concerned and as soon as I discovered such an order had been given followed it out.

John Brown,

He came out here as an Enrolled Corporal of Pensioners and he has never been degraded.—

I have no objection to tell you what took place the other night— I have been a Corporal but I receive no pay for it now I consider myself a Civilian except upon the 12 days in the year and upon parade on Sunday— Captain Tulloch told us as far as I recollect, that we came out to cultivate our own land on just as fair as any one else— he did not tell us we should be put into barracks nor yet be treated like a soldier— I did not belong to the Army— I have been in Barracks in England, Scotland and Ireland and since I have been here, I have been kept in Barracks and under Military regulations and very strictly too— I used to call the muster roll— and have been very sharply spoken to by Captain Reid for not reporting to Captain K. in Dec. 1862 we are allmade to sleep in Barracks whether we like it or not I have charge of the Eastern Wing of the Barracks— I have instructions not to allow any liquor to be brought into Barracks, we can go in and out of the Barracks now as we like— I went to bed about 8 P.M. that night I neither saw Byrne or heard him before I went to bed— after 12 Sergeant Morris and Mrs Fleming brought in Mrs Byrne, she was very drunk Captain K. ordered her to be put to bed Byrne said she should not come in— the Captain then went towards Byrne's place, Byrne said he would take life if any one that came near his place— The Captain had put an order

up

* Corpl Brown I do not suppose would not have relished the being deprived of the privilege of Barracks— he has a very comfortable quarter even to this day.

If the correspondent of the Governor for the past 9 months you were mistaken the detachment at large are expected to sleep in Barracks but any well conducted man who applies to me to sleep out of Barracks after 9 o'clock p.m. was never refused but from the severity and clearness of Sedgings on the establishment I was applied for this indulgence and Corpl Brown never did so applying

Here Corporal Brown speaks positively to the contrary

up, mentioning any one's being and Liquor in the attack. I saw liquors from Sawyers here in the Barracks, I saw it was not noticed × so I discarded it. I should only get abused I should like to keep regularity if I could, but it is impossible. On that night there were very few more or less but what were in Barracks. Private Mc Byrne. There is no light in the Barracks all night. There are two females in the Barracks about 20 people or more. It was pay night they had taken a little extra. They were not quarrelling. I saw one of the men in the middle of the night being drunk in his Cloths. The Captain called him but had not power to arrest him. I was sober I know they were drinking in the Barracks. I know Mc Byrne used taking some Liquor about in a bason she brought some to me. ⊙ I knew it was contrary to regulations. All these places are to report of. and I could not go into their places. I have orders not to interfere unless there is a row, and also not to allow any Liquor in the barracks. I have got of bed in the middle of the night to report to the Captain and he has sent me back. perhaps then call me better. After Byrne called the Captain blamed me for not going in a passion. I left the Captain and Mc and went away. The Captain came in a passion with Mc and I heard him tell Stokes he would strike Stokes out of the last for not getting up when he was called. I came down with Stokes to the Watch house and he sent Stokes after me without his shoes. I did not see Stokes beg I saw the dust on his feet and he began his boots. The Captain got on a passion and told him if he did not get up when he called him, he would strike

× I only know of Col. Brown having once taken liquor from Sawyers for which offence and for being drunk, and making use of abusive language to some of the Women I sent for a Constable and gave him in charge and the Superintendent Magistrate fined him 10/- on 21 Dec. 50. The same man was again had up before the Magistrate for being drunk & violent & Col. Green sentenced by the Superintendent Magistrate to 5 days imprisonment with hard labour. Now then Jack, can Col. Brown be guilty of so base & false hood.

× and I am very certain from Col. Brown's usual sobriety that he never even took the slightest notice of anything he saw going on unless it interfered with his personal convenience.

⊙ and which is not to be presumed Capt. Brown partook of.

your never did so.

I recollect your coming to me on one occasion when you said you

you had been forced to get out of bed in which you had been all day to complain of some one I forget who, but this was before 10 o'clock; & I recalled praying him to go to complaints because on two previous occasions when you had complained of him being drunk and noisy during the night on my enquiring into the case next morning it turns out that you had never even desired them to be quiet & therefore became very abusive & Capt Power's reports.

him out of the Force, and if he did not obey him, either himself or Parker would leave the force - he was in a great passion - I thought it very hard at the time, I get no pay as a soldier, and I consider myself and the Men are free men - and Civilians not Soldiers - If I am a Soldier let me be paid as a Soldier - Capt. Jam R. has told us, that while we are on Barracks we are Military men, I have to work as a Civilian it very hard - Between me and Byrne there is a single board, and I heard no row between them, they seemed very Cheerful -

X A very able & distant inspection Order in a Bedroom full of drunken people.

John Morris

I have charge of the right wing of the Barracks I went to bed on Saturday night before 9 P.M. I did not see Mrs Byrne come in and Mrs Fleming carried in. Mrs Byrne there are five families in my part of the Barracks, Mrs Redfie was very ill and I heard her talking in her birth after I went to bed. The Captain did not order me to stop over Byrne, I went away because Brown said he could do without me – after I got back the Captain came to my place & appeared to be in a great passion & he called me and said, after you have slunk into your bed – if you don't take care I will get you struck off the Force I made him no reply – I consider my self a Military man upon Saturday parade and when the Governor calls us out I act as Sergt over the Barracks by Captain Reed's orders, but I know the men are Civilians and I know I am a Civilian – I obey Captain Reed's orders Captain Reed has frequently told us we are all Soldiers, and to consider ourselves as such and he gives his orders the same as in the Militia and Captain Reed has so persevered upon me and the rest of us that we have always obeyed his orders, I feel it harsh and unjust, and I know that the other men do also that they consider themselves Civilians, and are treated as Soldiers – I know by the regulations we are Civilians except upon the twelve days – we have told Capt R. to his face – but he won't have it so, Brown has told him so and also others, & the Captain flies in a passion – I consider Captain Reed can't strike me off the Force.

I had left Sergt Morris Hospital Brown in charge of Mrs Byrne to take care and see that Byrne did her no injury till my return to the Barrack Stable. When I did return I found Morris had quitted his charge and gone into his own berth in the other wing and I went to bed & I did follow him to the wing he occupied & reprimanded him.

The character of this man is very indifferent he has been convicted twice before a Civil Court of a misdemeanour for which he underwent 3 months imprisonment it was quite a Civil Case with which I had nothing to do.

Thomas Young

Sam.a Marine Seaman

We came out as Emigrants when I Landed I took Lodgings for myself - I stopped from Saturday till Monday in these Lodgings - I was punished for not sleeping in the Barracks - Captain Reid told me I must go into Barracks, I replied I was neither a Soldier nor part of such the Conversation rose to some pitch and I was angry Reid ordered me to be confined to sleep in the Barracks & Captain Reid charged me with Insolence on this occasion: I was kept in Confinement on Bread and water 3 days by Captain Reid with Soldiers because I would not go into Barracks - Captain afterwards mocked on me sleeping in the Barracks and said I did for nearly a month - and my wife slept in the town - when I was in prison Captain Reid came to me day after day wanted me to acknowledge I was wrong and beg his pardon, I said I was no Soldier, must be Captain when on duty - he said he would keep me in prison for every night I slept out of Barracks I asked him to try me by Court Martial - he said he would do nothing of the sort and I never was tried - he told my wife she should work my I told Captain Reid I considered I had liberty within 3 miles of the Town without permission of I asked, but he said I should by no where but in the Barracks - I consider the Barracks were put up for our accommodation and we

A 2

for Captain Reid's conversation see enclosure 2 A in Captain Reid's letter to the Governor of 15 July 1851.

got

got better, but not as Military Barracks though under Military regulations – Captain Reed gave me permission for a Church parade in the presence of the others to turn out of Barracks I consider I am under no Military duties except when the Governor calls us out on a Church Parade.

2/A

The man whom the Detachment first landed in the Colony applied to me to allow him to live out of Barracks I told him I could not grant them permission without naming it to His Excellency the Governor as he had accepted a pass that the whole detachment of Engineers should reside in the temporary Barracks provided for them.

Varney did not go into Barracks to which lodgings he soon and absented himself from Barracks 3rd and 4th – November from noon on the morning of the 5th – Although the first morning the Detachment turned to work after landing, and return from Barracks, Varney being reported absent I sent for him, & demanded why he had not gone into Barracks as directed, and why he was not then about from Work? to which he answered in a tipsy manner at the same time that he had not gone into Barracks and would not do so. I instantly made a verbal report of the circumstance to the Governor who ordered me to parade the Detachment at the Church, which was done, Varney being called over from the Roll by the Governor if he had objected to go into Barracks he stated he had. His Excellency ordered him to prison. Varney previously stated he would not, this happened in presence of the whole Detachment. for Governor the instant he had turned him to his lodgings.

His Excellency requested me to visit Varney in the Lock up that afternoon (which I did in presence of the Sergeant Major) for the purpose of ascertaining if he Varney could give a better reason for his conduct, I found him still the same – The Governor has ordered him to appear next morning also in presence of the Detachment and having put the same questions to him he did he gave answers as to the same answer given Varney on the previous day was again by his ordered into confinement he remained in confinement till the 15th when having written a humble letter, expressing his readiness to comply with the rules of the Service he was released. Varney has since then proved himself necessitous of his duty, on at least four occasions, by absenting himself from Church Parades with arms without ample and conduct unsteady and undutiful to myself & Sergeant Major Reed, I reported him to the Governor who sent for the Defaulter – for which conduct I reported him to the Governor who having heard my complaints and examined evidence thereon decided 15th November 1850 Varney had failed to prove that he had sufficient Cause for his repeated absences from sunday parade and the Governor being of opinion that his conduct towards me his Commanding Officer, was highly unbecoming and immoral he his Excellency feels it to be his duty to discharge in the strongest manner possible Varney for his misconduct for his breach of contract and for his desertion of duties, a proceedance in which he must clearly understand will most certainly lead to the suspension of his pension, and expulsion from the Service.

Varney was receiving Rent Free House & Land &c &c

A true Extract of Letter of 15th Nov 1850.

Signed

Capt & Lieut Royal Engrs

2/B

P.M.B. Mrs Montague was presented with the Keys of the Store room by Mr Montague and examined the other Rooms from which official appeared as Keys 3½ 35 39 = 110 –

Sign'd

Saw Byrne with my own eyes deliver drawn by Chief Constable Perry to Mr Montague &c. How can Montague say he came down, as if the man had come to his Master of his own free will – He first said he was drunk & then he was sober, & did not come down of his own free will – He was ordered by the Constable to come down & Varney, and go into the Store, I saw him come out of the Store with Mr Montague & Varney, and go into the Store, I saw him come out of the Store with Mr Montague & Varney, and go into the Store, I saw him come out of the Store with Mr Montague

Patrick Byrne

Last Saturday night, I went to bed about ¼ past 9, after washing up the clock I was sober, all that I had that day, was one ½ Tumbler of black strong, which I got at Rogers, my wife was with me, I had not had any thing to drink the whole week before, my wife gave me a child and I was up to keep. I had no quarrel with my wife, no not a word with my wife, nor for many a day – My Wife & self I was in bed, gave me 2 or 3 kisses in a sauce some spirits, altogether not more than a Gill & a half. Mrs Reade came in and I sent my wife out with her to see her home as that being my wife was half undressed coming to bed & she only put a shawl on her to go out, I fell asleep before she came back, my pants & Jacket I had taken off, exclusive from the others, I have the sole use of it. Capt Reid awakened me, I said Byrne, I said, Sir, I had no light, I know the Captain's voice) is your wife in bed, yes Sir said I, I think sure he, that she is lying drunk outside of my door, I put my hand over the child and I found she was not in the part of the bed she occupied, I said the drunken beast, if she attempts to come into my place or any one else to force her in, I will lay one of them – I don't recollect calling Captain Reid any names, I should be sorry to do so, the next thing I recollect was, the Constable collaring me and took me out of the bed, I don't know what for, I am sure I did not threaten Capt

town

Capt. Reid's life I should be very sorry. I know I was in a rage, at my wife being drunk, and injuring my character, I have been nearly 22 years in the Army, and I bear the character of being Good, Trustworthy and Sober, I have three Good conduct Badges, and a Medal, my character is signed by the Lieutenant Colonel & the Major, & they each gave me a private character, I have never been at the Police Office since I have been in the Falkland Islands nor my wife either, I was never in a Gaol or Watch house before Capt.n Reid has confined me since I have been here, twice or three times for being drunk in the Barracks & it might be quarrelling with my Wife on some of the occasions, he confined me in the cell here in the Lock up, I was imprisoned about 24 hours each time by Captain Reids orders I was never tried or taken before any Magistrate on either occasion — I earn about a Pound a week I am working all day, I am not a soldier, I was legally discharged I was in the Local Company of Prisoners at Exeter, upwards of a year I was only drilled for 12 days in the year, I was dismissed on Saturday night, & told to come & join on Monday, when the 12 days were over, I was dismissed altogether, & neither the Government or my Officer interfered with me any more during the rest of the year, I was in every other respect a free man as any other man, it is so

with

with all Pensioners, I kept a Turnpike Gate and my Captain used to come sometimes to come for small change to me to pay the Pensioners, he always knocked at my door before entering he lived about 3½ miles from me, I he never, except on the 12 days spoke about duty, Col. Sullivan told us on desk, that we were not to consider ourselves as real soldiers, we were not to be dealt with as such, as we were, when we were in our different Regiments, I have been in 3 Barracks in England & all over Ireland, none of the Pensioners in England, stop in the Barracks, - except during the 12 days drill, then if any man, lives 3 miles about 5 miles from the Barracks, but not a less distance he may if he wishes stop in Barracks till the drill is over, but he is not compelled, it is for his own convenience to save him the trouble of coming & [illegible] day I was compelled to go into the Barracks, I can't go out of the Barracks without Captain Reid's permission, and not above 3½ miles from the Settlement without Captain Reid's permission in writing, In England we may go all over the Kingdom by giving the Captain a night's notice, We have here roll-calls in the Barracks, the same as in England I have been, since I have been in the Islands under Military Law the same as in England I consider only have had no duty, Captain Reid has frequently told that we are soldiers, and that we are

Military

Military Barracks, When I was dragged out of bed, I knew I was a Civilian, I thought it was the Civil Power, because Short Stout was a Constable, I knew Captain Reid was a Military man and no authority to take me out of bed, I did not know that Short was not on duty, that night, upon the occasion that I was locked up in the Watch house, Captain Reid used to send down non commissioned Officers or word to the Constable to release me, upon one occasion, I think I was 2 nights in the Watch house & not released till the second day, I was never tried by Captain Reid either, or was heard in my defence, At this moment, Mr Bailey J.P. came up and told me, that Captain Reid wished to lay an Information against Byrne for threatening his life - I gave Mr Bailey the printed Summons, such case, Byrne had come to me from his garden in which he was working, adjacent to the back of Captain Reid's premises, I told Byrne what Mr Bailey had told me, and that in consequence I could not hear any further statement from him.

2/B.

See Enclosure 2/B in Captain Reid's letter to the Governor of 25 Feby 1851.

Copy.

Affy made before the
Stipendiary Magistrate

Names	Page
John Short	1
James Garrett	7
Mrs Byrne	9
F. H. Barry	11
John Brown	15
John Morris	21
Thomas Varney	23
Patrick Byrne	26.

Police Office
13th July 1851.

½ past 12 Mid. day
26th Feby 1851

Dear Mr Longden

I have just discovered that this is the 26th ~~instead~~ instead of 25th which I have dated my letter to you, and also that to the Governor just despatched;- will you please therefore alter the date from 25th to 26th or return them to me for that purpose, whichever you prefer.-

I remain &c
(signed) J. Reid

J. Longden Esqre
&c &c

Stanley
25th. February 1851

Sir,

In reply to your Excellency's Letter dated the 19th. Instant (received on the 21st.) transmitting a copy of the answers your Excellency had received from Mr. Montagu, Stipendiary Magistrate, to the allegations contained in my letter to you of the 11th. Instant,-

I have now the honour to return to your Excellency the same, with my answers thereto, noted on the margin.-

I cannot help here expressing my regret, that Mr. Montagu should have lendulged himself so freely by entering into personalities,- because it has compelled me to frame my answers in the same style.

I have &c.

(signed) J. Reed
Capt. & Staff Officer
Comm. Pensioners

His Excellency
Governor Remmy
&c.
Stanley

Sent to Volunteer Lagoon requesting to
return at early convenience. Received 4th
March 1851. Answer received by me
5th do do Signed G. R.

Dear Sir

English Law does not
extend to France or a French vessel
I could not adjudicate on any case.
The Captain must know this as well
as I do.

Yours faithfully
signed A. Montagu

His Excellcy
George Rennie Esqre

On board Ship Rowe. March 3rd 1851

To his Excellency the Governor of the Falkland's Islands.

Your Excellency

I Intending to take the sea in two days just supply your Excellency of grant. beg me the favour of an interview with the Magistrate of this Colony, Concerning the passengers affair, against whom, I lodged a Complaint before your Excellency.

Fearing that this gentleman's return may be long again; I beg leave of exposing you the necessity in which I find myself of going to sea, as prompt as possible; and make a call to your Excellency's good will and kindness, to make him return as soon as possible

I am

With the most respect of your Excellency
the most humble and obedient Servt

(Signed) L. J. Lallier

Bord de Henri 3 Mai 1851

A Son Excellence le Gouverneur des Iles Falkland

Excellence,

Devant prendre la mer sous deux jours, je viens humblement vous prier de vouloir bien m'assigner une audience avec monsieur le Magistrat pour terminer l'affaire des Indiens contre le quel j'eus l'honneur de vous porter plainte. Craignant que monsieur le Magistrat ne soit pas encore revenu de son voyage, je viens vous exposer la necessité dans la quelle je me trouve de reprendre promptement la mer et faire appel à votre haute Clemence pour rapprocher son retour

Veuillez Agréer
Excellence,
Mes Sentiments de haut respect
avec les quels
j'ai l'honneur D'Etre
votre très humblest Obt. Serviteur
(signé) Le Capitaine
J.J. Lallier

Le Gouverneur
des Falkland

To His Excellency
The Governor of the Falkland

Your Favour is Recd and I am happy to say it will give me much pleasure to have his Excellency call on board

I am &c. Yours

Respectfully

(signed) W. H. Smyley

Stanley. March the 5 1851

Stanley 7. March 1851

Sir,

I have the honour to hand you enclosed a Letter addressed to your Excellency dated the 5th Instant, (but which was only placed in my hands this morning,) signed by Twenty two of the Pensioners under my Command, still requesting to have a portion of the Peat bank, referred to in Mr Longden's Letter of the 14th of February, measured in with the Land they wish to have allotted to them.

I have &c

(signed) J. Reed
Capt. & Staff Officer
Comm.g Pensioners

His Excellency
Governor Rennie
&c &c
Stanley

Stanley March 5th 1851

Sir

We most respectfully beg to inform your Excellency, that we heard by your Excellency's letter of the 11th of February last read by Captain Reid, and that we do not, nor never did, wish to deprive the inhabitants of the Town, of the Turf bank, we only want a reasonable portion of it with our Land, which we hope your Excellency will be pleased to grant running South from a direct line from the wall on building at the end of Capt. house and north as far as our rear Garden walls including all waste Land to the West of our Houses, as far as the water course and South by the Magazine, as this was the Land we had chosen for our two acres, which your Excellency was pleased to mention in a former letter to Captain Reid, to extend for us, we most respectfully hope your Excellency, will be pleased to direct the Surveyor General, to measure off our two acres here, as many are lots which is the number who desires their land in this locality,

P. S.

Four men has withdrawn their names from this locality, their names are Wm. John Smith, James Brown, John Short and Thomas Vinen therefore we withdraw more to the west if it's your Excellency's pleasure

to

to allow the est end of our Land. to run in a line with the road Gading from Mr. Deans house, instead of the Wall of Cassy's as we only want a portion of Turf Bank, accord. ing to our number, to be joined to our own Land.—

Names	Witness
John Brown	
William his mark Brown	Thomas Simpson
Darby his mark Dennan	John Brown
Edward his mark Moack	John Brown
Mark his mark King	Thos. Mc Donnell
William his mark Sawer	John Brown
Patrick his mark Fleming	Thos. Mc Donnell
Matthew his mark Adderly	Thos. Mc Donnell
Thos. his mark Killale	John Brown
Patrick Byrne	
Thos. Mc Donnell	
W. Sawers	
Patrick his mark French	John Brown
Matthew Humphries	

Wm

Names	Witness
Wm. Stokes	
Thomas Simpson	
John Morris	
Thos. his X mark Dowers	John Brown
Wm his X mark Creigh	John Brown
James Hocking	
Timothy his X mark Neil	John Brown
Thos. Gilmore	

Stanley. March 17th 1851

Sir

In consequence of the frequent refusals on the part of Westlake to let the Masons have the Chimney sweeping machine without an order from Mr Longden.

I have the honour to request your Excellency will give directions that the Chimney sweeping brush may be placed where Gales can have access to it at any time without the unnecessary delay of an order from Mr Longden as I conceive it to be proper it should be handy for the safety of the public buildings of the Colony.

I have &c.

(signed)

A Sadler
Surveyor General

His Excellency
The Govr
&c &c

Stanley 28th February 1851

Sir,

In reply to Mr Longden's Letter of the 5th instant, written by desire of your Excellency, and marked "Education," transmitting for my information an Extract of a Despatch from Earl Grey to your Excellency, dated the 10th July 1850, "requesting "that I will at my early convenience inform the Governor specifically of the grounds "I have for estimating the emoluments "of a Schoolmaster at the sum I have stated "to the Secretary of War, as well as to give "the Governor such other information as "may enable him to judge how far my "proposition would affect the present incumbent of the school &c.— that the Governor may form his opinion, and report to the Secretary of State as desired by "Earl Grey."

I have the honor to state that when I wrote to the Secretary of War in December 1849 I had good grounds for stating that I thought a sum of from 75£ to 100£ per annum could be obtained towards the support of a Schoolmaster; and I am to state, that although one of the parties solicited on, at the date of that Letter, can-

not

His Excellency
Governor &c. &c.
J. Rennie

Stanley

not be expected now to contribute, as he is about to return home with his family, never
to be seen. I find that a sum nearly equal to my
expectations and wishes can still be guaranteed, as the following List will shew, so long
as the subscribers remain in the Colony.

Annual Contribution	
£15	Henry Hamblin Esq^re Colonial Surgeon
20	Rich^d Williams Esq^re Agent for M^r Layne
10	J. M^c Dean Esq^re J. P.
25	Captain Reid Staff Officer of Pensioners
Total £70	

and other subscriptions may follow. I
may next observe to y^r Excellency, what
I know to be the universal feeling of all
classes of our little community, that a Com-
petent Schoolmaster is much wanted, the pre-
sent incumbent being one of the enrolled
Pensioners of this Force (formerly a private
of Marines), a very steady good man, who
when the School became vacant was recom-
mended by me to y^r Excellency to fill the
situation provisionally till a better educated
man could be obtained; he accepted the
situation on that distinct understanding, and
his appointment was notified to me 30^th April
1856.

"His Excellency appoints him provi-
sionally to the situation of Schoolmaster and that
"he is to commence his duties on the 1^st of May."

As

As I look upon Pensioner Hocking's qualifications however to be quite unequal to carry the children any length in their education I consider the appointment of a suitable person from home to be urgently called for, - and I do not think that Hocking would consider it any hardship to be called upon to resign his place to a better educated man,

It is but right however to say that I have had no communication with him on the subject, - since I gave him my recommendation for the appointment, on the express condition -

The Gentlemen of the Settlement especially, (I need not inform your Excellency) feel the want of a properly educated man, and if the person to be selected were a married man whose wife would undertake to open a girls School & teach the higher branches of education, I feel convinced she should be liberally supported.

I can only say for myself that although my income is small I shall willingly increase my own personal subscription rather than the matter should be suffered to drop from the want of funds.

I therefore do hope your Excellency will view the proposal in a favorable light, and be pleased to give it your support, by recommending

mending to the Home Government its adoption.

I have &c.

Signed J. Reid
Capt. Staff Officer
Comm. Pensioners

P.S. Since writing the above I am authorised by Mr. Dean to say that in the event of his sending his Children to the School, he will much increase his subscription, and I am also instructed by Mr. Williams to say that he will make the Schoolmaster a present of Two Milch Cows on his arrival in the Colony.

Signed J. R.

Names of Gentlemen who are willing to contribute the sums stated opposite their respective names towards the support of a competently qualified Schoolmaster provided the same be sent out to the Colony by Her Majesty's Home Government.

Stanley 26th February 1851

Names of Contributors		Amounts of Annual Contribution		
			£	s. d.
His Excellency the Governor		Sterling		
The Rev.d J. Moody	Coll. Chaplain			
Henry Hamblin Esq.re	Coll. Surgeon		15	" "
Richd. Williams Esq.re	Agent for Mr. Lafone		20	" "
John Bull Whitington Esq.re				
J. Mc. Dean Esq.re			10	" "
James Langdon Esq.re				
Capt.n Reid	Staff Officer of Pensioners	sign.d J.R.	25	" "

Stanley 11th. April 1851

Sir,

I have the honour to transmit enclosed, a Letter, which was placed in my hands late this afternoon, by Private Wm. Sawers, One of the Enrolled Pensioners under my command, from which (coupled with his verbal statement,) it would appear, that he had this day applied to Mr. H. Hamblin the Colonial Surgeon for Medical advice and Medicine, (the Sawers being employed as a Labourer on the Govt. Works) and was refused, on the grounds that the Pensioners are Convicts, and would have to pay for what they get.

I request therefore to be favored with your Excellency's opinion and decision on this subject, and be pleased to return me the enclosure (it being the original,) in order that I may forward it to the Secretary at War.

I have &c.
(signed)
J. Reid
Capt. & Staff Officer
Comm. Pensioners

His Excellency
Govr. Denyse &c.
Stanley

(Copy)

Stanley April 11th 1851

Sir

I most respectfully beg to inform you that I was forced to leave my work through sickness between the hours of one and two o'clock this day, and that I went to Dr Hamlon and stated my complaint to him when he Dr Hamlon asked me why I did not come before I turned out to work. I told him my working was at six o'clock in the morning the Doctor then told me that neither he nor the Governor were authorised and that Mr. Montagne said ye meaning the pensioners and soldiers and that he must pay for what he got. Sir, I most respectfully beg to state that while I wear Her Majesty's uniform and carry arms for the protection and defence of the Country that I am entitled to Medical and not a Doctor paid by the Govt and most respectfully submit this for your consideration.

Sir
I am &c
(signed) Wm Sawers

A true copy
of the original
returned to Capt.
Reid (signed) J.R.L.

Stanley Falkland Islands
April 11th 1851

Sir

In reply to your Excellency's letter of the 15th Inst. I beg to state that I did not refuse Sawyer Medicine I had given him some the previous day but I did not think he required more. I supposed him for coming at the time he did instead of early in the morning.

It is not my wish at present to press the question upon your Excellency's attention of whether or not the Pensioners are entitled to gratuitous Medical aid therefore I shall continue to attend them as heretofore.—

I have &c.

signed

R. J. Hamblin
Colonial Surgeon

His Excellency
The Governor.

Stanley, 11th April 1851

Sir,

In reply to Mr Longden's Letter of the 12th Instant requesting me to state for your Excellency's information whether I have any distinct authority to draw my Staff pay and Allowances monthly or Quarterly in advance at my option the Governor having no instructions whatsoever to guide him in the practice.-

I have the honour to state in reply that I cannot allege that I have any distinct authority to do so, all I can say is that by a Letter from the War Office dated 25 July 1849 (enclosing copy of one from the Treasury dated the 21st January 1848) I am directed to apply to the Governor for whatever amount may be necessary either for my own allowances, or the pay and pensions of the men, and that in my Letter of appointment dated War Office 3rd May (of which I formerly sent to Excellency a copy) I am told that I can have an advance of three months pay & allowances if such is given to me on embarkation, this permission I availed myself of, and I continued to obtain for, and draw my own pay and allowances Quarterly in advance for three successive quarters, along with pensions of the Detachment, after my arrival in this Colony,

His Excellency
Governor Fenwick &c
Stanley

without

without any objection being made.

I certainly however departed from this method, and estimated for and drew my own pay & allowances monthly, and separate for some months, - but the present Quarter being the commencement of the financial year, I felt desirous to return to the practice I set out with, viz.ᵗ to estimate for my own pay & Allowances Quarterly in advance, in the same manner as for the Pensioners of the men, - and having named my wish to Mr. Longden before doing so, he informed me there would not in his opinion be any objection to it - consequently, not anticipating any, I estimated for and drew my own pay & allowances up to the 30th June, along with the Pensioners of the Detachment for the same period.

If however Yr Excellency is still of opinion that the practice of drawing Quarterly in advance is open to objection, I shall frame monthly Estimates for the future, at the expiration of the present Quarter.

I have &c.

(signed) J. Reid

Capt.n & Staff Officer

Comm.g Pensioners

212 7/0

Treasury Chambers
22nd January 1851

Sir,

I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit to you the enclosed Invoice and Bill of Lading of Two thousand Pounds in British Gold, shipped on board Her Majesty's Ship Amphitrite, and consigned to you, for the service of the Government at the Falkland Islands.

£2000

I am &c.
(signed) C. Trevelyan

The Governor
&c. &c. &c.
Falkland Islands

1a

Bill of Lading.

V. R.

Shipped in good order and well conditioned (all the Packages being entire and unbroken) by Sir Charles L. Trevelyan on account of Her Majesty's Ship "Amphitrite" commanded by Captain Charles Frederick now riding at Anchor in Portsmouth Harbour and bound for the Falkland Islands

2 Packages, No 1 to No 2 inclusive, containing £2000.

Two Packages of Treasure, marked and numbered as per margin, and containing, on all as per Invoice Two thousand Pounds in British Sterling Coin the same to be delivered in the like good order and condition at unto the Governor at that Station, or at such further destination as the Public Service may require; and as shall be accordingly assigned by the said Consignee, acting under due authority, to the whole or any part thereof, the Act of God, the Queens Enemies, Fire, and all and every other the dangers and accidents of the Seas, Rivers and Navigation of what nature and kind soever excepted. Freight as for one Voyage only, for the conveyance of the said Treasure, from the Port of original Shipment to the Port of ultimate delivery, to be paid by the Right Honorable the Lords Commissioners of Her Majesty's Treasury, in London.

In Witness whereof, the Commander of Her Majesty's said Ship hath affirmed to four Bills of Lading of the same tenor and date, one of which being accomplished, the other three to stand void.

Portsmouth
this 23 day of January 1851

(signed) Charles Frederick.
(signature of the Commander)

No. 29.

Ind

N.B. Here insert consignee's name and address, and the number of Packages, and the amount in words and figures, and the destination to the Public Money.

And it is hereby further stipulated and agreed between the said Charles Frederick Commanding Her Majesty's Ship aforesaid, and the Shipper and Consignor of the said Treasure, conformably with the Regulations promulgated in the Royal Proclamation, dated 12th July 1819, that in case of loss of any part thereof (save and except as before excepted) the said Charles Frederick or Officer Commanding Her Majesty's Ship as aforesaid, shall not be holden liable or responsible for more than three-fourths of the amount of such Loss as may be found to have occurred during the time the Treasure was in his custody.

Signature of the Commander (signed) Charles Frederick

Signature of the Consignor (signed) Geo. Abbott
for Sir Charles Forbes

War Office
13th. May 1850

Sir

I am pursuance of the directions contained in the 1st. Clause of the Act of the 13th Victoria the 1st. Cap: 5, commonly called the Mutiny Act, I have the honor to transmit herewith, for your Information and Guidance, a Copy printed by the Queen's Printer and signed by myself of the Articles of War, which have been made and established by Her Majesty, under the Authority of the said Act.

I have &c.

signed J. Maule

The Governor or
Lieutenant Governor of
the Falkland Islands

Stanley 26th. Feby 1851.

Sir,

In reply to your letter of this date just received, I detain the bearer of it, till I say, that I expect to have my answers to Mr. Blanchard's allegations ready in the course of the forenoon, and when they are so, they shall be instantly sent on, - but they being rather lengthy, besides being desirous to have the Depositions at the Police Office at hand for reference, a copy of which I only received yesterday, caused me to be behind the time allowed me by His Excellency, or even the extended time sought for.

I have &c.

signed J. Reid
Capt. & Staff Officer
Comm.g Troops

James Longden Esq.re
&c. &c.
Govt. Office
Stanley

Stanley 19th. April 1857

Sir

I have the honour to transmit for your Excellency's information, the original of a Memorial addressed to the Right Honble the Secretary of State, praying to be put in Possession of the Twenty Acres, now occupying the Settlement of Pomarets under my Command, and which has been in my possession for the last four days, setting forth their disappointment with the Soil and Climate of the Islands also with the Land appointed for the choice of their allotments: the insufficiency of their Houses &c and offering to resign all claim to Land, or Stock, if removed they were removed to a more genial Climate.

With respect to all which I have only to observe, that although I do not coincide with the Memorialists in the justice or propriety of all their remarks, and which I communicated to the one of their body who handed me the document, I shall nevertheless consider it my duty

His Excellency
Governor Bruce &c
Stanley

I am &c

(unless it be withdrawn) to forward the Memorial as it stands to its destination.

I request therefore your Excellency will please to return it to me, after your perusal of it, and at your convenience.

I have &c.

(signed)

J. Reid

Captain & Staff Officer
Comm.g Pensioners

(Copy)

Copy

Memorial of Enrolled Pensioners Stanley Falkland Islands April 4th 1854

Sir

We most respectfully beg to inform you of our disappointment and discontentment in this Island neither the Land or Climate is anything like what was represented to us previous to our leaving our homes for it has been totally misrepresented and we suffer now in our old days for it. we blame Her Majesty's Government has also been deceived or they would not have sent us here with seeds and agricultural Implements which are of no use for the Land consists of Bog and Rocks and the climate with high cold winds the year through often intermixed with showers of sleet and hail in Summer it is true that some vegitables can be raised on a sheltered place with great labour, but we are not allowed our Land in a sheltered place any where convenient altho we gave up such Claims to ten acres in the Country last year for two acres near home and where we have rejected those two acres is little better than the name of Land only that it lyes at the back of our houses.

Sir

Sir,

After the arrival of Capt Grey's dispatch His Excellency Governor Fitzroy was pleased to communicate his Lordship's kind wishes to us in a letter to Captain Reed, allowing us ten acres of suburban Land instead of Rural Land His Excellency the Governor was also pleased to mention in the same Letter that if we wished we might choose our ten acres of land where we had chosen to have the two acres and that he the Governor would extend it so as to include the same place and also His Excellency was pleased to come where most of us were at work and pledge his word that we should have that place which was then pointed out to His Excellency and since that a new map has been drawn out and the Land has been reserved which leaves us no choice but where the wild geese nests and which is fit for nothing else.

Sir

As we have received nothing of all we were promised not even a comfortable House to live in also the outside shells of eighteen of them are erected which only consists of one single board without flooring and which is not proof against wind or weather for the day light

turned

shines on between the Boards this has also been reported to Her Excellency but to no purpose.

Sir

As we have no prospect whatever but to work on the Government Grants while we are able which in the course of nature must soon cease as most of us are above 45 years of age and everything so very dear that our working pay which is three shillings per day together with our pension is scarcely sufficient to support us and particularly as we are sometimes short of provisions which is the case at present for the Colony is short of Flour, Tea, and Coffee and this is the second time it has been so since we came here as we have had to pay from fourpence to sixpence half penny per lb for Biscuit until relieved by provisions sold from a Merchant Ship.

Sir

As our pensions would be of very little use to support us here when past labour we most respectfully beg to state that we resign all claims to Crown Land and Stock to her Majesty's Government & will be pleased to change us from this to some genial Climate where we might do something for our families while we are able to work

and we will

ever pray

Names

Names	Witness	Remarks
John Brown	John Brown	The nine men whose names are next to these are employed as follows
William his mark Brown		1 Gaoler
Edward his mark Roach	John Brown	1 Constable
Mathe Humphreys	Thos Simpson	1 Servant to the Governor
Mark his mark Ring		1 School master and Servant to the Prison
Patrick Byrne	John Brown	1 Shoemaker
Darby his mark Drennan		3 Carpenters and 6 Owners of the Works
John Morris	Thos Simpson	
William his mark Creigh		
Thos Simpson	John Brown	
Timothy his mark O Neil		
Thos his mark Powers	Thos Simpson	
Thos Mc Dermell	John Brown	
Patrick his mark Fleming		
Wm Sawers	John Brown	
Wm his mark Power		
Wm Stokes	John Brown	
Patrick his mark French	Thos Simpson	
Thos his mark Allalin	John Brown	
Mathew his mark Adorly		

A true Copy
Signed J.K.S.

Sir

I being Appointed by the President of the United States as Consul and Commercial agent for these Islands and Coast. Will your Excellency be kind enough to inform me at what time it will be most convenient for to present to you my Credentials for Reception

I am Sir your Very Obedt. Servant.

(signed) W. H. Smyley

To His Excellency
George Rennie Esqre
Govr. and Commander in Chief
Falkland Islands
Feby 28th 1851.

Stanley 22nd. April 1851

Sir,

I am under the necessity of bringing to the notice of yr Excellency the conduct of Private Patrick Fleming of the 58th. Regt. Sergeants under my Command, in the following instances.

First. For being absent without Leave from Parade with Arms, on Sunday morning the 6th. of this month, - and on being inspected at the time, by my order, by the Serjt. Major and Serjt. Smith, found by them unable to attend Parade from the effects of drink.

Second. - For appearing at Parade with Arms on Sunday morning the 20th. of the present month, dirty, and under the effects of liquor, and therefore insubordinate.

Thirdly. - I regret also to observe, that his usual general conduct in Barracks, has all along been of the most irregular & disorderly description, - but since the middle of last month, or beginning of this, particularly bad. -

I request therefore your Excellency will

His Excellency
Governor Fennie
&c &c
Stanley.

will be pleased to enquire into the case and award such punishment as will deter him & others from pursuing such irregular courses.

I have &c.

(Signed)

J. Reid

Capt. & Staff Officer

Comm. Pensioners

Stanley 25th April 1851

Sir,

With reference to Your Excellency's letter to me dated the 4th of March last, according to my request to be allowed to have Crown Lots Nos 20. 21. 24 & 25 accorded to me, agreeably to Earl Grey's instruction, in exchange for an equivalent of my grant of Rural Land of 800 acres;- I have now the honor to request that your Excellency will sanction Crown Lots Nos 26 & 27 to be added thereto - and I have a desire to be specified, also by exchange, of that piece of Suburban Land adjoining the West line of Ward 7th of the Township & garden, situate between them and the line of Villiers Street, bounded by that Street on the West;- I believe this piece of land has not yet been measured off, but I presume the extent of it to be about one acre and a quarter, and that it will be considered, as to price, in the light of special Suburban,- at which Rate I am willing to have it.-

I have &c

signed

Capt. Staff Officer
Comm'g Pen.s

His Excellency
Gov.r Fenwick
&c
Falkland

Stanley 1st. May 1851.

Sir,

I have the honor to acknowledge the receipt of your Excellency's Letter of the 28th. Ulto., - and altho' I am a good deal disappointed at the refusal of yr. Excellency to permit me to have town lots 2 & 12, added to those I formerly chose, and which were approved of by yr. Excellency; - more especially after the distinct offer & promise made to me by yr Excellency, in your Letter of the 4th. of March last, that any other town or suburban allotments given for public selection which I might prefer, would be set aside for me, when I indicated my choice to you: -

4th. March

Nevertheless, as I should be sorry to do, or ask for, any thing which would be contrary to the wishes, either of Earl Grey or the Secretary at War, I shall not think of pressing the matter for reference to the home authorities, but will content, with the four lots, four half acres of town land, yr Excellency has already sanctioned.

And instead of asking for sixty acres of

His Excellency
Gov.r Sir Henry Fox
Stanley

of Suburban Land, which your Excellency recommends I should have, I prefer having one Section only of Suburban Land, viz.t Section No. 16, of 175 Acres situated on the bay beyond Captain Sullivans, - Containing (175) One hundred and seventy five acres, of the West portion of my Rural Land on the Ligonia, bounded by that River on the North and Eastward and this I beg to observe, if acceded to, will finally settle my Land Claim.

I have &c

Signed J. Reid
Lieut. & Staff Officer
of Pensioners

Sir

I have the honor to acknowledge your Excellency's Letter of the 1st. inst. May -

Before answering it officially I should like to have an interview with your Excellency in order to submit to you, the different ways in which I consider the very desirable object mentioned in your Letter may be effected.

My object in requesting an early interview is to prevent any necessary long correspondence and that your Excellency's views with which I entirely coincide may be immediately carried out. -

I have &c.

(Signed)

Jas. L. Moody
Coll. Chaplain
Stanley

May 2nd
1851. -

Stanley May 3rd 1851

Sir,

I have the honor to acknowledge
1. May your Excellency's letter on the subject
of regulating the prison regulations, and
calling upon me to make any sugges-
tions thereon with reference to fixing the
parliament

1st I would suggest the propriety of
adding to the Gaol, a room about 14 × 12
with a fireplace for the use of the Jail
Chaplain while reading the Prayers
and for the performance of Divine
Service on Sunday Good Friday and
Christmas day.—

2nd Until such arrangement can be
made I would suggest that the Chaplain
be authorized to be by prisoners sepa-
rately once a week, during their exer-
cising hours in such part of the Jail
yard as may be most convenient for that
purpose and that Divine Service be
performed in the Jail every Sunday Good
Friday and Christmas day at two o'clock
P. M. or such other hours as the Jail Chap-
lain may hereafter find more conve-
nient.

Occasionally it may be necessary to have a prisoner attended by a guard

J. S. M.

H. E.
The Govr

3.

3. I would also suggest that a small Library of books of good moral tendency be attached to the Jail and taken charge of by the Jailer.— The only books that I have at present adapted to such purpose are the Penny and Saturday Magazines belonging to the Society for promoting Christian knowledge. The Bibles and prayer books I consider I am authorized to supply gratuitously.—

I have &c

signed

Jas. Leith. Moody

Colonial Chaplain

Stanley 6th May 1851.

Sir,

Adverting to my letter addressed to your Excellency dated the 1st Instant, I find I committed a mistake in describing the portion of the 800 acres of land recently surveyed on the Murrell I wished to retain, as part of my grant, by reckoning West instead of East, which I really intended, - I have therefore the honor to request your Excellency will be pleased to allow me to make this correction, and to explain that the portion I wish to retain is the 175 acres of the East portion of the block of 800 acres, bounded on the North & East by the Murrell, - as I before stated.

I have &c
signed
J. Reid
Capt. & Staff Officer
of Pensioners

His Excellency
Gov. Denmie
&c &c
Stanley

British Consulate

Rio de Janeiro. May 13th 1851.

Sir,

I have the Honour to acknowledge the receipt of your Excellency's Despatch dated 8th Ulto. delivered by Captn. W.H. Smyley United States Commercial Agent at the Falkland Islands, inclosing two set of Bills on Her Majesty's Treasury amounting £ 800.0.0 to Eight Hundred pounds sterling, and requesting that after negociating the same the proceeds should be applied to the purchase of various articles in the schedule referred to.

I now inclose an account and certificate respecting the negociating of the Bills and the application of their proceeds from which your Excellency will perceive that the exchange was 28 3/8 per £, giving in Rs. 6,675 8 — Messrs Maxwell Wright & Co. were employed by Captain Smyley to make the purchases and presented their Invoice which I certified as correct in reference to prices

His Excellency
George J. Rennie Esqre
Governor and Commander in Chief
&c &c
Falkland Islands

prices and charges.

Capt^n Smyley declared that he was authorized to make other purchases by your Excellency, & that the Balance in Cash taken by him is Twenty nine Sovereigns, and also that he effected the Insurance himself, but did not declare the premium.

I have the honour to be
Your Excellency's
most obedient, and
very humble Servant
(Signed) Robert Meiklejohn
H. B. M's Consul

Stanley. Falkland Islands
27th Sept.r 1851

Sir

I beg to inform you that I am much distressed from the want of Provisions for the Crew of my Ship Lavenade, not being able to obtain what I require from the Store keepers in the place and being bound to the East of Patagonia, where there is no probability of my getting any I am compelled to apply to your Excellency for assistance and should it not be in your Excellency's power to supply my wants I beg the favour of your interference with the Captain of the Ship of War ably now lying here to relieve me from my difficulty.—

I have &c.
signed Donald Maclean Campbell

To His Excellency
Governor Fitzroy &c. &c. &c.

Sir

Stanley March 24th 1851

During your Excellency's absence from the Settlement I had occasion to send to the Government Contractor for milk (a pint he more if it could be spared) the answer returned was he could not let me have any as Mr Whitington had not sufficient for his regular Customers. Since I have asked Mr Whitington, when I was told as I was not one of his regular customers I could not be supplied.

In consequence of my little girl being deprived of her regular food so suddenly she is now and has been very unwell & I am afraid if Mr Whitington shall persists in refusing me milk I shall have to deplore the loss of my child before the winter is over. I must therefore request your Excellency will compel the Government Contractor to supply the Settlers according to his Contract.

Mr Whitington may try to justify himself by saying I got milk from Captain Sullivan & he only has sufficient for his regular customers, I can only say that I was compelled to go to Capt. Sullivan because Mr Whitington would

His Excellency
The Gov.
&c &c &c.

would not supply a single pint. Capn. Sam Sulevan actually supplied Mr Whittington himself with milk - as Capt. Sulevan was the first to establish a dairy. Mr Whittington has no excuse - neither do I believe Mr Whittington would supply the settlers indiscriminately throughout the winter. -

I have &c.

signed

A Bailey

S.C.J.

Port William the 28th. May 1851

Sir!

Our comrades have commissioned us to return your Excellency their most sincere thanks for the favour you bestowed upon us yesterday by your agreeable communications, begging us at the same time to express their regret, that they, after consideration, not find themselves induced to avail themselves of this opportunity to settle here, principally because the Ship's stay in this harbour is too short for allowing an examination of the fields

Begging your kind forgiveness for the trouble we have occasioned to you, we sign ourselves

Sir,

your most obedient humble servants

Signed Helge Morgan

(Signed) H. H. Berg

To His Excellency the Govr. of the Falkland Islands!

Some of the passengers on board the Ship Amerika Goeglet at present riding at Anchor in this port take the liberty to address themselves to Hys Excellency the Governor of the Falkland Islands requesting him to favour them with an answer to the following enquiries, viz

1. What advantages and privileges may be expected by a man who intends to settle in this place as a handicraft working man or a agriculturer?

2. Under what auspices may one acquire land here and to what extension?

3. Is their permission given him to avail himself of the best know of the produce of the soil, is it be at land or at the coasts, minerals included, which not before are possessed by any earlier Colonist?

4. Is there reason to believe that the English Government will favour the colonization of these Islands, and is there any prospect that they will gain any importance?

5.- What do the ground produce here and what are the riches you think it will yield?

Port William the 27th of May 1851

(signed) Helge Haugan

(signed) H. A. Berg

Stanley 16th June 1851

Sir,

Referring to your Excellency's Letter of the 24th of April last, being in reply to mine of the 19th of the same month, transmitting for your information a Memorial addressed to the Right Honorable the Secretary of War, from twenty of the Enrolled Pensioners under my Command, I have now the honor, to beg that a Mail is advertized for England and in compliance with the latter portion of the 13th paragraph of said Letter, to acquaint your Excellency, that having repeatedly recommended the Pensioners who signed the Memorial to withdraw it, seven of the number authorized me to take out their names, the remaining thirteen however still wish it to go forward.

I therefore under the circumstances consider, that I am called upon to transmit it home, with certain explanations.

I have &c.

(signed) J. Reed
Capt. & Staff Officer

His Excellency
Gov.r & Comp.e
Stanley

316

Stanley 11th. May 1857

Sir

I beg to inform your Excellency that I called at this Port for Beef and water during which I have had considerable trouble with my men in getting them to do their duty, which ended in my being called before a Magistrate and a fine inflicted on me for the large sum of £10. 0. 0 which if your Excellency would be pleased to look into the merits of the Case you will find that I have been very hardly dealt with Trusting your Excellency will be pleased to allow the above sum to be remitted to me

I have &c

(Signed) James Griffiths
Master of the Barque
Wm. Frederick
of Newport

P.S.

Over

Should your Excellency be pleased to remit the fine it should be pledged it could be paid to Mr Dean who will remit it to my Owner.—

I have &c

(Signed) James Griffiths.—

Stanley June 18th 1851

Sir

I beg to inform Your excellency that Captain Locke is fully authorized to transact the business of the firm which I have hitherto represented here, and that he will continue to make the necessary payments for rent of land &c held by the firm, and the per centage on the cost of the fence on Navy Point.—

I have &c

signed B. D. Sullivan

His Excellency
Govr. Bonnie
&c &c

Government House
Stanley 20th. May 1851

Sir,

In compliance with your desire, that I should report to your Excellency the number of packages of Gunpowder, which you wished me to see placed in the Powder Magazine, I beg to report that, on receiving the keys from Mr. Longden, I attended with him there, shortly after 10 o'clock yesterday morning, and from the arrangement of Others being stowed, with much care, by Purser King and Seaman of the Ensuffed. Continued until half past 4 o'clock in the afternoon, I checked with the Chief Mate of the Barque "Lake" named David Murdie, 599 Kegs said to contain Gunpowder, two being in a canvas bag, and one in another bag, their heads being loose. Was called at every ten Kegs, again at every 50, and at the conclusion on comparing notes, we exactly agreed with the above number.

2. I returned the keys of the Magazine

His Excellency
The Governor

Magazine to Mr Longden immediately after locking both doors and I gave the above account which Mr Longden notes down from my statement.-

I have &c

(signed)

Jas Edmonds
Seamd Clerk

Colonial Land & Emigration
Office
9. Park Street Westminster
5th June 1850

Sir

I am directed by the Colonial Land and Emigration Commissioners to transmit to you, herewith, a copy of their account for Emigration services for the Colony of the Falkland Islands from 1st July 1848 to 31st December 1849.

I have &c
(Signed)
J. Walcott
Secretary

The Colonial Secretary
Stanley
Falkland Islands.

H.M. Majesty's Colonial Land and Emigration Commissioners account for the Colony of the Falkland Islds from 1st Sept. 1848 to 31st December 1849.

Her Majesty's Colonial Land

of the

Date		Name	Service	Amount £	s	d
1848						
Sept 18		Agent General for Crown Colonies		4989	16	8
			Total £	4989	16	8
1849						
Jany	1		Balance in hand	99	17	8
	2	Sullivan Captn	Deposit for Land	100	"	"
	11	Rennie Govt	Remittance Land Fund	675	11	6
June	16	Exchequer Bills	Interest on	156	1	6
Sept	10	Do	Proceeds of £1000 sold	1024	7	6
Nov	2	Do	Proceeds of two £1000 Bills sold	2058	12	6
Dec	31		Balance over drawn	99	14	1
			Total £	5011	19	9

Emigration Commissioners in Acct with the Colony Falkland Islands.

Date			Name	Service	Amount £ s d
1848					
Sept 25			Investment	Purchase of Exchequer Bills £3500	3492 19 0
				Balance in hand	99 6 7
				Total	£3591 6 8
1849					
Jany	10		M Leod Wilson & Co	Passage money Sirius	120 0 0
	16		Investment	Purchase of Exchequer Bills (£1400)	1415 12 8
August	25	100	Clark & Le Gros	Med & Exp Day Victory	2 2 0
	31	110	Rutherdon &	Survey Do	5 5 0
Sept	11	150	Lachlan & Co	Pass money, 1st moiety, do,	1266 14 7
Oct	9	209	Mc Kinnon & Co	Do, Do, Australia	50 0 0
Nov	1	245	Manning King	Shares for Pensioners Victory	208 10 6
Dec	15	293	MacKinnon Hamond and Sullivan	Passage money, 2nd moiety Australia (signed) H & Co	50
				Total	£5041 4 9

(signed) Alfred Engelbach
Acct

(signed) N. Bayly
Dd

Colonial Land & Emigrn.
Office
1 Park Street Westminster
5 June 1850

Sir

I am directed by the Colonial Land and Emigration Commissioners to acknowledge the receipt of Governor Kennedy's letter of the 1st. Janry, enclosing a Bill on Her Majesty's Treasury, for one hundred and fifty pounds (£150); being the sum received by the sale and rental of Crown Lands in the Colony of Falkland Islands, since 1st. April 1850.

I have &c.
(signed) John Walpole
Asst
Secretary

The Colonial Secretary
Stanley
Falkland Islands.

Sir

Stanley 16th June 1851

I beg to inform your Excellency that I have not received from Mr Stone a definitive answer to your Excellency's letter of 13th Feby last respecting putting Cattle on West Falkland; as he thinks he may hear from England previous and trusts that the delay will not prejudice as the season when the plan would be available is over, but that he hopes to do so before the next season comes round. he also states that he does not think it would answer either the views of Government or himself to attempt the plan on so limited a scale as the one proposed.

I have &c

signed

R. A. Williams

His Excellency

Jon. Rennie

Stanley.

No. 5, Common Road,
Westminster, 4th July 1850.

Sir,

I have the honor to enclose, for the information of His Excellency the Governor, a Copy of my Account with the Government of the Falkland Islands for the quarter ended the 30th ultimo.

I have &c.
signed Jas Sulle

The Colonial Secretary, &c. &c.
Falkland Islands

5/340

The Government of the Falkland Islands in Account with George Baillie Esquire Agent General for Crown Colonies for the Quarter ending the 30th June 1850

1850	Receipts	£	s	d	1850	Payments	£	s	d
April 1st	Balance in hand 31st March	296	16	2	May 1	Paid Mr Simmons for 2 Clocks for the service of the Colony	18	0	0
					"	Messrs Mountjoy for do for do	1	19	6
					15	" Mr Beck for Tools Stores &c for do	17	"	8
					"	Messrs Chater & Son for Paints &c for do	30	19	10
					15	" Mr Manning for Iron hurdles, Lathe &c for Do	109	10	0
					21	" Messrs Edgington for Hogs Tent Augs &c for do	15	8	6
					June 29	" Postages 6 mo to 30 June	1	6	9
							£290	4	6
						Balance in hand 30 June	6	11	8
		£296	16	2			£296	16	2

Signed G Baillie
1st July 1850.

Income Tax

Survey Office Stanley
17th June 1851

Sir

I have the honor to report to your Excellency that in conformity with your instructions I have had the whole of the roofs of the Pensioners Cottages inspected and repaired, where leakage occurred in consequence of the shrinking of the planking from the drying winds of last summer, and they are now watertight, and as well secured as the nature of the construction is capable of.-

I have &c.
Signed
W. H. Rennie

To His Excellency
Governor Rennie

Stanley 20 June 1851.-

Sir,

I had the honor, yesterday only, to receive your Excellency's Letter of the 16th Instant, (being an answer to mine of the same date, having reference to the Pensioners' Removal by the ... Speed (last,) and I cannot help taking exception to the last sentence of the 1st paragraph of it, viz: "that I had been of them "still persist in requesting you to forward "them misstatements and confounded alle- "gations," - If this is given as a "quotation" from my Letter, which it seems to denote, I deny the correctness of it, and I also object to a following use of the same, in another observation, contained in the second paragraph at the end of the 3rd page of Yr Excellency's Letter, and I would further say "that in my opinion "it does not seem to me to be an impera- "tive duty on my part to forward complaints "which you know to be confounded." No part of my said Letter will bear such a construction to be put upon it. -

I have &c.

(signed)

J. Reid

Capt. & Staff Officer

of Pensioners

His Excellency

Governor Clennie

&c

Stanley

Stanley 30. June 1851

Sir,

With reference to a Letter from Mr Penny dated the 26th Instant, acquainting me that "in compliance with the instructions of your Excellency he had laid out approximately for the Pensioners, the most eligible available Land," &c. &c.

I have the honor to acquaint you, that having yesterday on parade, read the letter above mentioned of the 26th Inst. to your Genl, to the Sergeants under my command, in which he fully described the Land, as laid out by him, when for their selection, I called upon them individually to declare their Choice, and the result was as follows,

Corpl. J. Brown — The 14 men named in the margin, (upon my reading over their names) stated they
Pte. Wm. Iddeles — made no choice, - and upon my asking them
" Patk Boyne — to assign a reason for not doing so, they
" Wm Cheng — alleged "they would not have the land
" Patk Fleming — as they cannot cultivate it, & therefore it is
" Patk French — "of no use to them."
" M. Humphreys
" Thos Killilea
" Thos. M.c Donnell
" Wm Fraser
" Mark Purna
" Wm Brandon
" + Edward Roach
14 men

+ (who was in the lock up) but adhered.

Sergeant

His Excellency
Governor Denny
&c. &c.
Stanley

No 5 allotment up the harbour

Sergeant Major Felton
Pte Robt Gillespie & Wm M. Murray
Choose No 5 Suburban allotment of 25 acres up the harbour, to be extended to 30 acres as Mr Rennie in his letter proposes, by adding 5 Acres of back land.

Sergeant Smith
" Morris
Corpl Thos Gilmore
Pte James Power
" Thos Dower
" Jas Rochford
" Terence O'Neil
" John Short
" Wm Sawers
& Mrs Hay
Widow of the
late Pensioner
Jas Ready

No 7 allotment up the harbour.

Sergeant Smith and the 8 men named in the margin opposite, choose their land extending Eastward from the Westernmost projection behind the Magazine; and Mrs Hay the widow of the late Pensioner James Ready, expresses a desire to have her land with this party.

Brooks Simpson, Stokes & Varney with No 7 allotment up the harbour, the 25 acres to be extended to 30 acres as is proposed to be done in the case of the party choosing No 5.

I have now therefore only to request your Excellency will please cause this decision the men have come to, to be communicated to Mr Rennie the Acting Surveyor General, in order that he may have the land surveyed & apportioned.

I have &c
signed
J. Reid
Capt Staff Officer
Comm Pensioners.

3.31

Stanley
Monday Morng 7 July 1851.

Sir,

With reference to the 2nd Paragraph of your Excellency's letter dated the 4th inst. intimating to me your intention to relieve all the Convicts employed on Government Works for one week, commencing this day, in order to their being employed under my superintendence, in performing the necessary labour on their garden ground, preparatory to planting & sowing in the coming Spring, &c.

It is almost unnecessary to acquaint your Excellency that the fall of snow, which at this moment lays some inches deep on the ground, coupled with inclement weather, renders it impossible for me to carry your Excellency's wishes into effect till a thaw takes place; and I should also wish to be informed if your Excellency views this labour on the part of the Pensioners as compulsory, and in the event of absence if I have the power to enforce their attendance?

I have &c.
(signed) J. Reed.
Capt. R. Staff Officer
Comm. Pensioners

His Excellency
Gov. Fenwick
Stanley