North Australia, 1846-7.

BY F. W. S. CUMBRAE-STEWART, B.A., B.C.L.

(Read at a Meeting of the Historical Society of Queensland, on 13th June, 1918).

In the year 1846 the most northerly settlements in New South Wales were the small group which had grown out of the penal establishment at Moreton Bay, founded in 1824. They comprised the original settlement on the north bank of the river, South Brisbane, whence the road ran to the out-stations, Ipswich, the chief of these, then better known as "The Limestone," and lastly Kangaroo Point.* The "settlement," as North Brisbane was then known, contained the government buildings. South Brisbane was the shipping quarter. All round was primeval forest, but a good deal of the alluvial flat at South Brisbane, and at the end of Kangaroo Point, had been cleared.

The Government or Queen's Wharf was on the north bank in front of the commissariat store which still stands, except the windmill, the only surviving building of the old regime. The Hunter River S.N. Coy.'s wharf was on the south side, where the agent, Mr. William Connolly, lived and managed the business of the company and the two steamers, the Tamar and the Sovereign. These steamers, and an occasional coasting vessel, were the only means of communication with the outside world, except by the long and dangerous overland journey to New England and the Hunter.

* In the County of Stanley there were 1599 white people, and in the Commissioner's district beyond location, there were in Moreton Bay, 268, and in Darling Downs 658.

In North Brisbane there were 614 inhabitants and 113 houses, with 1 clergyman, 4 lawyers, 5 medical men, and 17 "other educated persons."

In South Brisbane there were 346 inhabitants and 84 houses, with 2 lawyers, and five other educated persons.

Ipswich had a population of 103 and 28 houses. There was one doctor (Dorsey).

See Census returns, 2nd March, 1846, in N.S.W. Govt. Gazette, 4th November, 1846.
The seat of government was at Sydney. Responsible government was still far off, though elected members were sent to the Legislature in the capital; the county of Stanley formed part of a constituency* which returned one member, Alexander MacLeay, the first Speaker of a Legislative body south of the line. He died in May, 1846. There was then no government resident at Moreton Bay. Capt. Wickham was the Police Magistrate,† and Mr. G. M. Slade held the combined office of Clerk of Petty Sessions and Post Master.

The settlements were protected by a detachment of the 99th, under Lieut. Blamire, who afterwards commanded that regiment. The Commissariat was in charge of Assistant Commissary-General John Kent.‡

In ecclesiastical matters the settlements were within the Diocese of Australia. The Bishop (Broughton) lived in Sydney and the clergyman at Moreton Bay was the Rev. John Gregor**. The church was the old lumber store††, the site of which is now occupied by the lane behind West's Pictures, the property of the Cathedral Chapter.

Trade and industry were of very small dimensions, and practically everything depended on the flocks and herds of the Crown licensees who had taken up stations in the Moreton Bay and Darling Down Districts. John Camp-

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* For list of electors in 1846, see Moreton Bay Courier, Sept. 19th, 1846.

† The Govt. Gazette of 1st May, 1846, contains a proclamation dated 30th April, 1846, extending the provisions of the Town Police Act (2 Vict., No. 2., 10th August, 1838) to Brisbane, and also the appointment of Capt. Wickham to be Police Magistrate for the Town of Brisbane under that Act.

‡ Assistant Commissary John Kent had been for many years in charge of the Commissariat Department at Moreton Bay. In consequence of the breaking up of the Government establishment, he left in June, 1848. Moreton Bay Courier, 1st July, 1848. In November, 1848, Lieut. Cameron was sent to Brisbane as Deputy Assistant Commissary-General, with two sergeants, three corporals and 30 rank and file of the 11th Regiment and took possession of the Barracks. “It is hoped,” said the Courier (18th Nov., 1848), “that we shall not again be left without similar protection.”

Al about the same time Sergeant Jones, who for many years had been Barrack Sergeant in Brisbane, left for Wellington, New Zealand, being succeeded by Sergeant W. Little, 80th Regiment. (Courier, 18th Dec., 1848). Mr. John Kent subsequently returned to Moreton Bay. On the January, 1861, he was appointed Police Magistrate at Maryborough.

** A native of Bamff, in Scotland. Entered King’s College, Aberdeen, in 1827, and graduated M.A. in 1831. Ordained priest at St. James’, Sydney, 18th December, 1842. Licensed to Moreton Bay and appointed to reside at Brisbane, 1st Jan., 1843.

†† Licensed by the Bishop as a Temporary Chapel, 19th Dec., 1843.
bell's boiling-down establishment at Kangaroo Point was
in full operation,* and provided occupation for a number
of men.

The stockholders were as yet mere occupiers under a
yearly agreement. The regulations under which they took
up and held their stations were administered by Dr.
Simpson,† at Woogaroo, as Crown Lands Commissioner for
Moreton Bay, and by Mr. Christopher Rolleston, at
Cambooya, as the Commissioner for Darling Downs.

In 1846 there were 37 runs in Moreton Bay and 45
in Darling Downs,‡ and already stock had crossed the
Main Range to the head waters of the Burnett, as yet
unnamed. But beyond the furthest out-stations to the
north and west lay a vast unoccupied and practically
unknown country.

When Leichhardt, on 29th March, 1846, and Sir Thomas
Mitchell, in January, 1847, returned to Sydney, they were
able to give some account of what lay beyond.

The river trade between Brisbane and Ipswich was
begun in 1846, when Mr. James Canning Pearce,** formerly
of Helidon Station, the "Hotspur of the North," of William
Wilkes'†† mock heroic poem, "The Raid of the Aborigines,"
purchased the Experiment‡‡ in Sydney, and on 17th June,
1846, sent her on her first run up the Brisbane and Bremer.

In 1846 Brisbane became a port of entry,*† with
its own custom house.

* See his advertisement, dated 25th May, 1846, in first and following
issues of the Courier.
† Died in London on 11th March, 1869.
‡ For list of runs and runholders for year ending 30th June, 1847,
see N.S.W. Govt. Gazette of 18th May, 1847.
** Mr. Pearce was a Worcestershire man. He died at his house in
Edward Street, Brisbane, on December 12th, 1861, aged 57. See leading
article in Courier, 12th December, 1861.
†† Son-in-law of Mr. William Connolly, afterwards Editor of the
Courier. He subsequently went to Sydney and contributed "News and
Notes," by a Sydney man, which appeared in the Courier regularly in the
early sixties. He was editor of the Sydney Empire, nd died in Sydney
on May 10th, 1873.
‡‡ For the Experiment's history see Portus—early Australian steamers,
A.H.S. Journal, vol. 20, p. 188.
*† The Act to provide for the general regulation of the Customs
in New South Wales (9 Vict., No. 15, 7th November, 1845), defined the
limits of the Port of Newcastle as extending from Bungaree Norah to Wide
Bay. On 12th May, 1846, William Augustine Duncan was gazetted sub-
collector at Moreton Bay, and William Thornton, senior landing waiter
there. By the Act, 13 Vict., No. 9 (20th July, 1849), Brisbane became a
warehousing port.
On Saturday, 20th June, the first issue of the Moreton Bay Courier was published by the proprietor, Arthur Sydney Lyon,* at the General Printing Office, Albert Street, North Brisbane, in the colony of New South Wales.

Success had attended the stock-holders in spite of the terrible drought of 1841-2, and the consequent financial crisis. The country had proved to be suited for sheep and cattle, and stock, especially sheep, had multiplied exceedingly. But there was one great and growing drawback, the want of labour. Not only was labour necessary if new country was to be taken up, but the country then occupied could not be held unless shepherds, stockmen and other labourers were to be had. In those days there was no immigration to Moreton Bay from overseas, and all labourers had to be drawn from the southern portions of the colony. But there the position was almost as acute as in Moreton Bay. It had been brought about by a series of circumstances which played a very important part in the development of Australia, and were the object of very keen controversy for many years. Their importance must be my excuse for going back into the dim past.

In the closing years of the reign of Queen Elizabeth there took place two events which had far reaching effects. One of these was the granting of the first Charter of the East India Coy., from which company sprang the Indian Empire now ruled over by Queen Elizabeth's successor; the other was the passing of an act† for the punishment of rogues, vagabonds, and sturdy beggars, by banishing them to parts beyond the seas under pain of death if they returned. This was the germ of the system of transportation which provided the labour necessary for the successful plantation of the American colonies in the 17th century, and the Australian colonies two hundred years later.

At first regulated by orders in council, the system was developed in America to such an extent that by the middle of the 17th century the word "transportation" had acquired the restricted meaning of transportation for punishment, and with this meaning it first appears in an act of Charles II.

The demands of the American colonies for population led to the regulation of the system by Parliament. In the

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* A. S. Lyon died at Cleveland on 22nd October, 1861, aged 44. He was the Father of the Queensland Press. See leading article in Courier of 26th October, 1861.

† 39 Eliz., C. 4.
year 1717 an act* was passed which recited that many offenders to whom the Royal mercy had been extended upon condition of transporting themselves, had often neglected to perform the said condition, but returned to their former wickedness and had at last, for new crimes, been brought to a shameful and ignominious end, and that in many of His Majesty's colonies and plantations in America there was great want of servants. It was enacted that persons convicted of offences within clergy (that is for which their ability to read a verse of scripture prevented the infliction of the death penalty), were to be liable for seven years' transportation, and that persons reprieved from execution for graver crimes, were to serve fourteen years or longer. These persons were to be handed over to contractors for their transportation, who were to have a right of property in their labour. This right the contractor disposed of to the tobacco and cotton growers of the place of transportation, who were thus assured of a supply of labour. This system was in force for over half a century and it laid the foundation of the material prosperity of the American colonies. The greater part of the criminals of Great Britain were sent to America, and it was not till 1776 that an act of Parliament empowered the King and Council to declare and appoint to what other places, part or parts beyond the sea, either within or without His Majesty's dominions, felons or other offenders might be conveyed or transported.

On 25th July, 1766, the famous General Charles O'Hara†, the "Old Cock of the Rock," was appointed commandant at Goree Senegal, and Lieutenant-Colonel Commandant of the African Corps, formed at that time of military delinquents, pardoned on condition of their accepting life service in Africa. In 1775 convicts were transported thither, but the attempt to introduce the system to West Africa failed. Of the 746 convicts sent out in 1775-6, 334 died, 271 deserted, and no account could be given of the remainder. General O'Hara gave it as his opinion that British convicts could not for any time exist in that climate.

It is often forgotten that the transportation system had been in force in America for nearly two centuries before it was applied to Australia, and it is not generally known that the end of the system, as far as America was concerned, was brought about by Parliament in 1776,‡ when it was

† Dictionary of National Biography.
‡ 16, Geo. III, C. 43.
declared that transportation to His Majesty's colonies was bound to be attended by various inconveniences, particularly by depriving the Kingdom of many subjects whose labour might be useful to the community. It was accordingly enacted that convicts sentenced to transportation might be employed at hard labour at home. Male offenders were to be kept at hard labour in raising sand, soil and gravel from the Thames.

In 1777 a committee of the House of Commons was appointed to consider the several returns relative to gaols, and reported that the plan of establishing a colony or colonies in some distant part of the globe and in new discovered countries where the climate is healthy and where the means of support are attainable is equally agreeable to the dictates of humanity and sound policy, and might prove in the result advantageous to navigation and commerce. The committee further reported that in their opinion it would be of public utility if the laws which now direct and authorize the transportation of certain convicts to North America, were made to authorize the same to any part of the globe. This was done in 1779, and by the same Act* an attempt was made to establish Penitentiary Houses in the United Kingdom, and to turn to account the many idle hands which found their owners a living by crime. But the transportation system was not abolished for nearly a hundred years afterwards.

Some years elapsed before any decisive step was taken on these lines. Objections were raised to the first suggestion made in 1783, of Australia as a field for colonization. In 1784 Lord Howe gave an opinion wholly unfavourable to the proposal. But the over-crowded state of the gaols in England by 1786 was causing the greatest danger to be apprehended, not only from the escape of prisoners, but from the infectious disorders which were expected to break out among them.

The *Nautilus*, sloop, was sent out to explore the southern coast of Africa, in order to find on eligible situation for the reception of the convicts. But the coast examined between the latitudes 15° 50' and 33° south, were found to be sandy and barren, and from other causes unfit for settlement, and so eventually Botany Bay was fixed as the spot to which the convicts under sentence of transportation should be sent.* The authority of Par-

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* 19, Geo. III, C. 74.
liament was given to this arrangement by the Act: 27 Geo. III., c.2.*

The settlements in New Holland were not established with any view to territorial or commercial advantages, but merely as receptacles for offenders in which crimes might be expiated at a distance from home, by punishment sufficiently severe to deter others from the commission of crimes, and so regulated as to operate the reform of the persons by whom they have been committed.

Their growth as colonies was a secondary consideration, and the leading duty of those to whom their administration was entrusted was to keep up such a system of just discipline as might render transportation an object of serious apprehension. But within 30 years of the first formation of the settlement, the condition of affairs had so greatly altered that it was noticed that numerous applications were made by those sentenced to imprisonment for minor transgressions, that they might be allowed to participate in the punishment to which the greatest offenders were condemned.

As a consequence of this, in the year 1819, Mr. J. T. Bigge, who had previously been Chief Justice of Trinidad, an uncle of Frederick and Francis Bigge, of Mount Brisbane, was sent out with instructions to report as to what alterations of the existing system of the colony could render it available to the purpose of its original institution and adequate for its more extended application. He was instructed to bear in mind that transportation was intended as a severe punishment, and as such must be rendered an object of real terror to all classes of the community. Mr. Bigge arrived in Sydney on 26th September, 1819, and after completing his investigations, left in H.M. store-ship Dromedary, on the 8th February, 1821. The part of his report dealing with transportation is dated 6th May, 1822. It was ordered by the House of Commons to be printed on 19th June, 1822†

The substance of Mr. Bigge's recommendations was communicated to Sir. Thomas Brisbane in two despatches, dated 9th and 22nd September, 1822. In the latter of these,‡ the necessity of creating a dread of transportation is very strongly emphasised, and Sir Thomas Brisbane was

* See also the orders in Council of 6th December, 1786, Hist. i e., N.S.W., Vol. 1., Pt. II., p. 30.
instructed immediately on the receipt of the despatch, to send Mr. Oxley, the Surveyor-General, to Port Bowen, Port Curtis, and Moreton Bay, to examine and report fully upon the capacity of each for the purposes of Convict Settlement. The final choice of the place of settlement was left to Sir Thomas Brisbane.

Oxley sailed from Sydney in H.M. cutter Mermaid, on 23rd October, 1823, to carry out those instructions, and his report is dated 10th January, 1824.*

As is well known, Oxley’s opinion was in favour of Moreton Bay, though it is not so well known that he considered that the proper spot for a permanent settlement was “on the west side of the river, at the termination of Sea Reach.” A reference to his map shows that this is where Newstead now stands.

Bearing in mind the fact that what was wanted was a site for a penal settlement for the worse class of offenders, it is not surprising that Lord Bathurst should have observed that Moreton Bay, by reason of its fitness for general colonization, no longer appeared to His Majesty to be calculated to fulfil the objects in view.†

Oxley was obliged to defer his examination of Port Bowen to a more favourable season. Port Curtis, which, in his opinion, did not afford a site in any degree eligible for the site of a settlement, was first discovered by Capt. Flinders on August 5th, 1802, when in the Investigator, with the Lady Nelson in company. It was named after Sir Roger Curtis, at that time Commander-in-Chief at the Cape; Gatcombe Head was named after Gatcombe House, near Portsmouth, the heiress to which Curtis had married. Mt. Larcom, wrongly spelt “Larcombe” nowadays, was called after Capt. Larcom, of the Navy. Flinders remained in Port Curtis for four days, but failed to find either the Boyne River or the Fitzroy, though he passed up the Narrows to Keppel Bay. It was not until 1853 that the Archers discovered the Fitzroy and followed its course down until they came to tidal water.

As Flinders had described the islands forming the N.E. side of Port Curtis, Oxley commenced his examination of the country on the south-west side or mainland from the North Head of Bustard Bay to Mt. Larcom; in this he was occupied sixteen days. In his report he says Port Curtis

is a very difficult Harbour for shipping to enter, numerous land shoals extend off from the mainland nearly to Facing Island. These shoals are not distinguishable until nearly low water, the rapidity of the tide causing the water to assume the same turbid appearance in the deep channels as on the banks. The best and most marked channel for large ships is the one close to Facing Island, which must not be approached nearer than 5 fathoms; from that depth the water shoals suddenly to the bank or reef which surrounds the island, and which does not show itself except at low water. When Gatcombe Head, on Facing Island, bears N. the channel widens considerably and ships may anchor in security under the guidance of the lead. A south­east wind and ebb tide causes a considerable sea, and there being no covers in which small vessels may lay out of the set of the tides, it cannot be considered as a good harbour for vessels of small burden.

The coast of the mainland is covered with mangroves, intruding in some places more than half a mile back, and the shore at low water is rendered almost inaccessible by extensive mud flats. South Shore Head is the only point on the main where a good landing could be effected at any time of tide.

The country between South Trees Point and Mt. Lar­com is broken into low stony ridges. In the valley the soil is a poor sand, and in a space of eight miles by four, he did not see 200 acres of even tolerable ground.

With the exception of two rivulets running into the sea through the mangroves, he saw no fresh water, and was satisfied that no other water existed except ponds in the rainy season.

The timber was found to consist entirely of a diminutive species of eucalyptus, fit only for firewood.

Southward, from Gatecombe Head on the mainland, he discovered a rapid mountain stream which he called the Boyne. The entrance was nearly blocked up by sand banks, but at high water there might be 10 to 12 feet of water in. He ascended the Boyne for 12 to 14 miles, and found much rich alluvial land, but all the flats bore marks of being deeply flooded.

Facing Island was scantily provided with good water when examined in November; it is described as being generally unfertile and destitute of useful timber and apparently incapable of affording subsistence to half a dozen families.

"In short," says the report, "it did not appear to me that the country, taking it in its extended sense, could either
afford subsistence to or supply the means of profitable labour for a large establishment or even for one on the smallest scale."

Although the principal object of Mr. Bigge's inquiry was connected with the administration of the settlements as fit receptacles for convicts, the Home Government did not lose sight of the fact that with the growth of the free population, the advancement of the settlements as colonies of the British Empire was only a question of time. Accordingly Mr. Bigge was instructed by Lord Bathurst that he must always bear in mind the possibility of the abandonment of the then system of transportation as far as regarded the existing settlements, and he was asked to distinguish in his recommendations those which he considered applicable to the settlement in their actual state, and those applicable to that in which they would be placed in the event of the convict part of the population being thenceforth diverted to other stations.*

This is, I believe, the earliest official intimation of impending change in the status of the Australian colonies. The change did not come about immediately. But with the increase in wealth and population which took place in the third and fourth decades of the last century, the change was inevitable.

In 1834 there were some 21,000 free immigrants as against 15 to 16,000 emancipists, and in the following year Mr. Justice Burton, in charging a jury in a case of robbery by domestic servants, drew attention to the menace to the free settlers of a system which gave a steady supply of reinforcements to the enemies of society.

In 1837 the House of Commons appointed a Select Committee, under the chairmanship of Sir William Molesworth, to inquire into the system of transportation, its efficiency as a punishment, its influence on the moral state of society in the penal colonies, and how far it was susceptible of improvement.

The evidence taken by this committee concerned two very different things, transportation and penal servitude. In connection with the latter, the evidence showed grave abuses at Norfolk Island, Port Arthur, and other penal stations. The report of the Select Committee was presented late in the Session of 1838.† It contains a recommendation against the continuance of the transportation

system, not because of the abuses in connection with the penal servitude system, but because transportation sinned against the first and acknowledged principles of penal legislation in that there was no certainty of punishment.

The person disposed to commit a crime hopes that he will escape detection, that if detected he will escape conviction, that if convicted he will be pardoned, if transported that he will be sent to New South Wales, and if sent to New South Wales that he will be as well off as are some of his acquaintances, and make a fortune.

The committee did not overlook the economical effect of the system, or the contention that the pecuniary interests of the colonies required its continuance. It was frankly admitted that no facts could be better established by the evidence before the committee than that the extraordinary wealth of these colonies was occasioned by the regular and increasing supply of convict labourers, and that though the committee could not consent to weigh the economical advantages of transportation against its moral evils, the economic position deserved the most serious consideration. After considering the sources from which labour could be obtained, the committee pronounced emphatically in favour of free emigration and rejoiced to find that the Government had taken active steps to encourage it.

Sir William Molesworth moved on the 5th May, 1840* that the punishment of transportation should be abolished, and the penitentiary system of punishment be adopted in its place as soon as possible. But Lord John Russell moved the previous question. So little interest was excited that both Sir William and Lord John spoke to empty benches.

Something, however, had to be done, and accordingly an order in council was issued prohibiting the sending of convicts to New South Wales. The result of this was the breaking up of the penal establishment at Norfolk Island, and the diversion of the stream of transported felons to Van Dieman's Land. As might have been expected, the ruin of Van Dieman's Land was threatened and a very serious position was created in New South Wales.

Into Van Dieman's Land convicts were poured at the rate of five thousand a year. Work could not be found for them, nor for the people already there. The inauguration of a Probation System, under which the prisoners were scattered all over the island, increased the evil and added to it a grave danger to well disposed settlers. The

financial crisis of 1843 made matters still worse. The Colonial Office having made about as bad a mess of the matter as was possible, tried to shift the blame on to the Governor, Sir John Eardley Wilmot, and succeeded in breaking his heart.

Some other expedient had to be found. The project of founding a new colony in Australia had been discussed before transportation had been discontinued, and in 1838 Sir Richard Bourke, Governor of New South Wales, in a despatch to Lord John Russell, recommended as a counter proposal to the recommendation of Sir William Molesworth's committee, that a new colony should be founded on the northern coast of New Holland, under management improved by the experience derived from New South Wales and Van Dieman's Land.

This project was revived in 1845. Lord Stanley, writing to Sir John Eardley Wilmot in September of that year, dealt with the necessity of finding a certain and regular means of livelihood for the liberated convicts who threw themselves on the Government for support, and stated that it was proposed to establish a new colony to which would be conveyed all such liberated convicts as might solicit support from State funds.

It was thought that the certainty of being able to obtain the labour of those men would induce persons with capital to settle in the colony, but even if this were not so, it was thought that the freed men might, with a little assistance from Government, be able to maintain themselves by the cultivation of land allotted to them for the purpose. Objections in respect of climate, practicability and expense were discussed, and also a far more important question, where were the women portion of the new community to come from? It was thought that many of the men were already married, and for those who were not, brides might be found among the female prisoners, and that any deficiency might be made up by female emigration.

The Home Secretary, Sir James Graham, entirely approved of the plan, and Lord Stanley, on 21st November, 1845, laid it before the Treasury, intimating that the persons to be sent to the new colony were pardoned convicts from Van Dieman's Land, and persons who were being sent out from Great Britain as "exiles," that is, with pardons operating from their landing in Australia, and that both these classes might reasonably be expected to seize the opportunity of becoming settlers in a new country with all the possibilities of attaining a competence by a few years' diligent toil.
The Treasury did not reply until 2nd February, 1846, by which time Mr. Gladstone had succeeded Lord Stanley as Secretary of State for the Colonies. The reply was, on the whole, favourable, as long as the strictest economy was observed in regard to expenditure. Accordingly the plan was carried into execution. It was necessary to act quickly for the condition of affairs in Van Dieman's Land was very serious.

On April 30th, 1846, Mr. Gladstone wrote a despatch to Sir John Eardley Wilmot, complaining that though he had under his charge many thousand convicts formed into probation parties or living together at Government depots, he had never examined into the inner world of their mental, moral, or spiritual state, and informing him that he was dismissed from his governorship because, as Mr. Gladstone's critics put it, he was not in the habit of writing cant. At the same time Mr. Gladstone sent him a private communication in which certain anonymous slanders were put forward as additional reason for his dismissal. This caused the death of the unfortunate Governor.

Having disposed of the Governor of Van Dieman's Land as effectively as if he had shot him from behind, Mr. Gladstone proceeded to found the new colony and to appoint its governor.

In May, 1846, Letters Patent were issued erecting into a separate colony, to be called North Australia, such of the territories comprised within the colony of New South Wales as lay to the northward of the 26th degree of south latitude, that is to say, a few miles north of Gympie. The Governor of New South Wales, Sir Charles Fitzroy, was the first Governor, but the actual administrator of the Government was the Superintendent.

In a despatch addressed to Sir Charles Fitzroy, dated 7th May, 1846, Mr. Gladstone laid down the principle on which Northern Australia was to be governed. It was to be a distinct colony, though the control which otherwise the Secretary for the Colonies would exercise, had been delegated to the Governor of New South Wales, who was to guide the Superintendent by instructions, and might at any time visit the colony and assume in person the temporary administration. The law prevailing in New South Wales was to be in force and the officials were to be paid on an inexpensive scale. The Superintendent and the judicial officer, who was designated "Chairman of Quarter Sessions," were appointed by the Colonial Office. All other appointments were left to the Superintendent.
The principles to be observed in regard to the Crown lands of North Australia were laid down in a second despatch, dated 8th May; and on that day the London Gazette contained the notification that the Queen had been pleased to appoint George Barney, Esqre., Lieut.-Colonel in the Corps of Royal Engineers, to be Lieut.-Governor of North Australia, and to administer the Government of that colony under the style and title of Superintendent thereof. Mr. William Whaley Billyard was, at the same time, gazetted as Chairman of Quarter Sessions of North Australia, with power to act both as Civil and Criminal Judge.

There appears to have been some difficulty with regard to Col. Barney's appointment, as his acceptance of it was thought to be an obstacle to the sale of his commission. This, however, was overcome, and the arrangements for sending out the convicts was proceeded with.*

Governor Sir Charles Fitzroy had been appointed to succeed Sir Charles Gipps, and, before leaving England, he had an interview with Mr. Gladstone, at which the questions arising out of the proposal to re-commence transportation to New South Wales, on a modified scale, were discussed. Sir Charles Fitzroy came out in H.M.S. Carysfort and arrived in Sydney on 2nd August, 1846, but before he arrived Mr. Gladstone had ceased to be at the Colonial Office, and on 3rd July, 1846, his successor, Lord Gray, entered into office. The published correspondence with regard to North Australia had come out before Sir Charles Fitzroy, and the Moreton Bay Courier of 1st August, 1846, devoted two of its columns to the new colony.

In these, some information was given regarding the area to be colonized. It was to include all the country north of the 26th parallel, and the western boundary, though not fixed, was presumed to be the 140th meridian at the lowest part of the Gulf of Carpentaria.

Halifax Bay, as being the most central part, was thought to appear to be the most likely place for the capital.

The operation of the Land Laws was to be suspended, and the first three years' expenses were to be defrayed by the Home Government out of the funds appropriated for convict services.

It was proposed to spend £10,000 on the erection of such public works as might be approved by Governor

Fitzroy, and after the first three years the resources of the colony were expected to be sufficient to pay for the expenses.

The *Courier* also gives a list of the officials and their salaries, as follows:

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<tr>
<th>Official</th>
<th>Salary</th>
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<tbody>
<tr>
<td>Superintendent</td>
<td>£800</td>
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<tr>
<td>First Clerk or Acting Col. Sec.</td>
<td>300</td>
</tr>
<tr>
<td>Second Clerk</td>
<td>200</td>
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<tr>
<td>Chairman of Quarter Sessions</td>
<td>300</td>
</tr>
<tr>
<td>Clerk of the Peace</td>
<td>200</td>
</tr>
<tr>
<td>Sheriff</td>
<td>100</td>
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<tr>
<td>Chaplain</td>
<td>250</td>
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<tr>
<td>Land Surveyor</td>
<td>300</td>
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<tr>
<td>Three Magistrates</td>
<td>100</td>
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</tbody>
</table>

With regard to the future inhabitants of North Australia, the *Courier* said:

"All the liberated convicts in Van Dieman's Land who may throw themselves for support on the Government of that Colony, and, in future, all the exiles from the mother country, are to be sent to this settlement on their arrival, land will be assigned to them to be cultivated, and it is expected that with little comparative aid from the Government, they will be able to maintain themselves.

"To obviate the objection that North Australia will be composed of males only, a portion, if not the whole, of the female convicts will be sent there direct from England, and also all the female convicts from Van Dieman's Land, who may be unable to obtain employment. Married men, who have regained their freedom, will have their wives and children sent out to them.

"Such is the condition under which the proposed colony is to be established. It is avowedly an experiment and one which must end in complete failure unless the plan be greatly modified.

"The principle of the scheme is humane, but the details have not been well considered, for we do not believe that the persons to be benefitted by it, unless they have previously followed agricultural pursuits, will ever be readily disposed to handle either the spade or the plough. We opine, a short time will suffice to prove to the Government its impracticability. There will be great cry but little wool.' It is quite a mistake to imagine that the same result will not follow from the organisation of large numbers of vicious persons as have followed before."

As against all this, the *Courier* quotes the despatch from the Treasury, in which the necessity of affording relief to Van Dieman's Land is said to be so urgent that there was no justification in refusing acquiescence to the
formation of the proposed new colony, and recommended it to the reflection of its readers.

The following Saturday the *Courier* devoted its leading columns to a consideration of improvements in penal science, based on a perusal of the voluminous correspondence relative to North Australia. It may be noted that an opinion was expressed that the Probation System, which had met with much criticism, would have worked well but for the commercial crisis through which all the Australian colonies had then just passed.

This issue also contained confirmation of Col. Barney’s appointment, and added “The salary laid before Parliament was £800, but letters say it is to be £1,500.”

In Sydney public opinion was divided in regard to the new colony. The Sydney Morning *Herald* and the *Atlas* were strongly opposed to any revival of transportation in any form, and their columns contained bitter attacks on the Colonial Office and Colonel Barney. To this criticism, the *Courier* replied in a four column article on August 22nd, the concluding paragraph of which is as follows:—

“We cannot conclude without a passing notice of the canting, mawkish, sentimentality which appears to influence sundry of our contemporaries in their notices of Northern Australia. They inveigh against the bad faith of the British Government, and denounce the new colony as a great artery through which the diseased humours of a feculent society are to be conveyed among us. But in what has the bad faith been displayed?

“We, the colonists of N.S.W., rush into the labour market of Van Dieman’s Land, eager competitors for the services of its expirees, endeavouring to outbid each other in tempting offers of good wages and abundant rations.

“The people of Port Philip have done this and more. They have petitioned the local government that all incoming cargoes of exiles may be landed among them, and yet they coolly turn round and blame ministers for contemplating what must, in effect, if our words do not belie our deeds—facilitate our views, for aiming to found a labour depot from which these men may readily be transferred to us without trouble or expense of agency!

“Our own act is ratified—an act arising from the irresistible laws of necessity and the efforts of practical good sense, and forsooth, the finger of pious horror must be uplifted, and we stand aghast at what is enormity in the British Government, but commendable in ourselves. Away with such hypocrisy!”
“Cheap and abundant labour is an essential adjunct of our prosperity, and the instinct of self-preservation must urge, as it has already urged, us to avail ourselves of it wherever it can be obtained.”

The Colonial Office proposals for the revival of transportation were laid before the Legislative Council in Sydney, which reported favourably upon them. But the opinion of the squatters and merchants in the Council was not that of the artizan and the small shopkeeper, and the politicians and orators who looked to the votes of the people to help them to fame and fortune were naturally on the popular side.

The heated state of public opinion must be remembered when the bitter attacks on Colonel Barney are read. It cannot be supposed that he was the incompetent officer whom Robert Lowe held up to ridicule in the Atlas.

He had served in the Peninsular War, and for 21 years was commanding engineer in the West Indies. He had obtained much credit for his work at Jamaica and afterwards at Portsmouth, the inhabitants of which town had presented him with a piece of plate as a mark of the high estimation in which they held what he had done for their increased security. In 1835, he came out to command the Royal Engineers in Australia, and remained here till 1844. It is said that when Lord Raglan was asked to recommend an engineer officer to fortify Port Jackson, he replied, “Have you not Col. Barney on the spot, one of the best in the service?” Yet this did not protect him from virulent abuse and misrepresentation of his motives and actions.*

Colonel Barney and Mr. Billyard, with their wives and families, who had left London in June, 1846, in the William Hyde, arrived in Sydney on September 15th. The first duty of the superintendent was to make a preliminary survey in search of a suitable site for the first settlement. He therefore proceeded in the Cornubia,† a small steamer of 94 tons, to the shores of the new colony, taking with him Capt. Perry, Deputy Surveyor-General

* Some of these attacks on Col. Barney are reprinted in Hogan’s “The Gladstone Colony” (London. T. Fisher Unwin, 1898).
† The Cornubia was a small paddle steamer brought out by Ben. Boyd. She ran in 1845-7 to the Hunter River in opposition to the Hunter River S.N. Coy. Her engines were afterwards taken out and she was sent to Hong Kong under sail. See Portus—“ Early Australian Steamers” A.H.S. Journal, Vol. 2, p. 203.
of N.S.W., Asst. Commissary-General Darling, Dr. Silver, the Assistant Colonial Surveyor, and Capt. H. H. Browne.

The Cornubia called at Brisbane on 4th November, and Capt Perry left the steamer to join his Assistant Surveyor Burnett to mark out an overland road to the new colony. At Brisbane, the Deputy Pilot, King, who had been with Oxley in 1823, was engaged to pilot the steamer.

Bustard Bay was the first spot visited, but the absence of shelter for shipping made its selection impossible. Rodd's Bay was then inspected. The harbour facilities were good, but there was no fresh water in the vicinity. There remained Port Curtis. Here they found a good and extensive harbour requiring only a few buoys to render access to it perfectly secure; a fair site for a settlement, about eight miles within the port, offering ready means of drainage, good positions for wharves, and secure anchorage in five fathoms within half-a-mile of the shores; a creek admitting of vessels of large size being hove down in perfect security, an unlimited quantity of excellent timber, brick earth and shells for lime, and land fit for agricultural purposes close at hand. There was a difficulty in regard to fresh water, but it was thought that this could easily be overcome by the construction of dams. These reasons influenced the Superintendent in making Port Curtis the place where the first city of North Australia was to stand.

The Cornubia returned to Sydney in November, and the Superintendent set to work to fit out his expedition. The Lord Auckland, barque, 350 tons, Capt. Robert Brown, was chartered to carry the officials and the stores, which included a large number of bricks for the building of the new town. The capacity of the Lord Auckland proved insufficient, and a second vessel, the ship Thomas Lowry, 407 tons, Capt. Thomas Graham, was also chartered. A small steamer, the Kangaroo,* was purchased, and the first fleet of North Australia was completed by the hiring of the Sea Nymph.

Capt. Perry was unfortunate in his attempt to open communication by land between Moreton Bay and the principal settlement in North Australia. Accompanied by Mr. Burnett and four men, he arrived at Cressbrook on 11th November, and on the 15th crossed

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* The Kangaroo built at Raymond Terrace, in 1840, of Hunter River hardwood. She was sold to the Van Dieman's Land Government; See Moreton Bay Courier of 1st Jan., 1848, and subsequently went to Melbourne. She was still afloat ten years ago.
the range of mountains at the head of the Brisbane by
a line marked by Messrs. Ferriter and Uhr,* and passed a
sheep-station called Wicalloo, at 10 p.m. on the 19th.
They ascertained by the altitude of a star, that they were
within the boundary of North Australia. The weather
was very bad. Torrents of rain swelled all the water­
courses and made the ground unfit for travelling. In
addition, Capt. Perry was indisposed, and on November
25th, they turned back. The blacks were friendly, and
guided them to a newly-selected station, Bookembah,
which they reached on 1st December, finding two settlers,
who had been weather-bound. Next day they were back
in New South Wales proper, and rested for the night at a
station, where all operations had been suspended for ten
days in consequence of the weather.

Capt. Perry was able to send in his report from
Brisbane on 16th December, and to give it as his opinion
that a practicable route existed if taken at the proper
season of the year, from the settled parts of the Colony
to the principal settlement in North Australia. The line
he suggested was from Borthwick and Oliver's station
along the Boorambah waters and the central branch of
the river supposed to be the Boyne, which enters the flat
country towards the coast, near a remarkable range of
mountains having seven distinct conical tops, "but whether
the river enters the sea at Port Curtis, Bustard Bay, or
Hervey's Bay,† is a point still to be determined."

* The line of road from Messrs. Ferriter and Uhns' station, over the
D'Aguilar Range to North Brisbane, was fairly complete when Capt. Perry
crossed by it, and it was expected that its practicability was about to be
tested by wool drays. (See Courier, 10th October, 1846).

On 14th Nov., 1846, the Courier contradicted a statement in the
Sydney Morning Herald by a traveller that after passing Mr. Balfour's
station (Colinton), he had entered the wilds of the Brisbane ranges which
had hitherto defied every adventurer, and referred to Henry Stuart Russell's
explorations in 1842. See Genesis of Queensland, p. 345.

† Sup. to N.S.W. Gazette of 31st Dec., 1846.

The doubts regarding the Boyne were set at rest by Mr. Burnett
in 1847. (See his report and survey of the River Boyne, N.S.W. Govt.
Gazette, 22nd June, 1847, reprinted in the Courier of 10th July, 1847;
and leading article in the Courier of 30th July, 1847.) In the Govt. Gazette
of 7th September, 1847, it is notified that as Mr. Burnett had proven that
the Boyne was not Oxley's Boyne, His Excellency directed in order to mark
his sense of the perseverance and enterprize evinced by Mr. Burnett in
the performance of his public duty, the river in question, from its whole
course from the Darling Downs to its junction with the sea at Hervey's
Bay, should be called the Burnett, while to the river which disembogues
at Wide Bay, His Excellency had been pleased to assign the name of Mary.
Three months later, on 7th December, 1847, Lady Mary Fitzroy, after
whom the Mary is called, was killed in her carriage at Parramatta.
The selection of the officials by Colonel Barney was effected before the end of the year. Mr. E. C. Merewether was appointed Colonial Secretary; Mr. J. S. Dowling, Crown Prosecutor; Mr. W. K. McNish, Crown Solicitor and Registrar of the Court; Mr. W. A. Brown, Sheriff; Mr. Thomas Robertson, Chief Surveyor; and Col. Gray, Police Magistrate.

The Superintendent’s son, Mr. G. H. Barney, and Mr. F. E. Stewart* were appointed to subordinate positions.

The military force was furnished by the 99th Regiment then in Australia, and consisted of Capt. Day, Lieut. G. J. de Winton, and 72 rank and file.

The Lord Auckland was ready to sail early in January, but it was necessary to effect certain repairs to the Thomas Lowry. The instructions that the ships containing the future colonists were to be expected at an early date caused Col. Barney to hasten his departure without waiting for the Thomas Lowry. Accordingly, on 8th January, 1847, the Lord Auckland passed out of Sydney Heads. On board were:—Col. and Mrs. Barney, Mr. G. H. Barney, and the two Misses Barney; Mr. and Mrs. Billyard and child; Mr. J. S. Dowling, Mr. E. C. Merewether, Mr. and Mrs. W. A. Brown and family; Mr. F. E. Stewart, Mr. and Mrs. W. K. McNish and family; Mr. Thomas Robertson; and Miss Stokes, in Col. Barney’s service, and a number of mechanics and artizans.

The voyage up the coast was very unpleasant. The cabins were swamped by the rough seas, and it was not until after 17 days that Port Curtis was reached. Capt. Brown was a fine old British sailor, 78 years of age, a quarter of a century too old to go to sea, and his powers as a navigator were not equal to the difficulties of a strange port and an intricate channel. The result was that he touched a shoal in Port Curtis, and was soon in a critical position.

* Mr. Stewart says—“Amongst our friends was Mr. W. A. Brown, who had received the appointment of Sheriff of the proposed penal colony at Port Curtis. The opening to young men by this adventure was supposed to be good, and as I was certainly young, it was considered advisable that I should accept the invitation given by Mr. Brown to accompany him. As only persons officially attached to the expedition were permitted to go, I supposed that I was placed on that list. At any rate I was dubbed or dubbed myself Deputy-Sheriff.” M.S. account of the North Australian expedition in writer’s possession. Mr. Stewart was the youngest son of Capt. Thomas Stewart (ante, pp. 101-111), who was Inspector of Distilleries in Sydney from 1843 (Commission dated 8th Nov.) to 1860. His elder brother, W. D. Stewart, was part owner of Marlborough and Strathmore in the early sixties.
It had been the intention of the Superintendent to land with some ceremony, but this unfortunate accident upset all plans. The ship went aground in the afternoon of 25th January, and by nightfall of that day the Superintendent and his family had gone ashore on Facing Island, a proceeding which brought a good deal of acrid criticism on his head.

Next day, the 26th January, the rest of the passengers were landed. One of them kept a journal, in which he says:—

"26th January.—Endeavoured to get into deep water. Ship striking violently. Again settled down on the sand. All hands at work nearly all night. Ship making water. Many of the passengers gone ashore, and all the females and children. Returned to discharge cargo. Came ashore in charge of stores. Boat discharging during the day. Finding the vessel had not gone to pieces, Colonel Barney ventured on board to-day."

The situation of the people of the Lord Auckland, though not one of much danger, was one of serious discomfort. Facing Island is a sandy waste, and the site chosen for the camp under Gatcombe Head, though the best available, was anything but a good one.

It was summer time and it was the rainy season. The tents afforded shelter from the rain, but in the tents it was suffocating, the thermometer standing at 110° for days together. Mosquitoes and sandflies added to the miseries of the place.

Mrs. Billyard's infant was seriously ill, and her anxiety did not make things any more cheerful. However, in spite of everything, the work went on, and on January 20th, everything was ready for the formalities of swearing in the officials and proclaiming the authority of the Superintendent within the boundaries of the Colony. All this was accordingly done with due ceremony, and a Government Gazette in manuscript was issued.

A Legislative Council was appointed, and the Gazette contained the name of Capt. Day, 99th Regiment, as Police Magistrate.

The Colony was thus founded with all necessary administrative, judicial and executive functions.

Meanwhile, the crew of the Lord Auckland had worked incessantly lightening the ship and pumping her out. The bricks for the Government buildings had to go overboard, though not without protest from Capt. Brown, who said that he did not mind bumping on sand, but on bricks was a different matter. As it was, she had five feet of water
in her hold. She nearly lost her masts, and did lose a good deal of her copper sheathing, and was thus exposed to the ravages of what the Elizabethian seamen called "the worm," and we in Queensland call "cobra," the teredo navalis. At last, on 31st January, she was floated clear of the shoals, and taken up into the deep channel near the present town of Gladstone.

As time went on, another difficulty arose. Stores began to run low. The six sheep brought in the ship did not last long, and then there was nothing but biscuit and salt junk and fish, and very little of that. Then came another trouble. A party of well sinkers was attacked by blacks, and the services of the military had to be requisitioned.

The only amusements were fishing and bathing, but the sharks made the latter very dangerous.*

The arrival of the Thomas Lowry was eagerly awaited, and as day after day went by, the castaways of Gatcombe Head waited less patiently for the overdue vessel. Meanwhile the foundation of the Colony was being anxiously watched in Moreton Bay.

In the Moreton Bay Courier of 9th January, 1847, there appeared an advertisement by Mr. T. Dowse, of the sale of property "in the flourishing town of Ipswich," in consequence of the owner (Mr. Thompson) being under orders for North Australia.

In the same paper of 27th February, there appeared a leading article headed "Labour," in which the benefits to be expected from the new Colony were pointed out in Mr. Lyon's best style. This was followed, under the heading of "Local Intelligence," with an account of a meeting of stockholders at the Queen's Arms, Ipswich,† for the purpose of taking steps to remedy the present scarcity of labour. Dr. Dorsey,‡ described as the "Resident

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* Sharks abound in these waters. We used to see them in the surf and we could touch them with a ramrod while on board the Lord Auckland. The sailors became so tired of catching them that they did not take them on board but brought them only to the taffrail where they chopped off their heads, preserving only the jaws. Mr. J. C. Usher, the chief mate, showed me how easily the jaws of one could have swallowed a man, for opening them and putting his head through them they fell to the deck without meeting any obstruction. He was a stoutish man of quite ordinary height, with broad shoulders—Mr. F. E. Stewart's M.S.

† In 1846 the Queen's Arms was kept by George Thorn, formerly of the Commissariat Department and the first settler at Ipswich. He was a member of the first Queensland Parliament. He died 28th May, 1876.

‡ William McTaggart Dorsey. For his appointment as a Magistrate of the territory, see M.B. Courier, 24th Oct., 1846. For portrait, see Bartley, Australian Pioneers and Reminiscences, p. 256.
Magistrate” (probably because he was a magistrate, and resided at Ipswich), was in the chair. It was moved by Henry Hughes, J.P., and seconded by George Gammie, “that in consequence of the great and increasing dearth of labour in the district of Moreton Bay and Darling Downs, and wages having risen to an amount which it is impossible the stockholders can pay without incurring heavy loss, it has been found absolutely necessary to take immediate steps to facilitate the introduction of labourers from the new settlement of North Australia.” This was carried, and it was then moved by George Burgoyne and seconded by Archibald Campbell, “that a committee of stockholders be appointed for the purpose of drawing up a petition to His Honour the Superintendent of North Australia, setting forth their views with respect to the introduction of labourers in the Moreton Bay district and praying that he will take such steps as will ensure an adequate supply at the earliest opportunity.” This, too, was carried, as was also a resolution, forming a committee consisting of Arthur Hodgson, J.P., C. W. Pitts, J. M. Andrew, J.P., Henry Hughes, J.P., Francis Bigge, J.P., and John Balfour, J.P., with power to add, to carry out the objects of the meeting.

A petition was then drawn up and is set out at length in the newspaper. The meeting was followed by a big-dinner at the Queen’s Arms and many a squatter felt that the labour difficulty had been surmounted.

On 3rd March, two small traders left Brisbane for Port Curtis. The Harriet, cutter, Thomas, master, having as passengers P. W. Welsh, George Clark and wife, and J. Smith, and a cargo of timber and stores, and the Secret, schooner, Boyle, master, also with timber and stores, and a passenger, Joseph Thompson, presumably the man who had sold his property at Ipswich to go to North Australia.

The Moreton Bay Courier of 6th March, in a leading article gives the first hint that all was not well with North Australia. “There is very little doubt,” says the leader writer, “but that the views of the Government in regard to North Australia have been much modified, but we do not believe that it is the intention of the Home Government to abandon the scheme of colonizing North Australia and forming the new settlement into a Labour Depot. It is not likely that the Home Authorities would make themselves so superlatively ridiculous in the eyes of the colonists as to give up a project which has already involved a large expenditure.”
"We observe," he continues, "that some of our contemporaries still persist in calling North Australia a penal settlement, which is an improper designation. We believe that it is nothing more than a depot for labour for this Colony."

The same day as this appeared, Mr. J. C. Burnett* left Brisbane at day-break with a party and proceeded North to define the boundary between the Colonies of New South Wales and North Australia.

The following day, March 7th, the Thomas Lowry left Sydney for Port Curtis, having on board Mr. and Mrs. McConnell and family, Colonel Gray and son, Mr Lowndes, Mr. Bates and family, Dr Silver, and Lieut G. J. de Winton, and the rest of the detachment of the 99th.

Three days later the Harriett and the Secret reached Port Curtis, and relieved the anxieties of the people on Facing Island. Their stores and cargoes of timber were bought for the use of the new Colony. On 14th March, the Thomas Lowry came into the Port. Her captain had prudently consulted Lieut. Yule, of H.M.S. Bramble, then in Port Jackson, after a surveying cruise to North Australia, and had been advised to keep to the south shore, so he got in without accident and anchored off the site of the present town of Gladstone. They could see the Lord Auckland lying at the north side of the harbour. hardly had they let go the anchor when a boat came off from the mainland with two men who had been sent from Facing Island to sink for water. They were in deadly fear of the blacks, who were in great numbers. Lieut. de Winton determined to land in force and occupy the spot. This he did, and his encampment was the first assertion of British rule over what is now a peaceful Australian town. Next day Lieut. de Winton was able to report to his senior officer, and to learn the particulars of the grounding of the Lord Auckland, and the landing at Facing Island.

It is not known what Lieut. de Winton had to communicate to Capt. Day regarding the rumour as to the recall of the expedition, but it would appear from an extract from the Sydney Morning Herald, published in the Courier of 20th March, that the rumour had gained currency before the Thomas Lowry left Sydney. The Courier published a denial of the rumour taken from the Parramatta Advertiser.

* Mr. Burnett died at Kangaroo Point on 18th July, 1854, from the effect of hardships and exposure. See obituary notice in Courier, 22nd July, 1854.
As a matter of fact, seven weeks before the Lord Auckland had left Sydney for Port Curtis, a despatch had been sent by Lord Grey to Sir Charles Fitzroy, directing him to abandon the scheme for colonizing North Australia.

The Secret returned to Brisbane on 29th March, bringing back Mr. J. Thompson and Mr. Rogers and 600 bushels of shells for lime. Her skipper brought a bad account of the expedition, and the Courier of April 3rd, which had been prepared to praise, found that unhappily it was its province to censure what were described as lamentable instances of neglect, want of energy, and indecisiveness.

This was followed on 10th April, by an article on North Australia from material probably supplied by Boyle, the skipper of the Secret, and some extracts from a closely-written manuscript of 80 pages, the journal of a passenger by the Lord Auckland, commencing with the departure of that vessel from Sydney and ending with the arrival of the Secret at Port Curtis. The last extract is dated 8th March. It gives an account of the conduct of the expedition, which bears out the Courier's strictures. The writer was a member of the expedition, whose sense of loyalty to his chief was rudimentary. The steamer Kangaroo was on her way to Port Curtis when this appeared in print, and on 15th April she delivered to Col. Barney his orders to abandon the settlement and return to Sydney.

The Harriett had already left when the Kangaroo arrived.

The Lord Auckland was not seaworthy after her experience on the sand bank, and the Thomas Lowry was commissioned to take back the officials and their families. She sailed on 27th April, having on board Mrs Barney, the two Misses Barney and servant, Mr. Lowndes, Dr. Silver, Mr. and Mrs. Billyard and child, Mr. and Mrs. McNish and three children, Miss Wood, Mr. and Mrs. W. A. Brown and three children, Mr. Francis Stewart, Lieut. de Winton, and 31 rank and file of the 99th with seven women and 16 children.* Capt. Graham was fond of brown brandy, and his navigation of his ship suffered in consequence. On the way, Lieut. de Winton had to climb to the mast-head to ascertain the ship's position, and was able to see that they were then off Newcastle.†

* Sydney Morning Herald, 10th May, 1847.
† de Winton, Soldiering in Australia forty years ago.
The passengers were landed safely in Sydney on 9th May.

The Kangaroo followed with Lieut.-Col. Gray, Robert Gray, and Mr. J. S. Dowling, calling at Brisbane on 29th April, and leaving again next day.

Col. Barney resolved to remain until the Lord Auckland was repaired. A wooden store was erected near the south shore head, and the blacks proving friendly, an exploration party penetrated fifteen miles into the bush, remaining a whole night away, and finding the country highly fertile.

On his return to Sydney, Col. Barney furnished a report, dated 20th July, 1847, to Sir Charles Fitzroy, which forms the official record of the foundation and abandonment of the Colony of North Australia.

In this report, Col. Barney points to the fact that already numerous parties with stock were within a short distance of Port Curtis, and that this must lead to the formation of a settlement under private enterprise. He was quite right. Within seven years of the date of his report he was dealing with Port Curtis lands not as Lieut.-Governor of North Australia, but as Chief Commissioner of Crown Lands of New South Wales.

Nothing was now left to be done except to pay the bill, which amounted to £15,402 6s. 2d.

Although I desire to confine myself to the years 1846-7, it may be of interest to trace the subsequent careers of the North Australians.

Lieut.-Col. Barney joined Capt. H. H. Browne in Barney Downs, New England, and was appointed a Justice of the Peace in April, 1848. The partnership was dissolved a few months later, and at the end of the year Col. Barney was appointed Chief Commissioner of Crown Lands until Her Majesty's pleasure should be known. He was appointed to the Legislative Council on 10th September, 1852. He held the office of Chief Commissioner of Crown Lands until the death of Sir Thomas Mitchell, on 5th October, 1855, when he succeeded as Surveyor-General of N.S.W. He retired on a pension on 12th August, 1860, and died at the Priory, North Shore, on 18th April, 1862. He is buried in St. Thomas' Churchyard, St. Leonard's, Sydney.

His son, George Higgins Barney, was appointed an Inspector of Distilleries on 14th October, 1855, and became Chief Inspector on 1st June, 1880. He retired on 1st July, 1889, and died on 30th April, 1890.
William Whaley Billyard was admitted a solicitor in New South Wales on 31st July, 1847, and on 4th January, 1850, was appointed Crown Solicitor for Civil Business. He practiced at 52 Castlereagh Street until about 30 years ago.

Mr. W. K. McNish, on his return to Sydney, entered the office of Mr. Spain, Solicitor. In 1857, he was appointed Registrar of the Supreme Court at Moreton Bay and Master in Equity, but returned to Sydney and entered into partnership with Mr. W. W. Billyard. He was afterwards in partnership with Mr. Peter MacPherson, in Brisbane, and was the first Registrar of the Supreme Court at Bowen. He died in Brisbane on Christmas Day, 1877, aged 67, and is buried at Toowong. His daughter, Mrs. W. H. Ryder, is still living.

Mr. William Anthony Brown succeeded Mr. G. M. Slade as Post Master and Clerk of Petty Sessions at Brisbane on 12th February, 1848. On 8th August, 1857, he became Police Magistrate at Brisbane, and at Separation, became the first Sheriff of Queensland. He died on 12th February, 1864, aged 40 years, and was buried at Milton. His tombstone has been placed in the reserved area alongside Christ Church.

Mr. Edward Christopher Merewether was appointed Commissioner of Crown Lands for the Macleay River on 29th February, 1848. He became on 17th October, 1856, Clerk of the Executive Council.

Mr. James Sheen Dowling was appointed a Police Magistrate at Sydney on 1st January, 1850. On 12th February, 1857, he became Crown Prosecutor at Quarter Sessions, which office he held until he became a District Court Judge in 1858; retiring on 1st August, 1889. He was Lady Hodgson’s brother, and he married a sister of Mrs. Henry Mort, of Franklyn Vale.

Colonel Gray was gazetted a District Councillor for Macquarie on 10th March, 1848, and on 19th March, 1853, succeeded Mr. H. H. Macarthur as Police Magistrate at Ipswich, an office which he held until the end of 1866, except for a few months during which he was Usher of the Black Rod in the Legislative Council. He was offered the Ushership by Sir George Bowen in 1860, and accepted it. When Parliament met and voted the salary, he found that it meant a loss of £500 a year, and so he returned to Ipswich. He died there on 7th September, 1873, aged 87. A tablet in St. Paul’s Church, Ipswich, commemorates his long and useful life.*

* For biography of Col. Gray, see Courier, 13th October, 1873.
Mr. Francis Edward Stewart became Private Secretary to Robert Lowe, afterwards Lord Sherbrooke, a very able but exceedingly bitter man. He was very short-sighted and never saw the effect of his words on his victims. Mr. Stewart's chief work while with Robert Lowe was the preparation of the report of the Select Committee on the land laws, of which Lowe was chairman. He afterwards went to New Zealand and joined the Union Bank at Auckland in 1848. He was Manager at Christchurch in 1857, and retiring shortly after returned to England. He came out again in 1862, and was Provincial Secretary and Deputy Superintendent of Canterbury in 1866-1868. He was subsequently Chief Inspector of the National Bank in Melbourne, and General Manager of Goldsbrough, Mort & Co., Ltd.* At the time of his death in Melbourne, on 10th July, 1904, he was a director of several public companies, and Managing Director of Younghusband, Rowe & Co., Ltd.† His grave in the Brighton Cemetery is not far from those of Adam Lindsay Gordon and George Higinbotham.

Capt. Henry James Day was appointed to the charge of the Blackheath Stockade in 1848, and afterwards was Commandant at Norfolk Island and Police Magistrate at Maitland. His son, Henry Day, was afterwards in the 99th, and died a General Officer.

Major George Jean de Winton's "Soldiering in Australia 40 years ago," is fairly well-known, and gives an account of his career.

Mrs. McDonald, who was in Col. Barney's service in North Australia, is still living at North Ipswich at the great age of 93. On her return to Sydney, she entered the service of Hannibal Hawkins Macarthur at Parramatta, and went to Canning Downs with Mrs. George Leslie. There she met her husband, and they were married in Ipswich by Mr. Glennie. In 1852, she became the landlady of the "Queen's Arms," which occupied the site of the present Queensland National Bank at the corner of Brisbane and East Streets.‡

* For Richard Goldsborough (1821-1886), see D.N.B. For Henry Mort (1818-1901), see Bartley Australian Pioneers and Reminiscences, p. 163. (Portrait, p. 144). Henry Mort told the writer in 1889 that he first met Mr. F. E. Stewart in Capetown in 1839.
† Melbourne Argus, 12th July, 1904.
‡ Queensland Times, 3rd Sept., 1910. Mrs. McDonald has since died.