H

MISCELLANEOUS
LETTERS, ETC TO
GOVERNMENT
Governor
Mackenzie
January 1863 to
February 1864

19

X

Forte. Rio de Janeiro

6th January 1863.

Sir,

I have the honor to acknowledge the receipt of your letter of the 4th Ultimo, informing me of the visit to the Falkland Islands of the French Screw Line of Battle Ship, "Duguay Trouin", bearing the Flag of the late Commander in Chief of the Pacific Station, en Route to Monte Video and Brest, and also acquainting me that a large French Frigate was seen by the Falkland Island Packet about the

His Excellency
Commander Macklegi R.N.
Governor of the
Falkland Islands

the 4th of November on her way
round Cape Horn to the Pacific.

In the event of any of the
Squadron under my orders visiting
the Falkland Islands from
Monte Video, the Colonial Mails
shall be forwarded as requested
in your letter above referred to.

I have the honor to be
Sir
Your most obedient Servant,

Rich.d L. Warren

Rear Admiral and
Commander in Chief

Rec.d 10th.

Registry Office Victoria
January 1863

Sir

In compliance with the 26th Section of the "Registration Act 1853" I have the honour to forward to You Excellency an Extract of the Number of Births which have been registered in this Office during the Year ending 31 December 1862

I have the honour to be
Your Excellency's obedient Servt
Wm. Wilks
Registrar

His Excellency
The Governor.

Applications for Licences for killing Cattle in terms of Act granted by Capt Sacke at Fitzroy - for Bulls & Consumption

The Wild Bulls come amongst the Imported bred Herds round Darwin Harbour Derbeck and render it impossible to preserve the breed - One valuable Horse has been killed & the Shepherds riding have been at the time had a narrow escape - They complain of not being able to attend to the Sheep -

At Port Louis, the Man
in charge complains, whenever
he comes to Stanley, that
he cannot keep the English
Herds of Cows & - that Bulls
are continually amongst
the Cows & it is impossible
for him & be responsible
for the breed

Sunday 6th 1863

Parsonage
Stanley
January 12th 1863.

Sir,

In compliance with the 27th section of the Registration Ordinance No 12. 1853, I have to forward to your Excellency a General abstract (in such form as your Excellency shall from time to time request) of the Baptisms and Burials registered during the foregoing year.

2. Your Excellency's predecessor was content with the number of Registrations being forwarded to him: I shall of course be most happy to afford any further information in my power. If I might presume to make the ~~explanation~~ suggestion some

His Excellency
Governor MacKenzie

explanation might be well timed with respect to the fearful increase in the number of Burials during the past year – or probably strangers upon glancing at the Colonial Reports may receive an impression that the Falkland Islands are extremely unhealthy. In the year 1855, the number of Burials was in excess of the ~~rate~~ of 1862. But no other years approach that number.

I have taken the liberty of enclosing a comparative Tabular Statement for the last ten years of matters connected with my immediate duties, in the Execution of which duties, I have derived much comfort from the kindly interest Your Excellency takes in them, and from a knowledge of the support upon which I can always reckon at

Enclosure

Your Excellency's Lands,

Marietta Honor Bee,

Sir,

Your Excellency's Obedient

Humble Servant

Charles Bale - M.A.

Colonial Chaplain

Stanley Jany 13th 1863

Sir,

I beg to make application for licences to kill Bulls, & Cattle for consumption, under the Proclamation of 5th April 1861.-

The Company have herds of 200 & 300 English bred ~~Cattle~~ Cows on the District, No 14, at Port Davies, & the Bulls, to the North of it, are numerous (200 only have been killed) & are continually found in Twos & Threes amongst the Cows, driving out the English Bulls & ruining the breed which a great Expense has been incurred to Obtain & preserve.-

The same is the case with similar herds in the neighbourhood of Darwin Harbour - in addition to the injury to the breed of Cattle there, the Shepherds complain of the danger they incur in rounding up the Sheep - Some time since

a Shepherd, when on Horseback, was charged by a Bull, & his Horse killed, & he himself had a very narrow escape. —

I trust therefore your Excellency will grant a licence for the District South of the Hickman Heights, & another for that North of Port Lincs on the same terms as that granted to Captain Peachey for his Sydney District. — instead of 200 Bulls, no doubt 100 in such places will be sufficient, as they almost always come only one or two together, or at most three.

I have the honor to remain &c

Your Excellency's very Obdt Servt

James Dawe

His Excellency Governor Mackenzie

&c &c &c

Comparative Tabular Statement Church & Schools
Falkland Islands

Years	1853	1854	1855	1856	1857	1858	1859	1860	1861	1862
Marriages	1	3	7	7	5	2	none	2	2	4
Baptisms	20	19	23	12	5	25	24	31	25	25
Burials	8	10	27	6	3	12	5	7	10	21
Number in Schools.	47	50	47	40	40	40	40	97	91	107
Supposed Number of Population Members of the Church of England in the Colony	One third of the Population Irish or Spanish and Roman Catholics —							395	420	454
Total number of Members of the Church of England at any time residing in Stanley			"			"		332	357	391
Average Total number attending once a Sunday at Divine Service			"			"		136	157	153
Average morning Congn. Trinity Church			"			"		88	160	101
Afternoon ditto			11			4		37	37	39
Evening ditto			4			4		59	74	65
Number of Communicants			4			4		21	18	24
Voluntary Subscriptions & Offerings raised through the Colonial Chaplain and the Churchwardens								£13.11.5	£21.10.1	£52.5.3

This includes men women & children -

This includes men, women & children and Sealers, if attending Divine Service when in Stanley -

Jan: 12. 1863.

Chas Bale. M. A.
Colonial Chaplain =

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Comparative
Tabular Statement

Ecclesiastical & Educational

1853 — 1862

inclusive

Schooner "David Evans" Stony Harbour
January 13th 1863

Sir

In obedience to your Commands I beg to give you the following explanation of my proceedings since the 1st instant in accordance of the 23rd of August last.

After I left this port I had a tempestuous passage of 18 days to this Bay and on arriving at that Bay I was 4 days before I got into the river and then by stress of weather for a few miles until I was again forced out.

I also beg to inform you that I had a collision on the Labrador with a Bremen Barque Schooner which did me a deal of damage. And on the passage to Belle Island I had a succession of NW gales which has caused to be following the whole time specified in the Contract

I trust that your Excellency will find this explanation satisfactory

I have the honour to be
Sir
your Excellencies most obedient Servant
W Pilley

His Excellency
Frederick Carter
Lieutenant Governor and
Commander in Chief
of Newfoundland

No 7 1863

Cape Pembroke Lighthouse January 15th 1863

Sir

Please to requisition the following Stores to the Lighthouse as soon as convenient—

Sam Coals

4 Groß of wicks

1 Quart of Spirits of wine

28 lbs of white Lead 1 Gallon of Raw Linseed oil ½ Gallon Spirits of Turpentine to Paint the interior of the Lantern

I am

Sir

your obedient Servant

W. Reed

Principal Lighthkeeper

W. R. Pyne Esqr.

Colonial Secretary

Parsonage
Stanley
January 28th / 1863.

Sir,

I have the honour to acknowledge your Excellency's letter of the 24th inst.

2 Your Excellency will allow me most respectfully to remark that I have held a seat at the Executive Council since July 1860: in the first place temporarily during the absence on leave of Mr. Brooke the Stipendiary Magistrate, and that in January 1862, in accepting the seat vacated by Mr. Longden's promotion to the Presidency of the Virgin Islands, I was given most distinctly to understand that it was the pleasing Her Majesty's pleasure.

3. Till your Excellency's communication reached me, I had not the most remote notion that your Excellency considered Mr. Pigué appointed

His Excellency
Governor MacKenzie

as Colonial Secretary, necessarily carried with it a claim or even the shadow of a claim considering his comparative want of experience, to that seat in Council which I had hitherto filled and from which I feel that I have been abruptly relieved.

4 It would be unbecoming in me to canvass any appointment which your Excellency in the exercise of your discretionary power may make, but I must feel that an injustice had been done to myself. I am sure never unintentionally on your Excellency's part, and feeling as I do on the subject I must ask your Excellency to refer the whole question for the opinion of His Grace the Secretary of State for the Colonies.

5 No one is more aware than myself how desirable it is that the Clergy should as much as possible be unconnected with secular business! But at the same time bearing in mind the fact that now for the third time, I am called upon to fulfil the duties of an Executive Councillor, and have fulfilled them for the last three years, I cannot help expressing how

grieved I am that one so much
younger than myself has been placed
in that permanent seat to which
I had thought my humble services
of 3 years had given me a claim.

6 In a larger Colony it would
probably not be necessary to place
either the only Medical Man or
the only Clergyman of the Settlement
on the Executive Council: but when
I am informed that your Excellency
considers my services the required
title, I must in justice to myself
ask to be placed in a position
to which my age former experience
in a larger Colony, and sacred
calling entitle me, and which is
accorded to the Clergy in other
Colonies when they are called upon
to sit at the Council Table
e.g. Barbados, Sierra Leone. &c.
Thus the strong feeling I have
against being made an
convenience of merely, would
be removed.

7 I most respectfully submit
to your Excellency that things
might as well stand as before,
Mr. Pyne taking Mr. Goodliffe's

least till the decision of the Secretary of State is announced or till the arrival of the Magistrate.

8 Should however your Excellency decline to do this, I would not after the request your Excellency made to me, to remain on the Council for the third time temporarily further demur at doing so, as I hold that one must be prepared to forego every personal feeling for the good of Her Majesty's Service.

9. I might suggest that as your Excellency thinks it necessary to have the Secretary and the Magistrate on the Council an additional permanent Member might be appointed with some experience of the wants of the Colony from an intimate acquaintance with the Country & some knowledge of the working of other Colonies which I flatter myself I have and have to the best of my ability always endeavoured to bring them as to

(2)

Council Table.

I beg most respectfully to transmit a duplicate of this letter which I have to request Your Excellency to forward to His Grace the Duke of Newcastle.

I have the honour, to be,

Sir,

Your Excellency's Obedient Humble Servant

Charles Bule. M.A.

Colonial Chaplain

Stanley Dec 3rd 1863

Sir,

I regret the necessity of complaining to your Excellency of an illegal proceeding on the part of Mr Bailey, as a Magistrate, during my recent absence, in having ordered my Dog to be shot on an ex parte application merely — No Summons or other opportunity was afforded me to adduce evidence in answer to the application to have the dog destroyed, but the mildest course which I have meant was adopted — If this law is to be administered, it is evident that a Magistrate have any Executive arbitrary power, by assuming, as proved on ex parte Evidence, any offence defined by the Ordinances, without a hearing of those interested.

In this case, there is the peculiar feature that Mr Bailey had before him the evidence taken so late as Oct last, on the application of the same individual, in which I was summoned, by Mr Goodlake, to shew cause why the Dog shd not be destroyed — On that occasion I

shewed by abundant evidence the honorable nature of the animal, & the particular cause for his annoying Capt. Drake, upon which Mr Goodlake held that he was not within the meaning of the Ordinance & dismissed the complaint - I have had no such opportunity now, but on the contrary Mr Bailey on the application & from my Clerk & Banner to suspend the order, at least until my return, refused & do so, & the Constable has been walking about with a Sham to execute it -

I have no intention of asking your Excellency to decide the merits of the Case but only to correct irregular proceedings, contrary to the first principles of justice, by directing that the illegal order referred to, may be rescinded -

I may add, tho' it must be known that the Owners of two Dogs which were found killing Sheep some time since, were summoned by the Stipendiary Magistrate, & the order was only made after a full investigation of the

complaint in the presence of the owners of
the Dogs & their answers.

Respecting the acceptance of knitting from
Excellency I have the honor to remain Sir
Your Excellency's very dutiful Servant

James Lane

His Excellency Governor Mackenzie
&c &c &c.

Stanley Feb 5th 1863

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Sir,

I beg to thank you kindly for your letter of yesterday - Having, with reluctance, referred to the irregular proceedings of a Magistrate acting on Ex parte evidence, & the other circumstances of the case, I will not further press the subject -

I had fully intended to have taken the dog with me in the Schooner & to have left him for a time at Dunnies Harbour, but he was overlooked until too late, - he has since however been sent there to avoid any possible annoyance, altho I am convinced that no other decision than that arrived at (I believe unwillingly) by his Worship can be justly come to by any Magistrate who had heard both sides of the question - or if otherwise that a slaughter of many other dogs must follow

I have the honor to remain Sir

Your Excellency's most Obt Servt

His Excellency Governor Mackenzie &c &c &c

James Shea

Stanley Feb. 6 1863

Sir,

In reply to your letter of the 4th. I find that I have not the materials to make the returns asked for in reference to exports, but expect them by the next mail, when the papers sent shall be returned if the accounts required are then received.

I am Sir
Your Ob. Svt
Lucas Lane

W. R. Pym Esqr.

Stanley Feb 7th 1863

Sir,

From what I have seen & learnt on my recent visit to the South, I am obliged to ask the favor of your Excellency's attention to my application of the 13th ult for licences to kill 16 Bulls found amongst the Company's tame herds; & to kill Cattle for consumption of Camp men under the Proclamation of the 5th Feb 1861.

2. The men in charge of the Cattle, continued complaining here, since in Stanley, that they cannot keep the English Bulls with the tame herds, owing to ~~damages~~ in consequence of the Wild driving them out; & the great Expense which has been incurred in importing English Bulls, amounting & to improve the Island breed, will be thrown away

3 I myself have 8 or 10 Cows, away from their proper herd, on my recent visit, being

driven about by a Wild Bull, & on my
Inspecting the herd, & which they belonged,
the same day, the Galloway Bull was not
with them, & only returned a day or two
afterwards - Besides the above, Cows, when
calving, or at their season, indiscriminately,
are led away by Wild Bulls to the Mountains
& either lost, or, with difficulty & trouble,
recovered -

At Port Louis the Cattle Keeper holds
a licence to kill for consumption, & I
only ask, there, for a licence to kill
Wild Bulls wandering into the Company's
herds

I have entered into unnecessary particulars
perhaps, but am anxious to shew your Excy
that the Company are sustaining a daily
loss & injury, whilst they have only asked
for a similar licence to that held by Capt
Pacha for more than a year; -

If your Excellency has any wish

to hear from the Men in charge of the Company's
Cattle. Also further or corroborative particulars,
they shall attended at any time required -
I have the honor to remain
Sir Your Excellency's very Obt Sert
Lower Brockenzie
Kincardineshire

Stanley February 11. 1863

Sir,

I have the honor to acknowledge the rect. of your Excellency's letter of the 9th inst. No 15 & with reference to the Surveyor Genl. having been directed to proceed to the North Camp to complete his Report on the Wild Cattle, before further licences are granted, I take leave to state that my application to sell Wild Cattle staging into the Company's Game Reserve, is not based on their number being excessive (tho' that is undeniable in the districts referred to & at Salvador) but as a matter of justice to prevent the obviously injurious consequences, & pending the final decision of the legal right to kill which the Company are advised that they possess. - And I trust Yr. Excellency will pardon my repeating that the injury, at this season, is a daily increasing one -

2 — On referring again to the Proclamation of the 5 April 1861, I find that "any person "holding a grazing ~~licence~~ District under "the proclamation of 31 July 1849, of the same

"be actually occupied, may obtain a licence
"to capture & kill wild Cattle for his own use"
paying 1£ for each Bull or Cow & 1/- for each
Calf running with a Cow -

As the Company hold several actually occupied Districts under the Proclamation of 31 July 1849 (viz the Districts marked on the Chart 7-8-14-17-18) I beg to make application for such a licence (in respect of those districts being actually occupied) to the Company -

I have the honor to remain Sir
Your Excellency's very Obt Servant
Stuart Lane

H.E.
Governor Mackenzie
&c &c &c

Stanley Feby 13 1863

Sir

I have the honor to acknowledge the receipt of your Excellency's Letter of the 12th inst No 19 - for which I am much obliged - I trust that your Excellency will excuse my suggesting that the reason for the Proclamation fixing 5/- as the Royalty for an Ox or Cow, & only 1/- for a Bull, was, doubtless, the difference in value, arising from the flesh of a Bull being thrown away, & worthless for consumption, whilst that of an Ox, or Cow, was realizable, as well as the Hide -

- Independently of the increased charge being Exceptional, 250 per Cent additional under the circumstances, appears very enormous - at the same time, whatever your Excellency thinks right, I shall submit to -

2 - There is a limitation in the Licence, that the Company shall only capture & kill upon their "leased Lands" - This, I apprehend, could not have been intended, as I feel assured that H.M. Govt has no wish to place the Company in a worse position than other Colonists - Captain

Packe's Fishery Licence gives him power to kill Capture & kill Cattle over a very extensive tract of Crown Lands, & I trust that your Excellency will allow the Company the Lands, South of the Waikawa Heights, beyond their leased District No 9 & 10, which will not interfere with any existing Licence - Even on these last mentd. Lands, Cattle (other than wandering Bulls) are but rarely to be met with; but if liberty to capture shd be confined to the "leased" Lands, the Licence wd be illusory, for want of animals to capture -

I venture, also, to ask your Excellency to allow the Licence to be conformable to that granted to Capt.n Packe, as to its duration.

As regards the Port Levy District, I do not ask to kill Bulls off the leased Lands; but to capture Cattle (other than Bulls) it is necessary to go beyond that limit, consequently, as at present, the Licence, in this respect, wd be of little value

I have the honour to be Sir
Your Excellency's Most Obedient Servant
James Lance

His Excellency
Governor Mackenzie
&c &c &c

Stanley Barracks

February 16th 1883

Sir,

I regret to have to inform
Your Excellency that Private
Martin Dwyer of the Company
under my Command died
last night having been ill
from the effects of Drink for
some days. I have the honor
to request that Your Excellency
will permit the Coffin to be
made by the Government
Carpenter in the Store, and
that he may be directed to
have it done as soon as possible
I will of course defray the
Expense, I have the honor to be

Your Excellency's
most obt Servt
D. Pennefather
Capt
Commdg

Submitted to Mr. Bachey for
the necessary orders on this case

J. S. Mackenzie Govr

Govt. House
16th Feby 1863

Stanley Feb 16 1863

Sir, I have the honor to acknowledge the receipt of Yr Excellency's Letter of the 14th inst No 20 -

My Copy of the Proclamation which I enclose does not contain the word "Bull" in the 1st clause - This wd appear to be an Error in copying, but supposing it to be so, I submit, with great deference, that the substantial question is little altered - The 1st clause wd refer, still, to Bulls captured for Stock, consequently valuable either as a Bull; or, ultimately, for the Stock, as an Ox. - but it is very different when a Bull is killed & his Hide only given up to the Royalty; & it is apparent that this was taken into consideration in fixing the royalty at 4/-

I have carefully abstained from troubling Yr Excellency's attention with old grievances, which cd. properly be avoided, & adhering to that course I will only state that I regret to be unable to reconcile the imputation expressed in the concluding conclusion of the 4th Par of Yr Excellency's letter. -

2 - The question is, simply, whether the

Capt^n Packe / & I am sure him as being the only other leaseholder under the Proc^n of 1894 / should be accorded privileges, which are denied to the Company — & I have such full confidence in your Excellency's just & impartial intentions, & in the repeated assurances of H.M. Government of equal treatment with other Colonists, that I can anticipate only one result of Y. Ex^cy's consideration of the relative circumstances —

Capt^n Packe holds 30 000 Acres of Leased Crown Land, surrounding his Establishment at Telegraph, & on which are his Cattle —

The Company hold 20,000 Acres of Leased Crown Land adjoining, & on which are their Cattle —

Capt^n Packe has held, for more than 12 Months, I believe, a Licence to capture Cattle over a large Extent of Crown (unleased) Land, North of, & adjoining, his 30,000 Acres —

The Company have applied for a Licence to capture Cattle on Crown (unleased) Land, West of, & adjoining, their 20,000 Acres — but, it is proposed to limit the Company to their Leased Land, which, being occupied, the wild Cattle naturally

avoid, except wandering Bulls.-

between the Company & Capte Roche is proposed to be made in the donation of the licence to capture.-

3 - It must be quite unnecessary to urge other consideration of the good scope & intention of the Proclamation of the 5th April, & particularly of the 3d clause, as clearly intending not to authorize the capture of wild cattle on the Crown lands generally the respective districts being limited only "to prevent interference among different licensees" - As the Government could not legally license one person to capture on the leased lands of another, the conclusion is unavoidable that unleased Crown lands were in contemplation - If all licences which have been granted had been published, as it is stipulated they shd be by the 7th clause of the Proclamation of the 5th April, I believe, (I am writing under correction, having taken that other permission has been given to capture on Crown lands, as I know it has been practicably practised -

I have the honor Sir

Your Excellency's my obedt Servant

James Lane

His Excellency
Governor Mackenzie &c

Stanley.

February 17th 1883

Sir

I have the honor to acknowledge the receipt of Your Excellency's letter of the 7th ultimo, in pursuance of which I left the Settlement on the 15th for the purpose of ascertaining to what extent the several lessees of Land in this Island had complied with the conditions

His Excellency

Governor Mackenzie

&c &c &c

Governor's

conditions of the existing
Land Regulations

2. I first proceeded to the
Stations at Port Talbot
Numbers 9. 10. 11. 12. leased by
the Talbot Land Company
and encamped on the banks
of the Arroro Creek. Remained
there and examined carefully
the whole neighbourhood.
Some none of these Stations
were stocked or occupied
and only one of them (No. 9)
was built upon and that
inadequately, one small

course 8 feet & under for =
= merly the Survey hutt used
by Mr Robinson done 18 years
ago & now uninhabitable. being
for the most part covered with
Cow sticks. the other house is
better but not fit under the reg
= ulation size being only 6 x 14
3. Soon thereafter one of the
Company proceeded to Station
No 21 leased by Mr J. Brown
which I found much im
= proved since my last visit last
autumn I consider on this
account the conditions of the

the Proclamation of the 4th of
April 1801. have been carried
commerce with
4. The holdings of the Company
at the Canteras & Darien Harbour
(No 7 & 8) are in bona fide occ=
=upation & liberality stocked.
It presume Your Excellency
requires no report from
me regarding the Districts
on the North Shore of Choiseul
Sound. which are entirely
Crown property though by
sufferance in the occupation
of the Company.

6 With reference to Stations Nos 17 & 18 leased by the Falkland Island Company, one of them is stocked and apparently temporarily occupied, that is to say the men in charge of the cattle whom it have no other residence than a small tent- neither of these Stations have houses built upon them.

7 I will now turn to Stations Nos 2 & 16 at Kelp Lagoon & Swan Inlet- leased by Coss. Packe both of these Stations are well stocked but only one of them

them upon and occupied
& Station No 15 also leased by
Capt. Packe is / as I reported last year
extensively built upon & liberally
stocked, having about 200 head
of Cattle some horses & more than
1000 sheep.

Q. Next proceeded to Station
No 22 at Bluff Cove leased by
Mr Turpin which I found
to be stocked together with a
very substantial dwelling
house comfortably fitted up
and in actual occupation
besides another small house

attached to a well built stone
corral. No 1 Station at
Post Harriet leased by Capt
Packe is well stocked and fenced
but insufficiently built upon
10 Proceeding to the 2nd paragraph
of Your Excellencys letter requesting
information as to the number
of wild bulls about the country
I beg to inform you that in
consequence of the large
number which have been
killed already I am of
opinion that any further
destruction of them cannot
but

but more injurious to the seals
I would therefore suggest that
no further licences be allowed
be granted for some few years.
11 I have further to report
to your Excellency that Statistics
3, 5, & 12 at Port Louis are occ
= upied by the H. I. Company &
Cant. Pack are built whom
and stocked accordg to the
Proclamation & with reference
to the wild bulls on the out-
skirts of Port in the holding
of the Melville and Island Company.
I did not see more than 3 or 4.

wild bulls, and those not
more than 2 miles of the boundary
line. Deems it my duty
to call Your Excellencys attention
to the fact that the commons
unrestricted depasturing on station
with wandering many miles over
Government ground and I am
informed by a resident Stock-
Keeper of herds in this neigh-
-bourhood that wild bulls
wandering on to the pastures of
tame stock rarely happens at
the present time. In the morning
when I passed over this station

I.

I counted 40 animals &
later in the day I saw upwards of
100 of the Company's Animals
driven off Crown Lands onto
their holdings. Therefore I most
respectfully beg leave to suggest
that the North Camp be left quiet
~~and no more~~ bulls be killed for
some time to come.

12 Station Yards at Giarrow
Cove leased by Capt. Packe is
well stocked, but with a small
~~shop~~ or occupier.

I am the honour to be
Your Excellency's obedient Servt.
Arthur Bailey
Overseer General

Parsonage
Feby 17th 1863

Sir,

I have communicated to Mr. Clarke the substance of His Excellency's request contained in your letter of this morning's date.

2 Mr. Clarke will immediately after the Funeral, this afternoon commence at the Office.

3 If it could be so arranged that the morning School will not interfere with, Mr. Clarke's services might be at the disposal of the Colonial Secretary for any arranged period.

I have the honour Sir,
Your Obt. Servant
Charles Butler
Inspector of Schools

W. M. Gunn Esq
Colonial Secretary

Stanley Feb 18th 1863

Sir,

Capt.n Menzies of the Chilean Barque "Pauline" has just informed me that his 2d Male & Black Seaman Frederic Jorge & Louis Klemschmidt, two Seamen, have left the Vessel without leave & that they have for some time refused to work or obey orders on board — I have explained to Capt.n Menzies that the men cannot be left here, being Aliens, without your Excellency's consent — & that I have no power to discharge them under these circumstances, as nothing is provided for such by the Naval Forces — & I shall therefore be obliged by your Excellency's decision as to the Men — Capt.n Menzies is indifferent whether they are left or not, as regards the Vessel —

I have the honor to be &c &c

His Excy Mackenzie &c &c &c

John Eardley Wilmot

Lieut Governor

Stanley Feb 20 1863

Sir,

I enclose Emigration forms to which I shall be obliged by your obtaining the signature of H.E. the Governor & affixing your own signature - The delay in sending them has arisen from the suspension to send the printed agreement with the Emigrants, & for want of it, I had no form of letter to copy -

I believe as regards the Man, Wills, you have some hesitation as to signing from his statements - I would suggest that the letter may be qualified by adding after the signature ~~that~~ the nature of the Man's complaints - that he was obliged to be taken care of from fits of weakness, & that the Captain whose statement I believe in reference to the Man's complaints was taken by you) denied any ill treatment or whatever he did deny - Both statements will then be reported & the Commissioner Judge between them.

The Printed Agreement as regards the Passengers per "Harmonie" have not been sent home, but I presume it is immaterial -

Yours Sincerely
James Lane

W. Pine Esqr
Colonial Secretary

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Colonial Secretary's Office
Falkland Islands
February 21st 1863.

I George Clethero do solemnly declare as follows:

1. That my two brothers Robert & William Clethero arrived in this Colony in the Barque Santone, Hadden Master, chartered by the Falkland Island Company.
2. That since their arrival they have been made to pay to the Company the expense of their passage from England, namely £20 each, besides some extras for articles supplied to them.
3. On one occasion I remonstrated in their behalf with Mr Rudd the Company's Camp Manager & stated that it was not right to make my brothers pay for a passage already paid for by the Colonial Land & Emigration Commissioners in England, upon which Mr Rudd produced a copy of an agreement made between Mr Cripps & my brothers before they embarked from England under which he stated my brothers were compelled to pay.

George Clethero

Witnesses to signature of George Clethero.

William T. Pyne
Colonial Secretary

George. A. Clarke.

Stanley Feb 23d 1863

Sir,

In reply to your letter of the 21st inst. No 33 enquiring what private arrangements were made by the Directors with the Emigrants referred to & stating as a reason for the enquiry that Mr. George Clothiers had made a complaint" in respect of his two brothers sent by the "Pantone" I beg to remind you that it is nearly two years since they were sent & that the testimonials were signed as to them - The nature of the complaint is not stated, but I may mention that it came with a bad grace from Mr George Clothiers - He was in the employment of the Company & represented to me that his Father was a Lunatic & his Brothers & Brothers in a state of destitution & that if I would ask for the latter to be sent out, he would pay their passage, the amount of which he was aware of - He afterwards left the Company's employment for that of Capt. Packe, has not performed his engagement, but has made a complaint -

2 I know of no such conclusion as mentioned in the 2d Par of your Letter as regards any of the Emigrants

by the "Harmonia", nor as to Wells by the "Hanson"

I apprehend of it was Mr Moore, that the Certificate as to "no bounty" had been paid would be affected by any private arrangement with the Emigrant, & that it refers to bounty sometimes paid by Colonial Governments -

3 - If the Captain of the "Harmonia" did not give a formal Notice of the arrival of the Emigrants I apprehend it was made known to Lord the late Governor at the Captain's interview with him on leaving his papers - There was no Circular or Complaint to be inquired into, & in the absence of any, in similar cases previously, the Certificates were signed on application - As regards the "Hanson" it appears that there was a complaint, & that the statement of the Captain was taken, in answer to that of the Matron, Wells - I will ask you be good enough to strike out the name of "Caroline Hanson" as I find she was not an Emigrant, & that the Directors agreed to the Master bringing her in the Cabin - All arrangements were made by the Directors & not here & it would perhaps be better that communications shd be by Letter on this subject.

I am Sir Your obedt Servant

W.R. Pym Esqre
Colonial Secretary.

Innes Hume

Stanley Feby 24th 1865

Sir.

In my recent interview when accompanying Capte Meuzes of the Prussian Barque "Pauline", I found with great surprise & regret that it had been represented to your Excellency that Capte Meuzes in respectfully declining to admit the jurisdiction of the Police Court to go into the question of the sea worthiness of a foreign Vessel on the application of two of his Crew was placing himself in opposition to the Law - and that in acting as Consul for Hamburgh I was doing so without authority - I feel that it is impossible that your Excellency could have entertained such impressions if the facts had been made fully known -

& I therefore take leave to state them.

It having become known that there was a plan on foot to send off a Boat in the night time to take away some of the Crew of the Barque I advised Captain Meiners to have a Man on board as a night watchman to give him notice of the approach of any Boat.

Subsequently two Seamen who had previously refused to work came on shore in the day time without leave, & Captain Meiners ~~& Lofts~~ ~~Meiners~~ applied to me, saying that he did not care to have the Men back, if he could leave them here - I told him that he could only do that with H Excellency's permission & that if it was not allowed application must be made to the Police Court to have them sent on board - He preferred to leave them here, and I accordingly

made application to your Excellency on the
18th inst. & arranged with Captain Meeners
that he sho wait the result of the application
In the afternoon of the 21st the reply of the
Colonial Secretary (dated the 20th) was received
conveying your Excellency's consent to the
Men being allowed to remain on depositing
£7 - If Nothing had intervened therefore
no question or difficulty could have arisen
- The deposit sh have been paid (as it has been)
& the Men sh have remained -

But after my application & Capt Meeners
Meeners received a letter from Mr Bailey
dated "Police Court" & signed "A Bailey Dep
"Chairman", in which he stated that the
two Men had been with him "to lodge an
"Complaint" some objections on their part.
"to proceed to Freemen in the Parlour or
"they seem to be under the impression that

"the Vessel is not in a Seaworthy State" &
"requesting Captain Meiners to attend in
Court at 3 of. when he, Mr Bailey, read
"informed the Complainants that he would hear
"their statements" — It was then plain that
Captain Meiners was required to attend
to go into the question, with his Crew, as to
the Seaworthiness of his Vessel, & equally
so that Mr Bailey assumed a jurisdiction
which he did not possess — I submit to
your Excellency that here the irregularity
begins, & it was followed by the usual
consequences — I referred with Captain
Meiners to the Bremen Laws, founded on
his Muster Roll for the guidance of
himself & Crew, & found that if he
acquiesced in the jurisdiction of a foreign
Court in such a Case, he would be

nothing in direct contravention of these laws—
& to avoid any such result by his attending
in Court unnecessarily, I addressed him to make
a respectful reply to Mr Bailey's letter stating
his objections, & also that I had applied to
your Excellency to know whether the Men
might be left here — Mrs he did — & I felt
sure that it would result in Mr Bailey pursuing
the course which has been scrupulously
adhered to hitherto in this Colony, in
consequence particularly of former complaints,
viz to avoid such interference with foreign
Ships, by telling the Men that their
complaint cd not be entertained — Instead
of this however, the Man employed to watch
came to me the same Evening, stating that he
could not go on board again as Mr Bailey
had told him he wd be liable to a penalty
of £20 for acting as a Constable — & the Men
said they had been told by Mr Bailey not to
go on board that day —

2 - I am now under the painful necessity of referring to the shocked Opposition which has been evinced by Government Officers to my acting as Counsel for Hamburgh - & to my strictly performing my Legal duty to the subjects, also, of their Hanseatic Sovereigns by affording them advice & assistance in the absence of their particular Consul -

Your Excellency is doubtless aware that it is the convenient & courteous practice in all Countries for the Consul to be the medium of communication with the local authorities, & that subjects are directed to apply to him & he to apply to the authorities - In accordance with the request of the Hanseatic Ministers, the Secretary of State directed me to be recognized here as Consul for Hamburgh until my

J. Clarke.

Regulation was issued & a public notice was given to the same effect - I have continually since received suspicious & alarming & serious threatening letters, advising us the sending for Embarkation & on other duties upto this time

In absence and manner of the Secretary of State's directions & of ordinary rules of Government Officers here have systematically ignored my right to act & have conveyed to others that I only upon the right -

In October last it was thought well to send me, with official directions, a Copy of a Letter from Sir Lordlake, the Chief Secretary to Govt. Bombay, in which was the following passage - "I believe Sir Lance styles himself "the Council for Hamburgh (altho' he has not "received an Exequatur from H.M. Govt.) - I do "not know whether he has seen how the "Charge of the Pauline's papers" &c

Instead of communicating with me with

61

Reference to my letter to your Excellency, th
Colonial Secy wrote to Capt. Menears to call a
Office, intent my communication to me - & re
date the 19th inst., J.B. Bailey, Mast graduated
under Capt. Menears Name" I beg to inform
"Mr Lance is not Consul for Bremen"

At my recent interview w the previ
Capt. Menears your Excellency stated that
was in the Lance possession as the U.S. Con
Agent, who was not recognized by the Ger
Government - I feel under these circum
that it must be injurious to the Colony to
Hanse Towns Steamers to report that
harassed here by trivial enquiries as to
Consulship, & as I cannot usefully per
the Office under the inconvenience & e
& expenditure experienced, & as my inclin
desire to be relieved of it -

I have the honor to remain Sir

Your Excellency's very obd

James Lance

HE
Governor Mackenzie
&c &c &c

Stanley Feb 25 1863

Sir, I have the honor to acknowledge yr Excellcy's letter dated yesterday N° 35, requiring the Company to "remove their flocks of Sheep &c "& such of their Houses as they may wish, from "off the lands referred to, before the 1st May "next", on the ground (Par 5) that "it was "doubtful, in Council, that all their settlers "holding temporary occupations similarly to "the Establishd Islands &c, had been consulted "to relinquish those lands, & it was therefore "recommended that the Govt should resume "possession of those the 7 Districts on the North "Shore of Clarence Island" —

2 - I believe that your Excellency will find that when the Proclamation of the 4th Sept 1861 was issued, Capt Packe was the only other person who held land on temporary occupation & he only one District, over which he had a like number Equally poor as them. - If in the absence of any public information I am mistaken, I shall be glad to be corrected, & to know who else held land on that tenure. —

His Excellency Sir Richard Graves MacDonnell &c &c &c

3 - I take leave to remark, in reference to Par 4, that the Company do not expect any other claim to the lands mentioned, beyond fair & reasonable consideration of their general arrangements, in regard to them, made in the conviction that after holding them (Choiseul Sound lands) for, I believe, 20 years, they will not be ejected with their flocks & Houses, in order only to carry out the letter of a Proclamation which injuriously, affects them only in that respect.

4 I am quite at a loss to know where 2000 to 10000 Sheep, runs on the lands referred to as suitable for Choiseul Sound are to be placed, & where the Shepherds & their families are to find Dwellings. (2 men wd be required for every separate flock of 1500 Sheep) in the approaching Winter -

It wd require at least 6 Houses to be erected, even if the Govt had the land, on which to place them, suitable for Sheep -

- there are not sufficient materials, nor labour in the Colony, to accomplish it - & even if there were at hand, the short interval of two months, immediately followed by Winter, wd be wholly insufficient - The Houses referred to in the 6th Paragraph must necessarily remain for the Shepherds to dwell in, whilst the others were building, & until built, the Sheep could not be tended.- Nothing the Rams & the Sheep, at the proper season, would also be interfered with, & altogether immense loss & injury wd be inevitable -

5 - In the wholly unexpected position in which I am placed, I am without instructions, & cannot act upon my own responsibility in what vitally affects the Company - I trust therefore that the occupation may be permitted to continue until I can receive instructions from the Board, & a reasonable time for carrying them out, even if only to the end of the year -

6 - In order to make the present

Mr
Wilberforce Wilberforce

position of the Company clear, I shd be d
by being enabled to give the Board ins
on the following points –

(1) Referring to the 7th Para – Whether any
is intended to be allowed to build upon
the Company's leased Lands, so that
may not, in the mean time, obtain
to occupy those reserved to be given
or, Whether any one, other than the
can now, or on the 1st May, obtain
Licence to occupy those Lands?

(2) Whether the Company may have the
of Exchanging with the Crown any of their Le
purchased Districts, for an equivalent qua
Land, North of Cheasent Sound –

(3) Whether, if the Coy sell any of their Le
purchased Lands, they would be, after
considered within the prohibition of the
part of the 13th clause of the Deed of
& be prevented obtaining other Land, if the
did not build upon & occupy the Districts

With regard to the 1st question, the power
"with other settlers" to be wholly illusory. If they
obtain the Lands, whilst the Company cannot
The 2d question is of course independent of
by the Proclamations of the 4th April 1861

I have the honour to be Sir
Your most humble & obedient Servant
Jas. Douglas

His Excy
Gov. Mackenzie &c &c

Hanley
Feby. 20th 1863.

Sir

I have the honour to acknowledge the receipt of Your Excellencys letter of this days date In reply to which I beg to state. as I informed Your Excellency last Thursday I consider the N.T. Com= =pany will have been allowed ample time to move their Herds & Flocks of Sheep & Horses, as stated in Your Excellencys letter. if they are given to the 1st of April next

I have the honour to be Sir

His Excellency Your Excellencys obedient Humble Servant
Governor Mackenzie &c &c &c

Arthur Hanley
Government Agent

Stanley Feb 27th 1863

Sir,

I have the honor to acknowledge your Excellency's letter of the 26th inst No. 36 -

2 Having done all in my power to induce your Excellency to agree to some modifications of the Land Regulations of the 4th April last & it being determined that no alteration shall be made in them, I consider the question closed, & no longer open to discussion here or in England -

3 - On a distinct matter, however, I take leave very earnestly to beg your Excellency to extend the time for relinquishing possession until after the coming Winter - Since I last addressed your Excellency on this subject Mr Rudd, the Company's Manager, has come into Stanley, & he more than confirms the disastrous losses which I foretold out, attended on early removal in particular - & especially in the most serious

consequences as regards the next lambing season - The injury which must arise being beyond question, I trust your Excellency will allow the time until the 1st September & thus enable such imperfect preparation as may be practicable, to be made for the Shepherds & Sheep - & Rent for the 6 months as required it will be cheerfully paid -

I send this letter by Mr Rudd, in the hope that your Excellency will hear his representations on the injury which I have referred to -

4 - The Exchange of the two Dwellings 11 & 12 at Salvador, here for there, would result in a pecuniary loss to the Company & a gain to the Government of £176 - The Company having paid £304 for the 320 Acres of freehold there, & £128 being now the selling price of the same No of Acres Elsewhere - The term also is in favor of the Government - I therefore trust that

your Excellency will consider some equivalent
in exchange only equitable -

If not, however, I shall accept your
Excellency's Offer to exchange those two Lots
"Acre for Acre, subject to all the conditions of
"the Proclamation of 4th April 1861, as if actually
"held under the Proclamation of 31 Dec 1849"

And I beg to state, in lieu of Section
No 10, 000 Acres West, of & in continuation, of,
the Company's Section No 100 & of the reserved
Land inside Swan Inlet, or, from Swan
Inlet, of the Land inside as not intended
to be reserved -

And in lieu of Section No 12 at
Salvador, have taken running North from
"Blue Rock" (Channel Island) bounded with
the above 10 000 Acres &c -

As this is no doubt[illegible] unnecessary, I do
mention that I name the above portions
because a House on each is already erected
& on that first named are also the Company's

Withers for the supply of the Navy
Market -

I have the honor to remain Sir
Your Excellency's most Obedt
Servant

Lincoln

H E
Governor Brockenbrough
&c &c &c

Stanley Feby 27th 1863

Sir,

In acknowledging the honor of your Excellency's Letter dated yesterday No. 37, I take leave to correct a misconception which I greatly regret - So far from intending to attribute discourtesy to your Excellency, I acknowledge having experienced the most courteous treatment from your Excellency personally - In reference also to your Excy's statement that I was in the same position as Capt Langley who did not consider it as applied personally & I referred to it only as a statement, having previously expressed my conviction that your Excy had not been made fully acquainted with the facts -

I would further ask leave to remark in reference to the 4th Par that my statement there quoted, is strictly correct - My Letter to your Excy as dated the 10th - in consequence of it

For the same day

The Colonial Secy wrote to Capt. Mercer to attend at his Office, Bass St Lydd, on the 19th - I then attended with Capt. Mercer, (without having had any communications from the Colonial Secy as stated in my Letter) when the subject of the Case was entered into - It was not until the afternoon of the 21st that the Official reply was delivered with those other Letters

I have the honor to remain Sir
Your Excellencys very obed. Servt.
James Lane

HE
Governor Mackenzie
&c &c &c

Stanley Feby 28 1863

Sir

I have the honor to acknowledge your Excellency's letter of the 24th inst No 69. - informing me that your Excellency has consulted with the Surveyor Genl. in reference to my letter of the 21st ult. & to the representations made to your Excy by the Anglo Saxon Company's Manager: & that the Surveyor Genl. is confident of the feasibility (1) of removing both Sheep & Horses before the 1st Septr next, tho' objected to by Excy to the 1st May. - 2) that it appears to your Excy almost impracticable that I should personally superintend my flocks in proceeding the Sheep with suitable passage in Lafonia, (3) which your Excy is informed, is some of the finest land in the Island, & adapted for Sheep farming. & 4) that the P.O. have more than a sufficient quantity of pasturage for the purpose leased from the Crown outside Lafonia --

2 - On each of these Statements the Company's Camp Manager (who has had 20 years experience in the H.P. & with an excellent character) & every Shepherd who knows Caffraria, & the requirements of Sheep, are at direct issue with the Surveyor General, who has no practical knowledge of the subject - I cannot but remark that the representations I have felt it my duty to make have been passed over either unrefuted, or [a]nswd. in general terms. - and it is surely too manifest that the existence of the Company's valuable property is to depend on the advice, given by your Excellency, of the Surveyor Genl., whose hostile feelings towards the Company, & myself are perfectly known to every one, tho' it may be, not to your Excellency. - I state this advisedly, but with perfect respect - & it follows that as it is impossible that your Excellency, after an experience of only three Summer Months in the Settlement, can have a personal knowledge of the Capabilities & dangers to the removal of Stock in such a Climate, the tenure of the Co's property is indeed precarious -

3- Urged the necessity of returning to the Island, in preference, but the Special Order
- "Defence" has always been considered overstocked with Cattle & Horses - it was purchased by the Convict
property for those Animals, & at a time when
it was not believed that Sheep cd thrive in
these Islands. - Afterwards, however, the Convicts
imported a large number of Sheep, - placed
them in Defence, where they flocked, & were
therefore removed outside, where they have
continued to thrive - The Commissariat
formerly resided, was obliged to be removed
& erected outside, 4 years ago; shortly, &
may almost say, with the object of having
the Sheep, as they increased, placed
on contiguous land where Convict Guard,
with aid of the pasturage, & to have them
near the principal establishment for
Shearing & good attention - Under such
circumstances it is inconceivable, on any
principle of justice, that the Govt. cd now
remove them being again placed inside -

4 - Gov Eyre is misinformed also as to the quality of land in Safonia - away from the Shore it is boggy & dangerous - It is well known that the Cty have never yet been able to obtain Cattle for killing, from Safonia, in good tolerable condition; & that, for the supply of the Shipping of this Port & the Settlement, it has been found necessary to form Rodeos, or herds, of Cattle on their leased Lands outside, drawing such herds from Safonia, before they cd get any propriety fit for market. - Walk Mr. Eyre, they have formed herds of 2 or 3 hundred to feed (under constant watching) on the leased Districts 17 & 18 - On the District 14 at Port Lincoln, also, there are nearly as many English bred Cattle as that Land will bear —

Immediately after the Winter as many Cattle will be placed on Districts No 9 & 10 at Salvador as can be fed there, & there are already two Houses put up on No 9 for the purpose:

5 I would earnestly beg of Lord Stanley

to these, & the following facts.- There only remains
for 12,000 Sheep to be removed to, & for the probable
increase (if not destroyed) of 5000 more, the
the 2 Districts G & J, & 16000 Acres adjoining added in
Exchange for "Land leased from the Crown, outside
defence" which is stated to be Exclusive "more
"than sufficient quantity of pasturage for the
"purpose" -

If Sheep can more show the
want of practical knowledge, than such
misrepresentation, & it will only be trifling with
the common sense of any experienced person
to say, that that extent of Land is sufficient
for half the Number of Sheep I have mentio-
-ned. Each flock of 1500 must run over, & do
run over, at least six Miles, by 3 or 4, &
ground, & a considerable space is required
to intervene, to keep the flocks separate -
to intervene, to keep the flocks separate -

6 - I cannot yet believe that your Govt
will still so unnecessarily destroy, or even mu
the immediate use of the construction of the Works,
by insisting on a removal before the Winter -

7 - From the absolute necessity which I am under to ~~[illegible]~~ as much as possible the losses & injury occasioned, I accept your offer of Exchange for the 16,000 Acres at Salvador. but, if any thing was required to shew the extremely harsh treatment which the Company experience, it will only be necessary to point to the refusal (without any reason assigned) to give in exchange, the land asked, adjoining the reserve at Swan Inlet, & allowing an Exchange only of land 15 to 20 miles more distant from Stanley; thus compelling the Company to remove the Settlers, with which Stanley is almost wholly supplied, that distance further from Mean Market. -

I think it right not to conceal from Sir Rudy that a rumour has reached me, both here & the Camp, that the land adjoining the reserve at Swan Inlet refused to the Co. is to be obtained by a particular individual; but I trust there may be no foundation for the Report

I have the honor to be
Sir
Your Obedt Servt
James Lane

Gov Mackenzie &c &c &c

Stanley March 4th 1863

Sir,

I have the honour to acknowledge the receipt of your Lordship's Letter of the 2d inst. & beg to thank your Lordship for the explanation of terms as mentioned in the 3d Paragraph.

I have the honour to remain

My Lord

Your Lordships

Most obedient

Humble Servt

Stanley

Lieut Genl

Sir Fenton Aylmer

&c &c &c

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Stanley Mar 2d 1863

Sir,

Writing to the Encloses by
Mrs Reid I shd be glad to
send the Emigration forms
signed, if you can give
them to the Bearer

I am Sir your Obt Servt

Francis Lane

W R Payne Esqre
Colonial Secy

Stanley March 5 1863

Sir,

Referring to your Excellency's letter of the 2d inst Par 2, I shd be obliged by having notice when Mr Bailey will survey the Land mentd in it, in order that the Camp Manager of the Company may be informed & attend to see the boundaries -

2 I shd be obliged by information on the following points

1 - Whether the whole of the Land marked colored green on the Chart in the Office of the Colonial Secty, except a Town Allot on the West, is to remain a Govt Reserve ?

2 - Whether the freehold of any & what quantity of Land (independently of the Proclamation of 4th Apl 1861) in this Island

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may be purchased & at what sum per
Acre?

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3d - The Government being unable to assume
more than 5/- an acre for each 160 acres
of fuchild Land under the Proclamation of
the 4th April 1861, I beg to suggest whether
your Excellency will entertain an offer
by the Company, to purchase 5 plots
of 160 acres each at double that price
or 10/- an acre, paid for with, (with
a lease of a Station adjoining such) in
continuation Eastward of the 16,000 Acres
agreed to be given in Exchange on Channel
Sound - the Station being held for the
usual Term & Rent - I beg to make this offer
with the view of, even at such a sacrifice,
despersing the consequences to which I have
before pointed out would be the result
from the Company's deviation from those

Lands & as a proprietors desirous & apart
from the Proclamation of the 4th April 1861 -

I have the honor to be
Your Excellency's very Obt Servt
Jno Dallas

HE
Governor Mackenzie
&c &c &c

Stanley Falkland Islands
8th March 1863.

Sir,

I Francis Hopwood late cheif Mate of the Barque Ann Nelson respectfully shews to you that he is left at this Port from sickness contracted during the voyage from England not arising from neglect or vice on my part - but entirely the visitation of God - I have been paid my wages which are the only means I have of maintenance

The Shipping Masters &c &c Stanley

Stanley March 10. 1863

Sir, I have the honor to acknowledge your Excellency's Letter of the 7th inst. No 47

The first & second points in my Letter of the 5th inst. on which I solicited the favor of information, appear to have escaped your Excellency's notice & I therefore take leave to refer to them.

With regard to the 2d of those questions I apprehend that the Proclamation of April 4th 1861 does not do away with the right to purchase Lands in fee according to the Proclamation of 30th Septr 1845 — & in confirmation beg to refer your Excellency to my Letters of the 14th & 15th August 1860 to & Governor Grey's reply No 177 to the former dated Augt 15th 1860

I have the honor to be Sir
Your Excellency's most obedt Servt
James Lane

HE
Governor Gray &c

Stanley March 17. 1863

Sir,

On the Morn^g of Sunday last the Co^y's Storekeeper applied for a Summons vs a Man named Williams, a Debtor to the Company, about to leave the Island on board Capt^n Smyley's Schooner "Tilton," but then on shore - Capt^n Stibbard however took the extraordinary course, instead of issuing a Summons, to go first going to Capt^n Smyley's to see him - He then came to the Company's Store, & said he wd grant a Summons returnable at once & requested the Storekeeper to again go to the Court ho - he did so, signed the Book & paced for a Summons, & arranged to call for it after going to Post House - But on returning Capt^n Stibbard refused to issue a Summons at all, & the Man was put on

Board & the Schooner sailed – I understand that Capt Stibbard alleged that a Man could be arrested under for a debt under £20 –

No one knows better than Capt Stibbard that granting a Summons, & arresting a Man, are totally different occasions, & that it has been the constant practice to grant a Summons ex mero motu. without waiting the ordinary 10 days, where it was shewn that a Man was about to leave in debt; – and even where the Creditor was about to leave. – This will be readily seen by reference to the Court Books –

I feel it my duty to call your attention to these proceedings, both on account of the irregularity of the Magistrate calling on Capt Stibbard, & refusing the

Summons, but no also on account of
the loss of this debt & the Company by
reason of it, & the departure from an
established practice, which is accompanied
for the security of a Creditor

I have the honor to remain

Sir

Your Excellency's very Obed't Serv't

James Lyall

H.E.

Governor Mackenzie

&c &c &c

Montevideo

March 19/863.

Sir

Herewith you will receive a parcel containing letters.

I remain Sir.

Your Most Obed.t Serv.t

W.m Lund Hennessy

Packet Agent.

The Post Master at

Stanley.

Stanley March 23d 1863

Sir,

I beg to state that the Company have no objection to relinquish possession in favour of Mr Rudd of such an extent of land adjoining the reserve West of Brant Inlet & South of West Cove, as your Excellency may grant a licence to him to occupy & as soon as such Licence is granted

I have the honor to remain

Sir

Your Excellency's very Obed.t Serv.t

James Lane

H.E.

Governor Mackenzie

&c &c &c

Stanley

March 27th 1863

Sir

I am much disappointed at being refused Land by your Excellency's Letter of the 26th of this month, the Proclamation says that any Person may obtain a Licence to occupy a Station I relied on this & Bound myself to Buy 100 Sheep & & Pay for the Buildings, & I respectfully ask you Excellency to Carry out the Proclamation By Granting me

me What it Says, any Person may obtain on application & paying £5- the Company's Exemption does not Stand in my way & no Bedding is allowed by the Proclamation one against another So that there can be no reason to Cut it off on that account Others have obtained Licences on applying for them & I think it hard that after being 20 years on the Island it should be refused me I hope therefore your Excellency will Grant me the

Lucence Wharf delaying at
the beginning of Winter

Your Humble
Servant
J. Rudd

To His Excy
the Governor

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Stanley March 27 1863

Sir

I have the honor to acknowledge the rect. of yr. favr. letter of the 26th inst No 50

2 - In waiving occupation of the land referred to, by my letter of the 23d inst. I did not think it necessary to make it a subject connected with the terms of the Agreement both Mr Reed & the Company, under which the latter are interested in their obtaining a Lease - I will however now state its provisions & produce it if desired - They are

That Mr Reed buys 100 Sheep for Stock & so & pay also for any buildings the Company & Sheep, as well as his own, to remain on the land until after Nov.r,

receiving Rent for the accommodation

2. Your Lyd will perceive that there is nothing in these provisions affecting the Govt & that the Company are materially interested in preventing the uncertain loss from nonpayment of Rents & removal on the Eve of Winter —

There is no difficulty in a Proclamation being given, & no completion is now permitted in Mr Grazing Stations —

3 Your Excellency has so frequently expressed your determination to carry out the Proclamation, which gives a right to "any person" to obtain a Licence "on "application" & payment of £5, that I cannot imagine any departure from such assurance in this particular case —

I have so unfeignedly acted in Mr Gregory's consideration for the Company's position & property on the Lands in question, that if we, I regret

to feel, be hopeless to look for it; but as the Company almost wholly supply the Settlement & shall persevere with Beaver Meech, in case of the removal of the Nether Stock must be discontinued, some regard to the future interest & convenience may justly be taken into consideration—

I have the honor to be
Sir Your Excellency Obt. Servt
James Lane

His
Excellency Governor Mackenzie
&c &c &c

Comandancia General
DE LA
ESCUADRA DEL PACIFICO.

Escmo. Sr.

Tengo el honor de acompañar a VE. el adjunto interrogatorio a que debe contestar el súbdito Inglés que se espresa segun el proceso que se está instruyendo en este buque para averiguar los sucesos que tuvieron lugar en su casa habitacion entre dos individuos de las dotaciones de estas Fragatas, uno de la clase de marinero y otro de la de Oficiales de mar; segun me pide el Fiscal de la causa, rogando a VE. me las devuelva diligenciado que sea.

Dios gue. a VE. m.s a.s A bordo de la Fragata Resolucion, Pto. Stanley 1.º Marzo 30. de 1863.

Lucio H Vernet

Escmo. Sr. Gobernador General de las Islas Falkland.

Comandancia General
DE LA
ESCUADRA DEL PACIFICO.

98

Inestroy to be answered by the witneses José Mª Gonzalez, and his wife, residing in the first street met after landing in the Company Jetty. third house on the left, which saw the question and subsequent fight between a man in sailor dress and another one in a warrant officer dress.

1st = Taking the oath according to their religious creed.

2nd = If the 25th inst. took place in his house a question or fight between a man in sailor dress and another one in warrant officer's dress - and in this case, to state whether they know them, who else witnessed the same, and how this happened with all the circumstances.

Stanley. 30th March 1863.

José Navarro y Fernandez

The same questions to be answered by the wife.

Comision fiscal

Diligencia respuesta del Oficio 99

Interrogatorio á cuyo tenor deberan examinarse á los testigos José Mª Gonzalez y su muger que denunciaron una cuestion en su casa (sita en la primera calle que hay al desembarcar en el muelle de la Compañia; tercera de la izquierda) entre un individuo vestido de marinero y otro de Contrabandista

1º Si bajo juramento segun sus creencias religiosas prometen decir verdad

2º Si el dia veinte y cinco del mes de Marzo del corriente año hubo en su casa una cuestion entre un individuo con traje de marinero y otro con el de Oficial de mar y en caso afirmativo digan si conocen á estos, quien mas presenció el acto y como fue este

Puerto Stanley 30 de Marzo de 1863

José Navarro y Fernandez

Stanley Barracks
April 2nd 1863

Sir

I have the honor to request that your Excellency would be pleased if possible to obtain a passage to Nassau Bides for the soldiers named in the margin of the Company under my Command both on their return to his Majesty sent home either by a ship of War if there is one homeward bound or by the Royal Mail Steamers

Nassau Bides for the soldiers named in the margin of the Company under my Command both on their return to his Majesty sent home either by a ship of War if there is one homeward bound or by the Royal Mail Steamers

Private Dawson
Drayton

His Excellency The Governor

Shoulds being in
honour I think the
opportunity is a good
one. I have laid the
case of the men for
whom I request the
passage before your
Excellency and I consider
him to be incorrigible

I have the honor to be
Sir
Your most obt
Servant
H Mooney

British Consulate
San Francisco 2 April 1863

Sir,

I enclose Declarations made before me, relative to an expedition fitted out here to go to one of the Group of the Falkland Islands in search of a large amount of Treasure said to be buried there — The "Frances Palmer", a fast sailing American Barque sailed yesterday for the Island, having cleared at the Custom House

His Excellency
Capt. James G. Maclaurin R.N.
Governor &c
&c.
&c.
Falkland Islands

House for Valparaiso, and —
Wagener was on board —

The widow of Johnson referred
to in the Declaration, is said to
be still living at Port Stanley,
and I have seen a letter written
by a man in Victoria in which
he states, that a son-in-law
of the late Johnson has lately
arrived there from Port Stanley,
who spoke to him about the
buried Treasure, and said that
he had often heard Mrs. Johnson
say that her husband had —
confided the secret to a Dane
who was so closely watched by
the Authorities of the Islands, that

he

he finally left and had never returned. —

I have sent a Copy of this — Declarations to Earl Russell, but I send this direct to your — Excellency viâ Valparaiso, in order that you may be in — possession of the information as speedily as possible —

I have the honor to be

Sir,

Your Excellency's most Obedient

Humble Servant.

Wm Lane Booker

Consul.

We, James Brandes, Frank Gile, Williams Hanford and Michael Burke, all residents of this City of San Francisco, do solemnly and sincerely declare that a man named Wagener, a Dane has made statements at different times to us of which the following comprises the main facts:—

That said Wagener in or about the year 1853 was in the Falkland Islands, that while there he was acquainted with a man named Johnson known as "Pirate Johnson," that said Johnson told him in strict confidence that he had been on board a Pirate Vessel when a boy, that the Treasure taken by the Pirate was deposited in a vault in one of the Group of the Falkland Islands, about forty five Mile from Port Stanley, that at the instance of the said Johnson he went to the place designated by Johnson in a small sloop, that according to Johnson's directions he made the two men who accompanied him as seamen in said sloop drunk, and having put them ashore near the place where the money was stated to be buried, he proceeded alone to the place with a Pick and Shovel, and that he dug a shallow hole in the Peat and discovered the vault, but found he could not remove the Treasure alone, he accordingly returned to Port Stanley with the

the intention of proceeding again to the
Treasure with such assistance as could
enable him to remove it, but that he was
so closely watched by the Authorities at Port
Stanley that he was unable secretly to return;
that Soon afterwards Johnson died, but before
his death he made said Wagener declare
that he would not disclose the secret to
the Government, and that if he secured the
Treasure he would give a large portion of
it to his said Johnson's daughter; that the
widow of said Johnson made a report to
the Authorities at Port Stanley about the
Treasure on finding that said Wagener
would not reveal to her the secret, and in
consequence said Wagener shipped as a
Seaman for this Port and arrived several
years ago; that said Johnson accounted for
his being the only possessor of the secret by
stating that whilst the Pirate vessel was
laying off the Island he Johnson being on
shore, a Spanish Ship of War arrived and
that the Pirate Vessel was sunk with
all on board when attempting to escape

We further state that we know
that the American Barque "Frances
Palmer" has been Chartered by certain parties
in San Francisco to proceed in search of the
Treasure referred to by the said Wagener

and

and that said Wagener is to go in her -

James Braid

Subscribed and declared
before me in the British
Consulate, San Francisco
the thirty first day of
March A.D. One thousand
Eight hundred and sixty three.

Frank Gill
Wm T Hanford -
Michael Burke

W McLane Booker
Her Britannic Majesty's
Consul for California

Stanley Apl. 4th 1863

Sir,

I am informed by the Composition man from Port Louis that several Whales are on shore at Mannie Bay - I shd be obliged by being made acquainted with your Excellency's views as to whom they belong - They will soon spoil unless the blubber is taken & tried out

I have the honor to be Sir

Your Excellency's very Obt Servt

James Lane

H.E.

Governor Mackenzie

&c &c &c

Stanley

April 4th 1863

Sir I have Received the
Printed Proclamation Sent
me & I See that it Stanley
Says that any Person has a
right to Land & who applies for
it & it would be very unfair
for one Person to be Preferred to
another if your Excellency Will
not Send me Instruction within
after the 1st of May I must

Wait Thro respectfully Claiming
a right to share it more if
the Proclamation is to be treated in

I am Sir
Your Humble Servant
John Rudd

To His Excelency
the Governor

(3)

Stanly Barracks
April 6th 1863

Sir

I have the honor to request that your Excellency will kindly inform me whether it is definitely ascertained that Private Drayton will be conveyed to Fort Sumter as requested on the 2nd inst. in my letter to your Excellency

I trust your Excellency will understand my desire in writing as it is most important to know what I am to do with the men & I otherwise shall be at a loss & cannot tell how long I can keep them prisoners in an unlimited time.

I have the honor to be Captain Henry Wells

A. E. The Governor
&c &c &c
Raleigh

Who [illegible] I then can keep
him a Prisoner and perhaps
use the Absolute power that
a part of the Sentence
would bestow, both have
both of course would be
a better mode of Conveyance
but in the mean time I
can [illegible] him & not
until I get from Parliament
[illegible]

I have the honor to be
Sir
Your most obt Servt

Lt Col Torrens
&c &c

Stanley April 6th 1863

Sir,

I have the honor to acknowledge Yr Excellency's letter of the 31st March 1863, in which it is intimated that the Land applied for by Mr Rudd would be disposable, under the Proclamation of the 4th Apl 1861, but for "its present temporary occupancy".

2- I confidently submit that there does not exist a question — The occupancy is stated to be at once terminated, & the Land reverts to the immediate disposition of the Crown, under the Proclamation. — To withhold a license, under such circumstances, would be to set aside the established Land regulations, & to deal arbitrarily with Crown Land. —

3. Although I thought it right to make your Excellency acquainted with the agreement between the Company & Mr Rudd, I had no intention of asking "assent" to it — It was entered into in

reliance upon the applicants clear right to a licence under the Proclamation, &, having regard to possible eventualities, I regret to feel under the necessity of very respectfully protesting against its being withheld & of reserving all claims, on the part of the Company, in consequence.

I have the honor to be Sir,

Your Excellency's very Obed.t Servant

James Anderson

HE

Governor Mackenzie

&c &c &c

Albany April 16th 1833

To Arthur Bailey Esq.: Actg Stipendiary
Magistrate.

Sir /

I the undersigned do herewith
most respectfully tender an Amount
of £10 (Ten Pounds) for the six
dead Whales now lying and stranded
upon Berkley Sound. — hoping
that I may be informed as soon
as possible if my tender is accepted:

I have the honour to be
Sir
Your obedient Servant
(Signed) John Smith

Arthur Bailey Esq.
Acting Stipendiary

Stanley April 7th 1863

Sir.

Referring to your Excellency's letter dated yesterday on the subject of the Stranded Whales, I received information last Eve that Mr Deane's Cutter from the Boat left Mrs Watson on Sunday Morng & that one or more of the Whales have been cut up - It would of course have been easy for me to have done so, instead of writing your Excellency on Saturday, but as what has taken place will prevent steps for purchase being made for the immediately for the State if the fish when dispersion may be given I have the honor to be Sir

Your Excellency's very Obt Servt

James Lane

His Excellency Governor Macleay

Stanley Dpt. 8th 1863.

I have the honor to acknowledge
Excellency's Letter of the 7th inst No 63
& to state that the 2d Para of your
letter referred to "the Land applied for
by Mr Rudd".

2 I understand it correctly from
2d Para of your Excellency's Letter & have
willingness to grant Mr Rudd a
licence after proclaiming the Land
& regulations open to the Public - I shall
give up possession of it with these objects
without hesitation

I have the honor to be
Your Excellency's very Obt Servt
James Lane

His
Excellency Governor Mackenzie
&c &c &c

Parsonage
Stanley
April 13. 1863

Sir,

In sending the quarterly Reports of the Schools under my Inspection, it is only necessary to report to your Excellency that the numbers have continued at the same average as during last Quarter - and the conduct of the Schools has been on the whole Equally Satisfactory.

2. I would beg however to take this opportunity of asking your Excellency to give such directions as may prevent the Schools from being deprived of Books, under any difficulty under

H. Sir Wm MacKenzie

much inconvenience would be prevented by a larger Lobby being placed in the plan used at the Boys Schools. And stocked outside the Girls School for Infants-

I would also beg respectfully to suggest that the Prisoners might be employed when any were in Gaol, in cleansing both Boys and Girls Schools once a week that duty has hitherto by an arrangement with Mr Clarke fallen exclusively on his wife, but the arrangement proves irksome to him and I must confess that it is difficult to keep up the respect to which the Mistress of the Establishment

Sir Letter, Sir. For some weeks
the Schools Rooms have
been entirely without beef tea
and seeing at the
Arrangements about the
Prisoners would not Entail
any Extra Expence on the
Government
I have the Honour to be
Sir,
Your Excellency's
Most Humble Servant
Charles Bell R. N.
Colonial Chaplain
Inspector of Schools

Stanley April 16th 1863

Sir,

I much regret being under the necessity of laying the enclosed statement before your Excellency - I shd probably have passed over such conduct in one the age of my Son, with pity, had it not occurred in the presence of my Clerk & in reference to public business - But as it was not the first occasion, & Mr Payne was too evidently intentionally & deliberately, insulting in words & manner, without provocation, I feel that I ought to respectfully ask your Excellency that a proper apology may be required from Mr Payne -

I have the honor to remain, Sir,

H.E. Governor Mackenzie &c &c

Your Excellency's very Obt Servt

James Lane

On Monday I was in the Police Court with Mr. Lane who was waiting for the Magistrate to attend to dispose of a charge against one of the Company's Stewards — Mr. Pyne came in — Mr. Lane asked him if he was going to sit? He said no, & a conversation took place, as to whether Mr. Bailey, the Magistrate, (who was not in attendance) knew of the case — Mr. Lane without anything offensive in manner or words said, Why he believed Mr. Bailey knew of it — Mr. Pyne in a very sneering tone, said "Oh yes, now know everything of course" — Mr. Lane said he had only mentioned facts — when Mr. Pyne, interrupting, said, "but your facts are always "on the wrong side" — Mr. Lane replied "They do" "not be impertinent Mr. Pyne, I have stated only facts" Mr. Pyne in a most rude manner replied, turning his back to Mr Lane, "I always contradicted" "your facts I should not, be far from it" & his manner appeared to me to be purposely rude.

Hanley April 14th 1863

W. Jones Esq

Stanley April 20 1885

Sir,

I understand that some discharged servants of the Company have been questioned & their statements taken (that of one of them in yr. Excys presence) as to alleged Cattle killing.-

If these statements affect the Company, I shall be ready to meet any charge which may be made - Or, if they affect the any servant of the Company, to assist the Government in punishing them for acting illegally, & contrary, as it wd. be, to their express orders.

I have the honor to be, Sir,

Yr. Excellys very obed't Servt

James Deane

H.E.
Governor Mackenzie
&c &c &c

H. M. S. "Stromboli"

Stanley Harbour

20th April 1863.

Sir,

1. ——— In reply to your letter, No 5 of the 6th instant. I have the honour to inform you, that the Prisoner therein mentioned will be received on board this Ship for passage to Monte Video, to await the first opportunity of a vessel leaving for England.

2. ——— Due notice will be given of the date of this Ship's departure.

I have the honour to be

Sir

Your Excellency's Obedient Servant

Captain J. G. Mackenzie

Governor of the

Falkland Islands. Arthur R. Hardy Commander

Cape Pembroke Lighthouse April 9th 1863

Sir

Please to Lend Some water to the Lighthouse
We have scarcely a Supply for two days
I think it advisable to Lend Some
Coals at the Same time it would Save
a Journey in a fortnight-s as Some
Would be Required a Coast that time
and the following articles if the are
in Store 1 Box of Glass Cylinders
16 Wick holders 16 Spirals
1 Trimming Scissors 1 lbs of Polishing
Powder 4 Gross of Cotton Wicks

I am

Sir

Your Obedient Servant

W. Brown

Principal Light Keeper

W. B. Lynn Esqr
Colonial Secretary

Stanley April 18th 1863

Sir,

On the 16th inst I applied to Capt Sobald, the Clerk of the Court, for process at the instance of the Falkland Islands Company agt John Peck, & agreed to call for it the next day. - I then attended & Capt Sobald informed me that he was not allowed to grant it - this morning I attended for the third time, & saw the Deputy Chairman, Mr Bailey, who peremptorily refused my application - I feel assured that it is only necessary to call your Excellency's attention to the refusal of the Magistrate to allow a civil right to be tried in a Court of justice, under the administration of justice Ordinance, to insure a remedy. -

I have the honor to remain Sir

Your Excy's very Ob. Servant

James Lane

His Excy Governor Mackenzie &c &c &c

Stanley April 20 1863

Sir,

I accompanied Frances Armstrong, one of the Company's Servants, to the Police Court with his written application for a writ to be issued agt. John Peck – Mr Bailey refused to give a Writ then, but I agreed to call again in the afternoon – I did so & was told by the Clerk of the Court that he had authority to state that Mr Bailey would not allow a Writ to issue – A gross outrage has been committed upon Armstrong, & has legal right to seek redress before a Jury is refused him (as it was on the 18th to the Company) – I very respectfully urge upon your Excellencys serious attention that such refusals simply reduce the Colonists to despotic rule & place the Well

of a Government Official above the Ordinances of the Colony, & the right of any one to obtain legal redress.

I have the honor to remain &c

Your Excellency's very Obt Servant

Anna Jane

HE

Governor Mackenzie

&c &c &c

Stanley April 21. 1863

Sir,

I have the honour to acknowledge your Excellency's Letter of the 20th inst No. 76 -

In reply I take leave to state that Mr. Bennetts written statement is absolutely correct, except that it does not sufficiently convey the offensive nature of Mr Byrnes conduct. Under the circumstances, I believe, few persons could have controlled themselves from acting on the spot, & certainly an appeal not to be further unpertinent was a very inadequate notice to take of Mr Byrnes offensive language and demeanour -

2 - I respectfully submit to yr Excellency that an "Officer in Her Majesty's Service", as, of all persons, bound to act as a Gentleman, & that if he does not do so, he is entitled to no immunity by reason of his official position -

I have before put up with much provocation from Mr Byrne, but have not, like others, made a formal complaint - but neither my forbearance, nor the fact of his having been reprimanded & made to apologize (as the Records of the Office, if preserved, will show) on former occasions, for similar conduct, appears to have had any effect.

I have always treated Mr Byrne with more than courtesy, & I do not feel called upon to submit to further gratuitous insult.

It is therefore my intention to verify Mr Bennett's statement, & to communicate, thro' your Excy, with His Grace The Secy of State upon the subject.

I have the honor to be, Sir,

Your Excys very obedient Servt

HE
Governor Mackenzie
&c &c &c

James Lane

Stanley April 22d 1863

Sir,

I have the honor to acknowledge the receipt of your Private Letter of the 21st inst. No 78 -

2 - I greatly regret to find that you decidedly object to accept the separate Statements of discharged Servants of the Company, as "conclusive evidence", without calling any test, or receiving any counter Statement

Dr Rudd indignantly denies what the men are stated to have asserted, & it is most unfair to him that such a secret course should be pursued & Statements received, & kept on record, which he has no opportunity of knowing, or answering in detail, - He informs me that of the 3 men whose depositions have been taken (Martinez, since gone to South America, Pinto, & Brown,) the two last were summarily discharged by him for misconduct

& one of them threatened to be revenged.

Mr Rudd also informs me that he does not believe that there is any foundation for the representations, which by such means, have been made to yr Excellency - It is to be noticed also that the Man Peck, who has been the means of bringing forward the men whose depositions have been taken, was himself in the Company's employment & discharged - I can myself testify that it is a frequent occurrence for discharged men, "I can go to Government", with an obvious meaning, & I feel sure that yr Excy will not encourage allow such conduct to be encouraged.

3 - The Company have troops of cattle brought out of Kafooka to Stanley, for slaughter, two or three times a Month. - They are wild and unmanageable until fatigued, & are then driven to Stanley - Some frequently escaping when there, I do not remember the arrival of one out

without one, two, or three, reported to me as dead, being deficient in animal – some "tire" on the road & are killed for the Hide – others escape & are sometimes found on the Roads below, at other times, not for weeks or months after, & then, generally with wild ones – Only a short time ago Capt. Roche gave information of one of the Co's Cattle being seen near Fulyong & quite recently one of their English bred polled Cattle was seen near Mount Pleasant. –

I mention these circumstances to show Yr Excellency that a plausible story may be made, even, apparently, corroborated by bringing out the remains of a dead animal, & yet that such statements would be substantially false & the killing lawful – More stringent orders could not be given than those which have been, & I do not believe the men of the Government Cattle, & incur the loss of their places & punishment for comparatively no object – I have the honor to remain Sir

Your Excellency's very Obt Servant

James Dawe

H.E.
Gov Mackenzie
&c &c &c

Stanley April 22d 1863

Sir

In reply to your Excellency's Circular of the 21st inst. No 79 requesting Opinions in reference to certain points connected with the possibility of Convicts being sent to these Islands, I have the honor to state that, in my judgement, there could not be a safer or more suitable place for them -

Some 15 years ago I believe, it was decided that the many Whalers then fishing between these Islands, & the Main Land wd give opportunities for escape - that question has been long since removed by the Whalers having deserted the locality referred to & with them the Whalers -

Nothing could be safer than Stanley Harbour if even the Convicts were kept on a floating Depot there -

A convict getting loose even on the Island wd very quickly starve or be taken

I see no difficulty in supplying a moderate

number with animal food, and all the provisions, at very moderate prices, & less as moderate, if I am rightly informed as to prices in Australia, as there. -

With regard to the outlet which may exist for the employment of the Convicts after their term of servitude shall have expired, I sh^d look to the results of their labour, (if they sh^d be to be hired by Colonists) during a few years, as giving such an increase and development to the capacities of the Lime Stones, both as regards the land & its Trade, as will call for the employment of a large number - The proximity, to the River Plate provinces, will, I apprehend much diminish any anxiety on their part as those Countries will afford readily almost any amount of labour, & sustenance to a great extent - It will be a place where men will retire to betake themselves under the circumstances.

This soil is capable of growing well all the ordinarily used Vegetables, particularly Potatoes

Turnips, Cabbages &c &c — Barley & Oats succeed well & I believe that Wheat may be grown to advantage also — At present the want & dearness of ordinary labour is the great hindrance to progress in these respects — The demand & shipping for Vegetable produce are very considerable at present, & as the advantages of the Islands, as a place of call, for refreshments & supplies, becomes more extensively known, the production will be very great with adequate labour, & on low terms; and would keep pace with almost any demand — Plaites might also be largely & profitably exported, there, to the River Plate, where now the supply is small & the price high —

I have the honor to remain &c

Your Excellency's very Obed[t] Servant

James Lance

His Excellency
Governor Macleayie
&c
&c

PS — The climate being very disagreeable

but healthy would embrace pri dem
of punishment with humanity —

Stanley April 2nd 1863

I have the honor to enclose
accounts & duplicates, with vouchers,
I be obliged by your Excellency
remitting the same by the first Mail
to Grace, the Secretary for the
Colonies.

I have the honor to remain
Your Excellency's very obedt Servt

Thomas Lane

Hon Mackenzie
&c &c

Stanley 24th April 1863

Sir

I have the honor to acknowledge the receipt of Your Excellency's letter of the 21st Inst stating that you are about to submit to the Secretary of State a representation in favor of making this a Penal Settlement, and requesting information as to the practicability of carrying out that scheme, secondly information as to the obtaining suitable provisions at moderate rates and lastly the important subject as to what we are to do with the Convicts when manumitted or their time expires

To the first part of Your Excellency's enquiries (letter) I doubt the practicability of satisfactorily carrying out the scheme, not on account of the climate that is all that could be wished for, for a Convict Settlement, not too agreeable but very healthy, I have been here above 20 Years and have not had a days illness, but in consequence of there being no work of sufficient magnitude required for the employment of a large number of convicts, the first Essential

His Excellency Gov. McKenzie
&c &c &c

or two there would be sufficient employment
erecting prisons. Guard houses &c afterwards the
apparently to me would be at a stand still. Large
of any extent are not required. Grain and
farm produce from the interior requiring Carts
or Waggons, to transport it to Stanley by Road Carriage
be profitable grown. And the great facility
of Water Carriage round the Islands would
do away with the otherwise necessity of making
Road to buy work stock &c to town —

The pressing provision at low rates there would
I am sure be no difficulty, as tenders would be
made at a slight advance upon London prices
Flour probably at a less price than could be purchased
in England. Potatoes have imported my flour
direct from Chile at a price less than it could be
obtained in England. The Wheat growing Country from
Rio Negro to Baha Blanca, Patagonia is being fast
settled up and settled upon. in the course of a few
years it is not improbable that we shall get our
supplies of grain from there, there is now some
of the finest wheat in the world exported from
Rio Negro to Buenos Ayres, the supply of Beef
and not mention as the Government have large
herds upon both Islands to supply from — And
the West Falklands is in my opinion more suitable
for a convict Station than the East Island.

Lastly the most important part is what are they to do when their time expires? is there a sufficient outlet for them in tending Sheep and Cattle, draining land, dairying work and fishing, which appears to me to be the principle occupations they could take to, decidedly at the present time there is no outlet but for a small number which would be employed by the Graziers, if there were three Hundred thousand Sheep instead of Twelve upon the Island it would bear a different aspect it will take many years before that time arrives. Therefore at the Expiration of their time they are likely to remain in burden and Expence to the Govt or go to Rio Negro or Monte Video —

In Conclusion I would add if the scheme is carried out upon this Island it would be very distasteful to many of the Colonists who reside here with their Families myself included and I think it would cause the removal of many of them from the Colony

I have the honor to be Sir
Your Excellys Obedt Servt

J W D Allen

Stanley April 25 1865

Sir, I have the honor to acknowledge the receipt of your Excellcy's Letter of the 24th inst: No 86; I unwillingly prolong the correspondence, but I am so startled at the liberty & impunity of the Colonists being placed beyond the protection of the Law, by your Excellcy sanctioning Col. Bailey's procedure, that I feel bound to urgently press such an extraordinary state of things upon your Excellency's serious attention.

2 - With great deference, I submit that at present no legal knowledge is to be aware that Courts of justice are open to all the Queen's subjects, & that no judicial Officer can be justified in closing them against any one seeking redress for a civil injury -

3 - I believe that such a refusal of justice is, even, an Offence which the Law takes cognizance of. - In the present case it appears an additionally serious aspect, by reason of its being apparent that a gross outrage may be committed by Govt. authorities

against the liberty & property of the citizens, & that even the means of seeking legal redress may be refused, at the mere will of those authorizing the wrong to be committed.-

I have the honor to be Sir

Your Excellency's most humble

James Lane

His Excy

Governor Mackenzie

&c &c &c

Police Office Hanley.
April 25th 1863.

Sir

I have the honour to acknowledge the receipt of Your Excellencys letter of yesterdays date, calling my attention to the 9th paragraph of Mr Lanes Memorial to His Grace the Duke of Newcastle, wherein he states that I refused to sign a declaration presented to me by his clerk.

I have the honour to inform Your Excellency that, on the 22nd inst Mr Bennett brought Francis Armstrong to the Police office, and asked me to witness the mans signature that Mr Bennett believed to embezzle money and was so insolent that I was compelled to call him to order whereupon he picked up the papers and took Armstrong away with him. He subsequently returned and not wishing to subject myself to a repetition of the rudeness I experienced from him at my last interview I referred him to Capt Tibbald who was

His Excellency
The Governor.
&c &c

was then in the Office. a
Magistrate. and Notary Public
of course Capt Tobbald signed. the
paper at once without reading as it
was usual with a Notary Public

John Excellency will recollect
that I never refused to sign the docu-
-ment when it was first presented
to me. but on the second application
my refusal was only to avoid being
further annoyed by Mr Lanes Clerk
as there was no delay it could make
no difference to Mr Lane who signed
it.

I trust John Excellency will
excuse me of the charge of refusing to
sign any document that may be presented
from mere caprice.

I have the honour to be
Sir
John Excellencys Obedient Servant

Arthur D Ashley
Vice Chairman
of the Council

H. M. S. Stromboli
Stanley Harbour
26th April 1863

Sir,

I. ——— In reply to your letter No 88 of the 24th instant I have the honour to inform you, that in compliance with your request therein made, Her Majesty's Ship under my command will convey a Mail to Monte Video for transmission to England, and

His Excellency
Captain J. G. Mackenzie
Governor of the Falkland Islands

will

will not leave this Harbour
before Thursday evening the
3th instant.

I have the honour to be
Sir
Your obedient Servant
Alex. R. Hunter Commander

Stanley April 27th 1863

Sir,

In 1858 I obtained from the Surveyor General, two Colored Charts (one for my own use & the other for the Direction) showing the various districts of Land held under the Crown, - a part of one of which I have the honor to enclose for reference, in respect of a Licence to occupy a District of 5000 Acres adjoining the Company's District No 10 (on the Chart) on the West of it, which I learn was, about a week since, granted to Lieut Wheeler, of H.M.S "Stromboli", now on this Port, a relative of Capt Roche -

Referring to Your Excellency's Letter of the 10th April No 66, I take leave to call attention to the circumstance that the greater portion of such 5000 Acres must be a part of Lot 10 in the possession of the Company, which your Excy refused to grant to Mr Rudd until after the 1st May next - I would also mention that the

positions on the Chart are not correct / as stated in the Title / & that the position does ceases, & Extensive Stone & Iron Work exist, from the North of District 10 & thence West ward - & also North of District 11, if it had been carried as far North as District 10 - & that such Stone Iron have always been considered the natural boundaries of the Districts

I have the honor to be Sir

Your Excellencys very Obt
Servant

H.E.
Governor Broadcenze

Stones Line

Government School,
April 27th 1863

Sir,

I regret to inform your Excellency that from the absence of Fuel for the Schools, the attendance has decreased from Ninety odd to little more than 50.

2. I feel sure your Excellency will agree with me that it is most important that the School Rooms should be kept warm each day in this Climate. I am convinced that unless Stacks of Peat sufficient for a constant supply are placed under the charge of the Schoolmasters at the Boys School and at the Girls

Excellency
Gov.

School House, these difficulties must arise - The absence of the Master on other duties, the breaking down of the Coach &c may be in turn prevent the needful supply of fuel and thus not only prove sufficient to interfere with the prosperity of the School, but the health of the children -

I have the honour to be
Sir
Your Excellency's
Most Obedient Humble Servant
Charles Baker M.A.
Inspector of Schools

Parsonage Hanley
April 27th 1863

Sir,

I beg to draw your Excellency's attention to the subject of some means of transport being provided for the Clergyman of Hanley, to enable him to visit the numerous and increasing congregations in the Camp.

2 Hours lately returned from a very interesting & I trust profitable exhortation of ten days among my people. Performing a journey of 200 Miles, visiting every house and Hamlet on the way.

3 But for the kindness of the Company's manager Mr Lane & one of the lately established Farmers at Salwood who liberally provide me with horses I should have been unable to have effected the consolations of Religion to a large and influential

Excellency
Governor Mackenzie

portion of our Community before
the approach of winter
& even should H.M.'s Government
be able to accede to my requests
contained in my letter of Dec. 24. 1862
3 visits yearly of ten days each
would be desirable to keep the
folk services of the Church of England.

5. I therefore most respectfully
petition H.M.'s Government
through your Excellency, for
an allowance for Horse hire, while
engaged in the Camp on my Clerical
duties, and I trust His Grace
the Duke of Newcastle will allow
me one horse for myself, one for
my Guide & one to carry Baggage
which with the Expence of Guide
would amount to a pound a day
or £30 a year for the 3 contemplated
visits, any further Expences
I would gladly defray from my own

James.

I may venture to ask
your Excellency to forward my
Application W.M. Government
at your earliest opportunity
with your Excellency's kind
recommendation

I am Sir
Your Excellency's Most
Humble Servant
Charles Butcher M.A.
Colonial Chaplain &
Inspector of Schools

Parsonage Stanley
April 27th 1863.

Sir,

The suitability of the Falkland Islands for a Penal Settlement having been urged upon H.M.'s Government, I embrace the opportunity which Your Excellency has been good enough to afford me, of placing on record some thoughts which have occurred to me as bearing on the subject during my residence in the Colony.

I would ask Your Excellency the kindness to enclose this minute to the proper authorities at home by the earliest opportunity.

2 The Falklands are exceedingly eligible for a Penal Settlement, there being no opposition to the introduction of convicts into the Colony while speaking of Port Cow

His Excellency
The Governor Mackenzie &c

there at present be any, although gradually an independant body of colonists like dwelling here. The Falklands occupy a geographical position about midway between the Northern Country and Australia, the expence of transport would consequently be little more than one half of the passage to the latter Colonies.

3 The Herds of wild Cattle under experienced management would for many years to come afford a plentiful supply of good wholesome fresh beef at a merely nominal expence to the Government.

4 The Bays and Harbours abound with shoals of wholesome and nutricious fish.

5. Vegetables may be grown to any extent with ordinary labour and care Potatoes & Turnips the staple vegetables for Consumption can be raised in any

required gradually.

6 Where land is drained and the sheltered valleys are selected, there can be no reasonable doubt but that the hardier cereal crops of Rye &c will grow. The gradual occupation of the Lands of the Colony, have, I am able to state from personal observation, produced a marked change in the very character of the Pasture, judicious burning of the Grass, accompanied by draining would enable a large population to live in the Falklands, with more comfort and health than in the extreme North of Scotland.

7. But even should Cereal crops fail, Flour can always be imported from the Western Coast of South America at a very reasonable rate.

I need not dwell on the security which the Falklands offer for the detention of convicts

the most casual inspection of the Nautical Charts of the Colony shows that two small Steamers (Gun Despatch Boats) would be quite sufficient to communicate with any point in the Islands and prevent any escape by Sea, should passing Vessels be willing to run the risk of taking off Chance runaway Convicts.

A small body of mounted Police would be able to patrol the whole extent of country. Horses capable of being trained for this service are running among the Government Herds.

A handful of troops ready to act in an Emergency would be all that need be required. Even should the Falklands be used in the first place merely as a huge Natural Prison Yards.

10. During the period of this punishment there are various Works progressing Works required, Works which I am sure Your Excellency has already considered

a. The constant supply of fresh Water for the Settlement by leading it from Snowy Creek or by the erection of more capacious & Suitable Reservoirs.

B. The Drainage of the Town

c. The erection of the Piers, Docks &c for the increasing number of Shipping visiting the Port.

D The Drainage of the Country around, thus reclaiming the present Swampy Valleys.

E. The construction of Roads which may be made passable at no expence but that of Labour.

If these works are carried out I would respectfully urge

then would be the time to decide how many convicts could be absorbed in the Colony. The resources of the Colony would then have been developed by Convict Labour. But I wonder if it is quite ascertained in asserting that hundreds of criminals might safely be allowed to form settlements at different points of these wonderful Islands, without danger of their escaping or of their being able to do harm before a repressive force was established them.

12 They would find ample means of subsistence in rearing sheep and cattle, curing fish and raising vegetables. I would therefore urge H.M.'s Government at once to forward some five hundred convicts, in two or three ships of the Queen of War, or their arrival

in the Colony. These barracks might be made the Prison stockade at different points of the Coast. The men working in the first instance on shore during the day and remaining on board during the night, gradually as they might be trusted according to their good behaviour with increased liberty, till the time arrived when they might be ~~elect to~~ the Colonists on certain conditions, reporting themselves from time to time

13. A certain number might on the expiration of their sentences be disposed to settle on the Falklands as Colonists: but even should the Colony not be able to absorb the services of a large proportion of them, the demand both of South America for an ever craving labour demand. This is evidenced by the constant desertion from Shipping

14 The first 500 convicts might be followed by an annually increasing draft of from 100 to 500.

15. But before any Regular System of Remission of Sentences was adopted the whole question of female transportation or female migration would have to be gone into, the woeful evil of Men being placed in these Islands without the female Element seems hardly fair to contemplate.

I will endeavour to condense my remarks into as narrow a compass as possible, being very anxious that the opportunity should not be lost of their being forwarded as I can only assure your Excellency of my wish to aid in the accomplishment of this matter for the sake of the Colony as well as for the aid of the Mother Country in ridding her criminal population

I am Sir, Your Excellency's Obedient Servant
Charles Bill M. A.
Colonial Chaplain

Stanley April 25 1883

Sir,

Having had a satisfactory communication with Mr Payne I have much pleasure in withdrawing the Memorial to the Secretary of State dated the 23d inst. & all correspondence on the subject, with your Excellency's assent —

I have the honor to remain Sir

Your Excellency's Obt Servant

James Lane

H.E.

Govt Mackenzie

&c &c &c

H. M. Ship, "Monmouth,"
Stanley Harbour,
29th April 1863.

Sir,

1 —— In reply to your letter No. 92 of the 27th instant I have the honour to inform you that the distressed seamen, whose names will be received on board this Ship on the 30th instant for passage to Monte Video.

I have the honour to be

Sir
Your obedient Servant
William R. Hewett Commander

His Excellency
Lt. Col. L. Mackenzie,
Governor of the
Falkland Islands.