

Commissioner Bigge's Report concerning William Redfern

[John Thomas Bigge arrived in Sydney Sep. 1819 and departed Feb. 1821. Disregarding his instructions, Bigge accepted sworn and unsworn testimony alike. His report showed bias in favour of the emigrants such as Principal Surgeon James Bowman and the Macarthur family. It was perhaps not unfounded as later reports credit Bowman with improving standards at the General Hospital.

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Extracts from The State of the Colony of New South Wales by Bigge printed June 1822.

The transportation of convicts, as far as it regards their health, appears to have undergone very considerable improvement since the mortality that occurred in the ships General Hewitt, Surrey, and Three Bees, in the year 1814.

The investigation that took place at Sydney, at that period, into the conduct of the masters of those vessels, and the report made to Governor Macquarie by Mr. Redfern the assistant-surgeon on the colonial establishment, have furnished to His Majesty's government ample and very accurate means of providing against the recurrence of similar calamities.

The recommendations that were made by Mr. Redfern, under the several heads of clothing, diet, air, and medical assistance, appear, in as far as they have been adopted, to have been amply justified, by the diminished mortality in the voyages performed by convict ships from England to New South Wales; and of those that have not yet been adopted, there appears only to be one that is of material importance.

It has been truly observed by this gentleman, that in the voyages that are commenced in the later periods of the European winters, or the commencement of spring, and which terminate with the same seasons in New South Wales and in Van Diemen's Land, or the latitudes in which the latter part of the voyages are most frequently made, the convicts are exposed to great and sudden vicissitudes of climate; the greatest and most prejudicial being found to be that which occurs in the first removal of the convicts from the hulks to the transports in cold seasons, and when dressed in much lighter clothing than that to which they have been previously accustomed. The change of climate, likewise, that occurs after passing the Cape of Good Hope, in the 40th degree of south latitude, from the months of May and June to the months of September and October, requires greater warmth of

clothing than that which can be afforded by the present allowance and by indisposing the convicts to be as much upon deck as before, is the cause of obstructing the ventilation of the prison.

As a remedy for this evil, Mr. Redfern has suggested, that for convicts who are exposed to it, there should be provided woollen, instead of duck trowsers, together with flannel drawers and waistcoats.

CLOTHING Upon this recommendation, I would observe, and to meet the objection that Mr. Redfern has anticipated of the greater danger of contagion, and of the want of cleanliness from the use of woollen, rather than of linen clothing, that cloth or woollen trowsers and shirts are constantly worn by sailors in warm climates, and that with a view to secure the principal objects of additional warmth and cleanliness, two pair of flannel drawers to each convict, to be worn with the duck trowsers, might be advantageously substituted for the additional woollen trowsers that he has proposed.

FOOD It seems to be generally admitted, that the allowance of food provided by the present scheme of victualling, is amply sufficient during the voyage; and the only evil, against which it is necessary now to provide, is the abstraction of any portion of the quantity allowed, or the substitution, that is not unfrequently attempted, of the good provisions found by government, for those of inferior quality, with which the transport ships, either through the avarice of their owners, or the fraud of their agents, are sometimes supplied.

An important check upon this abuse has been afforded by that article of the instructions to the surgeon superintendent, by which he is directed to attend the opening of every cask, of provisions, and to note it in his journal. It would appear, however, from the evidence of the principal superintendent of convicts, William Hutchinson, that complaints are most frequent from them, respecting the short issues of provisions during the voyage, and that the captains of the transport ships, on approaching the port of destination, are in the habit of making compromises with the convicts, in money, to the amount of the quantity kept back. This appears to have taken place on board the Daphne convict ship, and was considered by the magistrates, to whom the complaint of the convicts was referred, as sufficient ground for dismissing it.

The practice also observed by the captains of convict ships, and permitted by the commissariat officers, of receiving back, from the remains of provisions and stores delivered at Sydney, the allowance of eighths for issuing them, seems to have admitted great opportunity, as well is temptation, for a fraudulent abduction of the government provisions.

This practice has now been checked by a particular instruction from the Navy Board, by which the captains of transport ships are expressly prohibited from making or receiving such deduction; and the allowance of eighths is only made when they pass their accounts to the

satisfaction of the Victualling Board in London. As a further check, however, upon any fraudulent change in the issue of provisions that may escape the attention of the surgeon superintendent, it will be found useful to establish a regulation, that one person from each of the messes, into which the convicts are distributed, should be required to attend in rotation at the delivery and weighing of the provisions. In some of the transports this duty has been confined to one and the same individual of the mess throughout the whole voyage; but as it is obvious that the chances of successful corruption or imposition are less when tried with many than with few, the daily change in the delegation of individuals from the mess is much to be preferred to the other mode, and is not found to be attended with any inconvenience.

PREVENTION OF PLUNDER The complaints, however, of the convicts are not entirely confined to a subtraction of the proper allowance of their provisions. It frequently happens that various articles of store, or of wearing apparel furnished by their friends on leaving England, are put on board the ships for the convicts, and according to the evidence of William Hutchinson, the superintendent, they have not been always punctually delivered; and in some cases they have been damaged, or their contents purloined and appropriated by the sailors.

The communication that necessarily takes place between the convicts and the sailors during the passage, and the disposition that is common to both to dissipate their resources for the sake of some temporary enjoyment, to indulge their passion for gambling, or excite it in others, will render the decision of their complaints very difficult to the magistrates at Sydney.

It is not desirable, generally, that the convicts should arrive in New South Wales with money or the means of procuring it; and it is still less desirable that their possession of it should be known, except to the surgeon superintendent, the captain and mate of the ship. But in order to prevent the feeling of disappointment or exasperation that the loss of their property must occasion, and to diminish the temptations to gamble for it during the voyage, it would be advisable that a list of all packages allowed to be put on for the convicts should be made out and attested by the captain and mate of each vessel previous to sailing; that they should be kept in a separate and secure place during the passage; and that the captain and mate should be held responsible for their delivery on the arrival of the ship, at Sydney. This arrangement would doubtless exclude access to the packages during the voyage, and interfere perhaps with the object of sending them on board; but to this it is a sufficient answer, that the possession of property leads only to thefts, and consequently to augmented punishment; and that the encumbrance of packages in the prison deck, if left in the ion of the convicts themselves, would be a great obstruction to ventilation and cleanliness.

VENTILATION The instructions furnished by the Navy Board to the surgeon superintendent, do not specify the frequent admission of the convicts on deck, as an important means of preserving their

health; but as the instructions furnished to the master require him to comply with the applications of the surgeon for that as well as other purposes beneficial to the convicts, it was, doubtless, intended to leave a discretion to be exercised by the surgeons, as well in regulating the frequency of their access to the deck, as to their numbers at one and the same time. The exercise of this discretion depends of course upon the state of the weather and the capacity of the deck, but it likewise depends upon the experience of the surgeon superintendent, and the degree of confidence that this experience may lead him to place in the character of the convicts. It accordingly happens, that those surgeons and masters to whom this particular service is new, will not allow more than one half of the prisoners to remain on deck at one time, and will not take off their irons till an advanced period of the voyage: others, on the contrary, allow as many of them as please to come upon deck, and encourage them to remain there as long as they do not interfere with the operations of the ship, and frequently take off their irons, or a part of them, in a fortnight after leaving England.

The advantages arising from allowing the convicts a free access to the deck, in giving effectual ventilation to the prisons, and in preserving their health, are justly and strongly described by Mr. Redfern in his report to Governor Macquarie; and these advantages, and the feelings that accompany the enjoyment of them, are so important in preserving discipline as well as health during the voyage, that they ought not to be risked from an unwarrantable distrust of the convict; or from an apprehension of any combined attempt to obtain possession of the ship. As the release from the incumbrance of irons is always an indulgence to the convicts, so is the return to the use of them a salutary punishment that may supersede the necessity of having recourse to flogging.

The fear of combinations amongst the convicts to take the ship, is proved by experience of later years to be groundless; and it may be safely affirmed, that if the instructions of the Navy Board are carried into due effect by the surgeon superintendent and the master, and if the convicts obtain the full allowance of provisions made to them by government, as well as reasonable access to the deck, they possess neither fidelity to each other, nor courage sufficient to make any simultaneous effort that may not be disconcerted by timely information, and punished before an act of aggression is committed. A short acquaintance with the characters of the convicts, promises of recommendation to the governor on their arrival in New South Wales, and an ordinary degree of skill in the business of preventive police, will at all times afford means of procuring information; and with a view to afford those of more complete protection against any open violence during the day, when the convicts are on deck, it is expedient that the ships that are taken up for this service, should, if possible, be provided with poops, upon which the military guard may at all times be posted. They are thus more completely separated from the convicts in the hours of duty or of exercise and they are sufficiently elevated above the deck to observe their motions, and if necessary, to control them.

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The occurrence that I had the honour of submitting to your Lordship, in the course of my discussion with Governor Macquarie on the appointment of Mr. Redfern to the magistracy, afforded an instance of that fatal reference to former condition, that has appeared to me to be an almost insurmountable obstacle to the success of Governor Macquarie's system of appointing this class of persons to the magistracy, when tried in a community like that of New South Wales.

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The next and last person of the same class appointed by Governor Macquarie to the magistracy, was Mr. Redfern.

Your Lordship being in possession of the whole correspondence that took place between Governor Macquarie and myself, upon the subject of this appointment, I will not again trouble you with a repetition of the arguments that I then unsuccessfully addressed to Governor Macquarie, principally with a view of inducing him to suspend the appointment until I had an opportunity of taking your Lordship's pleasure respecting it; as however, that pleasure has now been signified, and Mr. Redfern's name has been left out of the new commission that Governor Macquarie was directed to issue, on the accession of His present Majesty to the throne, I think it right to state how far the observations and objections that I made to this appointment at the early period of my commission, have been justified by the result.

In the course of my inquiry, I learnt from Mr. Redfern himself that he had been sentenced to death by a naval court martial, for being implicated in the mutiny at the Nore in the year 1797, and that the nature of his offence consisted in having verbally advised the leaders of the mutiny "to be more united amongst themselves". Mr. Redfern was at that time about 19 years of age, and had served for a few months as surgeon's first mate on board His Majesty's ship the Standard.

In consideration of his youth, his life was spared, and his sentence was commuted to transportation for life.

On his arrival in New South Wales, Mr. Redfern was sent to Norfolk Island, where he acted as assistant to the surgeon on the civil establishment, and was appointed in 1802 by Lieutenant-colonel Foveaux to act as surgeon there. In that year he also received from Governor King an absolute pardon; and his name appears in the Sydney Gazette of the 19th June 1803, amongst those upon whom that act of grace had been conferred. In the year 1804, Mr. Redfern was relieved by Mr. Wentworth, but continued to assist him and Mr. Conollan until the month of May 1808, when he accepted the situation of assistant surgeon at Sydney, under a local commission, conferred upon him by Lieutenant-colonel Foveaux, which, upon the strong recommendation made by that officer to

Governor Macquarie, on his arrival, was submitted to the consideration of His Majesty's government, and finally sanctioned by His Royal Highness the Prince Regent, and announced to the public in the Sydney Gazette of the 1st February 1812. Since that period Mr. Redfern has continued to act as assistant surgeon to the general hospital at Sydney, taking a very active part in its duties, and deriving at the same time considerable emolument from his private practice, which appears to have been more extensive and successful than that of any other medical practitioner in the colony. The nature and extent of these emoluments, and the source from which they proceeded, had been mentioned to me before I had heard of Governor Macquarie's intention of appointing Mr. Redfern to the magistracy; and as my attention was at that moment occupied by the investigation of another and more extensive subject, I had not then an opportunity of ascertaining the truth of the statement. In alluding to it, therefore, I limited the observation I made to Governor Macquarie to a caution, against the immediate appointment of Mr. Redfern, and used it as an additional reason for suspending it. The circumstances attending this case are detailed, in the evidence of several witnesses who had acted in subordinate situations in the hospital during the period of Mr. Redfern's service; and it appears from their evidence, that he had for some time kept a dispensary in the house provided for him by government, near the hospital at Sydney, where he was in the habit of making up and dispensing medicine for his private practice in the town, as well as for those of the civil officers whom he attended, and who have always been considered entitled to receive both medicine and attendance gratuitously. A practice had prevailed in the medical establishments in New South Wales, from the earliest period, of dispensing medicine from them, not only to convicts and to persons on the civil establishment, but to those who had ceased to be in any manner connected with them. Free persons of the higher classes were thus admitted to have their wants supplied from sources that were destined by His Majesty's government for the use of only one class; and the hospital stores have, according to Mr. Redfern's observation, been converted into general colonial dispensaries, to which, through the means of some of the medical officers, the inhabitants have had a constant but not gratuitous access, not only afforded at the expense of government, but to the prejudice of that class for whose special benefit these establishments were formed and maintained.

For admission of the poorer classes of free people to the colonial hospitals, an order from the governor was and is still considered to be requisite; but the same restriction does not appear to have accompanied the issue of medicine, when application was made for it at the hospital, and when the condition of the party seemed to justify the application. By means of this custom, the assistant surgeons have, in the course of their practice in the colony, administered considerable quantities of medicine from the colonial dispensaries, or rather from their own dispensaries, supplied from the government stores; and Mr. Redfern having had the largest share of private practice in the colony,

and having never imported medicine on his own account, it is to be inferred that he partook more largely of the medical stores of government than any other person. A general inquiry into the circumstance and character of Mr. Redfern, that had been suggested by Governor Macquarie's appointment of him to the magistracy, and the sight of a remarkably well cleared and well cultivated estate, that had attracted my notice in passing through the district of Airds, and which I was informed was his property, had certainly excited in my mind some suspicions of the possible abuse, that might have been made by him of this practice in the medical department, and this surprise was increased, when I found that Mr. Wentworth, the principal surgeon, had always abstained from the practice himself, or if he sent any orders for medicine, always returned an equivalent. Entries, it appears, were then made of the quantity of medicine taken, but this precaution was not adopted when it was conveyed in large quantities to the dispensary of Mr. Redfern. Whether the supplies of medicine thus made by him to the free inhabitants of the colony not entitled to receive it were gratuitous, or whether they constituted a distinct source of profit to him, though blended with the charges that be made for medical attendance, are points upon which I have not yet been able to come to a very satisfactory conclusion. It is stated by Mr. Henry Cowper, who was Mr. Redfern's apprentice, that although entries of the charges for medicine were made in Mr. Redfern's books, yet that in the account that he rendered to his patients, he charged them with attendance and medicines, and sometimes with medical attendance only.

Wishing to have further evidence upon this point, I sent for a person who had acted in the capacity of clerk in the dispensary of the general hospital at Sydney, and had afterwards been employed by Mr. Redfern to keep his private accounts. Upon his first examination, on the 16th December 1819, and when he was yet in the condition of a convict, he had declared before me that the prices of the medicine were charged by Mr. Redfern to his patients, and that they were entered in the ledger. Subsequently to this, and after he had received an emancipation from Governor Macquarie, for which he had been recommended by Mr. Wentworth and Mr. Redfern, he found sufficient reason to alter this declaration, and he corrected his statement, by saying that neither the quantities nor the prices of the medicine were ever charged either in the accounts or the books. As I placed no confidence in this man's declarations, and afterwards discovered the reason for the change that had taken place in them; I addressed myself to Mr. Redfern, and required him to produce the private accounts of the medicine that he had supplied to individuals, having previously informed him of the charges that resulted from the information then before me. To this requisition I received a direct refusal; and as I considered that I had no authority to compel the production of these books, the question of the profit thus made by Mr. Redfern in the appropriation of the medical stores of government for several years was left and still rests upon the testimony of Mr. Henry Cowper, who

had frequently seen the books, and whose testimony is confirmed rather than contradicted by that of a prevaricating convict, corrupted by the emancipation that he had received, and who had himself made the entries in them; and finally, it rests upon the refusal of Mr. Redfern to produce his books, and his offer to return the medicines thus disposed of, if His Majesty's government should be of opinion that he had no right to convert to his own profit by sale, and without account, the supplies of medicine that were specially destined for the use of the convicts.

As to the nature of this appropriation, and whether under the pretence of making a more convenient supply to the wants of his patients, Mr. Redfern chose his own house rather than the dispensary of the hospital, I do not think it necessary now to observe, further than to state, that although the medicine was taken from the hospital stores without any note or memorandum of the quantities, yet I now believe there to have been no studied concealment in the mode or act of taking it; and that this profitable disposal of the property of government had continued to be made for several years by Mr. Redfern, with the knowledge of Mr. Wentworth, the principal surgeon, and without receiving from him either prohibition or remark.

The surprise that I felt upon first becoming acquainted with a practice that opened such a door to fraud, and that had been found to be so very prejudicial to the lower order of patients in the colonial hospital, by diminishing to them the supplies of the most useful medicines, was somewhat increased by the silence of Mr. Redfern under the first intimation that I personally made to him on the subject, accompanied as it was with some remarks, that were intended to convey to him the strong sense that I felt of the impropriety, not to say criminality, of the practice. The terms in which these remarks were conveyed, were made use of by Mr. Redfern as a pretext for not again personally appearing before me; and as I felt no wish to renew an inquiry into facts that appeared to be admitted, I allowed him to make his defence in writing to the charges that had resulted from them. These charges involved another point of professional duty, which he successfully answered; and two or three of personal conduct, for which Mr. Redfern considered himself responsible to the parties atone, and declined to afford me any explanation: the first of these points was that of unjustifiable severity in the punishment of his apprentice, Mr. Henry Cowper, and in the treatment of one of his convict servants; and the next was that of sending a very insulting letter to Mr. Bowman, the principal surgeon, who had succeeded to that office on the retirement of Mr. Wentworth, contrary to the expectations of Mr. Redfern, and to the recommendation of Governor Macquarie. I was aware that these points bore reference only to the private and personal character of Mr. Redfern; but as I conceived that Governor Macquarie, by raising him to the magistracy as well as by introducing him to his society, had, provoked and challenged inquiry into these as well as other points of Mr. Redfern's character, and that the whole conduct of one whose later years were supposed to have

atoned for the acknowledged enormity of his former crime, might justly become a subject of my inquiry, I deemed it my duty to enter upon it, more especially as the point in question, if established, seemed to me to affect materially the wisdom of the appointment and selection of Mr. Redfern for the magisterial office in New South Wales; for it betrayed an irritability, or rather a violence of temper, both towards his inferiors and superiors, which, if displayed in that capacity, might be productive of serious injury to the district in which he was about to serve. It is admitted by Mr. Redfern that he chastised his apprentice, and it is admitted by the latter that he deserved chastisement; but the severity and mode in which it was inflicted, both upon the apprentice and the convict servant, exceeded the bounds which the law has prescribed in the one case, and was a positive violation of an order long ago issued in, New South Wales, by which a master is prohibited from striking his convict servant.

The letter to Mr. Bowman was written at a period when the feelings of Mr. Redfern were smarting under the disappointment, in not succeeding Mr. Wentworth in the office of principal surgeon of the colony; and he appears to have taken an opportunity of indulging them, on having heard of Mr. Bowman's visit to the colonial hospital, and of his making inquiries concerning the patients there, before his appointment to the office had been notified in the Sydney Gazette, or that the change of officers had actually taken place.

It appears that one of the convicts that had been under Mr. Bowman's care in the John Barry, convict ship, from England to New South Wales, had been sent on his arrival to the general hospital at Sydney. Desirous of knowing how he was, Mr. Bowman had repaired to the hospital, but declined to enter it till he had seen Mr. Wentworth, although he conceived that under the general admission that is given to all surgeons of the navy to visit the great medical establishments in England, the permission of Mr. Wentworth was not indispensable to enable him to view the colonial hospital at Sydney. As Mr. Wentworth was absent, and did not arrive at the hospital till Mr. Bowman had left it, he informed Mr. Cowper, who then acted as assistant surgeon, that if Mr. Bowman should call again at the hospital on the following day, and that if he wished to see it, he (Mr. Wentworth) would accompany him. It happened that Mr. Bowman called in Mr. Wentworth's absence, and as he found on inquiry, that Mr. Redfern was confined to his house by illness, he, without waiting for Mr. Wentworth, accompanied Mr. Cowper through the wards of the hospital. In the course of this visit he saw, and made some inquiry of his patient respecting his treatment, and then retired.

Upon information being given to Mr. Redfern of this visit, he addressed a letter to Mr. Bowman, which, considering the relative situation of the parties, he did not think himself called upon to notice, but in which, after assuming that the hospital was in his charge, and was to be considered to remain so until the change of officers took place, Mr. Redfern charges Mr. Bowman with having

had recourse to insidious and unbecoming means for the purpose of obtaining the appointment to the office of principal surgeon, which Mr. Redfern, through the recommendation of Governor Macquarie, had so anxiously expected to obtain.

Allowing for the irritation of feeling that a sense of these galling circumstances may have produced, I cannot admit that Mr. Redfern had any right to assume the exclusive control of the general hospital, when Mr. Wentworth was on the spot, or to dictate to a professional man, upon what terms he was to be admitted to it. The temper and character of Mr. Redfern are strongly illustrated in this, as well as another letter that he addressed to Mr. Bowman, on his succeeding to the charge of the general hospital, and they have received still further illustration from the several letters that he addressed to myself upon the nature of my inquiries into his conduct, and the unsuccessful result of my interference in his appointment to the magistracy.

The result of these inquiries has confirmed me in the belief that I then and have since entertained, that although Mr. Redfern's professional skill was acknowledged, and that, aided by great assiduity and good natural talents, he had overcome the want of early study and experience, yet, that the irritability of his temper constituted a well founded objection to his appointment to the magistracy. My objections, however, were not confined to this defect alone.

It had been the good, or as many persons in the colony have thought, the ill fortune of Mr. Redfern, to have been distinguished by a more than ordinary share, of the notice of Governor and Mrs. Macquarie. The proofs that they had received of his professional merits, and his activity and zeal in the performance of his public duties, confirmed the recommendations that they had received of him from Major General Foveaux; and they conceived that Mr. Redfern was equally fit on other grounds to be admitted to their own society, as well as to be particularly pointed out to the notice of others.

Governor Macquarie had, at a very early period of his administration, adopted a plan of introducing into society persons who had once been convicts, and whose subsequent good conduct had, in his opinion, atoned for their past errors; he considered that this plan was both practicable and expedient. In this belief he was much confirmed by the approbation bestowed upon it in the Report of the Parliamentary Committee on Transportation, that was presented to Parliament in the year 1812. As I shall have hereafter to consider the operation of this system in its general effects upon the convicts, and on the state of society in New South Wales, I will only now observe, that I believe the strong terms in which that approbation was conveyed, had a much more powerful influence upon Governor Macquarie's subsequent conduct, than the salutary cautions contained in your Lordship's dispatch of the 3d February 1814; and that if he has erred in carrying a humane principle too far, he has done so under the belief that he was acting under the sanction of very high and respectable

authority. With these impressions respecting the system, and the prepossessions in favour of the individual, Governor Macquarie continued to give to Mr. Redfern, from the earliest periods, the full benefit of his notice and society both on public and private occasions.

The effect of this measure has been precisely the reverse of the expectation entertained by the Governor, as well as by the Parliamentary Committee. His determined adherence to his system, in favour of an individual by no means popular, has raised opposition to it, not so much from objection to the principle, but from the idea that an attempt was made to force its adoption. Another cause of this failure may be fairly attributed to the injudicious manner in which the attempt was made, and the peculiar feelings and situation of the persons upon whom it was tried.

Your Lordship being already acquainted with the nature of the discussions that took place between Governor Macquarie and the officers of the 46th regiment of foot, during their residence at New South Wales, upon the subject of admitting persons who had been convicts to their society, I will not again repeat them.

The determination with which they had resisted all attempts to introduce Mr. Redfern to their society, while they formed part of the garrison, continued unabated to the period of their departure.

Governor Macquarie had some reason to believe that he should not find a greater degree of compliance in the corps that succeeded them, and that they would at once adopt the opinions that had guided their predecessors, and that may be supposed to belong to all bodies of men, careful of their honour, and keenly sensible to every attempt to sully it.

The officers of the 48th regiment were well acquainted with the discussions that had prevailed between the governor and the 46th regiment; and although they had not come to any previous or precise determination, as to the line of conduct they were to pursue, the general, but not the unanimous opinion of the officers, was against the admission of the obnoxious class to their society, on any terms. Soon after the arrival of the regiment at Sydney, the officers were invited on one public and several private occasions, to the government house, and they were there introduced to the Reverend Mr. Fulton as one of the chaplains of the colony, and to Mr. Redfern as one of the assistant surgeons. An effort was then made by Brigade Major Antill (which after the declarations of that officer and Governor Macquarie, I am bound to consider as quite spontaneous on his part), to introduce Mr. Redfern to the officers of the 48th regiment.

Major Antill, accompanied by Mr. Redfern, called upon most of them, and with the exception of accompanied Erskine, Major Morissett, and Major Druitt, was denied admittance, under circumstances that must have been very painful to Mr. Redfern, and ought to have speedily convinced Major Antill of the bad effects of his injudicious friendship.

With the above mentioned exceptions, these visits were not returned, and no notice of Mr. Redfern was taken by the officers in meeting him again. From this period, the difference in the conduct of some of the officers of the regiment towards Mr. Redfern was very marked. Lieutenant-colonel Erskine, Major Morissett and Major Druitt, not only noticed Mr. Redfern at the governor's parties, but began to be constant visitors at his house.

Mr. Redfern was also invited by Colonel Erskine to private parties, and as his guest to the mess of the 48th regiment, and it was upon one of these occasions, that the junior officers of the regiment abruptly quitted the table, and in a manner that evidently betrayed their objection to Mr. Redfern, who was present, and who was known to be Lieutenant-colonel Erskine's guest. The consequence of this conduct of the junior officers, was the promulgation of a mess rule by Lieutenant-colonel Erskine, requiring that no officer should quit the table until after the first thirds were drank.

These repeated rejections of Mr. Redfern on the part of the officers of the 48th regiment, having given reason to Governor Macquarie to believe that they had imbibed, and meant to act upon the opinions of their predecessors, he took occasion at their first half-yearly inspection in January 1818, to warn them against following the example of the officers of the 46th regiment, and to express his hope that cordiality would prevail between himself and them.

He adverted to the practice that he had observed in admitting to his society persons who had been convicts, and his subsequent conduct seemed to him to have atoned for their offences, and although it was not his intention or wish to force the officers to an association with that class of persons, yet he expected that they would abstain from making improper remarks upon his practice, or the measures of his government.

In arranging the invitations for the public dinner that was given by the regiment on the same day, it had been determined, that it was not necessary for them, to ask any other person than those who composed the military suite of the general, and consisting then only of the brigade-major, and the aide-de-camp. No invitation, therefore, was sent by the officers to Mr. Redfern, who notwithstanding was invited by Lieutenant-colonel Erskine, and appeared at table as his guest, though in the suite of the governor. I am not aware that Mr. Redfern's visits to the mess of the 48th regiment were repeated after this occasion, although he frequently appeared at the government house afterwards, when the officers were invited.

The efforts of Governor Macquarie to introduce Mr. Redfern into general society, have not been more successful with the civil officers and inhabitants of the colony, a circumstance that surprised me the more, as I conceived it most probable that his professional claims and merits would have obtained for him a general admission to those families, who might have excluded him upon

other grounds. I do not find, however, that this was the case, and I have reason to believe, as well from personal observation of Mr. Redfern's general demeanour, as from other sources of information, that his conduct in company, and even amongst those who were strangers to his situation, was both forward and obtrusive, and betrayed an entire forgetfulness in himself, of that occurrence in his life, which he will find it difficult to erase from the memory or feelings of others.

It is this difficulty, varying in degree with men and with their opinions, that constitutes the formidable impediment, to the efforts of Governor Macquarie to bring back into society, not only the individual in question, but all other persons who have been once rendered infamous, either by their sentence or their crimes, I am far from blaming his motives or his attempt, though I may not approve his measures for giving effect to them; but if this difficulty is felt, in obtaining the admission of such persons to society, how much greater must it be in raising them to the functions and the honours of the magistracy, without diminishing that respect for the law and for its dispensers, which it is so important in every country to uphold. It is not enough for this purpose that an individual should have been prosperous in trade, that he should have been skilful in surgery, or dexterous in the art of acquiring wealth and influence; his pretensions should be founded on some less equivocal and more moral basis; or on one, in the acknowledgment of which a large majority of the world will acquiesce. Instances certainly may arise, in which such claims may be united; but, with the exception I have before made, in favour of the sacred character and functions of the Rev. Mr. Fulton, I do not think that any of the persons of this class whom Governor Macquarie has selected for the magistracy in New South Wales have possessed such pretensions; and I cannot help submitting to your Lordship as my opinion, that these appointments were unnecessary, that they produced no good effect upon the parties themselves, and that they have lowered the respect and estimation of the magisterial office.

The particular circumstances of Mr. Redfern's case tended further to excite feelings no less prejudicial to its character. That part of the colony, that was most favourable to Mr. Redfern, attributed the appointment to the sympathy of Governor Macquarie in Mr. Redfern's disappointment for the loss of the situation of principal surgeon, and to which, I believe, there are many, who would have gladly seen him succeed; but although these persons might sympathize with his disappointment, yet they could not help feeling that the nature of the compensation was unjust: if it was to stand in the place of a profitable exercise of his profession as assistant surgeon, an additional grant of land, or a larger portion of the colonial indulgences, would have more substantially proved the sympathy of Governor Macquarie, and the readiness of the government to reward with liberality the services and merits of us, public servants, from whatever class of the community they had been taken but, if it was to compensate for want of rank, or to gratify an ambition much encouraged and cherished of obtaining a higher, then indeed the appointment of Mr. Redfern was still more objectionable; for his

elevation to the magistracy proved, that by a sudden exertion of his own power, the governor was determined to procure for Mr. Redfern a much higher rank than your Lordship was inclined to bestow upon him; and to force hint upon a society which, in spite of ten years of the governor's influence and example, had pronounced his exclusion. The appointment then assumed the appearance of a triumph of power over opinion; and it equally became a violation of that salutary instruction of your Lordship, by which Governor Macquarie was enjoined to abstain from the use of authority or force, in a case where it is clear that influence and example had already failed, and where, it is equally clear, that they are the only means that can be used.

It was upon a view of these circumstances, in combination, but more especially upon the acknowledgment made to me by Governor Macquarie, that his principal reasons for appointing Mr. Redfern to the magistracy, were to soothe his feelings for the disappointment occasioned by your Lordship's appointment of Mr. Bowman, and to fulfil a promise that he had unwarily made him, that I felt it my duty to protest against the execution of it in favour of Mr. Redfern. It did appear to me then as it does now, that an act so manifestly at variance, as I conceived it to have been, with the tenor of your Lordship's instructions, and so prejudicial to the colonial interests, was not to be put in competition for a moment, with the personal feelings of any man, much less with those of Mr. Redfern.

Judging of Governor Macquarie's sense of duty, by that which I trust has always influenced my own, my astonishment at his perseverance in a line so directly opposed to it, was only equalled, by that which I felt, in the sudden recal of an acquiescence that he had at first signified to me, then acted upon, and afterwards abandoned, in the short space of two days. I certainly then was not without apprehension, that this opposition to your Lordship's views and my suggestions, might be imputable to some new influence, of which till then I was not aware; and I felt a still greater degree of alarm and surprise, when I saw, that the terms of Mr. Redfern's appointment were enlarged from that of a district (to which I was informed by Governor Macquarie they were to be limited) to the territory of New South Wales, which had the effect of giving to him rank and precedence over magistrates who had long served that office, and who had never been convicts, and of making a distinction as mortifying to them, as it was contrary to the principle of seniority, by which the magisterial rank is regulated in England.

...

Mr. Eager was joined by Mr. Redfern, the Rev. Mr. Fulton, Mr. Meehan, Mr. Simon Lord, and the principal superintendent of convicts William Hutchinson, Samuel Terry and several others, styling themselves emancipated colonists, and presented a petition to Governor Macquarie to be

allowed to hold a meeting at Sydney, for the discussion of the grievances under which they were found to labour, and to consider of the best means of obtaining a remedy. The governor consulted me upon the propriety of granting permission to hold this meeting, and as I felt impressed with the hardship of the situation in which the principle of the law, but not the practice, had placed them, I stated to the governor that I saw no objection to the meeting, provided that the persons who were likely to take the lead in it would furnish him previously with a copy of the resolutions that they meant to propose, and that Mr. Eager should pledge himself that no allusion should be made to the conduct of Mr. Justice Field, in taking the benefit of the law in the actions that had been brought against him. The governor having obtained this promise, as well as a copy of the resolutions, I proposed certain alterations in them, which appeared to me to generalize the subject of the proposed discussion, and to prevent their application to the circumstances that had so lately occurred.

...

The meeting of the emancipated convicts, convened by notice and under the authority of the Provost marshal, took place at Sydney on the 23d January 1821. It was numerously attended, and Mr. Redfern being called to the chair, Mr. Eager addressed them at some length, concluding with proposing the resolutions: they were unanimously carried, and were inserted in the Sydney Gazette of 27th January 1821; two others being added for the appointment of an agent to convey the petition to England, and to conduct there all matte: relating to it; and for raising a hind to defray all necessary expenses. A complimentary resolution was then passed, expressive of the gratitude of the emancipated colonists, to Governor Macquarie, the encouragement and protection it had always afforded them, and of their assurance that his Excellency's name would live in the grateful remembrance of nations yet unborn, as the founder and promoter of benevolent principles, and the best interests of the colony and the mother country. The governor was also requested to transmit the petition of the emancipated colonists to his Majesty, in such manner as he might deem proper.

I was informed by Mr. Campbell, the provost marshal, that the meeting was conducted with decorum, and that the promise that had been given to Governor Macquarie was strictly observed. Since I left the colony I have been informed that meetings of the emancipated colonists continued to be held, by the permission of Governor Macquarie, at the house of Mr. Eager, in Sydney, for the purpose of promoting the objects of the petition; and that subscriptions have been raised amongst the class of emancipated convicts, to enable Mr. Eager and Mr. Redfern to proceed to England as their agents.

These persons were well aware, that in reporting to your Lordship upon the state of the convicts in New South Wales, the hardships of their situation would not be forgotten by me; but as the part that I had taken on the appointment of Mr. Redfern to the magistracy was well known, and

some pains had been taken to impress the minds of the persons of Mr. Redfern's class, that I entertained strong prejudices against them, no communication of their intentions or wishes was made to me, and I had no other knowledge of them except that which I collected from private channels, or from an inquiry of Mr. Eager himself.

...

Another fertile district, that of Airds, has been occupied principally by small settlers or the class of emancipated convicts, who are proceeding in the same course of rapid exhaustion of their lands, without regard to their future means of support.

The return made from this district is not so full or satisfactory as it ought to have been; Mr. Redfern having declined to make any return to the magistrates of Liverpool, to whom I addressed my circular letter, and having wilfully misinterpreted the consideration for his feelings, that had dictated that mode of communication, into a studied neglect of his authority as a magistrate. Mr. Redfern, at the date of my letter, continued to fill the office of magistrate; and I conceived that it might be painful to him to record his own name and circumstances amongst the emancipated convicts of his district, more especially as I understood that at the annual musters taken by the governor, the same consideration had been shown to Mr. Redfern, Mr. Lord, and others of that class. The number of acres, therefore, held by Mr. Redfern under grant and lease, and amounting to 2,620, is not inserted in the return of the Airds district. This farm, and two others in the same district, belonging to remitted convicts, form exceptions to the general observations that have been made respecting their system of cultivation. The farm of Mr. Redfern, though not consisting of good land, has begun to exhibit the improved system of English husbandry, and reflects credit upon the intelligence and spirit with which the expensive operation of clearing the land from trees has been conducted.

...

In adopting this sentiment as a rule of his government, at a very early period of it, I have no doubt that Governor Macquarie was also swayed by that motive, which in a humane mind will always be a powerful one, of endeavouring to relieve depressed merit from a state of despondency and subjection. That he found some of the emancipated convicts of New South Wales in this state, at his arrival, is true; and that many of the free persons who disdained any public association with them, kept up a constrained and private intercourse, whenever they found it beneficial.

Convinced of the rectitude of his own intentions, and not probably calculating upon the possible evils of resistance in quarters where co-operation was absolutely necessary for the success of his measure; fortified also with the approbation of the Parliamentary Committee of 1812,

Governor Macquarie has not only continued his support to the emancipated convicts, by assisting them in their enterprizes and speculations, but has manifested on public occasions towards them a larger share of attention than he has manifested towards those of the free class.

Mr. Meehan, Mr. Fitzgerald, and Mr. Redfern, are the persons who have enjoyed the greatest share of his confidence; and although the governor could not be considered as justly accountable to any one for the selection that he made of bids confidential advisee, yet it has been remarked in the colony, and so often, till at last it has become proverbial, that the surest claim to the favour and confidence of Governor Macquarie, was that of having once worn the badge of conviction for felony. I state this last circumstance more as a proof of the general feeling produced by his conduct, than as a proof of what his conduct has been in the distribution of this or of other favours that he has it in his power to bestow.

In bestowing upon the emancipated convicts so great a mark as that of introduction to society, he ought to have been aware that the same act which might be consolatory to their feelings, and perhaps to that of their own body, was likely, at the same moment, to be an act of violence to those of the free population. In considering this point, I conceive that the governor has viewed only one of the parties affected by it. He has thought, and often repeated, that New South Wales was a convict colony; that it was established for their benefit; and he further has declared an opinion, which I conceive to be a very erroneous one, that it was brought to its present state (meaning, of course, a state of prosperity) by their means. Of the free classes, and of their origin, as well as of their efforts, he has always entertained a very unfavourable estimate; and although it is true, that a small proportion only of those who have arrived in the condition of free settlers has answered the expectations that were formed of them, or has done justice to the recommendations that accompanied them, yet it should always have been remembered by Governor Macquarie, that they were the magistrates of the colony; that it was through their means, imperfect as they were, that the control of the convicts, the punishment of their offences, the moral ascendancy, was to be maintained; and he ought not to have forgotten, that although the free settlers had not latterly engaged in trade, or in commercial speculations, yet that the best cultivated estates, the greatest quantity of cattle were theirs; and that the best efforts for the solid improvement of the colony had been made by them.

...

As the whole of the circumstances of this case has been submitted to the highest military authority in England, I do not think it incumbent upon me, at this moment, to consider any other parts of the question than those which bear directly upon the general principle that I am discussing, or that throw a light upon the conduct of Governor Macquarie in his application of it. In referring to

the charges that he preferred against the officers of the 46th regiment, your Lordship will find that Governor Macquarie does not consider an officer under his command to have any discretion in accepting or refusing an invitation to his table; and Major Bell of the 48th regiment, acting under the influence of the same opinion, considered it as part of his duty to accept a similar invitation, although he was well aware that he should meet Mr. Redfern, whose acquaintance, so injudiciously thrust upon him by Major of Brigade Antill, he had already declined. Now, although b this rule be universally admitted to prevail military garrisons, your Lordship will see that in that, of Sydney, its operation cannot but have an effect, the reverse of that, which you had so strongly brought to the notice of Governor Macquarie, so far back as the month of February 1814, and which, although he disclaimed in his address to the officers of the 48th regiment at their first inspection, yet he afterwards very pointedly adopted, by inviting several officers of the regiment to meet the individual who was obnoxious to them, and which invitations the governor knew that they could not refuse. It may be said, that the officers were not unanimous in the rejection of Mr. Redfern, and that both that individual and the Rev. Mr. Fulton had been invited by Colonel Erskine to the regimental mess of the 48th regiment. I do not consider it necessary, in this place, to make any observations upon the motives that may have influenced Colonel Erskine, Major Druitt and Major Morisset, in cultivating the acquaintance and society of Mr. Redfern, or upon those that influenced the conduct of the other officers in declining it. This is a question purely of a personal nature, upon which both parties had a right to determine for themselves; but after such a manifestation of their dislike to Mr. Redfern, as a large majority of the officers of the regiment had shown, in withdrawing abruptly, and perhaps not very delicately, from the table at which he was seated, I do not think that Governor Macquarie consulted either a prudent regard for the feelings of the regiment, or for the harmony that it is so essential to maintain in military societies, by showing to the officers, that although they might take the liberty of avoiding an obnoxious individual at their own table, yet that no such option should be left to them at his. The effect of such a forced introduction of the principle has been much felt in the 48th regiment ever since its arrival in the colony, and has produced in the minds of the officers of that regiment a feeling of aversion for the person thus forced upon them, and a more fixed hostility towards the principle itself.

The attempt of Governor Macquarie to introduce the emancipated convicts whom I have named into general society, has not been attended with much better effect. In making this attempt, it has been a favourite expression of Governor Macquarie, and is now adopted by the emancipated convicts themselves, that by setting an example himself, and encouraging association with them in others, he is in fact only restoring these people to the rank in society that they had lost. I cannot think that this favourite expression and argument of Governor Macquarie can have been either strictly used

or well considered by him; inasmuch as there is not one of the persons whom he has thus admitted to his society, to whom (with the exception perhaps of Mr. Redfern) it may not be truly said, that such an admission was a very great elevation. The private and early history of all of them would certainly not have placed their natural rank in society above that level which, by their industry, they had reached. Mr. S. Lord, but for his elevation to the bench of magistrates, and his admission to the society of government house, would have continued to be an industrious, intelligent manufacturer; Mr. James Meehan would have remained an useful subordinate officer in his department; Mr. Michael Robinson would have had the satisfaction of printing his odes, instead of being raised to the titular honours of poet laureat to the government of New South Wales, and reciting his poetry in the government house on birth days; and Mr. Fitzgerald would have enjoyed the fruits of his industry and integrity as an agent, in the just tributes of respect that were paid to both, by the family of Mr. M'Arthur, as well as others who bore testimony to them; Mr. Greenway would perhaps have procured that gradual admission to society to which his talents, as an architect, would have entitled him, if the respect due to them had not been impaired by his habits of negligence and of indulgence.

The elevation of these persons to a rank in society which they never possessed, and for which, without meaning any reflection upon them, their manners gave them no kind of claim, has not been productive to them of the benefits that were contemplated.

It was in vain for Governor Macquarie to assemble them, even on public occasions, at government house, or to point them out to the especial notice and favour of strangers, or to favour them with particular marks of his own attention upon these occasions, if they still continued to be shunned or disregarded by the rest of the company.

With the exception of the Reverend Mr. Fulton, and, on some occasions, of Mr. Redfern, I never observed that the other persons of this class participated in the general attentions of the company; and the evidence of Mr. Judge Advocate Wylde and Major Bell, both prove the embarrassment in which they were left on occasions that came within their notice.

...

Governor Macquarie had always understood, and strongly wished, that in asking for the co-operation of all classes of the community in the formation of the bank, a share in its direction and management should also be communicated to them.

Mr. Judge Advocate Wylde, in addressing a meeting that was held at Sydney for the purpose of discussing the measure, had, generally, stated to them, that every interest in the bank establishment would be open to the emancipated convicts. This declaration was immediately taken advantage of by one of the leading members of the class, Mr. Edward. Eager, who immediately

became a subscriber of nine shares, trusting always that so large an interest would secure him a seat in the direction.

On the day in which the resolutions that had been prepared by the committee were to be submitted to the general meeting, it was intimated to Mr. Judge Advocate Wylde, by six of those gentlemen who had been nominated to him as fit persons for the direction, that Mr. Edward Eager was to be proposed by Mr. Redfern as a candidate for that office; and four out of those six persons having declared to the judge advocate their intention of withdrawing from it at once if Mr. Eager was admitted, the judge advocate, coinciding with them entirely in the propriety of his exclusion, introduced a resolution, which now stands the seventh rule and regulation of the bank, by which it is declared that no person should be eligible as a director who should not be absolutely and unconditionally free.

In introducing this resolution to the notice of the meeting, I am informed that Mr. Judge Advocate Wylde made some severe reflections both upon the impolicy admitting such persons into the direction of a commercial establishment, whose names and condition might justly injure its reputation abroad, as well as the unpleasant consequences that might happen to free persons lately arrived in the colony, and who should become members of the direction of the bank, from a near association with those whom they might have possibly and very recently seen, on the passage to the colony, wearing the badges of conviction; and who, by means of a conditional pardon and a share in the bank, might immediately be eligible to a seat in the direction. This allusion is stated to have given great offence to Mr. Redfern, Mr. Eager, and the other emancipated convicts who were present. The resolution, however, was adopted; and Mr. Judge Advocate Wylde, in submitting it to Governor Macquarie, found that it was entirely opposed to the expectations and to the views that he had formed, as well in favour of the bank, as the opportunity that its establishment would have afforded of bringing forward the emancipated convicts. The disappointment, however, that had been sustained by Mr. Eager on this occasion was soothed by his receiving from Governor Macquarie an absolute pardon.

...

Both parties look upon each other as intruders. The free settlers considering that the rank, as well as the rights of the emancipated convicts, should be always kept in subordination to their own: while the emancipated convicts look upon no title to property in New South Wales, to be so good or so just, as that which has been derived through the several gradations of crime, conviction, service, emancipation and grant.

Both parties are equally disposed to depreciate the pretensions of each other, but I sincerely believe that the great body of the emancipated convicts do not partake of the ambition of their leaders, Mr. Redfern, Mr. Eager, Mr. Terry, and Mr. W. Hutchinson; that they would be satisfied with protection from oppression and insult, and due encouragement in their undertakings; and that they feel great indifference about their admission either to public offices, or to any other rank in society than that which their own industry and good character will justly and naturally procure for them.

Extracts from The State of Agriculture and Trade in the Colony of New South Wales by Bigge printed March 1823.

The estates that are in the best state of cultivation, and exhibit the greatest improvement, are those of Mr. Oxley the surveyor general, Mr. Cox, Sir John Jamison, Mr. Hannibal M'Arthur, Mr. Redfern, Mr. John M'Arthur, Mr. Thoresby and Mr. Howe.

Having observed the increasing necessity of providing food for their flocks and cattle from other sources than the natural grasses of the colony, these gentlemen have turned their attention to the culture of the various qualities of artificial grasses; and, from the experiments they have already made, there is every reason to expect that the supply of food for sheep and cattle may be greatly augmented.

...

The school for the civilization of the native black children is situated in the town of Parramatta. It was established in the year 1814 by Governor Macquarie, with the commendable view of endeavouring to improve the condition of the natives of New South Wales; a superintendent was appointed, and the number of children was not allowed at first to exceed six of each sex. A committee consisting of Mr. J. T. Campbell, Mr. D'Arcy Wentworth, Mr. W. Redfern, Mr. Hannibal M'Arthur, the Rev. Mr. Cowper, the Rev. Mr. Fulton, and Mr. R. Hassal, were appointed by Governor Macquarie to conduct and direct all the affairs of the institution, to hold quarterly meetings, audit the accounts, examine into the condition and progress of the scholars, and to make a report thereof to the governor. An account was submitted to me of the number, names and attainments of the children that have been received into the institution since its establishment; and it appears that thirty-seven boys and twenty-seven girls have been placed in it, and of these, six have absconded, two have died, and one was taken by his father to reside upon some land that was given to him. These children have been taught to read and write, and have been instructed in the principles

of the Christian religion. They also attend church regularly at Parramatta, and join in the service. The girls have been taught the common sorts of needle-work and domestic service, and two have been hired out as servants to respectable inhabitants in the country.

...

I found likewise that the books of the several hospitals had not been kept with any regularity. Those at Sydney had for some time been committed to the care of Mr. Henry Cowper, who was an apprentice to Mr. Redfern, and whose duty it was to enter the name of every patient on his arrival, the daily course of treatment prescribed, and the date of his discharge or death. The state of these books, which were only produced for my inspection at a late period of my residence in New South Wales, was in a great degree attributable to want of care in preserving them, and also to the various duties that devolved upon Mr. Henry Cowper, when only one assistant surgeon happened to be at Sydney. A greater degree of regularity and method appears to have taken place on the appointment of a convict clerk, named Johnstone, whom I have had occasion to mention in my former Report, and who was appointed to perform the duties of clerk at the general hospital in the month of June 1818. From the imperfect reference to the hospital books previous to this date, and from the confused manner in which the entries of discharges and deaths were noticed in them, the abstract that was made from them at my request, by Mr. Henry Cowper, is not much to be relied upon. From this document it appears, that from the month of September 1816, to the same month in 1817, 992 patients were received into the hospital, 337 were discharged, and forty-one died. From the month of May 1818, to the month of October 1819, 988 patients were received into the hospital, 560 were discharged, and eighty-six died.

The books of the different hospitals having been more accurately kept, and the returns more regularly made, after the appointment of Mr. Bowman to the situation of principal surgeon in the month of October 1819, the number of sick received into the different hospitals after that date can be ascertained with more precision. From a return it appeared, that between the month of October 1819, to the 31st December 1820, 1,875 patients were received into the hospital at Sydney, and 3,471 were admitted as out-patients. Of these, 1,673 were discharged, 124 died, and seventy-seven remained at the date of the return. At the hospital at Parramatta, 384 patients were received during the same period, and 348 as out-patients. Of the former twenty-two died, and 362 were discharged. The returns from the hospital at Windsor or Liverpool, during the same period, were not included in the general return; but in that which was made from the settlement at Newcastle, 404 were received into the hospital, and 363 as outpatients. Of these, twenty-six died, and 394 were discharged. At the asylum for lunatics at Castle Hill, it appeared that twenty new patients had been received, in addition

to thirty-nine already on the list; five of whom have died, eight had been discharged, ten had made their escape, and thirty-six remained.

...

Mr. Wentworth has stated that he was consulted by Governor Macquarie in forming the plan of the hospital at Sydney, and that, subject to certain alterations and conveniences, he approved that which was adopted.

Mr. Redfern likewise states that he made no objection to the plan at the time the work was begun, but that he has since found reasons to think that it is defective, in not having the several conveniences of wash-house, store-rooms and water-closets. Great encroachments appear to have been made upon the accommodation that the hospital was capable of affording to the patients sent thither both from the town and the country districts, by the appropriation, in the first instance, of four wards at the north end of the principal building of the hospital to the use of the civil and criminal courts, two wards on the ground floor being converted into courts, and two on the first floor immediately above being used by the judges and members of the civil and criminal courts for retiring rooms. At a later period permission was also given to Mr. Lewen, an artist, to occupy one of these rooms for the purpose of painting several large pictures. Another ward in the first floor of the hospital was also appropriated to the reception of the medical stores, by which means, out of eight wards that the hospital contained for the reception of patients, three only were appropriated to that purpose until the year 1819, when Governor Macquarie requested the judges to dispense with the retiring rooms that had been attached to each court, and two wards were then given up to the use of the patients.

...

A representation of the bad effects of this practice was submitted by Mr. Wentworth to Governor Macquarie in the month of March 1817, with a proposal for the supply of meat, bread, and vegetables to the hospitals, according to the orders of the surgeon, regulated according to the state and condition of the patients. It was also accompanied with a very detailed statement of the comparative expense of the two modes of supply, and a suggestion of the expediency of giving small remunerations in money to the superintendents, clerks, and wardsmen employed.

Governor Macquarie, not thinking himself justified in making these alterations, in the mode of supplying the hospitals, declined to sanction its adoption until he had submitted it to your Lordship. The approval of the measure was conveyed to Governor Macquarie in the year 1818, and was communicated in December of that year to Mr. Wentworth, with a view to its adoption on the 1st of January 1819. The circumstances that prevented or protracted it until the arrival of Mr.

Bowman in September 1819, were not satisfactorily explained; but it was finally and very successfully carried into effect in a fortnight after he succeeded to the office of principal surgeon.

It is hardly necessary for me to refer your Lordship to the statements of the manifold consequences that arose from the continuance of this practice, or the impossibility of preserving order or cleanliness in the hospitals as long as it prevailed. There does not seem to have been any want of the ordinary attention to cleanliness in the hospital at Sydney; and it appears that Mr. Wentworth and Mr. Redfern endeavoured occasionally to supply the want of medical comforts, or proper diet, by sending them from their own houses.

...

I have already had occasion to allude to the practice that had prevailed in the colonial hospitals, of the surgeons supplying their private patients with medicine from the stores in the hospital, and the injurious consequences of such a practice to that class of persons for whose benefit the transmission of medicine at the expense of government was solely incurred. The practice thus adopted by the higher officers was imitated by those under them; and as there was no person in the Sydney hospital charged with the duty of dispenser, or to whom the care of the stores could be safely confided, it necessarily devolved upon those who had other duties to perform, and who were frequently called away from their special duties as surgeons to perform those of apothecaries and dispensers. There is no doubt that from want of a person specially appointed for the arrangement, transmission and account of the medical stores, that they were exposed to injury, loss and embezzlement.

...
