

Having made an offer of assistance from the Troops, stationed in this Town, to Wm. Ogilvie, Esqr., the resident Magistrate in the District beyond Patrick's Plains, I am happy to say this Gentleman did not think that at present any part of the Infantry were required.

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Military
not required.

I have, &c.,

F. ALLMAN, Commandant.

GOVERNOR DARLING TO EARL BATHURST.

(Despatch marked "Separate," per brig Fairfield; acknowledged by Earl Bathurst, 20th March, 1827.)

My Lord, Government House, 6th October, 1826.

I have the honor to acquaint your Lordship, in reference to my Dispatch of this date, No. 75, communicating the particulars of certain outrages, which had been committed in the District of Hunter's River, that a report having reached me that a Native, who was apprehended by the Mounted Police, as having been concerned in the proceedings above alluded to, had been shot, while in custody; I immediately gave orders that the matter should be investigated by the Magistrates of the District. This order, after some delay occasioned by the absence of Lieutenant Lowe, the Officer commanding the Mounted Police, was acted on; and the accompanying Report was received; but, as the Native in question was not one of the three mentioned in this Report, it appeared advisable to bring the subject of his death under the consideration of the Executive Council, together with the other events, which had taken place. The Council, which met yesterday for the purpose, agreed with me in opinion that the order for an enquiry into the circumstances of the death of the Native, alluded to, should be repeated; and the necessary communication will immediately be made to the Magistrates.

Reported
shooting of
native in
custody.

Consideration
by executive
council.

It is my intention, as soon as their report has been received, to bring it forward with the other cases detailed in the Enclosure, herewith transmitted, so that the Council may have an opportunity of judging of the whole proceeding. There can be no doubt of the criminality of the Natives, who have been concerned in the recent outrages; but, though prompt measures in dealing with such people may be the most efficacious, still it is impossible to subscribe to the massacre of prisoners in cold blood as a measure of justifiable policy. I trust, however, that the Report will prove to be unfounded, and I shall not fail to put your Lordship in possession of the result by the first opportunity.

I have, &c.,

RA. DARLING.

[Enclosure No. 1.]

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[A] COLONIAL SECRETARY McLEAY TO CAPTAIN ALLMAN.

Sir, Colonial Secretary's Office, 28th August, 1826.

With reference to your Communication of the 18th Inst., addressed to the Acting Military Secretary, reporting that three Native Blacks had been shot by the Mounted Police, under the command of Lieut. Low, I am directed by His Excellency the Governor to request that you will, in conjunction with Messrs. Close, Webber, and Scott, assemble and enquire into the circumstances of the killing of the Natives, alluded to, so that Government may be enabled to determine whether it will be necessary to institute any proceedings in consequence; but you are not to proceed in the investigation, unless Lieut. Low be present. If he should have left the District, directions will be given for his immediate return.

I have, &c.,

ALEXR. McLEAY.

[B] COLONIAL SECRETARY McLEAY TO CAPTAIN ALLMAN.

Sir, Colonial Secretary's Office, 6th September, 1826.

With reference to my Letter of the 28th Ult., requesting that you would, in conjunction with the other Magistrates, therein named, investigate the circumstances attending the killing of three Native blacks by the Mounted Police, I am directed by the Governor to desire that the investigation may take place at the residence of Mr. Scott as being a more central situation than Newcastle. This arrangement has been notified to that Magistrate and also to Lieutenant Low.

I have, &c.,

ALEXR. McLEAY.

[Enclosure No. 2.]

CAPTAIN ALLMAN TO COLONIAL SECRETARY McLEAY.

Sir, Commandant's Office, Newcastle, 15 Sept., 1826.

In obedience to the Commands of His Excellency, conveyed to me in your letter of the 28th Ult., and subsequently in your Communication of the 6th instant, ordering me, in conjunction with Messrs. Scott, Close, and Webber, to assemble at the former Magistrate's Residence to enquire into the killing of three black Natives, who were shot by the Mounted Police, under the Command of Lieutenant Low, as reported by me to the Acting Military Secretary under date the 18th Ultimo,

I have the honor to inform you that, on the 13th instant, I proceeded with Mr. Close to Mr. Scott's, and, in conjunction with those Magistrates (Mr. Webber being unavoidably absent), entered on the Examination.

Inquiry to
be held re
shooting of
natives by
police.Holding of
inquiry.

By the accompanying proceedings, you will perceive that each individual present, when the occurrence took place, were examined; the Magistrates thought it right to take Mr. Larnach's deposition on oath, as also Mr. Glennie's; these were the only individuals, exclusively of the Military concerned, that could be found to afford any information.

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Holding of
inquiry.

I have, &c.,
F. ALLMAN, Commandant.

[Enclosure No. 3.]

[A] DEPOSITIONS AT THE INQUIRY.

Depositions
at inquiry re
shooting of
natives by
mounted police.

GLENDON TO WIT. Deposition of JAMES GLENNIE, Esqre. Sworn. This Deponent states that he was on his farm, when the Mounted Police came there in pursuit of some Blacks.

Four were secured, and one got into a tree. This tree was fallen, when he came to the ground and he was secured.

Deponent then went with the party to Chilcott's, where they were said to have robbed the hut, and to have attempted to get a musket from a man.

The Men recognised the whole party, as having been concerned, one of them more particularly, who had stolen a cake of bread and attempted to get a musket from one of the men by force.

This Black Cato was one of those afterwards shot. From Chilcott's, the party with Deponent went to Captain Lethbridge's to see if any Outrage had been committed by them there; but there had not. In going to Chilcott's, Cato refused to cross the Brook, when the Soldiers were obliged to use the flats of their swords to urge him on. The Soldiers were nearly half an hour endeavouring to secure him. It took four men to hold him. The party, after being at Captain Lethbridge's, went towards Deponent's farm, where Deponent left them. Soon after this, Deponent heard the report of a pistol, three of the Blacks from their being Boys were afterwards released, although they had been identified at Chilcott's.

JAMES GLENNIE.

Sworn before us at Glendon, this 13th of September, 1826.

F. ALLMAN, J.P. ROBT. SCOTT, J.P.
E. C. CLOSE, J.P.

GLENDON TO WIT. Deposition of Mr. JOHN LARNACH Sworn. This Deponent was with the Mounted Police, about the middle of last month, when they were escorting a Black, who had volunteered to show them where the other Depredators were. This Black was lashed by a Picket cord to one of the horse-men, who, when they arrived at a very thick scrub, would go on one side of a tree, when the horseman went on the other, which pulled them both up. This was repeated three or four times, when they arrived at the above Brush, where some fencers had been speared. The Black seemed quite uneasy and seemed well aware of the spearing. The blood was apparent in several places on sheets of bark. The Black pointed to one place, then in another, as the direction

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where the Natives were. Deponent observed the Black about ten yards from the Soldiers endeavouring to escape, when he was fired at and killed, and left there. Had the Soldiers permitted him to have gone a little further, he would have escaped altogether. All this took place, whilst the party were looking over the spot, where the fencers had been speared. The Black seemed to be well aware of the spearing; and the impression in Deponent's mind was that he was a party concerned. This Black had been identified as one of the spearers at Dr. Bowman's.

This Black was a very singularly formed man, and the soldiers had taken him from the description, that was given by the Fencers, before he was brought to Dr. Bowman's to be identified.

The body of this Black was hung up by the Men on the Farm as a terror to the other Blacks. JOHN LARNACH.

Sworn before us at Glendon, this 13th day of September, 1826.

F. ALLMAN, J.P. ROBT. SCOTT, J.P.

E. C. CLOSE, J.P.

Examinations
at inquiry re
shooting of
natives by
mounted police.

[B] EXAMINATIONS AT INQUIRY.

GLENDON, N. S. WALES Examination of LIEUT. NATHANIEL LOW of
TO WIT. the 40th Regiment.

This Examinant states that he lately commanded the Detachment of the Mounted Police, stationed in the Hunter's River District. That, owing to a number of Murders and Depredations being committed by the Blacks, Examinant gave directions to his party that, if ever they fell in with any of them, who they knew to have committed any act of atrocity, that they must secure them, and, if they attempted to escape by freeing themselves from the ropes, with which they were secured, to fire; this being the only means, pursued by both Civil and Military Officers, who had charge of felons. The escape of some Felons from the Military at Wallis' Plains, not long since, rendered the caution necessary, as the soldiers concerned were most severely punished. When Examinant was at Bathurst, in command of a Detachment there, a similar circumstance took place.

If these soldiers had permitted the Blacks, the subject of the present enquiry, to escape, Examinant would have felt it his duty to have brought them to trial.

Under such impressions, Examinant reported everything that occurred from time to time. It was in obedience to these orders that three Natives were reported to Examinant as being shot.

Examinant, therefore, considered the Soldiers had only done their duty.

Taken before us, this 13th day of September, 1826.

F. ALLMAN, J.P. ROBT. SCOTT, J.P.

E. C. CLOSE, J.P.

Examination of SERGEANT LEWIS MOORE, Mounted Police.

This Examinant states that, about the 12th of August, his Party apprehended several Blacks, who had been named to him, and who were taken about to the different places, where Depredations had been committed, and identified. In marching these Prisoners down

the country, three Blacks broke the ropes, with which they were secured, and fled. Examinant and party did all they could to persuade them to return; but they continued their flight; under these circumstances the party were obliged to fire on them, when the three runaways were shot; from being mounted, the party were unable to pursue the Blacks, who ran into the Brushes. There were at the time other Prisoners in charge, and, having Lieutenant Low's order to secure the Blacks when they were taken, he had nothing left for it but to order them to be shot. Examinant conceived he would be severely punished, if he had permitted the Blacks to escape.

Answers to questions from the Bench.—Two out of the three Blacks were shot in one day, and the other on a different day. All three of these Natives were shot in making their escape; and, if the body of a Native is hanging in the Forest, the Mounted Police did not do it.

Taken before us, this 13th of September, 1826.

F. ALLMAN, J.P. ROBT. SCOTT, J.P.
E. C. CLOSE, J.P.

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GLENDON TO WIT. Examination of GEORGE CASTLES, private in the Mounted Police.

Examinant was present, when some Natives were escorted down the River. They were tied; they afterwards freed themselves; they were called on to come back several times, and then they were fired on; there were other prisoners in charge, and these men could not have been kept without endangering the security of the other prisoners. Had they not been shot, they would have escaped into the thick Brush, where the party could not have followed them. The three Blacks were shot at different places, and in situations where the Cavalry could not follow them. On being questioned by the Bench, Examinant denies that the Party shot any man except in the act of escaping, and knows nothing of a Black being hung.

Taken before us, on this 13th day of September, 1826.

F. ALLMAN, J.P. ROBT. SCOTT, J.P.
E. C. CLOSE, J.P.

GLENDON TO WIT. Examination of JOHN LEE, private in the Mounted Police.

Examinant was with Serjeant Moore escorting Blacks that they had taken about the Middle of August. When one of them endeavoured to escape, he was shot. Two others under similar circumstances were also shot.

Examinant denies the common report that one of these Blacks was hanged by the party, and knows nothing of such a circumstance. Repeats that the Blacks were shot, after having freed themselves from the cords, endeavouring to escapé. The whole of these men were called to come back before they were fired at.

Taken before us, this 13th of September, 1826.

F. ALLMAN, J.P. ROBT. SCOTT, J.P.
E. C. CLOSE, J.P.

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GLENDON TO WIT. Examination of JAMES FIELDING, private in the Mounted Police.

Examinations at inquiry re shooting of natives by mounted police.

Examinant states that he was with Serjt. Moore escorting Blacks. Three of the Blacks were shot endeavouring to escape. They were as well secured as the Cords they had would allow. They freed themselves by biting them in two. None of these Blacks were shot except in the act of escaping. When they ran away, every effort was made to cause them to return, before they were fired at. Examinant knows nothing about hanging a man; is aware of a report that a black man was hanged, but it was not done by their party. The body of one of the Blacks, shot by the escort, might have been afterwards hung up, but Examinant is not aware when it was done.

Taken before us, this 13th of September, 1826.

F. ALLMAN, J.P. ROBT. SCOTT, J.P.
E. C. CLOSE, J.P.

EARL BATHURST TO GOVERNOR DARLING.

(Despatch No. 84, per ship Midas; acknowledged by Governor Darling, 14th February, 1827.)

7 Oct.

Sir, Downing Street, 7th October, 1826.

Approval of sale of government cattle.

I do myself the honor to acknowledge the receipt of your dispatch, No. 18 of the 1 May, enclosing a statement of Government Cattle, which have lately been disposed of by Public Auction; and it gives me much pleasure to acquaint you that the measure, as well as its details, are approved by His Majesty's Government. I am also glad to find that it is your intention to follow it up by placing the farming Establishments of Government upon a reduced scale of expense. I have, &c.,

BATHURST.

EARL BATHURST TO GOVERNOR DARLING.

(Despatch No. 85, per ship Midas; acknowledged by Governor Darling, 14th February, 1827.)

Sir, Downing Street, 7th October, 1826.

Approval of measures for suppression of bushranging.

I have had the honor to receive your dispatch, No. 25 of the 4th May, reporting the manner, in which you had distributed the Troops with the view of preventing, as far as possible, any assemblage of Bushrangers, and notifying the Appointments of Commandants in the newly formed Districts of Bathurst and Parramatta, with additional Pay at the rate of 10s. per diem to each of the Officers, whom you have selected for that duty.

The arrangements, which you have adopted for putting a stop to the lawless proceedings of the Bushrangers, are very satisfactory; and I have great pleasure in conveying to you His