

Order run after June 15 1815

Rev Sir

Com. Jan. 22/16

(Recd. Dec. 29/15, by the Sydney Packet.)

(Ans. Sep. 5/16, by the Sir W. Bessley)

Tho' I have already troubled you with a long Account upon various Subjects, yet I deem it necessary to write a few Lines upon the Vessel, and such matters as relate to it. I have already stated the absolute necessity of maintaining a vessel, and that little good can be done at New Zealand without one. The natives will want a vent for the Produce of their Industry, whether it be Timber, Flax or any other Article, and this can only be taken from them by means of a vessel. I should recommend that an Application be made to his majestys ministers for Permission to land in New South Wales, Duty free, any raw materials, the Produce of the South Sea Islands, such as Timber, Flax &c. Tho' Governor Macquarie has kindly allowed me to land what I brought from New Zealand without Duty being charged; yet another Governor may come to this Colony, who may take it into his Head to lay such a heavy Duty upon every Article as may amount to a Prohibition. If the Government will allow such Articles of Commerce to be imported in a raw State, Duty free; as may be obtained from the Industry of the natives; in that Case I think a great Part, and perhaps the whole Expence of maintaining the Vessel would be repaid. Should the Governor of this Settlement on the other hand, lay an heavy Duty, this would defeat the object. I am sure this Colony would derive many Advantages from a friendly Comm-
-munication with New Zealand, and the Advantages to the Inhabitants of that Island by an Intercourse with us, could not be estimated. It is very necessary to foresee Difficulties that may arise, and to provide against them. I beg also to recommend to the Society, to obtain a Letter from his majestys Government to the Governor

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of New South Wales soliciting his Aid to the object of the Society. This
 would have its weight should the Society in their wisdom think
 it prudent to make the Application - The Governor's Interest here
 would save much Expence in various ways; and by his kindly
 Interference many Difficulties would be removed, which never can be
 without it. I have endeavoured to bring to Justice several Masters of
 Vessels who have been guilty of great Crimes against the natives of
 the South Sea Islands, but have always failed. At the same time the
 very attempt to punish the guilty is not without good Effect
 as it must in the End find a remedy for the Evils. I beg to mention
 one or two Cases amongst many. A Whaler belonging to Port Jackson
 was lying in the Bay of Islands some time ago, and while there, the
 natives agreed with the master to sell a given Quantity of Potatoes
 for a given Quantity of oil. The oil was to be measured in a black
 quart tin Pot. After the Agreement was made, and the Pot had
 been shewn to the natives, the master had a piece of wood made
 to fit into the Pot, to take up Part of the Contents of the Pot. When
 the natives had delivered their Potatoes, and came to have their
 oil measured, they were astonished at the small Quantity that
 the Pot contained, till one of the natives discovered the Trick.
 The man who detected the Fraud, had been for some months
 on board the Whaler, during which time the vessel had
 put into Port Jackson; when the owners, gave him a
 Musket, for his services, as he had done the Duty of a
 common Sailor. When the master saw that his Fraud was found
 out, he striked this native naked, rope-ended him, took from
 him his musket, and sent him on Shore. When the Native
 returned from New Zealand the first time, the Chief of this
 nation came in her to U.S. vessels. As the master who had
 committed the Assault was then in the Harbour, the
 Chief applied to me to bring him to Justice - I accordingly
 applied to the Governor to request he would order an
 investigation into the Complaints which the natives had

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to bring forward. The Governor appointed a full bench of magistrates
to meet. I attended with the natives to prove the charges against
the master of the vessel. As the natives story seemed to have
little weight with the bench. I called upon some part of the
Shops Company, and thereby proved from them, that the
captain of the vessel, had purchased the New Zealander, and
had defrauded them by filling up the contents of the quant
pot with wood in which the cut was measured. This being
proved with respect to the pot, one of the magistrates very
sarcastically observed, that the quant pot, might not be exact
Winchester measure, and that the master of the vessel might
have put the wood in it, to make the measure correct—
I was extremely hurt, with such an unjust, and undignified remark
from a magistrate. It convinced me that the bench was determined
to turn to ridicule, what in my opinion was an offence of the
blatant nature. I complained of this magistrate to the Governor
told him how unbecoming it was for any man to speak in
that manner, and much more, when in the act of administering
Justice. I have no doubt, but the Governor highly disapproved
of such conduct—but at the same time I obtained no redress
for the natives. When I returned from New Zealand, I had several
charges against the same master for crimes committed lately
against the natives of New Zealand. The Chief of the north
Cape complained to me that he had sold 150 baskets of potatoes
and 8 Hogs for a musket to the same master—and that
when he went to get his musket after delivering the above
150 baskets of potatoes and eight Hogs, which were divided
between a vessel called the Jefferson, and the King George
whom the above master commanded, the Chief was detained
a prisoner for 6. Days, till ransomed with 170. Baskets
of potatoes, and five Hogs. The Chief sent with me
an other man mentioned in my public letter to recover

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Payment for these Potatoes and Hogs, or else to have the master
 furnished some other way - Judge a Chief from the Bay of
 Islands, also came with me to Port Jackson, to recover pay-
 ment for his baskets of Potatoes which had been taken out
 of his and his Brothers Plantations, before they were ripe, at the
 Point of the market, on my arrival at Port Jackson, finding
 the master in the Harbour who had been guilty of such Theft
 and Cruelty I applied to the Governor to have him brought
 to Justice - A bench of magistrates were assembled, and the natives
 attended to state their Complaints - The Bench objected to examine
 them, as they could not be sworn. I then called upon part of the
 Ships Company - The magistrates said they could not be
 examined because they had quarrelled with the master.
 I then stated the Case to the Judge of our
 Supreme Court, who gave it as his legal opinion, that the
 magistrates were bound to examine my witnesses. I then
 waited upon the Governor again, and told him how I had
 been treated, and complained of the whole Bench, and informed
 him with the Exception of one magistrate - I also informed
 the Governor what was the opinion of the Judge, which I had
 taken - The Governor said he would send for the Chairman
 and direct that the men I wished to be examined, should give
 their Evidence - Accordingly the Bench were directed to meet
 again - I shall leave you to judge, what I might expect
 from not quietly submitting to the wishes of the Bench -
 However I got, notwithstanding all their opposition, sufficient upon
 Record, to show the Completion of the Examination, and
 the Judge Guilt of the accused. I have applied for a
 Copy of their Proceedings, but have not yet received it -
 I am not certain they will let me have one - if they do
 I will send it - There will be no possibility of punishing
 murder, or any other Crime committed in these Islands unless

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unless
an Act of Parliament is ³ passed in favor of the natives. The
missionaries in these seas, cannot be considered safe, if
Masters of vessels can commit any crime upon the
natives with impunity. I trust the Society will take this
matter into their serious consideration. I shall continue to
seek redress for the injuries done to these Islanders from the
Government here, whether I obtain it or no. If the magistrates
will not hear any complaints, I shall endeavour to obtain
their Reasons, which I will transmit to England, and if they
will give no Reasons, I shall then feel it my Duty to
tell them, that I shall apply for redress elsewhere.

The quart Pot - and the Winchester measure show the Spirit
of the times, which I have already mentioned.

The two main objects I wish to recommend to the Society to
procure if possible by writing this letter, are 1st A sanction
to land Duty free, at Port Jackson, the raw Productions
of New Zealand, - & 2^d object is, to obtain an Act of Parliament
for the protection of the natives belonging to the South Sea
Islands. I have had several conversations upon this
subject with our Judges, and they have ^{to His Majesty's Government} recommended that
a Court should be established in New South Wales to try
crimes committed in these seas and Islands. I wish that if
any Act should be passed, and a Court of Justice instituted in
New South Wales for the trial of Europeans, who may
commit any Act of Violence one upon another, that some
provision may be made at the same time for the
protection of the natives - at present there is none.
Masters of vessels may shoot them, and rob them
and carry ^{them} away from their Country, and there
is no means of punishing them for these crimes.
I am not able to say, whether what I recommend to the
Society comes within

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comes within their plan to notice. I shall submit the matter to you - I wish by every means in my power to aid the enlightening of the Heathen nations, and to spread the knowledge of the Gospel amongst them. This cannot be done without means - Commerce will furnish part of the means - only it must not be cramp'd with heavy duties. The industry of the natives and all who are labouring to do their good must not be taxed at present - naval stores in this Colony are always scarce and high - Sea mens wages are also high - Provisions are very frequently very dear - The Fees of office are also very high. To clear the Active of the Port duties of one kind and another will amount to about £20. each time she comes into the Harbour. The Governour's Secretary has 6. per Ton measurement, and 2. 6 per Head for all on board every time she leaves the Harbour - I think the Port fees will not amount to much less than £60 per Annum for the Active. which is a very heavy sum. All these must be paid out of the Cargo. I am only afraid of heavy duties tho' Governour Macquarie has not changed any, as already mentioned, yet he may change his mind, or another Governour may come. Should any Governour ever command this Colony, and disapprove of the measures adopted for civilizing the Inhabitants of New Zealand, he greatly impede the work merely by depriving those who were carrying it on of the means, or laying on heavy duties. we are too remote to seek redress - and therefore I think it wise and prudent to provide as much as possible for what may possibly happen -

Rev. J. Pratt

I have the honor to be

Rev. Sir

Your most obedient
humble Servant

Saml Marsden