

## Department of Agriculture—Archives.

1800.

account of the daily output and the average cost of shipping. Encloses account for the new Government House. Intends setting out to investigate disputes arising from conflicting licenses of occupation of land. Death of Mathews. His (Murray's) military allowances stopped by the Duke of Kent, and Despard refuses to certify his accounts for the Government House. Col. Cor., C.B., vol. 77, p. 141

*Enclosed.* Account for the colliery. 147  
 Vouchers. 149 to 215  
 Pay lists for colliery. 217, 219  
 Other accounts for Government House, colliery and miscellaneous. 221 to 293

August 23,  
 Sydney.

Smith to Despard, Enclosed in Despard's letter to Secretary of State, 26th August; a duplicate of Smith's letter is at p. 651 of Col. Cor., C.B., vol. 77.

August 23,  
 Cape Breton.

Murray to Secretary of State (Portland). Arrival of Despard (see also 17th June), to whom the military command has been transferred, but who demands also the transfer of the civil government, which he (Murray) cannot do without instructions; dispatches addressed to him have been handed to Despard and retained. The military changes. If he (Murray) is removed from his civil office before completing reforms begun, he shall think himself hardly used; all attempts to check abuses are certain to create enemies. In a postscript he explains that it was owing to the claim of Chief Justice Smith to be President of the Council that he did not lay the mandamus of 17th October, 1799, before Council, fearing that the discussion of Smith's claim might cause a rupture. Col. Cor., C.B., vol. 77, p. 299

*Enclosed.* Despard to Murray, 19th August. Gives as his authority for demanding the transfer to him of the civil command the terms of the mandamus of 17th October, 1799. Requests him (Murray) to deliver the King's instructions of that date and those of the Duke of Portland of the 18th, that steps may be taken to carry them into effect. 303

Murray to Despard, 20th August. Desires him to send the duplicate of mandamus he had received which belongs to him (Murray). Has received no orders to give up the civil government, and he is entrusted with the execution of important public works. If it is determined that the change is to be made, orders will soon be received and the short delay can cause no inconvenience; shall take the whole responsibility. Hopes his determination may cause no interruption to their friendly intercourse. 307

Despard to Murray, 20th August. Cannot understand how he (Murray) can resist the explicit terms in the mandamus; he must accept the consequences. 311

(The further correspondence on the same subject and to the same effect follows, dated 22nd, 24th and 26th August.)

August 26,  
 Sydney.

Despard to Secretary of State (Portland). On the dispute between him and Murray as to the presidency of the Council. 327

(The letters between him and Murray (enclosed) are duplicates of those sent in Murray's of the 23rd, including the letters of the 24th and 26th, the dispatch in which they were sent having evidently been delayed in transmission. The following are additional enclosures.)

Despard to Chief Justice Smith, 21st August. Did he see the mandamus of 17th October, 1799, and had the Council been called together to carry out the instructions? Desires his opinion whether he (Despard) should or should not take the rank of senior member of Council and administer the Government on his arrival as commander of the forces. Col. Cor., C.B., vol. 77, p. 355

Smith's opinion, 21st August, that the King's intention was that the civil should be attached to the military command in Cape Breton. 359

Despard to Smith, 22nd August. Desires to know "clearly, fully and explicitly" whether he (Despard) as the officer commanding the forces is