Paupers, Poor Relief and Poor Houses
in Western Australia, 1829 to 1910
Paupers, Poor Relief and Poor Houses in Western Australia, 1829 to 1910

Penelope Hetherington
The wealth of Western Australia was built largely on the hard work of thousands of indentured labourers, convicts and penniless immigrants. Many of the immigrants came from Poor Houses in England and had their fares paid by the Imperial Government. After 1886, large numbers arrived from the other Colonies, hoping to make their fortune on the Goldfields. Although the majority came with nothing more than a pannikin and a blanket, most of them eventually found work and managed to feed themselves and their families.

But the problem of unemployment frequently plagued the workers in a society with few resources and no charitable institutions. Who fed the indentured servants who were cast adrift by their masters? What was the Government’s solution to the general problem of unemployed paupers, many of them ex-convicts? And what of those who were sick or insane? What was the fate of a woman with a large family if her husband became ill or died? Many of these labourers were sent to gaol, often for minor offences. Who provided help for their families? What were the choices available to young unmarried servant girls who became pregnant? Who provided food and shelter for those ex-convicts without families who grew old and could no longer work? Who cared for abandoned children and for those who appeared frequently before the courts?

My earlier research interests persuaded me that there was an interesting story to be told about the treatment of people who were destitute in Nineteenth Century Western Australia. How many people knew that we had Poor Houses in this Colony? Why were there so many men, women and children with nothing to eat? Who made the decision to feed the poor,
and when and where were the first Poor Houses established? Were these institutions administered to assist the poor or to punish them? What was the basis for the distinction between the deserving and the undeserving poor? In what ways did the policies of convictism and the provision of free passages for immigrants to Western Australia help create the problem of destitution? What was the connection between Immigration Depots and Poor Houses in both Perth and Fremantle?

I set out to answer these questions. But I soon found that I needed to provide the reader with some background detail about the administrative system of Colonial Government and the ways in which it gradually changed. As I proceeded with my story, I also needed to name the Governors, the Colonial Secretaries and the people responsible for the operations of the Poor Houses. I realized that it was essential to explain that, from 1850, the Imperial Government paid for and administered the convict system separately from the Colonial Government, except for the general oversight by the Governor. After 1886, the Colonial Government finally took control of the Fremantle Gaol, the Insane Asylum and the Imperial Invalid Depot established at the Knowle. I also needed to provide a brief general overview of political, social and economic developments between 1829 and 1910.

This book therefore provides a useful introduction to early Western Australian history. The early immigrants are here, including those with capital and their indentured servants. Between 1850 and 1868, boatloads of male convicts arrive, as do the free immigrants in almost equal numbers. The Governors struggle with the problems of expanding the settlement and developing a viable economy, while contemplating their small revenue base. They complain to their Colonial Secretaries about the cost of poor relief, but only the so-called undeserving poor are refused Government assistance.

And then, as the gold rushes begin in the late 1880s and 1890s, the scene begins to change. Now there are people with substantial private incomes, who begin to notice the increasing number of destitute men, women and children congregating in tents along the river. Most of these people are from the other Australian Colonies and have returned in disappointment from the goldfields.

The arrival of the Salvation Army in 1890 heralds the beginning of a new zeal for many forms of private charity. In 1900, the State Government passes the Industrial Conciliation and Arbitration Act, which removes most of the earlier discrimination against the majority of workers. By 1900, the Charities
Department has established a Labour Bureau where male and female workers can seek employment. By 1910, there are new private institutions, as well as the four orphanages established in the late 1860s and early 1870s, for many people desperately needing help, including abandoned babies, single pregnant women, immigrant girls, and people who are either deaf or unable to speak. The Poor Houses are still under pressure but the inmates are no longer branded as *paupers*. They are now called the unemployed, the elderly and the sick. In the first ten years of the new century, these people are all moved into new quarters and the old Poor House system has ceased to exist.

Penelope Hetherington, June 2009.
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The first two ships carrying settlers for Swan River Colony, the *Challenger* and the *Parmelia*, arrived in April and June 1829 at the site chosen by Captain James Stirling. He had explored the area around the River Swan in Western Australia and strongly advocated colonization. The decision to establish the Colony was made in 1828 and, although he was not officially appointed Governor until 1831, Stirling governed the Colony for ten years from its inception in 1829 until 1839.

An earlier settlement had been established at King George’s Sound (now Albany) by a group of soldiers and convicts from New South Wales on Christmas Day 1826. They had been sent from New South Wales by Governor Darling following instructions from the British Government. They were instructed to establish a settlement in the western region and raise the British flag, after a warning that France might make a claim to the western part of the continent. In 1831, the men at King George’s Sound were recalled to Sydney.

In preparing for their voyage to the Swan River, the men appointed as Colonial officials, including Stirling, could readily imagine themselves living as part of a small but powerful elite, with large land holdings and a regular Government salary. Many of the other early colonists, who arrived between 1829 and 1832, were undoubtedly influenced by the over-optimistic reports about the environment, and the description of *plains ready for the ploughshare*. Some of those planning to emigrate decided on Western Australia as their destination because of promises of free grants of land, much greater than they could afford in England. Although these potential colonists knew that the land was already inhabited, they took no account of the prior claims of the Aboriginal people to land ownership.

Introduction
For these immigrants, many of them retired army officers belonging to the middle class, the ownership of land was not only the symbol of wealth and status but, according to the conditions advertised for land grants in the new settlement, also a good investment. They brought their capital and paid the fares of their indentured servants and labourers because the publicity promoting the new settlement seemed to offer the opportunity to increase their wealth. In retrospect, we can see that, in their optimism, most of them underestimated the capital and labour problems inherent in making their land grants productive. It is now also apparent that the small labour force in the early Colony could not possibly develop the large land grants, with narrow river frontages.

Many of those without accumulated capital also hoped for new opportunities for their families. At this time, Great Britain was experiencing rapid economic change and social distress. The enclosure of common land, and the collapse of cottage industries because of the growth of industrialisation, led to dispossession and poverty amongst the working poor. The ending of the Napoleonic War in 1815 had signalled the beginning of an economic slump with falling wages and rising prices. The economic depression fuelled the Luddite violence against the factories installing textile machines. It also led to a huge demonstration in 1819 demanding Parliamentary reform, a protest put down violently at the so-called Peterloo Massacre.

Rapid urban growth during the 1830s also led to serious poverty due to seasonal under employment, lack of work as people moved from country to city, and frequent illness due to unhealthy living conditions. Most of the new colonists in Swan River Colony were undoubtedly familiar with the stratagems employed by the desperate poor in England, who sent their children out to work, pawned their goods, took in lodgers, undertook laundry work and accepted help from charitable organizations.

Those who were reduced to serious poverty were frequently forced to seek poor relief or entry into a Poor House. A national system of poor relief, introduced in England at the end of the Sixteenth Century, was funded by local rates paid by those who owned or rented property. This meant that parish administrators were always desperate to prevent the rise of poor law rates, and often rejected appeals for help from those who did not belong to the parish. This source of poor law funding continued after the new Poor Law Act of 1834 was introduced, but now with a more centralized system to
provide relief through parishes. However, attempts to remove so-called non-settled paupers back to their original parishes continued.\textsuperscript{14}

The English Poor Law Act of 1834 channelled all poor relief through the Poor Houses, and invented the idea of \textit{less eligibility}. This meant that no recipient of poor relief would receive as much as the poorest paid labourer in the workforce. Relief provided in the form of money or rations outside the Poor Houses ceased (outdoor relief) and those in the \textit{workhouse}, as it was often called, lived on the bare essentials. By these means, the authorities hoped that only those who were quite incapable of supporting themselves would apply for relief.\textsuperscript{15} While the demand for poor relief increased, some families considered the advantages apparently offered by the advertisements for work in the new Colony.\textsuperscript{16}

During the first three years, the early colonists were entitled under the land regulations to select 200 acres for every indentured labourer over ten years of age brought to the Colony.\textsuperscript{17} Some paid the fares of the servants and labourers already employed on their estates in England. Others offered indentures to people from a Poor House, some of them in family groups. Under these arrangements, their fares were paid to Swan River and they were promised food and lodging. But they would not be paid a wage until they had worked long enough for their master to recoup the cost of their fares.

When, after 1832, settlers were no longer granted 200 acres of land for each indentured labourer, and land was instead offered for sale, the number of settlers with a large work force dropped dramatically.\textsuperscript{18} From then on, the working poor tended to arrive in the Colony as part of a cargo of free immigrants, some with a little capital, some with no resources.

The fares for some of these poor immigrants were paid by Poor House officials on the understanding that they would not return to England and to the Poor House of that area.\textsuperscript{19} Parish ratepayers in England could approve the spending of part of their rates to help defray the expenses of the emigration of poor persons having settlements in such parishes and willing to emigrate, to be paid out of or charged upon the rates raised or to be raised for the relief of the poor in such parish, and to be applied under and according to such rules, orders, and regulations as the said commissioners shall in that behalf direct.\textsuperscript{20}

Although the Colonial Office in London recognized that conflicts would almost certainly arise between indentured servants and their masters,\textsuperscript{21} it failed to issue any direct instructions to the Governor concerning the relief of the poor. But the evidence about to be unravelled reveals that, at the very
least, the Governors and their officials took it for granted that no one should be left to starve. For some people in great need, help undoubtedly came from individual charity. But, from the earliest days, the Colonial Government undertook to provide food for those who were starving, and to assist the sick and insane.
Many of the early reports from settlers arriving in Swan River Colony convey the sense of dismay at the circumstances facing them. Will and Eliza Shaw, for example, arrived on the *Egyptian* in February 1830 to what Eliza described as a complete burlesque.

*Here we are under our tents, set down close to the sea beach, higgledy-piggledy, up to our ankles in sand. Our eyes suffer dreadfully, as the winds are so high at times they raise the sand and cover everything. Our sofa serves Shaw, myself and George, and sometimes Mary, for a bedstead. The Boys and Markram lie on beds on the ground and more complete gypsies you never beheld. But we all bear it much better than you could expect. You would smile to see ladies, gents, children and working people, many without shoes or stockings, some carrying wood to make fires, others cooking, washing and nursing their babies...*

At first, as Eliza Shaw suggests, all the new arrivals, including settlers who brought capital, and their labourers and servants, struggled to survive in this unfamiliar and wild environment. Rigid class divisions, already undermined during the long voyage in small and crowded ships, were further eroded. In the beginning, they all worked together to provide shelter to protect their families and possessions, building wattle and daub huts, and thatching the roof with grass tree tops, reeds and paperbark.

The walls of the house of Mr Hardy, for example, were *constructed of stakes driven into the ground, and interlaced with wattles, the space between being filled with mud mortar, and the whole plastered so as to present a smooth surface. The roof was constructed without nails, except those which fastened the rafters; the lathing was secured by rope yarn. The covering is thatch, made of a fine sort of rush, that lies more compact than straw, and when clipped, has a very neat appearance.*
Before long, however, those with capital and who had grants of land, began to build more solid houses, employing some of their indentured servants on this task. In 1832, Governor Stirling wrote that a considerable portion of the available labor of the Colony has been heretofore necessarily employed in Brick making, Sawing, Quarrying and Lime burning; for the Purposes of Building. Materials are abundant and in Fremantle and Perth there are now some very good houses. Warehouses and shopkeepers in the smaller towns are becoming very common. As the new Colonial elite established their permanent homes, the more substantial of these early makeshift houses were used to provide shelter for labouring families and, at times, for those who were destitute.

During the first twenty years after settlement, success came gradually to some of the most hard-working and fortunate settlers, especially those who had an income from their position in the small Government hierarchy. But there were also some spectacular failures in the landholding schemes of some of the earliest settlers. From the first year of settlement, many indentured servants, whose lives depended on the success of their settler masters, faced acute illness or starvation.

The political decisions made by Governor Stirling, including those about relief for the destitute, were discussed beforehand with several men who belonged to the elite of appointed officials. During the period from 1829 until as late as 1870, the power of the Governor was untrammeled by any elected body. However, he was assisted in solving administrative problems from 1832 by an Executive Council, consisting of the Colonial Secretary, the Commandant of the Military Forces, the Attorney General and the Surveyor General. This was enlarged after 1847 and 1852, first by the Collector of Revenues and then by the Comptroller of Convicts.

This same group of appointed officials also made up the first Legislative Council, which met from 1832 as a forum for discussing the passage of particular legislation.

During his period in office following Governor Stirling, Governor John Hutt enlarged the Legislative Council by appointing four new nominated members. After 1870, the first elected members sat in the Legislative Council alongside some members still appointed by the Governor, while full Responsible Government was not introduced until 1890.

The Colonial Secretary, who was in daily consultation with the Governor, was the key figure in the general administrative processes in the Colony.
Peter Brown (Broun) was appointed to this position in December 1828, before leaving England, a post he held until October 1846. English law was applied where necessary and proclamations were issued by the Governor to provide legal cover for special problems. The reports of the early Governors to the Secretary of State for the Colonies in Britain suggest that for some time the survey and allocation of land took precedence over all other considerations, while the relations between Europeans and the Aboriginal population became increasingly important. But, within a few months, the problem of destitution also had to be confronted.

Governor Stirling thought the problems of poverty that soon arose in the Colony could be blamed on the foolish choice of labourers by the capitalists and on the poor character of the people they chose. In September 1829, only three months after first settlement, he referred to the great variety apparent in the working class brought to the Colony. Some masters have been careful in the selection of their servants and workmen, but the greater part have either engaged the outcasts of parishes, or have brought out men without reference to character; and the consequence is great inconvenience to such masters and endless trouble to the authorities established here.

Some of the early settlers undoubtedly accepted anyone available as a servant, including destitute families from a Poor House, since each person was worth an additional 200 acres in the size of their land grant. But rather than blame these outcasts of parishes for the problems of poverty, the evidence for destitution points overwhelmingly to the behaviour of some of the early landowners. Many of them had insufficient capital reserves to maintain their labourers and families, because they had been unable to envisage how long it would take to make their land productive. Servants and labourers had to be provided with food and shelter from the time of their departure from England, even though they could do no productive work until land had been surveyed and apportioned to the master.

British Colonial officials, who had predicted that problems would arise between masters and servants, foreshadowed the passage of legislation to solve the problem. The Regulations for the Guidance of the Settlers in 1829 stated that provisions will be made by law at the earliest opportunity for rendering these Capitalists, who may be engaged in taking out laboring persons to this settlement, liable for the future maintenance of those persons, should they from infirmity or any other cause become unable to maintain themselves. In order to satisfy this requirement, Governor Stirling issued several Proclamations,
which had the force of law unless rescinded by the British Government, about the responsibilities of settlers and labourers. He also resorted to a variety of short-term measures to provide food for the destitute. But it was 1842 before the first breach of contract Act was passed.36

Two of the most remarkable cases of capitalists abandoning their workers concerned Thomas Peel and Peter Lautour, two of the men who lobbied the British Government for a system of very generous land grants.37 Because the Gilmore arrived too late for Peel to take up the 250,000 acres of land reserved for him on the Swan River,38 he was initially allotted a stretch of sandy soil on the coast near Woodmans Point. Peel could not afford to feed his 400 servants, some of whom died of scurvy and dysentery. 39

According to the Colonial Storekeeper, John Morgan, Peel’s affairs looked very gloomy. He has been unfortunate to severely wound his right hand while out shooting...he is a ruined man in every sense of the word – unless some person arrives here rapidly to manage his affairs – the consequence is his people are wretchedly provided for, more miserably than I ever saw. Thirty seven have actually died and been buried...making in all about sixty deaths in the small Colony, since we arrived here – the climate has nothing to do with it excepting that had it not been as fine, the sixty might have multiplied fivefold.40

Peel’s surviving servants were released from their indentures by the Governor who gave some of them small plots of land at Guildford on which to grow food while others were absorbed as workers by established settlers.41

Peter Augustus Lautour did not come to the Colony himself but sent 85 settlers under the control of a manager, Richard Wells, in order to qualify for what proved to be an allotment of over 100,000 acres of land.42 Some small grants on the Swan River were followed by a large grant at Leschenault Inlet.43 His servants were located at Fremantle and eventually released from their indentures to work for other settlers.44

Governor Stirling explained to the Colonial Secretary in London that [t]he gigantic schemes of Mr T. Peel and Colonel Lautour having been undertaken without a proper Provision of Funds and Stores in the Country for their maintenance, their Establishments have been broken up and their servants discharged either by their masters or by Decision of Magistrates. Colonel Lautour’s servants were liberated about three months ago, and were speedily employed by other settlers. Mr Peel’s establishment being much larger and less disposable, I have been obliged to interfere with it for the prevention of famine, and have arranged with him that upon his consenting to liberate all but a limited number of
his people from their indentures, assistance shall be lent for the maintenance of the
Remainder from the King’s Stores.45

It is apparent that the problem of providing food and lodging for
indentured servants also applied in much smaller establishments than those
of Peel and Lautour. William Tanner, for example, who arrived in the Colony
in February 1831, paid for the passage of 30 persons apart from his own
family, including Jeremiah and Mary Cook and their ten children. Although
he was not paying any wages, Tanner wrote to his mother explaining that he
was thinking of giving up his servants’ indentures and keeping only the boys
and William Fussell. It costs at present low prices more than thirty pounds per
annum to keep an adult.46 This meant that he was planning to cast most of
his servants adrift, without them having any immediate prospect of work or
food.

Tanner had some private capital but did not want to lose too much of
his money in the period before his farm became productive and returned
a profit. This was a delicate balancing act for many of the large gentleman
landowners who saw their indentured servants as expendable. However,
there were exceptions. Captain John Molloy, who desperately needed his
indentured servants at the first settlement at Augusta, thought he had
no alternative but to release Robert and Anne Heppingstone when they
expressed a wish to branch out on their own.47

Apart from negotiating solutions for the surviving servants of Peel and
Lautour, Governor Stirling moved quickly to issue several Proclamations
in order to regulate the master-servant relationship. In November 1829, a
Proclamation required that all indentures be recorded, that complaints
should be made to the Colonial Secretary, and that masters should
undertake to provide sufficient food and lodging. If the master broke his
side of the contract, the servant could be freed from the indenture, often
the outcome the master hoped to achieve! On the other hand, a servant
breaking a contract resulted in a loss of wages, a fine or imprisonment.48

In March 1830, Governor Stirling issued another Proclamation, limiting
work to eight hours in summer and nine in winter, and stipulating extra
rations to be provided in order to prevent the exploitation of servants by
their masters.49 This followed a meeting of the Magistrates of the Colony
who recommended the details of this policy in order to lessen the number
of disputes between masters and servants on the subject of rations and their
working hours.50 These arrangements were withdrawn after two years because
of complaints from the employers. However, Governor Stirling did refuse to regulate to keep wages down.\textsuperscript{51}

He also set up a preliminary system consisting of constables and magistrates in order to enforce the law. Civil and Criminal Courts were established in 1832.\textsuperscript{52} The Criminal Court Record books show that by far the most frequent crime committed in this early period by both settlers and Aborigines was the larceny of one or more items of food, including flour, pork, butter, wheat, potatoes, fowls and pigs, suggesting that there was widespread hunger in the Colony.\textsuperscript{53}

Many of the criminal charges were for drunkenness. It was regarded as lawful for masters to pay a third of the wages of their servants in spirits, while the residue often consisted of orders upon storekeepers, from whom there was, not infrequently, little but spirits to be had, so that, at times, it was difficult for them to obtain a loaf of bread for their families.\textsuperscript{54}

Early in 1831, Stirling, in his report to London on the state of the Colony, referred to the great inconvenience caused by quarrels and complaints between masters and servants. However, he explained that \textit{these evils were subdued by the following measures – the Establishment of a Scale of Rations, and the immediate liberation of Servants from their Indentures, whenever the latter were broken by their masters; on the other hand, the Idle, Drunken and Disobedient were punished with imprisonment. To these were added an arrangement respecting Licences for the Sale of Spirits, and also the opening of a town called Guildford on the Swan River, at which discharged servants could each obtain four or five acres of good land and the advantage of mutual assistance.}\textsuperscript{55}

The people he referred to as \textit{idle, drunken and disobedient}, as well as those who committed larceny, could be whipped, put in stocks or gaol.\textsuperscript{56} Those imprisoned in the wrecked ship, the \textit{Marquis of Anglesea}, were officially listed as early as July 1830, when twelve out of the 26 prisoners were gaol for periods of two days to one month for \textit{misconduct as an indentured servant}.\textsuperscript{57}

In some instances, wives of imprisoned men petitioned the Governor for a remission of the sentence imposed at the Quarter Sessions because they were unable to support themselves and their children on their own. These appeals were referred by the Governor to W.H. Mackie, Chairman of the Quarter Sessions, for his advice.\textsuperscript{58} A close connection between the imprisonment of men, and the destitution of their wives and children, would remain a persistent theme throughout the Century.
The nature of the *contract of servitude* between masters and servants stipulated the length of time the servant and his family would be bound to the master and whether or not the fares from England would have to be repaid.\(^{59}\) However, because of the breaking of contracts by some of the masters, there were soon three categories of *labourer* or *servant* in the Colony. There were those who were working out their *contracts of servitude*, those who had been released and were therefore free to seek work, and those who arrived as immigrants without any prior contract. Although some contracts between masters and servants were still being undertaken in the 1840s, work for wages gradually became commonplace, and with it came the problem of unemployment as a major cause of poverty.\(^{60}\) As early as 1832, for example, 26 mechanics and artisans of Fremantle sent a petition to Governor Stirling asking him to provide employment on public works to enable them to earn a living.\(^{61}\)

During the first ten years, Governor Stirling responded in several ways to the increasingly complex problems of destitution.\(^{62}\) From the time of first settlement, there were always some people not currently employed in the Colony. Recently arrived immigrants, as well as people released from their indentures after a fixed time, had to seek work. In the 1830s, work was sometimes difficult to find. The response of the Governor was to provide work on making roads, called *Task Work*, and to pay the labourers from the Government store, called the Commissariat.

The Commissariat in Perth, built at the edge of the Swan River where the Supreme Court now stands, was designed by the Government Civil Engineer, W.H. Reveley. Completed in 1835, it was the first public building erected in Western Australia. In 1845, the first Court House was built nearby and was sometimes used for Anglican Church services or to provide temporary shelter for immigrants.\(^{63}\)

The Commissariat staff members were responsible for organizing food supplies for police and army personnel in Government employment. Much of their work consisted of calling for tenders for settlers all over the Colony to deliver particular supplies wherever they were needed. From 1836, the needs of the Commissariat were advertised in the *Government Gazette*. In February 1836, for example, tenders were called for the supply of flour and fresh meat to such men as belong to the Detachment of the Twenty-first Fusiliers, *as may be from time to time stationed in the York District*.\(^{64}\)

The destitute men employed on *Task Work* were paid at the rate of one pound of flour and one pound of meat per day. This apparently liberal
supply of meat presumably reflected its availability from kangaroos and other native species. This employment and the allowance of flour and meat ceased as harvest time approached, when the men were expected to find employment. If settlers could find work for the destitute, they were permitted to provide the allowance of flour from the Government store and repay the total cost after the harvest. This became a pattern for many struggling settlers who provided their labourers with food from the Government store, often building up a considerable debt to the Government.66

In September 1834, the situation had become precarious for the whole Colony because of the dwindling supplies of flour. In the absence of Governor Stirling overseas, the Lieutenant Governor, Captain Richard Daniell,67 consulted the members of the Executive Council about what measures might be taken, given that the harvest was some ten to twelve weeks away. One member of the Council, the Surveyor General, J.S. Roe, suggested that a supply of fish could be delivered to the Government and