

G.C. Curlew's Memorial to Colonial Office 1839. G. Gipp's Despatch. Pgs. 199, 200

The humble Memorial of George Campbell Curlew of Ravenswood, in the County of Argyle, and Colony of New South Wales, Farmer and Grazier.

Shewith:

1. That your Memorialist arrived in the said Colony from Great Britain in the month of September (1) 1824, for the purpose of settling therein, in such pursuits as he might find most advantageous.
2. That ultimately your Memorialist commenced business as a wholesale merchant, in which business he continued for about six years.
3. That early in the year 1831, your Memorialist induced by the advantages held out to emigrants by the Land Regulations of 1826-7, determined upon availing himself thereof by transferring the whole of his capital and personal attention from commercial to agricultural pursuits.
4. That for this purpose your Memorialist applied to His Excellency Sir Ralph Darling, at that time Governor of the Colony, for authority to select a Primary Maximus Grant of Land on the several terms and conditions in the said Regulations provided, and His Excellency being satisfied that your Memorialist possessed the amount of capital requisite to entitle him thereto, was pleased to allow him all the benefits of the said Regulations, and to grant to him two thousand five hundred and sixty (2560) acres accordingly, his letter of possession being the usual printed form based upon the Downing Street instructions of 1826-7.
5. That your Memorialist took final possession of his said land in the month of October 1831, situated on the Shoalhaven River, in the County of Murray.
6. That having every reason to feel confident, that a due outlay of capital in the cultivation and improvement of his said land as a Primary Grant would fully entitle him to the additional Grant promised in the Regulations under which he received the same, your Memorialist proceeded to expend large sums of money in clearing, fencing, cultivating, and building thereon; and is prepared to prove that at the expiration of seven years from his taking possession thereof his said expenditure considerably exceeded the sum stipulated in the Regulations.
7. That the said land is the only Grant your Memorialist ever received from the Crown, and he has held uninterrupted possession thereof from October 1831 to the present time.
8. That your Memorialist is also prepared to prove, that in cash, live stock, impliments of agriculture, and real estate, he is at the present time, and was at the expiration of the seven years aforesaid, possessed of a bona fide capital considerably exceeding Two Thousand Pounds.
9. That at the end of the said seven years, your Memorialist, by a Memorial to His Excellency Sir George Gipps setting forth the aforesaid circumstances, claimed the additional Grant to which he thus became entitled.
10. That in reply to the said application your Memorialist had the honour to receive a letter from The Honourable the Colonial Secretary, dated the 5th November 1838, informing him, by direction of His Excellency the Governor, that as he (your Memorialist) arrived in the Colony in 1824, he of course, did not emigrate on the faith of the Regulations of April 1826, and consequently was not entitled to the benefit of the Regulations published in this Colony on the 27 June 1837.

1. (1) "Government Gazette" records "Hope" arriving in Port Jackson on 26 May, 1824. Therefore G.C.C. made a mistake in recollection month.

AD. NSW. Reel .2666 records 26 May 1824 also



Vide Appendix.

11. That your Memorialist feeling dissatisfied with His Excellency's decision, immediately resolved on appealing to the Right Honourable the Secretary of State, but advised to defer doing so until he should learn the result of certain other appeals which had been made on somewhat similar grounds.

12. That your Memorialist now most respectfully submits his case to your Lordship's liberal consideration, humbly contending, that although the actual date of his emigration was a little antecedent to that of the aforesaid Regulations of 1826-7, yet, as he received his Primary Grant under those Regulations, without any modification or reservation whatsoever, either as to the conditions prescribed or the advantages promised therein; and was thereby induced to leave a flourishing mercantile Firm, and to expend a large capital in the improvements of his Primary Grant, on the faith of those Regulations, and as he fully complied with all the conditions therein stipulated, he is fairly and equitably entitled to all the benefits thereof.

13. That your Memorialist cannot but be sensible that in petitioning at this distant period (when land is comparatively scarce and dear, and respectable emigration more copious) for the fulfilment in their true letter and spirit of the Regulations of 1826-7, he occupies a disadvantageous position; but he feels confident that your Lordship will do him justice to read his Memorial, and to consider his case, not with the views and feelings of the year 1840, which would be inequitable, but with those which prevailed in your Lordship's Department at the time those Regulations were framed.

Wherefore your Memorialist humbly prays, that your Lordship will be pleased to take the premises into your favourable consideration, and thereupon to instruct his Excellency the Governor of New South Wales to cause his claim herein to be investigated by the Commissioners appointed for such purpose; and upon the foregoing facts being proved to their satisfaction, to make to your Memorialist the additional Grant of Land to which he claims to be entitled under the aforesaid Regulations.

And your Memorialist will pray etc ..... etc.....

(Signed) G.C. CURLEWIS

Ravenswood  
New South Wales  
12th December 1839.