

# Narrative of the Expedition to Botany Bay

Tench, Captain Watkin Sydney's First Four Years - a reprint of A Narrative of the Expedition to Botany Bay and A Complete Account of the Settlement at Port Jackson 1788 -1791 Sydney, Library of Australian History, 1979.

**Captain Watkin Tench was commander of a detachment of Marines with the First Fleet, which reached Australia in 1788.**

## Chapter 10

**The reading of the Commissions, and taking Possession of the Settlement, in form. With an Account of the Courts of Law, and Mode of administering Public Justice in this Country.**

February, 1788

Owing to the multiplicity of pressing business necessary to be performed immediately after landing, it was found impossible to read the public commissions and take possession of the colony in form, until the 7th of February. On that day all the officers of guard took post in the marine battalion, which was drawn up, and marched off the parade with music playing, and colours flying, to an adjoining ground, which had been cleared for the occasion, whereon the convicts were assembled to hear His Majesty's commission read, appointing his Excellency Arthur Phillip, Esq. Governor and Captain General in and over the territory of New South Wales, and its dependencies; together with the Act of Parliament for establishing trials by law within the same; and the patents under the Great Seal of Great Britain, for holding the civil and criminal courts of judicature, by which all cases of life and death, as well as matters of property, were to be decided. When the Judge Advocate had finished reading, his Excellency

addressed himself to the convicts in a pointed and judicious speech, informing them of his future intentions, which were, invariably to cherish and render happy those who shewed a disposition to amendment; and to let the rigour of the law take its course against such as might dare to transgress the bounds prescribed. At the close three volleys were fired in honour of the occasion, and the battalion marched back to their parade, where they were reviewed by the Governor, who was received with all the honours due to his rank. His Excellency was afterwards pleased to thank them, in public orders, for their behaviour from the time of their embarkation; and to ask the officers to partake of a cold collation, at which it is scarce necessary to observe, that many loyal and public toasts were drank in commemoration of the day.

In the Governor's commission, the extent of this authority is defined to reach from the latitude of 43(0) 49' south, to the latitude of 10(0) 37' south, being the northern and southern extremities of the continent of New Holland. It commences again at 135th degree of longitude east of Greenwich, and, proceeding in an easterly direction, includes all islands within the limits of the above specified latitudes in the Pacific Ocean. By this partition it may be fairly presumed, that every source of future litigation between the Dutch and us will be for ever cut off, as the discoveries of English navigators alone are comprized in this territory.